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Family Violence Risk Assessment and Management Framework
Ministry of Justice
DX SX10088
Wellington

Tēnā koe i nga ahuatanga o te wa

Family Violence Risk Assessment and Management Framework
Submission to the Ministry of Justice

Introduction: Te Pūtahitanga o Te Waipounamu

Te Pūtahitanga o Te Waipounamu writes in response to the *Family Violence Risk Assessment and Management Framework*, following the request for submissions on how a collaborative agency approach can better assist those families and whānau facing family violence.

Te Pūtahitanga o Te Waipounamu is a limited partnership, supported by the nine iwi of Te Waipounamu through a Shareholders Council known as Te Taumata. Te Pūtahitanga o Te Waipounamu was launched in July 2014 as the South Island Commissioning Agency for Whānau Ora. Te Taumata has appointed an independent governance board which is responsible for the investment strategy. The name, Te Pūtahitanga o Te Waipounamu, represents the convergence of the rivers of Te Waipounamu, bringing sustenance to the people, and reflecting the partnership's founding principle of whānaungatanga.

Commissioning in the context of Whānau Ora is the process of identifying the aspirations of whānau and investing in them whether they are new or existing initiatives. These whānau-centred initiatives are expected to best reflect progress towards Whānau Ora outcomes.

Whānau Ora is an inclusive approach to support whānau to work together as whānau, rather than separately with individual family members. We consider that Whānau Ora outcomes will be met when whānau are:

- Self-managing;
- Living healthy lifestyles;
- Participating fully in society;
- Confidently participating in Te Ao Māori;
- Economically secure and successfully involved in wealth creation;
- Cohesive, resilient and nurturing;

- And able to act as responsible stewards of their living and natural environments.

Te Putahitanga o Te Waipounamu writes in support of the Family Violence Risk Assessment and Management Framework (the “Family Violence Framework”). Family violence is an all too prevalent issue in New Zealand, and it is positive to see governmental engagement and commitment to addressing family violence and ensuring that all individuals, families and whānau live in a safe and secure environment.

However, Te Putahitanga o Te Waipounamu would like to raise several aspects of the Family Violence Framework which should be amended to ensure that the Family Violence Framework is able to respond to the needs of families and whānau across New Zealand. These include:

- The need for increased cultural competency across the family violence sector;
- Increased recognition of the role of whānau and the community, alongside the role of service providers;
- Further consideration of resourcing for family violence supports;
- The need for a strengths-based approach to family violence; and
- Further development of the outcomes for perpetrators.

As the Family Violence Framework recognises, New Zealand has a significant, shocking family violence record. The need for the Family Violence Framework to discuss the possible ‘lethality’ of a family violence situation is devastating, and regular media reports of the family violence and its effects serve as a constant reminder that such a requirement is sadly necessary.

It is extremely positive to see the Government’s commitment to addressing family violence, and the clear statement that “[F]amily violence is unacceptable and preventable”. Te Putahitanga o Te Waipounamu also strongly supports the emphasis of the Family Violence Framework on the paramountcy of victim safety and the safety of any children.

The approach of the Family Violence Framework that there is no wrong door for those seeking assistance in dealing with family violence is exceptionally important, and Te Putahitanga o Te Waipounamu supports this approach. Individuals, families and whānau experiencing family violence may be unable to or unsure about contacting a specialist family violence service. Ensuring that individuals, families and whānau are provided with the mechanism to access

appropriate supports regardless of which agency they engage with should ensure that family violence issues are recognised and addressed earlier. It also allows for individuals to feel that they are able to be supported in a family violence situation through engagement with a service or service provider that they have developed a relationship with (for example, a midwife or teacher).

Cultural Competency

It was positive to see the recognition of the distinct challenges which Māori face regarding family violence. Māori are overrepresented as both victims and perpetrators of family violence. The statistics clearly indicate that Māori are disproportionately affected by family violence, with Māori making up 47% of the women accessing refuge services in 2007/2008 and 53% of the children (New Zealand Family Violence Clearinghouse, *Family Violence Statistics Fact Sheet*, December 2009). Māori adults are also two and a half times more likely than non-Māori to die from assault or homicide, and Māori women were six times more likely to be hospitalised due to assault or attempted homicide than non-Māori women (Ministry of Health. 2015. *Tatau Kahukura: Māori Health Chart Book 2015 (3rd edition)*. Wellington: Ministry of Health, 44).

However, the Family Violence Framework has little recognition of the need for culturally responsive services. There is some recognition of the need to respond to diversity, but there is no requirement for any of the services discussed in the Family Violence Framework to have culturally responsive services.

Culturally responsive practices have been identified as crucial to creating significant change for Māori experiencing family violence. Culturally responsive practices for Māori should be grounded in *te reo me ōna tikanga*, and underpinned by Māori values, culture and beliefs. (Dobbs and Eruera. *Kaupapa Māori wellbeing framework: The basis for whānau violence prevention and intervention*. New Zealand Family Violence Clearinghouse. Issues paper 6, April 2014)

Te Putahitanga o Te Waipounamu submits that a fourth guiding principle should be added to those outlined on page 19 of the Family Violence Framework. This principle should stipulate

that all of those engaging with victims, perpetrator, families or whānau experiencing family violence must consider the culturally appropriate response.

Role of Whānau and Community

The Family Violence Framework is heavily focussed on the role of service providers in assisting individuals, families and whānau to address family violence. This is understandable as this is the area in which the Government has significant influence, and is also the area which has faced considerable challenges in dealing with family violence in the past. However, Te Putahitanga o Te Waipounamu submits that whānau and communities have an extremely influential role in addressing family violence across Aotearoa.

