

Hon Marama Davidson

Minister for the Prevention of Family and Sexual Violence

Proactive release – Arrangements for the Executive Board for the Elimination of Family Violence and Sexual Violence and Te Pūkotahitanga: Report Back

Date of issue: 6 March 2023

The following document has been proactively released in accordance with Cabinet Office Circular CO (18) 4.

There are no withholds.

No.	Document	Comments
1	Cabinet paper: Arrangements for the Executive Board for the Elimination of Family Violence and Sexual Violence and Te Pūkotahitanga: Report Back Author of document – Office of the Minister for the Prevention of Family and Sexual Violence	Released in full
2	SWC Minute: Arrangements for the Executive Board for the Elimination of Family Violence and Sexual Violence and Te Pūkotahitanga: Report Back	Released in full

Office of the Minister for the Prevention of Family and Sexual Violence

Cabinet Social Wellbeing Committee

Report back on arrangements for the Executive Board for the Elimination of Family Violence and Sexual Violence and Te Pūkotahitanga

Proposal

- 1 This paper provides a report back to Cabinet on the arrangements for the Executive Board for the Elimination of Family Violence and Sexual Violence (Te Puna Aonui) and Te Pūkotahitanga¹ (the Tāngata Whenua Ministerial Advisory Group). It also provides an update of progress to date.
- 2 This paper recommends that Te Puna Aonui continue to be hosted by the Ministry of Justice and proposes that the Minister for the Prevention of Family and Sexual Violence will provide advice to Cabinet on arrangements to support Te Puna Aonui and Te Pūkotahitanga as required in the future.

Relation to government priorities

- 3 The current arrangements support Te Aorerekura – the National Strategy to Eliminate Family Violence and Sexual Violence. Elimination of family violence and sexual violence provides one of the most significant opportunities to improve the wellbeing of people in Aotearoa and is a priority for this Government. Te Aorerekura forms an important part of the Child and Youth Wellbeing Strategy, with the vision for New Zealand to be the best place in the world for children and young people.
- 4 Achieving the moemoeā (dream/vision) for Te Aorerekura² will significantly improve outcomes for children, families, whānau and communities so that all people are able to participate in society and the economy. This is critical as part of laying the foundations for the future.

Background

- 5 Te Puna Aonui is building on the work of the Joint Venture for Family Violence and Sexual Violence, formed in 2018 to enable the sustained, collaborative approach needed to align Government strategy, policy and investment to eliminate family violence and sexual violence.
- 6 On 29 November 2021, Cabinet agreed to establish the Joint Venture as an Interdepartmental Executive Board to ensure clear joint accountability for work relating to the elimination of family violence and sexual violence [CAB-21-MIN-0503 refers].

¹ The Tangata Whenua Ministerial Advisory have chosen Te Pūkotahitanga as their preferred name. I welcome their decision and have chosen to use it throughout this paper.

² All people in Aotearoa New Zealand are thriving; their wellbeing is enhanced and sustained because they are safe and supported to live their lives free from family violence and sexual violence.

- 7 Interdepartmental executive boards are enabled by the Public Service Act 2020 to address complex issues that do not fit neatly into individual agency boundaries. This recognises that work to address family violence and sexual violence requires joint accountability and a sustained, collaborative approach across government, where tangata whenua and communities are engaged in decision-making.
- 8 Te Puna Aonui was established by Order in Council and became a legal entity on 24 March 2022. Cabinet agreed that the Ministry of Justice would host Te Puna Aonui as the servicing department. As the servicing department, the Ministry of Justice is responsible for relieving Te Puna Aonui of the administrative burden of its operation.
- 9 Te Puna Aonui member agencies/Chief Executives are expected to work together to provide a single source of collective advice to Ministers, through the Minister for the Prevention of Family and Sexual Violence.
- 10 Cabinet also agreed to establish Te Pūkotahitanga [CAB-21-MIN-0503 refers]. This group was established to work alongside the interdepartmental executive board to enable a sustainable arrangement so that Māori can input into decision-making at the right level. Te Pūkotahitanga was appointed in June 2022 and had its first meeting in July.
- 11 Cabinet invited the Minister for the Prevention of Family and Sexual Violence to report back to SWC within 12 months [CAB-21-MIN-0503 refers] on the Executive Board arrangements including:
 - 11.1 the size, membership, roles and accountabilities of the Executive Board;
 - 11.2 whether a broader Te Rōpū membership is required;
 - 11.3 which department should service the Executive Board; and
 - 11.4 the form of the Tangata Whenua Rōpū, including whether further strengthening of arrangements through a statutory mechanism is needed.

