

REPORT OF THE EXPERT ADVISORY GROUP ON FAMILY VIOLENCE

21 November 2013

- 1 The Expert Advisory Group (EAG) met in Auckland on 21 and 22 October 2013 and on 19 November 2013 at the invitation of Associate Social Development Minister Tariana Turia. The EAG's terms of reference are attached, but in general terms the EAG was asked to:
 - identify opportunities to build and apply knowledge of what works nationally and internationally to address and prevent family violence
 - encourage an evidence-based and practice informed perspective to influencing behavioural change
 - consider work undertaken to date, and
 - inform the development of an action-oriented approach for the Government to address family violence.
- 2 Family violence is the product of many complex and interconnected issues and the response to it needs to be equally complex and interconnected. Family violence is often framed as an individual's problem ('the victim'/'the perpetrator'). The EAG rejects this simplistic analysis. Family violence has multiple causes and manifestations.
- 3 However the EAG's brief was to work within a very constrained timeframe. In the time it had, the EAG could not possibly give proper consideration to all of the elements that make up aspects of family violence; instead the EAG adopted a high level approach.
- 4 Its vision is for all families in New Zealand – and the EAG defines 'family/whānau/kāiga' in the broadest and most inclusive way – to be free from violence. To achieve that it recommends an integrated response from all of Government working with the community.
- 5 Taken together the EAG's recommendations call for a sharper policy focus and a different approach. The EAG supports change from the bottom up AND from the top down. Its recommendations are informed by and compliment the work of the Government's Taskforce for Action on Violence within Families (the Taskforce).
- 6 The EAG regards this report as just the first step of the journey. Many of its recommendations require further development. In addition there are sub-groups within the population affected by family violence about which little is known and which could benefit from more tailored reports into the special circumstances pertaining to that sub-group or groups.

Summary

- 7 The EAG's key recommendations can be grouped into three broad areas.

Structural reform

- 8 To maximise the prospect of reducing the rate of family violence and dealing more effectively with victims and perpetrators of family violence the current systems and structures need to change. This is part of the 'top down' reform required. The EAG recommends:

- 8.1. that the Government pass new legislation (the Prevention of and Protection From Family Violence Act) reflecting the view of the Government and the community that family violence/domestic violence in all its forms is unacceptable and is an intolerable violation of human rights
- 8.2. that the prevention of and response to family violence be a stated Government priority, with two Cabinet Ministers sharing responsibility and with one of those Ministers being the Minister of Finance
- 8.3. that the new legislation requires Government departments to work together in an integrated way and working alongside the community, using a community development approach, to prevent family violence and protect those either at risk from family violence or affected by it. This includes ensuring Chief Executives are accountable for agreed outcomes. The new legislation should mandate those recommendations of the EAG which are adopted
- 8.4. that a Family Violence Oversight Committee be formed of all relevant Chief Executives (or officials with delegated authority) and that this Committee be required to ensure Government departments' work programmes align through annual plans and agreed objectives
- 8.5. that the new legislation recognises (and any existing legislation be amended to recognise) the differing needs of all victims and perpetrators (Pākehā, Māori, Pacific, and other ethnicities or distinct communities such as the disabled, migrant or refugee populations, the elderly). The new legislation should also reflect New Zealand's obligations under the United Nations Conventions on the Right of the Child and the Rights of Persons with Disabilities
- 8.6. that the prevention of family violence is a whole of Government responsibility, but that within that the Ministry of Education has a key role to play in primary prevention
- 8.7. that the Privacy Act 1993 be amended to allow sharing of information in relation to family violence or the risk of family violence.

Research/information management

- 9 An integrated multi-disciplinary approach relies on good information, consistent definitions and information management. The EAG recommends:
 - 9.1. that a Family Violence Research Hub be established to collate data, evaluate programmes and share information
 - 9.2. that the Government commission, as a matter of urgency, a 'map the gaps' stock-take to evaluate where service delivery gaps exist (both geographical and type of service). Part of the focus of this stock-take needs to look at the gaps in service for minority groups such as Māori, Pacific, the Disabled and the Gay, Lesbian, Bi, Transgender and Intersex (GLBTI) communities
 - 9.3. that Government commission, as a companion to the 'map the gap' stocktake, a review of what family violence programmes or initiatives are already working well. Are there common characteristics? What can be replicated and what can't?
 - 9.4. that all Government agencies and community providers use standardised risk assessment tools to categorise risk and dangerousness to ensure consistency and safety
 - 9.5. that all reports of the Family Violence Death Review Committee be published in an abridged form that protects the identity of the victims but focuses on systems and practices. Where are the gaps? What are the lessons?

