



MINISTRY OF  
**JUSTICE**  
*Tabū o te Ture*

# Changes to Domestic Violence Programmes

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# TABLE OF CONTENTS

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<b>1</b>	<b>OVERVIEW</b> .....	<b>5</b>
1.1	PURPOSE OF THIS DOCUMENT .....	5
1.2	BACKGROUND .....	6
1.3	THE NEW LEGISLATION.....	7
1.4	POLICY OBJECTIVES.....	8
1.5	WHAT WILL CHANGE ON 1 OCTOBER .....	9
<b>2</b>	<b>PROGRAMME REQUIREMENTS</b> .....	<b>11</b>
2.1	INTENTION OF THE AMENDMENT ACT .....	11
2.2	SAFETY PROGRAMMES.....	14
2.3	NON-VIOLENCE PROGRAMMES .....	20
<b>3</b>	<b>PROVIDER PRACTICE STANDARDS</b> .....	<b>26</b>
3.1	PRACTICE STANDARDS PERFORMANCE AREAS .....	26
<b>4</b>	<b>PROVIDER SERVICE REQUIREMENTS</b> .....	<b>28</b>
4.1	RESPONDING TO ALL TYPES OF DOMESTIC VIOLENCE.....	28
4.2	ORGANISATIONAL RESPONSIVENESS.....	28
4.3	WORKING TOGETHER.....	32
<b>5.</b>	<b>APPROVAL AND PURCHASING</b> .....	<b>33</b>
5.1	CURRENT SITUATION .....	33
5.2	EFFECT OF AMENDMENTS ON CURRENT APPROVALS.....	33
5.3	CONTRACTING APPROACH .....	34
<b>6</b>	<b>NEXT STEPS</b> .....	<b>35</b>
6.1	QUESTIONS.....	35
	<b>APPENDICES</b> .....	<b>36</b>
	APPENDIX 1 - PROTECTION ORDERS .....	36
	APPENDIX 2 – NEW CONTRACTING FRAMEWORK .....	39
	APPENDIX 3 – ASSESSMENT TOOLS AND APPROACHES.....	41



# 1 OVERVIEW

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## 1.1 PURPOSE OF THIS DOCUMENT

The purpose of this document is to provide a high level overview of the changes introduced by the Domestic Violence Amendment Act 2013, and what these changes mean for the approval, purchase, and provision of domestic violence programmes.

It has been prepared to inform existing service providers and potential new providers of the changes and the approach the Ministry is taking to implement the new provisions, including new approvals and contracting processes.

The Domestic Violence Amendment Act 2013 makes changes to Ministry of Justice (Ministry) funded domestic violence programmes (safety and non-violence programmes) ordered as a result of a protection order issued by the Family Court. The Ministry is also taking the opportunity to apply the changes to similar court ordered non-violence programmes through the criminal court, particularly the Family Violence Court which are funded by the Ministry. This document covers Ministry-funded programmes managed through both family and criminal court jurisdictions.

There will also be changes to court processes and to the information and reporting requirements between courts and service providers. The Ministry will be hosting regional information sessions for service providers to explain the changes in more detail.

We are interested in your questions on the implementation of the changes and would welcome your comments.



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## 1.2 BACKGROUND

### 1.2.1 Family Court review

During 2011 and 2012 the Ministry conducted a review of the Family Court to ensure it is sustainable, efficient, cost effective, and responsive to those children and vulnerable adults who need access to its services. The Ministry's public consultation paper<sup>1</sup> noted:

" ... some stakeholders have suggested that it may be better to fund a greater range of stopping violence programmes to families and whānau to prevent re-victimisation, break the cycles of violence, and assist them in adopting a safe and more positive lifestyle. It has been suggested that these programmes should be provided to families in a flexible manner".

As a result of that work the Domestic Violence Amendment Act was drafted and enacted on 24 September 2013, and will come into force on 1 October 2014.

### 1.2.2 Domestic Violence Amendment Act

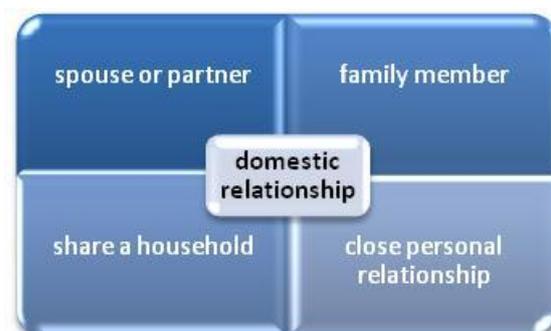
The Domestic Violence Amendment Act 2013 (the Amendment Act) is one of a suite of new Acts that have come out of the Family Court Proceedings Reform Bill that make significant change to the way matters proceed to and are then managed within the Family Court. The Amendment Act aims to improve outcomes of domestic violence programmes by giving greater flexibility in the development and delivery of non-violence and safety programmes. The changes have a strong focus on improving safety for protected persons and their children, on holding respondents accountable, and on providing more flexible, evidence-based and responsive services.

### 1.2.3 Domestic violence defined

Domestic violence is defined in the Domestic Violence Act 1995 as violence against a person by any other person with whom that person is, or has been, in a domestic relationship. Domestic violence can be physical, sexual, or psychological abuse. One of the changes introduced by the Amendment Act was extending the definition of psychological abuse to include financial or economic abuse.

### 1.2.4 Domestic relationship

The Domestic Violence Act defines a domestic relationship as including a spouse or partner, family members, and others who ordinarily share a household or have a close personal relationship.



<sup>1</sup> Ministry of Justice. Reviewing the Family Court. A public consultation paper (2011) Pg 66. Available from <http://www.justice.govt.nz/publications/global-publications/f/family-court-review-public-consultation-paper/publication>

## 1.3 THE NEW LEGISLATION

The Amendment Act introduces changes that require designing new processes and guidelines for court administration, programme approvals, programme structures, and contractual and reporting requirements.<sup>2</sup> The amendments are being introduced in a staged way – some changes are already in force – with full implementation to be completed by 1 October 2014.

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### The changes introduced by the Amendment Act include to:

- disestablish the approvals panel and render any approvals given by the panel of no effect
  - give the responsibility to grant, suspend or cancel approvals of service providers to the Secretary for Justice
  - introduce new referral processes from the court to service providers, and new reporting responsibilities from service providers to the court
  - encourage greater access to safety programmes by protected people
  - encourage greater reporting of safety concerns
  - strengthen requirements for reporting non-compliance with direction to attend programmes for the respondent
  - provide for greater flexibility and responsiveness of programme content, duration and delivery
  - require providers to undertake individual assessments of respondents to assess non-violence programme needs and suitability
  - agree and report on an individually tailored programme plan (terms of attendance) for each respondent
  - ensure safety concerns, raised during assessments or programme sessions, are reported immediately to the court
  - require providers to report final programme outcomes to the court
  - allow for referrals to be made to another service provider or to other social services where appropriate
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<sup>2</sup> The Domestic Violence Amendment Act 2013 available from [www.legislation.govt.nz/act/public/2013/0077/.../096be8ed80c2f8a8.pdf](http://www.legislation.govt.nz/act/public/2013/0077/.../096be8ed80c2f8a8.pdf)

## 1.4 POLICY OBJECTIVES

The following policy objectives have been developed by the Ministry to guide the implementation of the changes to improve effectiveness of domestic violence programmes

- improved safety for protected persons and their children
- increased accountability of respondents
- responsive and evidence based programme design
- high quality service management and delivery
- improved programme outcomes
- programme design and delivery based on national and international best practice.