Analysis

- 12 In November 2021, Cabinet recognised that agencies need to be supported to work together and share skills and knowledge to address family violence and sexual violence as a system. Te Puna Aonui was established to strengthen the collective approach to Government work on family violence and sexual violence by:
 - 12.1 providing whole-of-government strategy, policy and budgeting advice to Ministers;
 - 12.2 providing analysis and evidence to support Ministers to make decisions on specific interventions;

- 12.3 providing Ministers with oversight of interventions and outcomes within the whole family violence and sexual violence sector, and identifying any linkages, gaps, or opportunities, through the implementation of Te Aorerekura and its Action Plan;
- 12.4 monitoring, supporting, and coordinating the implementation of the Te Aorerekura and Action Plan, and other priority cross-agency initiatives; and
- 12.5 managing relationships between government and the family violence and sexual violence sectors.

Progress to date

- 13 Achieving a collective approach to this important work requires agencies to learn new ways of working together and with communities. The Action Plan that sits behind Te Aorerekura sets out 40 actions agencies are responsible for delivering.
- 14 The Executive Board for the Elimination of Family Violence and Sexual Violence, as if it were a single public service chief executive, has all the powers that are reasonably necessary to carry out its responsibilities, functions and duties imposed on it by the Public Service Act. This includes governing the implementation on Te Aorerekura.
- 15 Te Aorerekura creates a framework for collective action and through the Board, the 10 agencies are then collectively responsible for its implementation.
- 16 It has been one year since the launch of Te Aorerekura and Te Puna Aonui and Te Puna Aonui agencies³ have made good progress to implement the National Strategy, including:
 - 16.1 having completed two actions from the Action Plan – (Action 8: Establish a Ministerial Tāngata Whenua Advisory Group, Action 9: Establish an annual Te Aorerekura hui);
 - 16.2 delivering a Family Violence and Sexual Violence package for Budget 2022 and achieving key milestones towards producing an Investment Plan;
 - 16.3 launching new Family Violence Workforce Capability Frameworks;
 - 16.4 designing and hosting the inaugural Te Aorerekura Annual Hui, which had over 900 registrations;

³ Ara Poutama Department of Corrections, Te Tāhuhu o te Mātauranga Ministry of Education, Manatū Hauora Ministry of Health, Te Tāhū o te Ture Ministry of Justice, Te Manatū Whakahiato Ora Ministry of Social Development, Ngā Pirihimana o Aotearoa New Zealand Police, Oranga Tamariki Ministry for Children, Te Kawa Mataaho Public Service Commission, Te Puni Kokiri Ministry of Māori Development and ACC.