Streamlined service delivery, efficiency and partnerships

- 10 There needs to be a streamlining of service delivery through collaboration and partnerships that place victims and perpetrators at the core, with a view towards enhancing the effectiveness and efficiency of the programmes and initiatives offered.
- 11 There are two distinct streams of services and initiatives:
 1. prevention of family violence, and
 2. responses to and protection from family violence (covering a continuum of circumstances, including high risk responses and post-trauma recovery).
- 12 The EAG recommends:
 - 12.1. that services should be available throughout the country across the response continuum from primary prevention, through to crisis services, to those supporting the rebuilding of lives. As a consequence of the stock-takes, recommended above, funding for the family violence sector should be allocated so that services across the whole country are adequately resourced and community providers are supported
 - 12.2. that primary prevention and core crises response services need to be adequately and sustainably resourced with multi-year budgets. Funding should be tied to a family violence capability framework. Nationally consistent standards and processes are required
 - 12.3. that across all agencies and disciplines on-going training and up-skilling is required to ensure that family violence (in all its iterations) is detected and responded to effectively and safely. This is to include training in cultural competency. The EAG wants professionals and others working in the sector to have the skills to competently 'join the dots' when presented with evidence of violence or abuse
 - 12.4. that one size does not fit all and communities are best suited to develop the initiatives that will work for their members/whānau/kāinga
 - 12.5. that to assist integration and collaboration across agencies the position of National Family Violence Network Coordinator be established, with a supporting Secretariat, to oversee the integration of Government and community provision of primary prevention programmes and response services and the implementation of national codes of practice
 - 12.6. that the number of Regional Family Violence Network Coordinators with reach into the communities in which they live be increased and their role strengthened. The EAG recommends each region (yet to be defined) should have two Regional Family Violence Network Coordinators; one to coordinate primary prevention services and the second to coordinate response services. These coordinators need to be properly funded and properly paid
 - 12.7. that national standards and accreditation processes for family violence programmes be developed that ensure that programmes are run in accordance with international best practice
- 13 In the area of primary prevention the EAG recommends:
 - 13.1. an on-going commitment to national education/social marketing campaigns aimed at changing attitudes to family violence (in collaboration with community run projects), and

13.2. closer coordination between the Ministries of Education, Health and Social Development to lead and/or support prevention initiatives.

14 In the area of crisis response to family violence the EAG recommends:

14.1. that a national multi-agency case management process be developed for high risk cases

What is family violence?

15 As a starting point the EAG defined what it considered to be 'family violence', recognising that there are many kinds of family and many forms of violence.

Family violence is any behaviour that in any way controls or dominates a family member and causes them to fear for their own, or another family member's safety or well-being. It can include physical, sexual, psychological, emotional or economic abuse and any behaviour that causes a child to hear, witness or otherwise be exposed to the effects of that behaviour.

It can consist of a single act, or a pattern of behaviour amounting to abuse, even if some of the individual acts taken in isolation would be deemed 'minor' or 'trivial'.

It occurs within a wide variety of close interpersonal relationships, such as between partners, parents and children, siblings and in other relationships where significant others are not part of the physical household but are part of the family and/or fulfilling the function of a family.

16 The EAG is of the view that the new legislation should contain a definition of 'domestic' or 'family' violence so that the one definition is used consistently across all Government departments and community organisations.

A founding philosophy

17 Underpinning the EAG's recommendations is a clear founding philosophy against which all policy should be set. The EAG believes this statement, taken in full, establishes what should be both the Government's objective and its determination.

Family/whānau/kāinga is a fundamental source of identity within New Zealand society and a fundamental need of each member of society.

All New Zealanders, irrespective of age, gender, ethnicity, ability, religious beliefs and economic well-being have a right to healthy, respectful and stable relationships free from violence and the threat of violence. Achievement of this vision will require sustained investment from both the Government and the community, but is fundamental to the social and economic well-being of the country.

Whatever form it takes, family violence is a fundamental violation of human rights and is unacceptable in any form, in any community and in any culture. It is everyone's responsibility to reject and prevent violence.

Given the prevalence of family violence in New Zealand, an integrated response is required in which Government works together with community agencies and communities to prevent family violence and, where this is not possible, to provide

a full range of services to support victim safety and to hold offenders accountable.

- 18 Research evidence and practice must inform the development and delivery of the strategies and programmes that form the integrated approach required to address family violence in New Zealand.
- 19 The focus of an integrated family violence policy must be:
 - the prevention of violence through strategies that engage communities and promote shifts in violence promoting norms
 - the safety and recovery of victims, and
 - the containment, accountability and education of perpetrators.
- 20 Further details about the EAG's recommendations are set out in **Appendix A**.

