



ROB VEALE LTD

Hosting Judge Eugene M. Hyman  
in New Zealand (Aug 2009)



The Honorable Judge  
Eugene M. Hyman

Superior Court of  
California,  
County of Santa Clara  
191 North First St.  
San Jose, CA 95113

# About Judge Hyman

Appointed to the Santa Clara County Municipal Court in 1990, Judge Hyman was appointed to the Superior Court for Santa Clara County in 1997.

In 1999, he created the Juvenile Delinquency Court for the Domestic Violence and Family Violence programs in Santa Clara County, the first of its kind in the United States. He has served in the community as a member of the Domestic Violence Council, and chaired the Council for the Court Systems Committee.

In 2000, he was awarded the Legal Advocates for Children and Youth Honor for his work with families and children.

In 2004, he received the Alumni Special Achievement Award from Santa Clara University School of Law. Judge Hyman has been an adjunct professor at Santa Clara University for more than 21 years, teaching five different courses.

In the award letter to Judge Hyman, Guido Bertucci, director of the Division for Public Economics and Public Administration, Department of Economic and Social Affairs, United Nations, wrote "I am pleased to congratulate your organization on winning the 2008 United Nations Public Service Award in the category of 'Improving transparency, accountability, and responsiveness in the Public Service' for 'Juvenile Delinquency Domestic Violence and Family Violence Court.' Your outstanding achievement has demonstrated excellence in serving the public interest and I am sure it has made a significant contribution to the improvement of public administration in your country. It should be an inspiration and encouragement for others working for the public service."



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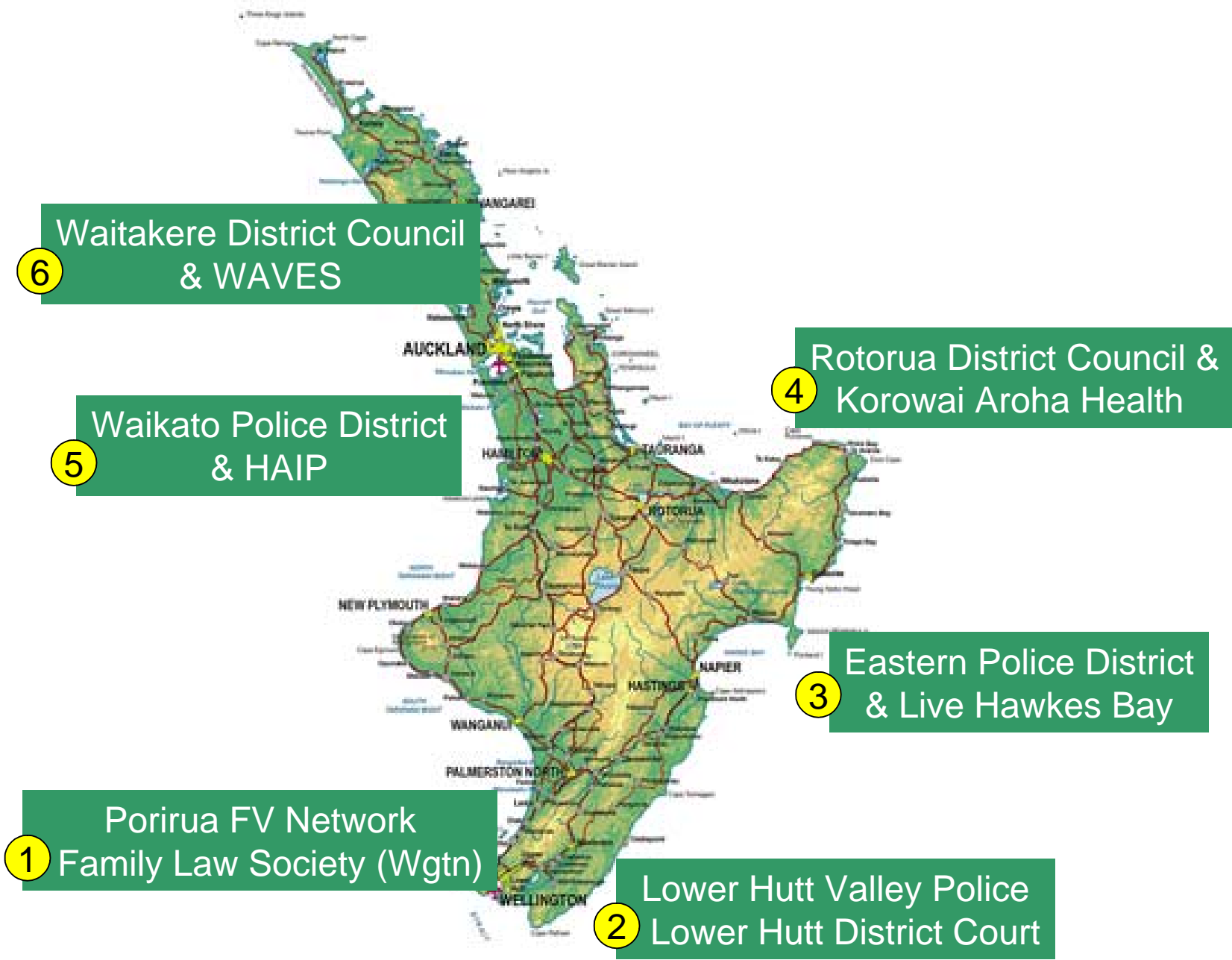