## 1.5 WHAT WILL CHANGE ON 1 OCTOBER

### 1.5.1 The approvals criteria and process

The Amendment Act disestablishes the approvals panel, and the Domestic Violence (Programmes) Regulations 1996 (the Programmes Regulations), which sets the current criteria used by the panel to assess providers and programmes for approval will no longer apply. All current approvals cease from 1 October 2014.

From October 1 2014, the responsibility for granting, suspending, or cancelling approvals of service providers sits with the Secretary for Justice. There will no longer be a separate approvals process for programmes, only for providers. This will give providers more ability to provide a range of programmes and to keep programmes updated.

Rather than replace the current prescriptive criteria in the Programmes Regulations with new regulations, the Ministry intends to establish Provider Practice Standards to assess whether providers are meeting the requirements for delivery of safe, ethical and effective non-violence or safety programmes. For more information, please see chapters 2.1.1 *Revocation of the current Programmes Regulations*; 3 *Provider Practice Standards* and 5.2 *Effect of Amendments on Current Approvals*,

### 1.5.2 Goals and structure of programmes

The Amendment Act replaces 'Programmes for Protected Persons' with 'Safety Programmes' and matches the goals of children's programmes with those for adult protected persons, where previously they had different goals. This is a marked change from the current situation and gives providers of Safety Programmes greater flexibility in the design and delivery of these services by allowing adult and child programmes to be delivered together as well as separately.

With the revocation of the Programmes Regulations, the prescriptive structure set for each of the programme types will no longer have effect. For example, it will no longer be the expectation that a non-violence (respondent) group programme be a minimum duration of 30 hours and a maximum of 50 hours. Providers will need to determine the length of a programme needed by an individual during the assessment process and tailor the programme content, delivery, and duration for that person. Please see chapter 2, *Programme Requirements* for more information.

### 1.5.3 New requirements

- In order to implement the changes introduced by the Amendment Act and to ensure the policy objectives set out above are achieved, the Ministry will be seeking a future working relationship with providers who can meet the new standards for programme quality, business management, and administration of services.

<b>Providers who can:</b>	<b>Providers who are:</b>
<b>Improve safety outcomes for protected persons and their children</b>	<ul style="list-style-type: none"> <li>• delivering programmes that promote the safety of the protected person</li> <li>• engaging with protected persons to give greater access to safety programmes</li> <li>• improving information for protected persons</li> <li>• ensuring protected persons can have input into non-violence programme assessments</li> </ul>
<b>Increase accountability of respondents</b>	<ul style="list-style-type: none"> <li>• assessing the safety risk of each respondent</li> <li>• engaging respondents in the most appropriate programme</li> <li>• tailoring an individual programme plan for each respondent based on the assessment</li> <li>• responding quickly and effectively to non-attendance or non-engagement</li> </ul>
<b>Deliver programmes based on responsive and evidence based programme design</b>	<ul style="list-style-type: none"> <li>• using best-practice informed design principles</li> <li>• applying ethical practice at all levels</li> <li>• focusing on safety</li> </ul>
<b>Improve programme outcomes</b>	<ul style="list-style-type: none"> <li>• measuring programme outcomes to ensure safety and accountability is achieved</li> <li>• participating in robust monitoring and audit processes</li> </ul>

As part of meeting the policy objective of improving safety for victims, we are looking at extending the availability of Safety Programmes to also include victims of defendants in Criminal Court proceedings where there is no protection order.

## 2 PROGRAMME REQUIREMENTS

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### 2.1 INTENTION OF THE AMENDMENT ACT

The Amendment Act aims to improve outcomes of domestic violence programmes by:

- providing for greater flexibility in the development and delivery of mandatory non-violence programmes
- encouraging protected people (including children where appropriate) to attend safety programmes.

This chapter outlines how we propose to translate the aims and specific requirements of the Amendment Act into practice.

#### 2.1.1 Revocation of the current Programmes Regulations

From 1 October 2014, the current requirements for the structure of programmes for adult protected persons, for children, and for respondents will be removed.

The Ministry does not intend to replace the Programmes Regulations with new regulations on what the structure of programmes should look like. Instead, Provider Practice Standards will set out requirements for the delivery of safe, ethical and effective programmes (please see chapter 3 Provider Practice Standards).

current	from 1 October 2014
Domestic Violence (Programmes) Regulations 1996 sets out goals and structure of programmes for: <ul style="list-style-type: none"><li>• adult protected persons</li><li>• children</li><li>• respondents</li></ul>	Provider Practice Standards will set expectations on: <ul style="list-style-type: none"><li>• an organisation's capability and capacity to provide a defined service</li><li>• the quality of outcomes of the service provided</li></ul>

### 2.1.2 Responding to individual needs

This move towards a more flexible and individual focus is aimed at improving outcomes for both protected people and respondents by giving providers greater flexibility in how they deliver non-violence and safety programmes.

A group non-violence programme may look very different for different people and it moves away from a 'one size fits all' approach to programme design and delivery. While still delivering to a group, it will need to have the flexibility to be matched to the identified needs of an individual and have the ability to provide a tailored intervention for that person. (See chapter 2.4 for more information on Non-Violence Programmes.)

Providers of Safety Programmes will be expected to take a similar flexible approach in the provision of these programmes. It is proposed that providers will be able to deliver three different levels of Safety Programme interventions/services: an initial needs identification and 'First Aid' safety advice; a short-term, safety planning intervention; and a moderate length, skills-based, therapeutic service.

(See chapter 2.3 for more information on Safety Programmes.)

Responding to individual needs	
<b>Safety Programmes</b>	Provider will determine whether the protected person needs a short or moderate intervention based on the initial needs identification.
<b>Non-violence Programmes</b>	Providers will determine appropriate programme structure, the number of sessions for that respondent, and design an individual plan based on the assessment.

### 2.1.3 Gender specific language

The New Zealand Family Violence Clearinghouse data on protection orders<sup>3</sup> shows that 90% of those applying for a protection order under the Domestic Violence Act are female and 88% of respondents are male. The majority of protection orders relate to Intimate Partner Violence: domestic violence where the applicant is the current or ex-partner of the respondent (see Appendix 1).

<sup>3</sup> Data Summary: Violence Against Women. New Zealand Family Violence Clearinghouse Data summary 2. June 2013

The huge gender bias in Intimate Partner Violence is evidenced internationally, and while it is recognised that in some cases the perpetrator of the violence is female, this is a small percentage, hence most of the literature refers to respondents as 'men' and protected persons as 'women'. The literature also generally refers to non violence programmes as programmes for violent men and safety programmes as those for women and children.

In this document we have used the terms 'respondent' and 'protected person' as these are the terms used in the Act and we have a responsibility to ensure gender specific programmes are available for respondents and protected persons.

As we are also looking at referrals to programmes from the criminal court where there is no protection order, the term 'respondent' includes offenders, and 'protected person' includes victims.

## 2.2 SAFETY PROGRAMMES

Under the Amendment Act, the primary purpose of safety programmes is the same whether the protected person is an adult or a child. For programmes for a child, this is a marked change from the primary objectives of programmes in the current legislation which is ‘assisting the child to deal with the effects of domestic violence’.