Appendix A

Prevention of and Protection from Family Violence

Labelling the crisis

- 1 The Taskforce has attempted to quantify the scale of family violence in New Zealand. The EAG does not intend to repeat the work of the Taskforce, but for the sake of providing context to the recommendations provided, the EAG notes:
 - fifty-eight per cent of all violent crime in New Zealand is family violence
 - New Zealand Police attend a family violence situation every six minutes, yet it is estimated only around 20 per cent of family violence incidents are reported
 - on average nine children under the age of 14 are killed every year by a family member
 - one in three women are estimated to have been subjected to physical or sexual violence from a partner in their lifetime and that for the majority of women, the violence they experience is severe, repeated and occurs in multiple forms (physical, sexual, psychological)
 - for Māori women, 57 per cent will experience sexual or physical violence from an intimate partner at some stage in their lifetime
 - a 2007 survey of secondary school students showed 10 per cent had witnessed adults hitting or hurting each other at home. The numbers were worse for Pacific students (21 per cent) and Māori (15 per cent)
 - for every one Pākehā woman and one Pākehā child hospitalised due to assault from a family member, seven Māori women and four Māori children are hospitalised
 - there is a paucity of data collated and coordinated for Pacific people regarding ethnicity and gender and the incidence of family violence
 - in a high proportion of families where intimate partner violence occurs, child abuse is also present (note that intimate partner violence is child abuse when the child is exposed to this form of abuse)
 - it is estimated between three and ten per cent of elders suffer abuse at the hands of a family member, although that figure is considered to be an under-reporting, and
 - there is no data on the number of disabled New Zealanders who are victimised by family violence, although disability advocates report this group is particularly vulnerable to both family and carer abuse.
- 2 The portrait these statistics paint is an ugly one. Family should be the place where every individual can find nurturing, identity, love and safety, but for many New Zealand adults and children this is far from the reality.

- 3 The whole country bears the cost; it is estimated that family violence costs the New Zealand economy \$8 billion per year, although in the absence of proper research this sum can be an estimate only. The EAG notes that the Government spends about \$60 million responding to family violence. By comparison the Government spends \$297 million on road safety initiatives; it is estimated road accidents cost New Zealand \$3.4 billion per year.
- 4 While many reports have been written approximating the scale of the problem, successive attempts to address it have not been sustained and we have not taken opportunities to learn from previous successes and failures.
- 5 The EAG believes family violence is a national crisis that requires a whole new approach. It calls on the Government to be as bold as it has been in addressing the issue of vulnerable children.

First steps

- 6 Some members of the EAG have looked closely at recent steps the Government has taken to address the issue of child abuse. The Vulnerable Children Bill, currently before Parliament, has a number of relevant features. It:
 - sets a statutory underpinning to the Government's determination to reduce the rate of child abuse in New Zealand
 - fits within the Government's own Better Public Services programme
 - reinforces the need for shared responsibility and co-ordinated and collaborative action across the Government social services sector
 - requires Chief Executives from Government agencies to work together to produce and report progress on implementing a cross-sector plan
 - requires proscribed state services to have policies in place to ensure cross-sector collaboration and implementation of work to meet the Government's stated objectives
 - addresses the issue of child abuse across a spectrum of time – managing the needs of children being harmed now, or children who have been harmed already but also establishing new methods of detecting potential abuse and preventing it.
- 7 Child abuse is a sub-set of family violence. The Government's initiatives to reduce the rate of child abuse are acknowledged. However those initiatives should not be isolated from efforts to reduce and respond to other forms of family violence. The inter-connection between, for example, intimate partner violence and the subsequent harm caused to children living in a household needs to be recognised and responded to holistically and integrated with efforts to promote safety for the non-offending parent.
- 8 What is needed is a wrap-around, cohesive response to family violence – a whole of Government response and service system development. The EAG recognises the scale and complexity of the task. All EAG members recognise that multiple agencies (both Government and community based) have a role to play in the prevention of and response to family violence. Getting each agency to work together, in a streamlined and more effective manner, is difficult. To achieve the kind of integration the EAG believes is necessary will likely require investment in coordination at both the national and local level. But without this there cannot be change.

- 9 The status quo sees different Government departments running multiple agencies without reference to each other. Service providers and community groups find themselves dealing with multiple Government agencies. This piecemeal approach is an inefficient way of soaking up resources and stifles integration.
- 10 It results in the current system having a multiplicity of service providers, but no overall service. If there is to be genuine integration there will need to be systemic change. While the majority of the EAG philosophically supports change from the grassroots up, rather than from Government down, the members of the EAG believe a fully integrated response to family violence will not occur without new legislation.

A new statute (The Prevention of and Protection from Family Violence Act)

- 11 The EAG does not have firm views on what the Act should be called, but it is convinced that there is considerable merit in creating a new statute aimed at the prevention of and responses to family violence.
- 12 The Domestic Violence Act 1995 has a different purpose, being principally about how the justice system manages cases of domestic violence. Whether the Government incorporates the provisions of the existing Domestic Violence Act into the new statute is a matter for further consideration. It may choose not to (such a decision goes beyond the EAG's terms of reference, although if the Government retains the current Act, the EAG recommends amending it to provide better protection for those with physical and intellectual disabilities in accordance with the UN Convention on the Rights of Persons with Disabilities).
- 13 A new piece of legislation will not, of itself, fix the problem. But it will recalibrate policy priorities and inter-sectorial boundaries. And in championing a new Act the EAG believes that:
 - it would allow the Government to put a clear stake in the ground about the unacceptability of family violence. The new statute should spell out very clearly the Government's expectations and requirements, as has been done with the *Vulnerable Children Bill*. Given the historic minimisation of many forms of family violence, this will be an important signal to all agents of the state and the wider community
 - it would require Government departments and agencies to work together. The EAG has identified 12 different departments with a role in either the prevention of or response to family violence. These are:
 - (a) Ministry of Social Development
 - (b) Ministry of Health
 - (c) Ministry of Education
 - (d) Ministry of Justice
 - (e) Accident Compensation Corporation
 - (f) Department of Corrections
 - (g) New Zealand Police
 - (h) Ministry of Business Innovation and Employment