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- 16.5 launching the Help portal to support people impacted by family violence;
 - 16.6 progressing work on #LoveBetter, a campaign to support young people to promote safe, positive and equal relationships;
 - 16.7 progressing work to map and understand the service gaps in relation to family violence and sexual violence;
 - 16.8 improving the Family Start service; and
 - 16.9 working to establish effective new ways of working with the specialist sectors and communities.
- 17 Te Puna Aonui is also directly responsible for the following actions from the Action Plan:
- 17.1 developing a long-term Investment Plan to support Te Aorerekura (Shift 1: Action 1);
 - 17.2 working with communities, specialist sector and government agencies to support Integrated Community-led Responses (Shift 1: Action 2)
 - 17.3 engaging with communities to establish sustainable mechanisms for their participation in the implementation of Te Aorerekura (Shift 2: Action 5);
 - 17.4 working with the Social Sector Commissioning Hub to develop a relational approach to funding and commissioning (Shift 2: Action 6);
 - 17.5 establishing and providing secretariat support to Te Pūkotahitanga (Shift 2: Action 8);
 - 17.6 organising and hosting the first annual Te Aorerekura Hui (Shift 2: Action 9); and
 - 17.7 launching and implementing Family Violence Workforce Capability Frameworks, the Risk Assessment and Risk Management tool (RARM) tool and engaging with experts on the design of Sexual Violence Workforce Capability Frameworks (Shift 3: Actions 10 and 11).
- 18 Agencies have commented that Te Puna Aonui has been an effective mechanism to ensure a dedicated focus on family and sexual violence. The arrangements have further supported a more collaborative approach, and progress on a range of strategic and operational issues, such as the joint approach to the Budget 2022 and Budget 2023 processes.

Review of arrangements – hosting arrangements and institutional settings

- 19 The hosting arrangements for Te Puna Aonui are working well. It is important that Te Puna Aonui has its own identity as a collective entity, and I am satisfied that the current arrangements support its operation. Furthermore, to

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change these arrangements could incur substantial cost and significant disruption, slowing down progress on the implementation of Te Aorerekura. I recommend that the Ministry of Justice continue as the servicing department for Te Puna Aonui.

- 20 I was also asked to report back on the size, membership, roles, and accountabilities of the Executive Board. I consider the current role and accountabilities of Te Puna Aonui appropriate given the current maturity of cross-agency working and the focus of Te Aorerekura and its Action Plan. Te Puna Aonui is making good progress on the implementation of Te Aorerekura and the Action Plan and building goodwill with communities. Any institutional change could serve as a distraction and take resource away from the delivery of this important work. For these reasons (efficiency, delivery, and stability), I do not recommend any change at this time.
- 21 Good practice requires periodic review of these settings for Te Puna Aonui to support ongoing delivery of Te Aorerekura. It is my expectation that arrangements will continue to evolve as we deliver on a 25 year strategy to eliminate family violence and sexual violence. In particular, I note the benefit in considering potential changes to the institutional and governance arrangements as Te Puna Aonui matures and the work programme to implement Te Aorerekura develops.
- 22 I will direct Officials to review arrangements and provide advice on potential changes at critical points in the implementation of Te Aorerekura. To this end, I will bring advice to Cabinet at the completion of the first Action Plan in December 2023. In doing this I will work with other relevant Ministers to ensure that the necessary range of perspectives are reflected in advice.
- 23 I note as well that Te Puna Aonui will be reviewing its charter and operating procedures as further work is done to confirm how agencies are working together, to ensure effective processes that give effect to the principles and objectives of Te Aorerekura.

Review of arrangements - Te Pūkotahitanga

- 24 The overarching purpose of Te Pūkotahitanga is to provide me with independent advice on the impact and elimination of family violence and sexual violence for whānau, hapū, iwi and hapori Māori. The mahi of Te Pūkotahitanga:
- 24.1 centres the voices of tangata whenua at the heart of the development of robust advice to prevent and eliminate family violence and sexual violence and improve toiora for Māori;
 - 24.2 ensures a te ao Māori lens contributes to, is continuously interwoven into, and informs the implementation of Te Aorerekura and the Action Plan;
 - 24.3 supports the development and implementation of intergenerationally-focused policies and practice; and

- 24.4 gives practical effect to Te Tiriti o Waitangi and enduring Māori-Crown relationships.
- 25 Since its inaugural hui in July 2022, Te Pūkotahitanga has held four hui and have focused their mahi on whakawhanaungatanga to strengthen the individual relationships they have with one another and to build a collective identity and voice as a rōpū.
- 26 Cabinet noted that sustainable arrangements are needed to ensure Māori are able to input into decision-making at the right level [SWC-21-MIN-0197]. Te Pūkotahitanga has a key role to provide advice on its enduring form, including membership and whether arrangements need to be strengthened through a statutory mechanism, and was only established in July 2022. I recommend allowing the Rōpū to continue to make progress on its work in order to support future advice.
- 27 I intend to bring advice to Cabinet on the enduring form of Te Pūkotahitanga if there is a need to strengthen arrangements through a statutory mechanism at a later date.