**The Amendment Act identifies the primary purpose of safety programmes as:**

**‘promoting (whether by education, information, support, or otherwise) the protection of the protected person from domestic violence’.**

### 2.2.1 New approach introduced

Aligning the primary objective of programmes for all protected persons introduces a more flexible approach to how Safety Programmes can be delivered. Safety Programmes may be delivered to adults only, children only, adults and children together, or a combined approach (some sessions separately and some together).

This approach to programme delivery extends to ensuring protected people are able to move in and out of programmes as their needs change.

### 2.2.2 Safety programme services

We are proposing three levels of safety programmes be provided. The timeframes for access to programmes are in order to best meet the safety needs of the protected person. One of the options being considered is to provide the adult protected person a Safety Needs Service at the point of application for a protection order so they are able to access initial safety advice while waiting for a protection order application to be decided.

(a) Overview of proposed services

Service	Timeframe
Safety needs identification and 'First Aid' safety advice service	this will be carried out once the referral has been made by the court
Short intervention safety planning	if the provider identifies that a short intervention safety plan is appropriate, then this should be carried out as soon as possible/the applicant is ready
Moderate intervention trauma and skills based programme sessions	if the provider has identified that a moderate intervention programme is required, it can be carried out at any time the applicant is ready once the court makes the protection order and provision of the programme has been discussed with the Registrar.

1

**Needs identification**

A provider's first interaction with an adult protected person will be as soon as possible after a referral from the court, when the provider contacts the protected person in order to do a needs identification.

Based on the individual situation and identified needs and risk, providers will recommend whether the protected person needs further intervention, and if yes, whether a short or moderate intervention is the most appropriate response. It is anticipated that this will be based on assessing how much education, information, support or other assistance the protected person requires and what outcomes are sought, taking into account how they wish to engage with the programme.

At this time the provider should also offer 'First Aid' safety advice.

2

**Short intervention**

If the provider has identified it as the most appropriate response to the applicant's needs, then a short intervention should be offered. This would possibly comprise one or two sessions to assist the victim to put in place a safety plan. Safety planning is identifying and documenting the steps required to optimise safety for the protected person. It is expected this will be done one-to-one.

# 3

## **Moderate intervention**

A moderate intervention, where identified as the best response, may comprise six to 10 sessions to further develop a safety plan (as above) and provide trauma and skills-based programme sessions usually in the form of a group programme, but on an individual basis when required.

Not every protected person will need all three of these modules and it will be up to the provider, during the needs identification meeting to determine whether individuals will have their needs met with just a safety plan or whether further assistance is required to assist the person to protect themselves from domestic violence. If further assistance is required, this will need to be agreed with the Registrar

### 2.2.3 Safety is paramount

Any engagement with the protected person must ensure that safety is paramount. This will include ensuring that the person is aware of the extent to which a non violence programme is likely to change the respondent's behaviour – providing the protected person with a realistic assessment of ongoing safety risks<sup>4</sup>.

### 2.2.4 Process to access a programme

Safety programmes are provided to protected people (adults and children) on request. Once a protection order is in place, the protected person may request a programme be provided, but if no request is made, the protected person's lawyer (or the Judge or Registrar if the protected person is not legally represented) must ensure the protected person is aware of their right to make a request to attend a Safety Programme and take such steps as necessary to enable the protected person to make such a request.

Where a request is made, the Registrar must arrange for the matter to be referred to a service provider without delay. The Registrar will agree the number of safety programme sessions to be provided to a protected person following discussion with the service provider. We are intending that providers will be pre-approved to deliver short Safety Programmes to people referred to them in order to minimise delays in accessing support and to improve safety outcomes.

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<sup>4</sup> Respect: Statement of principles and Minimum Standards of Practice for Domestic Violence Perpetrator Programmes and Associated Women's Services.

### 2.2.5 Safety and Needs Identification

The initial contact with the protected person should focus on their immediate safety. The service provider should assess the safety needs of the protected person and their children as soon as possible.

#### (a) Provider knowledge and skills

During initial contact, providers will need to be able to apply their knowledge of<sup>5</sup>:

- the underlying causes of and dynamics of domestic violence
- working with clients from diverse cultural backgrounds
- principles of risk and safety assessment and planning and respecting autonomy of the protected person to make decisions
- understanding of child development, appropriate child based interventions, and child safety.

#### (b) Assessing immediate risk factors

For some protected people, the initial contact will require the provider having to assess three aspects of risk immediately:

- the risk of immediate further violence
- the risk of suicide or self-harm
- the risk to the safety of any children.

#### (c) Systematic assessment process

Safety and risk should be assessed in a systematic way, taking into account risk and protective factors, the protected person's thoughts about their safety and the views of other professionals. It can include<sup>6</sup>:

- risk assessment (including where initial assessment indicates, lethality or dangerousness assessment)
- safety planning
- risk management strategies, which may require a co-ordinated approach between service providers and other relevant agencies.

There are a number of different risk assessment tools used internationally. We are considering whether a risk assessment tool/s should be included in this work.

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<sup>5</sup> Family Violence Intervention Guidelines: Child and Partner Abuse (2002). Ministry of Health.

<sup>6</sup>Towards Safe Families. A practice guide for men's domestic violence behaviour change programmes; Attorney General NSW 2012

### 2.2.6 Acute and ongoing safety concerns

If safety concerns are acute (for example, the respondent has breached a protection order or there is continuing or escalating violence), the provider must encourage the victim to immediately contact the police. The provider may need to consider making a report to the police themselves and to inform the service provider of the respondent's programme of the escalated risk.

Immediate and ongoing safety concerns should be addressed through participation in a Safety Programme as appropriate to the needs of the person. This may be a short-term intervention – to ensure the protected person is fully aware of the risks and to develop a safety plan, or a medium-term intervention – to develop a safety plan and to provide some trauma, cognitive, and skills-based intervention with the protected person to assist them to move on with their lives (see more on this in the following paragraphs).

### 2.2.7 Interventions for children

Safety planning with children alone will depend on their age and their level of emotional maturity. It may be appropriate to have joint sessions with the protected parent and some individual sessions with the child/children alone. Having joint sessions can assist in forming a safety alliance between the protected parent and the child. It can also assist the child to tell the parent how they feel.

### 2.2.8 Longer term interventions

Where longer term therapeutic interventions are required, this will require referrals to other services. The service provider should have good knowledge of what other services are available to victims (adult and children) in the wider sector.

### 2.2.9 Improving engagement with Safety Programmes

The Ministry is looking to improve engagement by protected people in safety programmes, and are working on ways to do this, including how the initial approach is made, and what information could be provided to encourage take-up and attendance at a programme

### 2.2.10 Removal of time limit

The Amendment Act removes the requirement that a referral to a Safety Programme must be within three years. This recognises that the needs and circumstances of the protected person may change over time<sup>7</sup> and allows the protected person to seek a referral to a service provider when they are ready.

The protected person can request a programme at any time the protection order is in place. It does not have to be immediately, although a programme will be offered when the matter is in court as that is recognised as a time of particular safety risk. Efforts will be made at this time to ensure the protected person is aware of their rights to attend a safety programme.

### 2.2.11 Extending access to Safety Programmes

We are looking at the viability of extending the availability of Safety Programmes to also include victims of defendants in Criminal Court proceedings where there is no protection order.

Consideration is also being given to the possibility of Safety Advice and Safety Planning being offered at the time an *application* for a Protection Order is made, in order to improve safety during the critical period between applying for a Protection Order and the Protection Order being made.