- (i) Te Puni Kokiri
- (j) Ministry of Pacific Island Affairs
- (k) Ministry of Women's Affairs
- (l) Office of Ethnic Affairs

In addition, other agencies or agents such as the District Health Boards, the Families Commission, the Children's Commissioner, the Office for Disability Issues, the Disability Commissioner and the Judiciary have important parts to play.

- 14 As the Government has recognised in the Vulnerable Children Bill, it is difficult to achieve proper collaboration and integration of services across multiple agencies without any formal requirement for those agencies to work together. The Government is working to break down silo thinking in departments and it must do so here by requiring collaboration.
- 15 The Act would require Chief Executives to be accountable for meeting targets set by Government. The EAG would like to see all relevant Chief Executives under an obligation to establish annual plans and to report on the implementation of those plans to the appropriate select committee.
- 16 It would require Government agencies to work collaboratively with communities because this problem is fixed from both the top down AND the bottom up. The EAG firmly supports the idea that communities are well placed to find solutions for their own problems.
- 17 The legislation would set up a framework for accrediting stopping violence and community based programmes, irrespective of who delivers them. To be safe, and to aid integration, programme and service providers must meet agreed standards and protocols.
- 18 It could require local councils to develop strategies for preventing family violence in their districts.
- 19 It would elevate research as a significant requirement of the prevention and management of family violence. There needs to be ethnic appropriate research models adopted to ensure reliable data across all population groups is collected.
- 20 It would establish a set of privacy guidelines to allow for the sharing of information between Government agencies and communities where family violence is a threat. The Privacy Act 1993 will need appropriate amendment.
- 21 The EAG recognises that while new legislation will provide imperatives and will mandate and support the necessary infrastructure and motivation to the public sector to address family violence, additional guidelines, incentives and motivations are needed to increase community participation and strategies that will reduce family violence.

A new structure

- 22 New legislation will clearly signal a change in the Government's expectations about the prevention of and responses to family violence. But on its own it will not be enough.
- 23 The EAG also recommends a reconfiguration of responsibilities within Government to ensure that real change occurs.
- 24 The key features of the new configuration are:

- making two Ministers responsible for the prevention of and responses to family violence, one of whom should be the Minister of Finance. As noted above, it is estimated that family violence costs New Zealand \$8 billion per year. It is not merely a social issue and there is, therefore, a strong economic incentive in reducing the rate of family violence. Given the degree of inter-government cooperation the EAG's recommendations require, members also believe it is pragmatic to require one of the two Ministers to have such a senior ranking
- because so many Ministries have a role, and so many Chief Executives will be required to have co-ordinated annual plans, it is sensible that the prevention and protection from family violence initiatives be co-ordinated at the highest level through a cabinet committee such as the Social Policy Cabinet Committee
- each Ministry or Department will have its own work programme, but Chief Executives (or their representatives with delegated authority) from each relevant department will meet on a proscribed basis as the Family Violence Oversight Committee. This Committee must ensure that the annual plans developed by each Chief Executive align
- if the response to family violence is to be genuinely integrated it needs to include community (in whatever configuration is relevant to each particular community). The integrated services need to reach into the homes and communities of those affected, via a network of grass roots family violence prevention coordinators. This is a crucial investment strategy as concentrated community-based action led by well-supported community leaders has been shown to be effective in some settings and is one of the most promising prevention strategies currently available. More consideration is required as to how this devolved coordination would work in practice. But at a high level the EAG recommends:
 - (a) The creation of a National Family Violence Coordinator (funded by a single Vote, and supported by a small secretariat). The National Coordinator would report to the Chief Executive of the Ministry of Social Development and would be responsible for supporting and strengthening community-based family violence programmes and responses
 - (b) The National Family Violence Coordinator would be responsible for implementing a set of agreed service protocols and codes of practice. All programmes (however they are configured and whoever provides them) must be evidence based and meet certain professional and safety standards. Screening tools should be introduced and used consistently by all programme providers
 - (c) There are already 46 Family Violence Network Coordinators who coordinate local agency responses, support programmes that help survivors and perpetrators and work with community violence prevention programmes. But EAG believes there should be more coordinators and their role should be enhanced. The coordinators live in and understand their own communities and are therefore ideally placed to oversee the kind of joined up, holistic services the EAG supports

- (d) The Family Violence Network Coordinators would report to the National Coordinator. In the Victorian model in Australia, each region has two coordinators:
 - (i) One lead advocate develops the strategic plan for integration at the local level, and
 - (ii) The regional coordinator provides the link between local providers and programmes.