Financial Implications

- 28 There are no financial implications associated with this paper as it retains current arrangements for Te Puna Aonui and Te Pūkotahitanga.

Legislative Implications

- 29 There are no legislative implications from this paper.

Impact Analysis

Regulatory Impact Statement

- 30 Treasury's Regulatory Impact Analysis team has previously informed us that that these proposals are exempt from the requirement to provide a Regulatory Impact Statement. They involve changes to the internal administrative or governance arrangements of the New Zealand government and are expected to have no or minor impacts on businesses, individuals, or not for profit entities. Any future regulatory changes proposed by the interdepartmental executive board that require Cabinet decisions will be subject to Cabinet's impact analysis requirements.

Te Tiriti o Waitangi

- 31 The decisions taken in this paper have a neutral impact on the Crown's relationship with Māori.
- 32 Data indicates that family violence and sexual violence disproportionately impacts certain population groups including tāngata whenua, wāhine Māori, and tamariki Māori.

- 33 Te Puna Aonui was set up in such a way that the Crown is expected to act in Partnership with Māori. This includes Māori inputting into decision-making at the right level. Te Pūkotahitanga works to provide an independent voice on the design and implementation of the strategies and policies that impact on whānau, hapū, iwi and hapori Māori.
- 34 I also positioned Te Pūkotahitanga to be a mechanism that fosters a long-term discussion and a relationship for Māori and the Crown. My intent was that Te Pūkotahitanga would be an information and decision conduit for advice (and a catalyst for actions) to flow from whānau, hapū, iwi and hapori Māori to government and vice versa.
- 35 Te Pūkotahitanga ensures government receives advices from tangata whenua with relevant experience and expertise about family violence, sexual violence and toiora. In addition, government will receive advice about the application of te ao Māori knowledge and kaupapa Māori approaches to the development and implementation of relevant and appropriate solutions for whānau Māori.

Climate Implications of Policy Assessment

- 36 No Climate Implications of Policy Assessment (CIPA) is required

Population Implications

- 37 Family violence and sexual violence impact on all groups in New Zealand. The data available on family violence and sexual violence does not tell a complete story. The majority of sexual assaults and family violence incidents are not reported, which makes it difficult to establish a true picture of the harm experienced. However, the data we do have indicates that family violence and sexual violence disproportionately impacts women, tāngata whenua, Pacific peoples, disabled people, older people, children and young people, LGBTQIA+ communities, some ethnic communities and those experiencing compounding forms of disadvantage and discrimination. This is because experiencing violence serves to maintain and reinforce existing inequalities around gender, ethnicity, sexuality, age and ability.
- 38 Key statistics from this data are included in the National Strategy, which was drafted through consultation with representatives from each of these groups. Establishing sustained relationships with each of these communities is an important part of our work.
- 39 The Executive Board will continue to engage these groups and work to ensure that suitable and accessible family violence and sexual violence interventions are available for all New Zealanders. As noted above, Te Pūkotahitanga will also work to provide an independent voice on the implementation of Te Aorerekura and work that gives effect to it.

Human Rights

- 40 The proposals in this paper are consistent with the requirements of the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993 and are a positive contribution to securing the human rights of New Zealanders.

Consultation

- 41 Te Puna Aonui has prepared this paper. The following agencies have been consulted: Ara Poutama Department of Corrections; Te Tāhuhu o te Mātauranga Ministry of Education; Manatū Hauora Ministry of Health; Te Tāhū o te Ture Ministry of Justice; Te Manatū Whakahiato Ora Ministry of Social Development; Ngā Pirihimana o Aotearoa New Zealand Police; Oranga Tamariki Ministry for Children; Te Kawa Mataaho Public Service Commission; Te Puni Kokiri Ministry of Māori Development; the Department of the Prime Minister and Cabinet; Ministry for Ethnic Communities; Manatū Wahine Ministry for Women, and ACC.