The role of whānau in addressing domestic violence follows from the discussion above regarding the need for culturally competent services which understand the kaupapa Māori approach. For many Māori, whānau are the central mechanism of support when facing times of challenge. This whānau support can provide ways to ensure that children are protected, that victims are empowered to make change for themselves, and that perpetrators are assisted to address their actions and the causes of those actions. Currently, the Family Violence Framework lacks sufficient recognition of the role of whānau in addressing family violence. For example, there is no guidance as to when the whānau of a victim or perpetrator is engaged in the process.

Te Pūtahitanga o Te Waipounamu submits that the Family Violence Framework be refocused to be more whānau centred, in recognition of significant role that whānau can have in engaging with and addressing family violence.

There is also a lack of consideration of the impact of community as a mechanism to address family violence. The community has a social responsibility to engage with and address family violence in New Zealand, but this is not considered in the Family Violence Framework. While family violence may appear through the engagement of an individual, family or whānau with a service provider, family violence may also become apparent through inter-family or whānau relationships or through community activities, like sports clubs, children's groups or local associations. With the recognition that the presence of family violence in New Zealand needs to change and the desire to assist and ensure the safety of others in their community, there

are many New Zealanders who would like to assist when they suspect family violence but are unable to do so.

Te Pūtahitanga o Te Waipounamu further submits that the Ministry of Justice should consider how to engage with the community in the development of the Family Violence Framework, and the development of a framework and tools to assist the community in the ending of family violence in New Zealand. The Ministry of Justice needs to provide mechanisms for the social responsibility of the community to be utilized to address family violence.

Resourcing

Te Putahitanga o Te Waipounamu supports the range of mechanisms that the Family Violence Framework seeks to put in place to assist providers to appropriately address family violence. It is very positive to see that the changes are being implemented across all service providers, not just those which specifically engage with family violence.

There is a significant need to ensure that staff across all New Zealand service providers are appropriately trained and given the appropriate tools to engage with individuals, families and whānau experiencing family violence. In order to up-skill all service provider staff to a suitable level, a considerable amount of financial resourcing will need to be provided. Te Putahitanga o Te Waipounamu notes that there is no discussion in the Family Violence Framework regarding how the training and support of service provider staff is to be resourced or implemented.

The Family Violence Framework also includes mention of mainstream services and services which do not provide family violence service ensuring that “[a]ll reasonable and practicable steps should be taken” to ensure that the victim is connected to the appropriate service, including accompanying the victim or providing transport for the victim (p32). While Te Putahitanga o Te Waipounamu supports the intent of these provisions, there are significant concerns that staff with already heavy caseloads will be unable, through no fault of their own, to provide the level of support necessary to make the ‘warm referral’ to a family violence specialist. Again, there is no mention in the Family Violence Framework of how the support provided through the ‘warm referral’ process are to be resourced.

It is crucial to ensure that the changes outlined in the Family Violence Framework are appropriately resourced. It will place an unnecessary burden on service providers if they are expected to implement the changes from the Family Violence Framework, train their staff, and provider support through the 'warm referral' process without additional resourcing. Te Putahitanga o Te Waipounamu submits that, unless the changes recommended by the Family Violence Framework are suitably resourced by the Ministry of Justice (and other appropriate Ministries), the positive changes outlined in the Family Violence Framework will be ineffectual.

Strengths Based Approach

Much of the language in the Family Violence Framework is focussed on the risks and needs associated with family violence, particularly in relation to victims. However, much of this languaging is deficit focussed. The Family Violence Framework discusses the importance of language and the need for a common language around family violence (p8).

While this common language is extremely important, of equal importance is the recognition of the use of the words used and the impact that this can have. If the victim is always approached and addressed using deficit language, then that person is not empowered through the language used to make positive changes for themselves and their families and whānau.

Te Putahitanga o Te Waipounamu submits that the language of the Family Violence Framework should be examined to ensure that it is strengths based and empowering. The recognition of victims of family violence is important, but labelling someone as a victim identifies and places a label on them that does not encourage or support them to recognise and develop their own strengths.

Focus on Perpetrators

The focus of the Family Violence Framework is primarily on the needs of the victim. This is appropriate given the level of risk to the victim in any engagement attempting to address family violence. However, Te Putahitanga o Te Waipounamu submits that there should be greater

recognition of the role of the perpetrator and the ability of the perpetrator to create change for themselves and their families and / or whānau.

While supports for the victim must be crucial to any actions to address family violence, significant change to family violence in New Zealand cannot be made without engaging and supporting the perpetrators of family violence. A greater understanding of what drives perpetrators of family violence and what tools and support mechanisms best enable perpetrators to create positive change is essential to reducing family violence. For example, evidence indicates that mothers of family violence perpetrators have a huge influence over perpetrators and their ability to make changes in their behaviour and attitudes.

There is also little guidance in the Family Violence Framework about how service provider staff are to engage with perpetrators of family violence. The risks involved when engaging with perpetrators of family violence are significant, both for the staff member and for the family and whānau of the perpetrator. In order to ensure that all parties involved are protected, Te Putahitanga o Te Waipounamu submits that specific guidance should be developed to assist those engaging with perpetrators of family violence.

Te Putahitanga o Te Waipounamu is open to any future engagement on the Family Violence Risk Assessment and Management Framework, and appreciates the opportunity provided by Ministry of Justice to engage in the consultation process.

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Heoi ano



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