This model is worth further consideration. The EAG did not have time to research the success or otherwise of this approach, but it notes the objectives of the Victorian model mirror its own.

- 25 EAG members supported dividing the roles at the local level into 'prevention coordinator' and 'protection coordinator' – reflecting the two distinct services with the different delivery mechanisms required.
- 26 What needs to be avoided is creating regional coordinator positions in such a way as to guarantee their failure. These roles need to be well supported, the coordinators well trained and the pay adequate for the scale of the work they do (currently some coordinators are paid for only four hours per week – this is token).
- 27 However the Government proceeds, Family Violence Network Coordinators should facilitate and assist community based programmes and on the ground integration, but they should also identify and report back where integration between agencies is not occurring. The National Family Violence Coordinator should also be charged with developing capacity building programmes for community leaders and emerging leaders.
- 28 The National Family Violence Secretariat should be encouraged to establish an on-line 'knowledge hub'. There are many aspects to starting or running an on-going family violence programme or service (whether preventative or responsive) that could be captured and recorded and then made accessible (with some variation of security code) so that communities can establish new programmes without always starting at ground zero. Up-skilling and then sharing knowledge gained is going to be an important requirement of the integrated approach the EAG recommends.
- 29 Community provision of programmes and initiatives is essential. This happens already, but under the kind of joined up approach envisaged by the EAG there will be a greater role for the community.
- 30 The Government has a number of delivery initiatives for example Whānau Ora and Nga Vaka Kāiga Tapu designed to respond to the needs of distinct population groups. These provide a useful blueprint for the delivery of family violence prevention (and some protection and post-trauma recovery) programmes. Where possible these delivery mechanisms should be supported and developed.
- 31 Because the relationship between Government agencies and the community is vital to any truly integrated approach being more than mere rhetoric, the EAG supports the establishment of a Family Violence Roundtable. This concept is used successfully in Victoria, Australia. It

would see stakeholders such as community leaders involved in family violence programmes, iwi leaders, urban Māori authority leaders, Pacific leaders and researchers meet bi-annually to give an account of current issues, progress being made etc. These Roundtables are also a useful mechanism for keeping the issue of family violence and the Government's commitment to reducing it in the public eye.

Research and evaluation

32 The EAG's recommended approach is underpinned by research and evaluation. The EAG was concerned that:

- the design and delivery of programmes should be evaluated to support continuous learning and improvement
- there are gaps in the provision of services and yet there is no data to clearly demonstrate where those gaps are (both in terms of kinds of services/programmes, location and access and quality of services/programmes)
- there is a lack of data (evidence) about certain forms of family violence; in particular there is a lack of data about ethnicity and violence, about Pacific people and violence, about abuse of the disabled and abuse of the elderly. Each of these areas was identified as requiring more research urgently
- there is a need for systems to coordinate research efforts and improve dissemination of research outcomes. The EAG recognises this requires investment, but without research and evaluation capability the effectiveness of all spending in the area of addressing family violence cannot be measured
- New Zealand has only a very small pool of specialist family violence researchers; New Zealand has too few specialists and needs some impetus to encourage new researchers into the field. There is a need to promote, support and mentor a specialist workforce, including a Māori, Pacific and a specialist disability workforce.

33 In response to these concerns the EAG recommends a strengthened focus on research:

- a 'Family Violence Research Hub' should be created. It should collect data, evaluate programmes and share information with the sector via the Family Violence Oversight Committee and National Family Violence Coordinator. (The EAG recognises that guidelines will need to be established about information sharing, given the Privacy Act 1993 considerations but it strongly believes the Privacy Act should not be used as an excuse not to allow information to be shared; as stated in paragraph 8.7 in the Report, it will require amendment in order to more readily enable information sharing)
- the first task of the research hub must be a 'map the gaps' exercise, whereby a thorough stock-take of all services and types of programmes available in New Zealand is collated. The purpose of this is to:
 - (a) identify where gaps exist in services (both geographically and type of service)
 - (b) identify in particular where gaps in service delivery exist for specific population groups (Māori, Pacific, the Disabled and GLBTI), and
 - (c) ensure that those conducting the stock-take do so in a culturally competent manner

- a companion stock-take is to identify those programmes and services which are working effectively. The EAG regards this as a vital first step in ensuring both better service delivery and more value for money. It is essential to determine what programmes and services are core services across the family violence continuum. These core services need adequate funding, funding should be tied to capability and it should be stabilised so that organisations are not expending energy competing for and reapplying for funds.

34 The EAG recognises the need for greater transparency and recognition of the incidence and impact of family violence. It is recognised that this may be achieved in part through mandatory reporting but that further consideration is required to ensure that the negative consequences of such an initiative are eliminated and minimised.

Streamlined delivery of service

35 Integration is not simply restricted to policy making, but applies equally to the practical application of policies and programmes. To manage integration there must be evidence based professional and safety standards and codes of practice. These service standards need to be developed by each of the core agencies (e.g. police, health, justice, courts, education as well as the community based groups such as 'stopping violence services', victim support etc.). They should specify both the responsibility of that agency and the ways in which that agency will coordinate and interact with other agencies. There should be clear referral pathways and strategies of communication between agencies to allow multiple client needs to be met.