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<sup>7</sup> Towards Safe Families. A practice guide for men's domestic violence behaviour change programmes; Attorney General NSW 2012 pages 106-118

## 2.3 NON-VIOLENCE PROGRAMMES

Non-violence programmes are those provided to respondents or defendants. Referrals to the programmes will be substantially the same once the Amendment Act takes effect and will be managed by the Courts in two different ways:

- Family Court – once a protection order is in place, the court must direct a respondent to undertake an assessment and attend a mandatory non-violence programme, unless there is no suitable provider available or there is good reason not to do so.
- District Court (mostly the Family Violence Court) – a judge directs a defendant who has pleaded guilty to attend a programme before sentencing. This is a judicial initiative and not mandatory.

### 2.3.1 Referrals

In making a referral to a non-violence programme provider, Registrars will use their knowledge of service providers in their location to match the respondent to the most appropriate provider. A decision tree is being developed to help improve the referral process used by court staff. This will look at variables such as whether the respondent is male or female, ethnicity, gang affiliations, and special circumstances that will help identify which programme is most suitable for the respondent.

### 2.3.2 Initial Contact

Once the Registrar has notified the provider of the court order for the respondent to undertake an assessment and attend a non-violence programme, the service provider will need to make contact with the respondent if the respondent doesn't make contact first. The purpose is to arrange an appointment with the respondent to undertake an assessment and to determine whether an appropriate non-violence programme is available for them to attend.

It will be important that the initial contact is made quickly to ensure the respondent is engaged in the process with minimal delay once the order has been made by the Court.

### 2.3.3 Assessment

The use of a structured assessment process will form a crucial part of the overall programme intervention.

**The purpose of the assessment is to determine:**

- **the extent to which the respondent poses a safety risk to any person or the public**
- **what, if any, non-violence programme is the most appropriate for the respondent to attend.**

#### (a) Assessment tools

We will be introducing a comprehensive assessment process as part of the Provider Practice Standards.

The assessment will provide detailed information to assess the motivation level and safety risk profile in order to determine the most appropriate non-violence programme structure for the respondent. This will include exploring in detail their domestic violence history and outcome of any previous programmes, functioning across important life domains, mapping of the last violent incident and identifying strengths and supports. The assessment sessions also start to build the relationship, engage the respondent in the work they need to do and what they need to focus on during the programme, and set the expectations about the programme, the respondent being held accountable, and the responsibilities of both the service provider and the respondent.

The need for evidence-based risk assessment tools to be used consistently by all non violence programmes was one of the recommendations of the Family Violence Death Review Committee third annual report<sup>8</sup>. This recommendation is supported by international research that shows that best practice in domestic violence risk (typically re-assault/recidivism and/or lethality risk) assessment is where the assessment tool(s) are based on empirical evidence<sup>9</sup>.

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<sup>8</sup> Family Violence Death Review Committee: Third Annual Report, 2013.

<http://www.hqsc.govt.nz/assets/FVDRC/Publications/FVDRC-3rd-Report-FINAL-locked-June-2013.pdf>

<sup>9</sup> Northcote M. Intimate Partner Violence Risk Assessment Tools: A Review (2012). Department of Justice Canada.

In July 2012 the New Zealand Police introduced the ODARA risk assessment tool that is widely used in Canada to predict the likelihood of re-assault in Intimate Partner Violence relationships. This tool gives each case a score of 1 to 13, with cases scoring 7 to 13 being those at the highest risk of re-assault. Appendix 3 summarises a range of risk assessment tools and approaches identified by the New Zealand Police in a review of international literature.

**(b) Risk profile and intervention needs**

The assessment will identify the risk profile and intervention needs of the individual respondent. International research on offender programmes shows that mixing offenders with different reoffending risk levels in the same programme can have an adverse effect on lower risk people and can increase the likelihood of them going on to further offending. The risk level also gives an indication of the length of intervention (treatment dosage) required.

**(c) Protected person informed assessment**

To provide a better assessment of risk, non-violence programme service providers should seek input from the protected person (either directly or through another service provider), where it is safe and appropriate to do so.

The protected person's experience of the respondent's ongoing behaviour should be included in the initial assessment and at key points of the programme after that. Input from the protected person will also enable the service provider to know if there have been any new incidents of abuse or violence. Where the protected person contributes to the process, the information they give should be treated as having a high likelihood of being reliable and accurate, giving the provider a better, more informed understanding of the risks to the protected person and their children.

Extreme care must be taken to ensure that contact with the protected person is made in a manner that is safe for them, information provided is used safely, and protected persons are not exposed to coercive pressure from the respondent because the respondent knows that contact is being made.<sup>10</sup> Part of the work we are undertaking to develop the Provider Practice Standards will include developing processes around safe and appropriate contact between non-violence programme providers and protected persons, and how providers should ensure the confidentiality of any information a protected person gives.<sup>11</sup>

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<sup>10</sup> Ibid 16.

<sup>11</sup> Towards Safe Families. A practice guide for men's domestic violence behaviour change programmes; Attorney General NSW 2012

#### 2.3.4 Individually Tailored Plan

The Amendment Act requires that before providing a programme, the provider and respondent are to agree in writing to the terms of attendance, which must include the number of programme sessions the respondent must attend and the place, date and time of the first programme session and all subsequent sessions that the respondent must attend. In addition to the legislative requirements, the provider will be required to form a detailed individual programme plan for the respondent based on the findings from the assessment, and agree this plan with the respondent.

The provider must send a copy of the 'terms of attendance' document to the Court Registrar. If the respondent fails to either undertake an assessment or attend a non-violence programme in accordance with terms of attendance the service provider must notify the Registrar within 7 days.

#### 2.3.5 Programme Design and Delivery

As noted above, the Amendment Act aims to improve outcomes of domestic violence programmes by giving greater flexibility in the development and delivery of non-violence and safety programmes.

Effective rehabilitation programmes generally use cognitive behavioural, social learning, and relapse prevention approaches, and use skills practice and rehearsal techniques to build new skills and strengthen existing capabilities.

Generally programmes will be structured, modular group programmes with individual sessions scheduled at different points if required to work on particular issues and with family/whānau meetings scheduled towards the end of the programme, if appropriate and safe to do so. Where a respondent is assessed as unsuitable to participate in a group programme, then an individual programme should be provided.

To ensure there is minimal delay between assessment and commencement of a programme, either regular intake points into programmes need to be built into the programme design or new programmes need to be scheduled at regular intervals. If there is a gap between the assessment and programme intake, providers may consider scheduling one or two individual sessions to start work with the respondent and prepare the respondent for the group programme (orientation).