- 42 Te Pūkotahitanga was consulted on this paper.

Communications

- 43 This paper and its outcomes will not be used in any media.

Proactive Release

- 44 This paper will be proactively released at www.tepunaonui.govt.nz within 30 working days of Cabinet consideration.

Recommendations

The Minister for Prevention of Family and Sexual Violence recommends that the Committee:

- 1 note that the arrangements put in place by Cabinet on 29 November 2021 are enabling the Executive Board for the Elimination of Family Violence and Sexual Violence (Te Puna Aonui) to progress the implementation of Te Aorerekura – the National Strategy to Eliminate Family Violence and Sexual Violence – and develop collaborative approaches to eliminating family violence and sexual violence and no changes are recommended at this time.
- 2 note that the Ministry of Justice should continue as the servicing department for Te Puna Aonui to support current progress to implement Te Aorerekura and avoid unnecessary disruption.
- 3 note that the Minister for the Prevention of Family and Sexual Violence will direct Officials to review the arrangements for Te Puna Aonui and bring advice to Cabinet at the completion of the first Action Plan in December 2023.
- 4 note that the Minister for the Prevention of Family and Sexual Violence will bring advice to Cabinet if there is a need to strengthen arrangements for Te

Pūkotahitanga (the Tangata Whenua Ministerial Advisory Group) through a statutory mechanism at a later date.

5 agree that this paper serves as the requested report back.

Authorised for lodgement

Hon Marama Davidson

Minister for Prevention of Family and Sexual Violence

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Cabinet Social Wellbeing Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Arrangements for the Executive Board for the Elimination of Family Violence and Sexual Violence and Te Pūkotahitanga: Report Back

Portfolio **Prevention of Family and Sexual Violence**

On 14 December 2022, the Cabinet Social Wellbeing Committee (SWC):

- 1 **noted** that in November 2021, SWC agreed to establish the Executive Board for the Elimination of Family Violence and Sexual Violence (Te Puna Aonui) as an interdepartmental executive board, and a Tāngata Whenua Ministerial Advisory Group, and invited the Minister for the Prevention of Family and Sexual Violence (the Minister) to report back on:
 - 1.1 the size, membership, roles and accountabilities of the Executive Board;
 - 1.2 whether a broader Te Rōpū membership is required;
 - 1.3 which department should service the Executive Board;
 - 1.4 the form of the Tangata Whenua Rōpū, including whether further strengthening of arrangements through a statutory mechanism is needed;
- 2 [SWC-21-MIN-0197];
- 3 **noted** that:
 - 3.1 the arrangements put in place in November 2021 are enabling Te Puna Aonui to progress the implementation of Te Aorerekura – the National Strategy to Eliminate Family Violence and Sexual Violence – and develop collaborative approaches to eliminating family violence and sexual violence;
 - 3.2 no changes to Te Puna Aonui are recommended at this time;
- 4 **noted** that the Ministry of Justice should continue as the servicing department for Te Puna Aonui to support current progress to implement Te Aorerekura and avoid unnecessary disruption;
- 5 **directed** officials to review the arrangements for Te Puna Aonui, including its size, membership, roles and accountabilities, and report back with further advice to Cabinet at the completion of the first Action Plan in December 2023;

- 6 **noted** that the Minister will provide further advice to Cabinet if there is a need to strengthen arrangements for Te Pūkotahitanga (the Tangata Whenua Ministerial Advisory Group) through a statutory mechanism at a later date.

Rachel Clarke
Committee Secretary

Present:

Rt Hon Jacinda Ardern
Hon Kelvin Davis
Hon Dr Megan Woods
Hon Chris Hipkins
Hon Carmel Sepuloni (Chair)
Hon Andrew Little
Hon Jan Tinetti
Hon Dr Ayesha Verrall
Hon Aupito William Sio
Hon Marama Davidson

Officials present from:

Office of the Prime Minister
Office of the Chair
Officials Committee for SWC

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