36 An integrated joined up approach to preventing and responding to family violence will require more than structural change within Government. It will also require different thinking about the practical delivery of services and programmes.

37 Like other aspects of addressing family violence, this is complex and difficult and among grass-roots members of the EAG there was a degree of scepticism that Government could or would take the steps required to allow communities to play a greater role.

38 Having noted that proviso, the EAG saw programmes and services relating to the prevention and response to family violence being divided into two distinct streams. These are:

- prevention, and
- protection.

39 The EAG sees merit in developing different delivery mechanisms for each stream. However because the Family Violence Oversight Committee will oversee coordination and alignment of annual plans and budgets and the National Family Violence Coordinator will oversee implementation of those plans in the community, services provided for the purposes of preventing family violence should support services provided for protection and vice versa.

Prevention services

40 The low rate of family violence in Western European countries indicates that family violence is not a norm. But for a range of historical, cultural and economic reasons (which the EAG did not have time to consider) New Zealand has a very high rate of family violence, extreme levels of family violence and an apparent tolerance for it.

41 Therefore reducing the rate of family violence will require a significant shift in social attitudes.

42 The EAG is fully supportive of the Ministry of Social Development's public education ('It's not OK!) campaigns run via mainstream media with social marketing and the provision of funding and technical support for approximately 150 community action projects. The EAG was dismayed to learn that budgeting for these programmes now makes them time-limited and their outreach to community groups no longer possible. This reduction seriously compromises their effectiveness. The EAG strongly recommends the on-going funding and development of the 'It's not OK!' campaign, the 'Pasefika Proud' campaign and 'E Tū Whānau'.

43 An on-going and comprehensive commitment to prevention services will require investment and education. The EAG recommends:

- requiring the Ministry of Education (via the Cabinet Committee, Family Violence Oversight Committee and annual plan processes set out above) to develop a prevention of family violence programme for schools (at all levels). Schools, Kura Kaupapa and Pacific early childhood centres for e.g. Aoga Amata are key sites for prevention of violence activities – in some communities where rates of family violence are high and violence is 'normalised' schools may be the only place where any child can learn that he or she has the right to live without being hit or hurt. Schools can play an important part in educating their communities about safe, strong relationships and in parallel to that work, identifying and assisting the victims and perpetrators of family violence and reinforcing the Government's objectives. This requires the Ministry of Education to take a prime role (which is not currently the case)
- building on the work of the 'It's not OK' community outreach to involve community groups and activists to develop new programmes that meet agreed standards/accreditation. The EAG strongly endorses the work of community groups in the prevention of family violence area. The EAG notes the Whānau Ora initiative as particularly relevant for delivering culturally appropriate prevention programmes for whānau/kāinga
- developing a comprehensive prevention services the EAG sees key roles for collaboration between Ministries of Education, Health and Social Development.

44 In terms of prevention there is evidence internationally that multi-component programmes work best. In particular the following four factors have been identified as being effective:

- child home visiting programmes (but they need to be sufficiently intensive)
- school based programmes for teaching children about healthy relationships
- community based programmes using trained community workers, and
- programmes that actively seek to engage men and boys.

45 The EAG endorses these kinds of programmes.

Protection services

46 A national multi-agency case management process must be developed for high risk cases of family violence. This needs to be a wrap-around service with the primary focus on victim safety which means:

- a necessary shift in focus from providing the victim with information, protection orders and temporary accommodation (which all put the onus on the victim to protect themselves and their children) to containing the perpetrator and holding them accountable
- proper risk assessments by key agencies and clear pathways of referral into such a process so that victims at risk can be identified, assisted and followed up.

47 Current programmes are unable to address the complex lives and trauma histories of a number of New Zealanders who perpetuate and experience family violence.

48 Best practice for stopping violence programmes means:

- no cost for family violence offenders who self-refer
- longer term programmes are required for men with histories of family violence offending against multiple partners and children who have also been victims of family violence themselves
- longer term programmes are required for women and children exposed to cultures of group violence
- programmes should be relevant to the circumstances and ethnicity of each victim/perpetrator
- requiring evidence based risk assessments
- obtaining victims' views throughout programme delivery
- being linked into multi-agency response and risk management
- stopping violence programmes should run alongside drug/alcohol counselling, mental health treatment and life skills education when these other issues accompany violence
- when programme providers receive a referral they should also receive a detailed history and context for the referral
- evaluation at the completion of a programme should be a more robust testing of risk and safety.

Workforce development

49 The EAG is conscious public and professional education programmes currently exist. But the education initiatives it recommends are more wide-ranging, more coordinated and more intensive. Without them, the EAG believes it will not be possible to reduce the level of family violence.