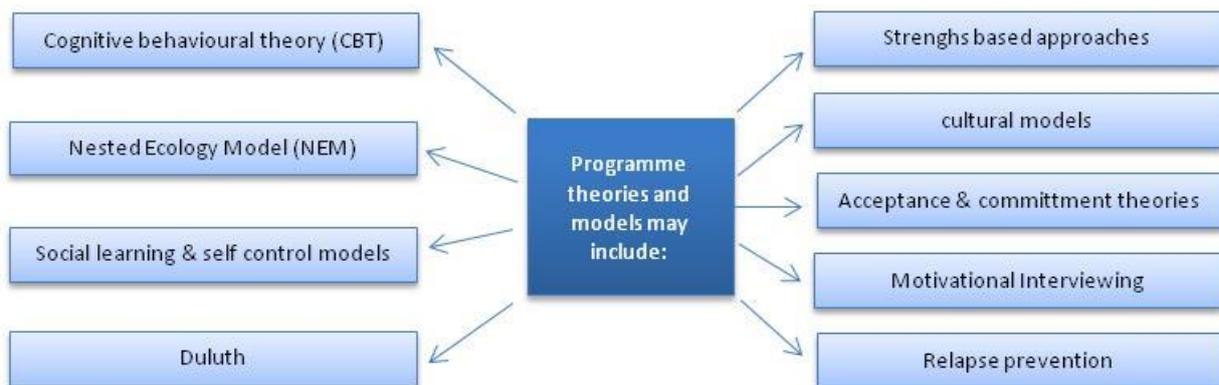
**(a) Programme integrity**

Programme integrity is a key contributor to effective outcomes. There are a number of elements that support programme integrity and effectiveness including:

- programme being based on identified theories, models and approaches
- stated aims of the programme are linked to the models/approaches used
- adequate resources are available to achieve the stated aims
- programme sessions are structured and documented
- use of training manuals
- staff are appropriately trained and supported and receive clinical supervision
- intervention dosage matches risk profile
- agreed plan for programme monitoring and evaluation
- freshness of programme – keeping it contemporary as knowledge accumulates
- session and case note recording.

**(b) Theory-based programmes**

Programmes should be informed by current theories and models that have been shown in international research to be effective in changing behaviour. These include but are not limited to



The Provider Practice Standards will detail our expectations for service providers when developing and delivering their programmes. .

### 2.3.6 Department of Corrections

The Department of Corrections is developing a non-violence programme for low and low moderate risk offenders in the community. We are working closely with Corrections to ensure we have a collaborative and coordinated service approach with a range of programmes available to meet the risk and needs profiles of respondents/offender.

### 2.3.7 Reporting requirements

In addition to the requirements to provide the Court with a copy of the agreed terms of attendance, the Amendment Act contains a number of mandatory requirements for the service provider to report to the Court.

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**Mandatory reporting requirements:**

- they have any concerns about the safety of the protected person after undertaking the assessment or at any stage during the provision of the programme (the Registrar is then responsible for ensuring the protected person is advised)
  - they determine that there is an appropriate non-violence programme for the respondent to attend but they are not able to provide that programme to the respondent
  - they believe the respondent's attendance at the programme should be delayed to enable other matters to first be addressed
  - they believe it would not be appropriate for the respondent to attend the programme
  - they consider, at any time during the provision of the programme, that it is no longer appropriate or practicable for the service provider to provide the programme to the respondent or that the respondent is not participating fully in the programme and this is significantly affecting the respondent's ability to benefit fully from the programme
  - the respondent fails to undertake an assessment with the service provider to whom notice of the direction has been given, or fails to attend a non-violence programme in accordance with the agreed terms of attendance
- 

When the respondent has completed the programme the service provider must provide the Registrar with a completion report which states whether the respondent has achieved the objectives of the programme and advises of any concerns that the service provider has about the safety of any protected person.

Once the report has been received, the Registrar will need to forward a copy to the Judge and arrange for the protected person to be notified that the respondent has completed the programme, a report has been provided, and any concerns that the non-violence service provider has about their safety. Detailed reporting guidelines are being developed.

## 3 PROVIDER PRACTICE STANDARDS

Provider Practice Standards (the Standards) are being developed to ensure that all contracted domestic violence programme service providers are delivering safe, ethical and effective non-violence or safety programmes. These will be aligned with the MSD standards for approval at the level appropriate for similar programmes.

All providers of Ministry of Justice funded domestic violence programme services will need to be first approved by MSD (or in the process of becoming approved) before being considered for approval and contract for services with the Ministry of Justice. We note that a high proportion of current MOJ approved domestic violence providers are also MSD approved.

The Ministry will use the practice standards to monitor, audit, and verify the performance of providers.

### 3.1 PRACTICE STANDARDS PERFORMANCE AREAS

The standards will be organised into six performance areas:

- 1 **Organisational culture** – these standards will cover how an organisation responds to diversity, its approach to collaboration and how connected it is to the community, and its focus on client-centric outcomes.
- 2 **Governance** – the standards in this performance area will look at the structures that are in place to allow an organisation to operate in a transparent and accountable way, and to ensure an organisation has the systems and processes to ensure financial viability and sustainability.
- 3 **Management and staff** – these standards will involve how well management responsibilities and accountabilities are understood and carried out, and how staff are supported by management in their work and with their professional development in order to deliver well-aligned services.



- 4 **Safe administration** – the standards in this area will set expectations around a provider’s technology and administration systems, including those for collecting, using, and retention or destruction of information in a safe and confidential manner.
- 5 **Assessment** – these standards will cover not only the development and delivery of assessment practices for non-violence programmes, but also the development and delivery of needs identification practices for safety programmes.
- 6 **Programmes** – these standards will cover the development and delivery of non-violence and/or safety programmes, designed to have flexibility in delivery to respond to the assessed needs of the participant and focus on improving the safety of protected persons and holding respondents accountable.

Each of these performance areas will be developed to identify and describe the practice standards expected of service providers. In recognition of the extent of the change being introduced and the different capabilities and structures of service providers (large NGOs to sole providers) we are considering the use of a staged approach for providers to comply with these standards.

This may take the form of setting minimum practice standards that all providers must meet (acceptable practice) but also identifying optimal practice standards that some larger providers would be expected to meet immediately and that other would work towards over a period of time. This staged approach may be reflected through the use of different approval levels and contracting periods.

Consideration of any professional standards, such as a code of ethics for a professional body to which an individual belongs, will be taken into account during the development of minimum practice standards to ensure there is no conflict.

Individuals who provide domestic violence programme services in a professional capacity, for example as a psychologist, would be expected to work to higher professional standards, such as the Health Practitioners Competence Assurance Act.

## 4 PROVIDER SERVICE REQUIREMENTS

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This chapter summarises service requirements for providers and will be further developed in the Provider Practice Standards.

### 4.1 RESPONDING TO ALL TYPES OF DOMESTIC VIOLENCE

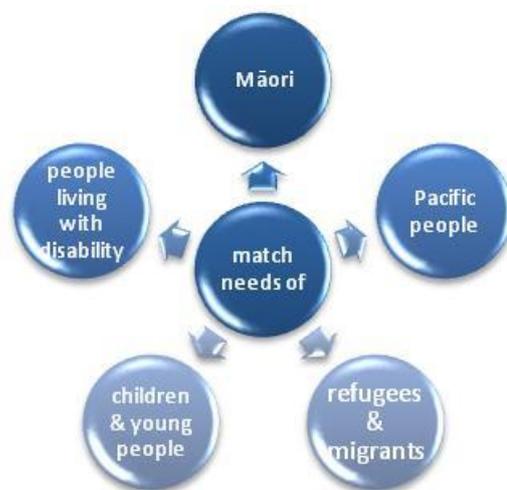
The Domestic Violence Act 1995 defines violence as physical, sexual, or psychological abuse which includes financial/economic abuse or a child seeing or hearing (or at risk of seeing or hearing) physical, sexual or psychological abuse. Safety programmes (for protected persons and their children) and non-violence programmes (for respondents/defendants) will need to be able to respond to all types of domestic violence.