## Judge Hyman's Visit to New Zealand

Rob Veale Ltd hosted Judge Hyman during his visit to New Zealand in August 2009

With the support of various groups and agencies, presentations were made in Porirua, Wellington, Lower Hutt, Napier, Rotorua, Hamilton and Waitakere

Special thanks go to all those who assisted in organising their meetings, together with all those people who attended to share their passion for addressing family violence



6 Waitakere District Council & WAVES

5 Waikato Police District & HAIP

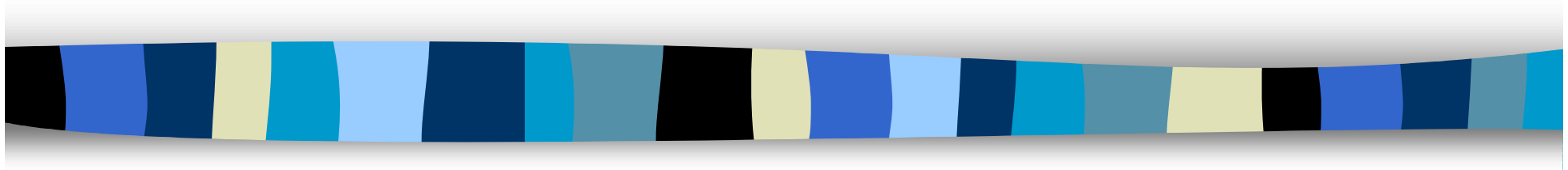
4 Rotorua District Council & Korowai Aroha Health

3 Eastern Police District & Live Hawkes Bay

1 Porirua FV Network Family Law Society (Wgtn)

2 Lower Hutt Valley Police Lower Hutt District Court

# Topics and Discussion



**The following notes are representative of the range of topics which were addressed in presentations**



## Topics included:

- The DV Court should primarily be victim-focused
- Children should be the centre of attention
  - Deflects from traditional victim-blaming behaviours
- Protection orders are issued for every DV offence
  - Judge takes ownership and explains the grounds
  - Only decision is whether the order involves stay away or peaceful contact provisions
  - Victim consent is not required
  - Punishment for breaches starts with custody – the only decision is about the length of incarceration
  - Restraining orders are issued in Family Court
- Information sharing between all Courts is imperative for effective decision-making



## Topics included:

- DV sentences include a 52 week intervention program, two misses allowed, 3 years probation
  - Intervention rather than a medical model based on treatment – definitely not anger management
  - Focus on victims as the Judge is not sure the batterer will or can change – but he can try to link victims with services
- Reinforcing the role of the Judge
  - The Judge makes orders, officials make recommendations
- The Judge as an enabler of further violence
  - Making excuses for the batterer's job
  - Closing the door at 7pm – he was only 5 minutes late
  - Controlling the batterer



## Topics included:

- Santa Clara Death Reviews
  - No victims killed where a Protection Order had been issued over a 12 year period
- Mandatory arrest
  - Dual arrests, training implications
  - Women as batterers, pleading guilty inappropriately
  - Implications for children
- Memoranda of Understanding / Protocols
  - Building consistency when the personalities change
  - Need to be regularly reviewed by all parties
- Community audits
  - Victim surveys



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## Comments and Discussion

For any further feedback, or other enquiries, feel free to contact

[www.robveale.com](http://www.robveale.com)

or

[www.judgehyman.com](http://www.judgehyman.com)