50 On every level the integrated approach being recommended by the EAG requires training and professional development for large proportions of the workforce across a range of Government agencies and throughout the community family violence sector. In particular the EAG recommends:

- ensuring all professionals receive proper training in the issues of identifying, responding to and understanding family violence. Training should be a part of the qualification framework and on-going professional development of, for example, doctors, nurses, counsellors, social workers, teachers, judges, lawyers, police, coroners and probation officers.
- training should aim to provide those professionals and sector workers with:
 - (a) knowledge of the nature of family violence
 - (b) cultural competency
 - (c) the risk indicators for lethal family homicide
 - (d) the strong co-occurrence of intimate partner violence and child abuse and neglect
 - (e) the significance of having been a child victim of family violence
 - (f) the characteristics associated with being a victim of group violence.

51 Family violence is complex. Those working with victims and perpetrators of family violence require a high level, nuanced understanding. At present, for example, a young doctor may only receive an hour's training in the course of his or her medical education. That is insufficient.

The role of local Government

52 Some members of the EAG strongly believe local Government has a role in ensuring their communities are safe from family violence. This was not a view held unanimously.

53 That noted some members would like to see local councils required to have a local family violence plan. The existing Safer Communities Councils, operating in most local authorities, could be a vehicle for ensuring programmes are developed and implemented. They already exist and the administrative support required is already in place. Under the delivery model described here these Councils could be part of the network relied upon the Network Coordinators.

54 A word of caution though; the EAG recognises that many councils do not fully reflect the diversity of the communities they represent. For the Safer Communities Councils to work effectively in the area of family violence they will need to be required to ensure that they truly reflect their own communities.

Funding

55 The EAG is aware that implementing its recommendations will cost money, principally because it believes investment is necessary in research, training and processes for integration. Without this investment the Government's response to family violence will continue to be piecemeal and ineffective.

56 However the EAG recognises the need for economic restraint. It wants to ensure taxpayers' money is well spent and accordingly, only programmes which can be shown to be effective should receive funding.

- 57 However, the current funding model is precarious, irrespective of the value of the programmes receiving funds. EAG members had personal experience of community programmes and initiatives being compromised by the perpetual round of applying for funding or of being unable to plan because of short funding rounds. This is inefficient.
- 58 The EAG believes that once codes of practice are in place, where evaluation shows a programme is meeting its targets it should be eligible for longer term funding. By moving to longer contracts the EAG believes service providers will be better placed to professionalise, plan and develop.
- 59 On the total amount available for programmes the EAG recognises this is a question for Government, but as noted in this report's opening paragraphs:
- family violence is estimated to cost New Zealand \$8 billion per year. The Government spends about \$60 million responding to family violence
 - road accidents cost New Zealand \$3.4 billion. The Government spends about \$297 million on road safety initiatives.

Working party

- 60 The EAG has produced these recommendations under extreme time pressure. Its members are mindful that many of its recommendations require further consideration to accommodate the complexities inherent in family violence. The kind of integration it recommends is difficult to achieve.
- 61 It therefore supports establishing a small working party made up of some members of the EAG to provide further input and peer review as the Government seeks to realise some (or all) of the EAG's recommendations.

Note of thanks

- 62 The members of the EAG would like to thank the Minister for the opportunity to contribute this report. They acknowledge that there is much more work to be done but they submit these recommendations in the belief that a bold and different approach is required and that the structural changes they recommend here will create the architecture within which more fundamental changes can be made.

Appendix B

Expert Advisory Group on Family Violence Terms of Reference

Purpose and Role

The purpose of the Expert Advisory Group on Family Violence is to provide the Government with independent advice on achieving an effective, well-integrated family violence system which delivers accessible, high quality services for all New Zealanders affected by family violence.

The Expert Advisory Group on Family Violence is expected to produce a short, succinct piece of action-oriented advice to support a discussion by Cabinet Strategy Committee by the end of 2013. The strategy discussion will focus on addressing family violence in the context of the full range of government programmes and interventions that are already underway including Children's Action Plan, Better Public Services, Whānau Ora, Drivers of Crime, work to address alcohol and other drug abuse, and other related work.

To assist in the preparation of this report, the Expert Advisory Group on Family Violence will:

- identify opportunities to build and apply knowledge of what works nationally and internationally to address and prevent family violence
- encourage an evidence-based and practice informed perspective to influencing behavioural change
- consider work undertaken to date.

The role of the Expert Advisory Group on Family Violence is advisory, not executive, in function.

Background

On 5 August 2013, the Family Violence Ministerial Group (the Ministerial Group) directed senior officials and the Taskforce for Action on Violence within Families (the Taskforce) to establish a group of experts to inform the development of an action-oriented approach for Government to address family violence.

Any approach would be informed by a sharper alignment with existing relevant government strategies and an analysis of the findings of the work of the Taskforce to date.

Operation of the Expert Advisory Group on Family Violence

Membership

The Expert Advisory Group on Family Violence comprises between seven to nine members. These members have been selected for their skills, knowledge, and expertise in the family violence sector and in other fields that when combined, provide for an independent perspective on the issue at hand and possible next steps. Any additional expertise required can be provided through a workshop arrangement.