### 4.2 ORGANISATIONAL RESPONSIVENESS

The Ministry of Social Development has this to say about diversity:

Typically, the term 'diversity' is associated with culture, race, and ethnicity, but diversity is a much broader concept. As well as culture, race and ethnicity, diversity comes from religion, age, gender, sexual orientation, mental and/or physical abilities, heritage, and other characteristics that form a person's identity. These factors underpin our values, drive our preferences, and affect the way we see and engage with the world.<sup>12</sup>

Providers of both non-violence programmes and safety programmes will need to demonstrate safe and ethical practice, an understanding of, and an ability to design and deliver programmes that match the needs of the groups they serve.



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<sup>12</sup> Organisational Capability Self-Assessment Tool. Ministry of Social Development

#### 4.2.1 Māori

Māori are New Zealand's tangata whenua. All organisations, whether or not they identify as specifically for Māori, should understand and value Māori culture, values, and heritage in order to be fully responsive to the needs and aspirations of Māori.

Providers delivering programmes to participant groups who are primarily Māori will be expected to apply the principles of manaakitanga (hospitality), whānāungatanga (fostering relationships), rangitiratainga (leadership), and pukengatanga (expertise).<sup>13</sup>

#### 4.2.2 Pacific Peoples

New Zealand has a close relationship with the Pacific nations. Service providers providing domestic violence programmes to Pacific people will be expected to be responsive to Pacific peoples, understand and value Pacific cultures, values, beliefs, heritage, and languages.

Organisations providing domestic violence programmes in areas with concentrated Pacific populations would be expected to help build a vibrant Pacific social sector by working with Pacific people in strengths-based ways to attain and maintain their tofi, cultural identity, safety, and wellbeing, and maintaining strong, responsive links to Pacific communities through communication, consultation, and opportunities for representation on the Governance Board.

#### 4.2.3 Refugee and Migrant Communities

New Zealand communities are becoming increasingly multi-cultural and diverse. Refugee and migrant population groups have a wide range of cultures, languages, beliefs, life experiences, and settlement needs. The challenges of living in a new country including being unfamiliar with social services, language difficulties, and limited support networks means these groups often experience unequal access to social services.

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<sup>13</sup> Organisational Capability Self-Assessment Tool. Ministry of Social Development.

Gondolf (2012)<sup>14</sup> concluded that the most uniformly recommended innovation for non-violence programmes is culturally orientated approaches with ethnic and migrant people.<sup>15</sup> Service providers providing domestic violence programmes to ethnic and migrant people will be expected to understand and value their cultural values, beliefs and heritage and to work in ways that increase access and improve outcomes for these communities.

#### 4.2.4 Children and Young People

Protecting vulnerable children is everyone's responsibility – not just those who work directly with children. Ensuring that the safety of children exposed to domestic violence is a priority that will apply equally to all domestic violence programme service providers providing safety and non-violence programmes.

Any service provider delivering specialised Safety Programmes for children, or Safety Programmes combining adults and children, will be required to have robust and detailed child-centric practices, policies, and processes, including the vetting practices required by all staff having contact with children or young people.

#### 4.2.5 People with Disabilities

People with disabilities experience disproportionately high levels of domestic violence. It is believed the single largest factor affecting the extraordinarily high incidence of domestic violence against disabled people is the extent/makeup of their 'families'/domestic households.

Many disabled people, to live their everyday lives, may depend on a variety of people to provide them with support and assistance.<sup>16</sup> One of the core components of the Government's Disability Action Plan 2012-14 is: Disabled people have greater choice and control over supports, use more mainstream and natural supports, and disability support funding is more efficiently used.<sup>17</sup> Service pathways can be complex for people with disabilities experiencing violence and service providers will be required to give particular attention to their needs.

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<sup>14</sup> Gondolf, E. (2012). *The Future of Batterer Programs. Reassessing Evidence-based Practice*. Boston. Northeastern University Press

<sup>15</sup> In New Zealand culturally oriented approaches would include tangata whenua and Pasifika peoples

<sup>16</sup> Te Kupenga - the National Network of Stopping Violence <http://www.nnsvs.org.nz/whos-affected/disabled-people>

<sup>17</sup> <http://www.odi.govt.nz/what-we-do/ministerial-committee-on-disability-issues/index.html#DisabilityActionPlan20122014focusonresults4>

#### 4.2.6 Language Barriers

Currently use of interpreters requires the direction by the Judiciary on a case-by-case basis which can take time and distracts from progress in completing the assessment and delivering programme sessions. As part of this project we will consider issues and options for the use and payment of disbursement costs associated with the engagement of interpreters where English is a second language and where assessment and programme delivery will be hampered by language barriers.

#### 4.2.7 Other considerations

Programme providers will also need to consider the most appropriate programme for other particular groups, for example: those with gang affiliations; intimate partner violence in same sex relationships; Lesbian, Gay, Bisexual, Transgender, and Intersex (LGBTI) respondents or protected persons; and cases where the respondent is female and the protected person is male.

#### 4.2.8 Alternative means of delivering programmes

Another consideration will be exploring opportunities for providers to use alternative approaches to reach non-violence and safety programme participants in isolated or low coverage regions.

## 4.3 WORKING TOGETHER

The Ministry is working closely with other government departments, such as the Ministry of Social Development (MSD), Department of Corrections, and the Ministry of Business, Innovation and Employment (MBIE) to look at streamlining contracting with NGOs in order to reduce the administrative burden on NGOs. We are also looking at innovative ways to encourage organisations to work together.

### 4.3.1 Collaborative approaches

The new legislation creates increased opportunity for service providers to work in collaboration with agencies, other service providers and providers of other types of programmes, such as alcohol and/or drugs programmes, in their community.

International thinking is that ‘the system matters’ when it comes to eliminating and preventing family violence.<sup>18</sup> An integrated system response is identified in the literature as having many benefits and being the best way to ensure a protected person’s safety and well-being and promote respondent accountability.

### 4.3.2 Coordinated responses

Coordinated and collaborative responses open up more options to keep protected persons safe and to hold respondents accountable for their violence. Respondents who attend non-violence programmes that are linked to a wider system of services have been shown to re-offend less frequently than men who attend stand-alone programmes.<sup>19</sup> This particularly includes where parallel services are provided to protected persons to ensure a focus on safety and to enable the protected persons to have input into the assessment for the respondent programme.

A coordinated response also assists in:

- ensuring access to a range of programmes to accommodate the different risk profiles, gender, age, or affiliations (gangs) of respondents
- improving regional coverage and access to required programmes at different times and locations
- increasing the probability that the respondent will attend the most appropriate programme
- opening up opportunities for collaborative programme facilitation models.

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<sup>18</sup> Building collaborations to eliminate family violence: facilitators, barriers and good practice. New Zealand Family Violence Clearinghouse (2012)

<sup>19</sup> Ibid

## 5. APPROVAL AND PURCHASING

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### 5.1 CURRENT SITUATION

We currently have funding agreements with around 110 approved providers delivering one or multiple domestic violence programmes. These include group and individual programmes for respondents (men and women) and for protected persons (adults and children). There are in excess of 900 different programmes or locations nationally.

There is a large variation across the sector in terms of programme content and structure, provider capability and capacity, and service delivery volumes. The current approval process has tended to restrict flexibility and has resulted in programmes that are generic (one size fits all), would benefit from being updated, or are finely focused and limited to a very specific type of participant.

We are reviewing the numbers of protection orders issued, programme referral numbers, completion rates, and costings across all the programmes to assess future needs and to ensure we have a sustainable, effective, accessible, and responsive programme base.

### 5.2 EFFECT OF AMENDMENTS ON CURRENT APPROVALS

The Amendment Act disestablishes the approvals panel and gives the responsibility for granting, suspending, or cancelling approvals of service providers to the Secretary for Justice.

Approvals previously granted for a programme or to a programme provider will have no effect once the amendment comes into force on 1 October 2014. The current funding agreements which are tied to the approvals will also cease when the Amendment Act comes into force.



Domestic Violence  
Amendment Act 2013  
section 38(3)

- An approval given by the panel under Part 3 of the Domestic Violence (Programmes) Regulations 1996 before the date of commencement of this section is of no effect on or after that date.

There will be a short transition period to allow for programmes commenced before 1 October 2014 to be completed.

## 5.3 CONTRACTING APPROACH

### 5.3.1 Contracting approach

The Ministry is currently planning its contracting approach. The first step, which is underway, is to assess *what* programmes we will need, *where* we will need them, and *how many* of them we will need.

The next step, also underway, is to gather and assess the information we already have about providers and programmes in the domestic violence sector. We will be focused on the extent to which providers' current practices meet the new practice standards requirements, and how well their current programmes align with the changes made by the Amendment Act, including the new focus on assessment and tailoring of programmes to individuals.

We will then determine the best approach to the contracting process. We will communicate with you again in April.

In making that decision our aim is to minimise any administrative burden for service providers. While we may need further information from current and future providers our first approach will be to use the information we already have from working with providers.

### 5.3.2 New contracting framework

The Ministry plans to adopt new contracts when putting in place the changes to programmes. The new contracts will be in line with the 'Streamlined Contracting with NGOs' approach developed by the Ministry of Business, Innovation and Employment. They will incorporate an outcomes based performance management framework known as Results Based Accountability™ (RBA), and will introduce a consistent set of terms and conditions. The aim is to reduce duplication and increase the focus on outcomes. The Ministry proposes to adopt this approach when putting in place the new agreements.

Information on Streamlined Contracting with NGOs and RBA is provided in Appendix 2.

## 6 NEXT STEPS

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### 6.1 QUESTIONS

This document represents a high level overview of our proposal for the processes, programmes and service specifications for the implementation of the changes to the Act. We would welcome your questions as we continue to develop a more detailed framework.

Members of the project team will be hosting regional information sessions in late February/early March to present our proposals in more detail and to hear from you directly. Details of these sessions were posted on the Government Electronic Tenders Service (GETS) website on 14 February.

# APPENDICES

## APPENDIX 1 - PROTECTION ORDERS

Appendix 1 contains a series of data pertaining to Protection Orders collated by the New Zealand Family Violence Clearinghouse.<sup>20</sup>

A protection order is granted by a family court judge to protect an applicant from domestic violence. The data below is provided from a customised extract provided by the Ministry of Justice.

### 1 Family Court Data

#### Type of Protection Order Applied For

	2005	2006	2007	2008	2009	2010	2011	2012
<b>Total number of PO applications</b>	<b>4545</b>	<b>4432</b>	<b>4511</b>	<b>4422</b>	<b>4641</b>	<b>4685</b>	<b>4064</b>	<b>3611</b>
On notice PO	511	569	548	494	557	621	521	453
<b>% of total applications</b>	<b>11%</b>	<b>13%</b>	<b>12%</b>	<b>11%</b>	<b>12%</b>	<b>13%</b>	<b>13%</b>	<b>13%</b>
Without notice PO	4034	3863	3963	3928	4084	4064	3543	3158
<b>% of total applications</b>	<b>89%</b>	<b>87%</b>	<b>88%</b>	<b>89%</b>	<b>88%</b>	<b>87%</b>	<b>87%</b>	<b>87%</b>

#### Protection Order Application Outcomes

	2005	2006	2007	2008	2009	2010	2011	2012
<b>Total number of applications</b>	<b>4545</b>	<b>4432</b>	<b>4511</b>	<b>4422</b>	<b>4641</b>	<b>4685</b>	<b>4064</b>	<b>3611</b>
Final Protection order granted	2561	2520	2633	2505	2637	2657	2328	1892
<b>% of total applications</b>	<b>56%</b>	<b>57%</b>	<b>58%</b>	<b>57%</b>	<b>57%</b>	<b>57%</b>	<b>57%</b>	<b>52%</b>
Dismissed or struck out	605	578	539	610	559	568	465	333
<b>% of total applications</b>	<b>13%</b>	<b>13%</b>	<b>12%</b>	<b>14%</b>	<b>12%</b>	<b>12%</b>	<b>11%</b>	<b>9%</b>
Application lapsed, withdrawn, discontinued. Temporary PO granted	592	574	598	589	622	617	552	417
<b>% of total applications</b>	<b>13%</b>	<b>12%</b>						
Application lapsed, withdrawn, discontinued. Temporary PO not granted	787	759	740	717	820	823	668	452
<b>% of total applications</b>	<b>17%</b>	<b>17%</b>	<b>16%</b>	<b>16%</b>	<b>18%</b>	<b>18%</b>	<b>16%</b>	<b>13%</b>
PO still active, transferred	0	1	1	1	3	20	51	517
<b>% of total applications</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>1%</b>	<b>14%</b>

<sup>20</sup> Data Summary: Violence Against Women. New Zealand Family Violence Clearinghouse Data summary 2. June 2013

### Protection Order Applicants by Gender of Applicants under the Domestic Violence Act

Gender of applicants	2005	2006	2007	2008	2009	2010	2011
<b>Total number of applicants</b>	<b>3115</b>	<b>3134</b>	<b>3212</b>	<b>3188</b>	<b>3410</b>	<b>3452</b>	<b>3044</b>
Female	2767 89%	2830 90%	2891 90%	2859 90%	3066 90%	3124 90%	2776 91%
Male	251 8%	253 8%	285 9%	286 9%	272 8%	281 8%	230 8%
Unknown	97 3%	51 2%	36 1%	43 1%	72 2%	47 1%	38 1%

### Respondents of Protection Order applications under the Domestic Violence Act by gender, age and ethnicity

Description		2005	2006	2007	2008	2009	2010	2011
<b>TOTAL NUMBER OF RESPONDENTS</b>		<b>3110</b>	<b>3125</b>	<b>3177</b>	<b>3140</b>	<b>3388</b>	<b>3442</b>	<b>3027</b>
<b>Gender of respondents named in Protection Order applications</b>	Female	304 10%	311 10%	336 11%	335 11%	314 9%	349 10%	321 11%
	Male	2711 87%	2758 88%	2798 88%	2762 88%	3008 89%	3036 88%	2655 88%
	Unknown	95 3%	56 2%	43 1%	43 1%	66 2%	57 2%	51 2%
<b>Ethnicity of respondents named in Protection Order applications</b>	European/Pākehā	1193 38%	1360 44%	1350 42%	1382 44%	1416 42%	1435 42%	1173 39%
	Māori	739 24%	866 28%	849 27%	797 25%	870 26%	888 26%	837 28%
	Pacifika	194 6%	208 7%	236 7%	224 7%	305 9%	245 7%	216 7%
	Asian	82 3%	99 3%	127 4%	147 5%	138 4%	146 4%	137 5%
	Other	36 1%	36 1%	32 1%	36 1%	38 1%	38 1%	28 1%
	Unknown	866 28%	556 18%	583 18%	554 18%	621 18%	690 20%	636 21%
<b>Age of respondents named in Protection Order applications</b>	0-15	13 <1%	6 <1%	5 <1%	8 <1%	6 <1%	9 <1%	8 <1%
	16-25	556 18%	563 18%	610 19%	590 19%	674 20%	719 21%	671 22%
	26-35	979 31%	936 30%	963 30%	943 30%	943 28%	976 28%	845 28%
	36-45	693 22%	785 25%	733 23%	752 24%	849 25%	821 24%	720 24%
	46-55	280 9%	245 8%	264 8%	309 10%	353 10%	353 10%	332 11%
	56+	85 3%	61 2%	74 2%	70 2%	96 3%	86 3%	97 3%
	Unknown	504 16%	529 17%	528 17%	468 15%	467 14%	478 14%	354 12%