Chairperson

The Chair of the Expert Advisory Group on Family Violence will be appointed by the Associate Minister for Social Development. The Chair's role is to:

- chair meetings and support constructive decision-making, including approving meeting agendas and minutes
- ensure the effective functioning and integrity of the Expert Advisory Group on Family Violence, and foster an environment of integrity, partnership and principles-based functioning

- ensure the Expert Advisory Group on Family Violence members are well informed and supported to carry out the Expert Advisory Group on Family Violence role
- maintain effective relationships and engage in responsive communications with the family violence sector as well as relevant parts of the community sector.

The Chair can also seek expert advice and input from outside of the Expert Advisory Group on Family Violence.

To enable the Chair to fully participate in discussions, a facilitator could be provided to assist the Chair in ensuring the Expert Advisory Group on Family Violence works well to achieve its objectives.

Reporting arrangements

The Expert Advisory Group on Family Violence is to be established as a stand-alone body that reports directly to the Associate Minister for Social Development.

The Expert Advisory Group on Family Violence will work through the Family Violence Unit (FVU), situated within the Ministry of Social Development (MSD), as the conduit to the Minister and the Minister's office. The FVU will undertake work as requested by the Expert Advisory Group on Family Violence, where appropriate.

Term

All members, including the Chair, are appointed from the date of appointment to 31 December 2013.

Meetings

The Expert Advisory Group on Family Violence will meet as required for the development of the report to the Cabinet Strategy Committee before the end of the year.

Meetings may be held in Wellington or Auckland, or by video-conference. Members of the Expert Advisory Group on Family Violence will be expected to:

- attend Expert Advisory Group on Family Violence meetings wherever possible
- draft input to papers and/or provide feedback on papers circulated between meetings
- be available for one-on-one consultation with the FVU.

Administration Support

The FVU will provide support to the Expert Advisory Group on Family Violence. This will include arranging meetings, taking minutes and preparing relevant meeting papers as agreed.

The FVU will assist with the Expert Advisory Group on Family Violence information needs, including providing background materials required for it to conduct its work. The FVU will seek input from other agencies as appropriate, including contextual information and technical advice relating to the family violence sector.

Fees and allowance

The Expert Advisory Group on Family Violence is classified as a Group 4, Level 1 body under the Cabinet Fees Framework [CO (12) 6] for members appointed to bodies in which the Crown has an interest.

Where an employee of a government agency, organisation, or body, or any local authority is to be appointed to a body in his/her own right, the guidelines as per the "Public servants/State servants/employees of Crown bodies appointed in their own right" as set out in the Cabinet Office Circular [CO (12) 6] must to be followed.

The Chair and members of the Expert Advisory Group on Family Violence are entitled to be paid fees for attendance at meetings. In addition, they will be entitled to be reimbursed for out of pocket expenses as per the "Allowances under the Fees and Travelling Allowances Act 1951" as set out in Annex 1 of Cabinet Office Circular [CO (12) 6].

Conflicts of interest

All Expert Advisory Group on Family Violence members are asked to declare personal interests as part of the appointment process. The Chair of the Expert Advisory Group on Family Violence is responsible for managing all conflicts of interest involving its members. A conflict might exist through family, marriage, business, friendship or other association which will prejudice the impartiality with which proposals are evaluated.

In order to maintain transparency, and manage any potential conflicts of interest, the FVU will maintain an "Interests" register.

When members become aware that a potential conflict of interest exists they will discuss this with the Chair and withdraw from part or all of the relevant meeting. If a member withdraws, this will be recorded on the register.

Confidentiality

Unless it is explicitly agreed, information cannot be shared outside of the Expert Advisory Group on Family Violence. Members can share and discuss any information acquired or received in the course of their role on the Expert Advisory Group on Family Violence. In the course of such discussions, members must not attribute any comments or views to individual members of the Expert Advisory Group on Family Violence. Members must not share any papers marked as confidential.

All confidential information shall remain confidential unless approval is given, and shall therefore not be divulged in any way to any person without the prior approval of the Expert Advisory Group on Family Violence. In the case of uncertainty, Expert Advisory Group on Family Violence members should check the appropriate use of information or material with the Chair.

Members will sign confidentiality agreements as part of the appointment process.

MSD owns all intellectual property rights in any material discovered, developed, or prepared by the members directly or indirectly in the performance of this engagement, whether able to be registered or not. MSD may, at its discretion, use any reports or other work products supplied or developed by the members as part of the services. The member's intellectual property rights owned prior to entering this engagement or developed by the member other than in the performance of this work remain the property of the member.

Official Information Act 1982

Requests for information held by the Expert Advisory Group on Family Violence are governed by the Official Information Act 1982. All requests for information will be treated as if the Expert Advisory Group on Family Violence is a part of the host agency (presently MSD).

The host agency will process requests for information directed to the Expert Advisory Group on Family Violence in accordance with normal procedures, and will advise them of information to be released under the requirements of the Official Information Act.

Media Enquiries

All media queries about the Expert Advisory Group on Family Violence will be managed through MSD.