## 2 New Zealand Police

### **Breaches of Protection Order Offences and Resolutions**

	2009	2010	2011
<b>TOTAL RECORDED OFFENCES FOR BREACHING A PROTECTION ORDER</b>	<b>5278</b>	<b>5332</b>	<b>5232</b>
Number of resolved breaches of Protection Order offences	4759	4694	4759
<i>% of recorded offences</i>	90%	88%	91%

## 3 District Court Data

### **Prosecutions and convictions for Breach of Protection and Non-molestation Order Offences**

	2005	2006	2007	2008	2009	2010	2011
<b>NUMBER OF CHARGES PROSECUTED</b>	<b>3866</b>	<b>3738</b>	<b>4037</b>	<b>4410</b>	<b>4483</b>	<b>4290</b>	<b>4341</b>
Number of convictions	2376	2243	2579	2870	3017	3024	3107
<i>% of charges prosecuted</i>	61%	60%	64%	65%	67%	70%	72%
Number discharged without conviction	46	66	48	41	59	41	38
<i>% of charges prosecuted</i>	1%	2%	1%	1%	1%	1%	1%
Number of other <a href="#">outcomes</a>	1443	1429	1410	1499	1407	1225	1196
<i>% of charges prosecuted</i>	37%	38%	35%	34%	31%	29%	28%

<sup>a</sup> For privacy reasons the 'Number of Youth Court proved' information has not been provided in this table.

### **Convictions and sentence outcomes for Breach of Protection and Non-molestation Order Offences**

	2005	2006	2007	2008	2009	2010	2011
<b>TOTAL SENTENCES</b>	<b>2376</b>	<b>2243</b>	<b>2579</b>	<b>2870</b>	<b>3017</b>	<b>3024</b>	<b>3107</b>
Number of custodial sentences	752	697	810	973	1059	1185	1161
<i>% of total sentences</i>	32%	31%	31%	34%	35%	39%	37%
Number of community sentences	815	784	1039	1162	1208	1138	1220
<i>% of total sentences</i>	34%	35%	40%	40%	40%	38%	39%
Number of other sentences	809	762	730	735	750	701	726
<i>% of total sentences</i>	34%	34%	28%	26%	25%	23%	23%

## APPENDIX 2 – NEW CONTRACTING FRAMEWORK

### Streamlined contracting with NGOs

Streamlined contracting with NGOs is an initiative to deliver better public services. It sees a consistent approach being developed for the way that government agencies contract with NGOs to deliver social services.

The initiative seeks to address the problems of inefficiency, duplication, and multiple audits that may exist under the current system. The overall aim is to reduce the compliance burden on NGOs so that greater effort and funding can be directed to delivering the front line services that are needed.

The initiative has resulted in a contract and contract management framework that is suited to either contracts between the NGO and one government agency (bilateral arrangements) or those between the NGO and more than one government agency for delivery of similar goods and services (integrated contracting arrangements).

The framework:

- has a standardised “look and feel”
- embeds relationship principles that set the tone for all of Government engagement
- is designed to reflect structured assessment of risk in the services and the NGO provider
- has an outcome focus (including outcomes-focussed performance measures).

This last bullet point is discussed in more detail in **Results based accountability**, below.

The key benefits to Government agencies and NGOs from the successful implementation of the Streamlined Contracting with NGOs project are:

- a common Contracting Framework used by Government agencies and NGOs that provides for efficiency in establishing engagements
- standard terms and conditions means service delivery and successful contract outcomes can be given more focus
- the introduction of tools and templates to support more consistent management of contracting arrangements
- enhanced ability to work collaboratively with and across multiple Government agencies using a common language and based on a common approach
- reduced duplication of contract management activities such as audit and monitoring.

### **Results based accountability**

Results based accountability (RBA) is an outcomes management framework to identify, and work towards achieving results and outcomes. It is used internationally and within New Zealand. Within New Zealand it is being used across a wide range of sectors including social services, health and disability, local government, Whānau Ora, community development, and environmental development.

RBA moves the focus from counting activities to the effectiveness of services and the outcomes that are being achieved. For providers of domestic violence programmes it would measure more than just the numbers through programmes and ask whether the safety of protected persons and their children has been improved and whether respondents have been held accountable and changed their violent and abusive behaviour.

It is expected that programme providers will find it challenging to measure these outcomes in an effective and meaningful way. We will be detailing the outcomes we expect programme providers to measure and proposing mechanisms for them to do this.

## APPENDIX 3 – ASSESSMENT TOOLS AND APPROACHES<sup>21</sup>

Tool	Risk assessment approach		aims to predict		Type of violence		Administered by	Information source	Predictive accuracy (ROC)	Author and year
	Actuarial	Structures/clinical professional judgement	Lethality/homicide	Re-assault	Intimate/spousal relationship violence	General violence				
DA	✓		✓	can be used	✓		Victim services, Health care staff, Police,	Victim interviews	0.69 (Roehl at al 2005)	Campbell 1986 (cited Hanson, 2007)
DV-MOSAIC			✓		✓		Criminal justice professional	Offender's Criminal and Police records, Victim and Offender interviews	0.65 (Roehl at al 2005)	De Becker & Associates, 2000, cited in Roehl, 2005
DVSI	✓			✓	✓		Probation or Court officer	Offender's Criminal record and interview	0.62 (Roehl at al 2005)	Williams & Houghton 2004
ODARA	✓			✓	✓		Police, Victim services, Health care and Corrections staff	Police records Victim interview	0.72 (Hilton et al 2004 cited in Hilton et al 2007)	Hilton et al, 2004 cited in Hilton et al 2007
SARA			✓	✓ not eval'ed for this	✓		Family violence assessors	Offender and Victim interviews Criminal records Psychological procedures	0.65 (Williams & Houghton 2004)	Kropp, Hart, Webster & Eaves 1995
B-SAFER					✓		Police	Criminal justice records Victim interviews Offender information		Kropp, Hart & Belfrage 2005, cited in Kropp 2008
K-SID	✓			✓	✓		Probation or Court officer	Victim and Offender interviews, Police reports	0.62 (Roehl at al 2005)	Gelles, 1998, cited in Roehl et al 2005
VRAG (includes PCL-R)	✓			✓	can be used	✓	Trained Probation or Corrections staff	Offender's psychosocial history	0.75, cited in Hilton & Harris (2007)	Harris et al, 1993
DVRAG (includes PCL-R)	✓			✓	✓		Trained Corrections staff	Offender's psychosocial history		Hilton et al , 2008

<sup>21</sup> Family Violence Risk Assessment Review of International Research (2011). New Zealand Police: Wellington.







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