

In confidence

Office of the Minister of Justice

Office of the Minister for Social Development

Office of the Parliamentary Under-Secretary to the Minister of Justice  
(Domestic and Sexual Violence Issues)

Chair, Cabinet Social Wellbeing Committee

## **Leadership of Government's collective efforts to reduce family violence and sexual violence**

### **Proposal**

- 1 This paper seeks your agreement to establish a dedicated agent in the form of a joint venture of the Social Wellbeing Board to take collective responsibility for reducing family violence and sexual violence, and to provide agency and sector leadership for the whole-of-government response; and to establish an interim Te Rōpū Māori to assist the Crown to work in partnership with Māori on this response.

### **Executive Summary**

- 1 New Zealand has high rates of family violence, sexual violence and violence within whānau with widespread and enduring economic and social costs. Preventing and eliminating this violence is one of our greatest opportunities to improve wellbeing.
- 2 The evidence is clear that we need new ways of working across government and with iwi and communities to deliver an integrated, sustained, citizen-centred response to reduce family violence and sexual violence. Previous attempts at voluntary co-ordination across government have not worked. That is why Cabinet has agreed to establish a dedicated agent to lead government's collective response to family violence and sexual violence [SWC-18-MIN-0037 refers].
- 3 We propose establishing the dedicated agent as a joint venture of the Social Wellbeing Board that will be collectively accountable for this response. A joint venture reflects a different mindset and approach that can provide the sustained, cross-agency leadership and commitment necessary to deliver meaningful change. Initially, Ministers will work with the Social Wellbeing Board to create a joint venture approach within the current public management system. Proposed reforms to the State Sector Act 1988 will remove some of the obstacles to this way of working and will enable more formal joint venture options.
- 4 [s9(2)(f)(iv)]  
[REDACTED] In parallel, it will also develop an ambitious national strategy and action plan to galvanise our collective efforts – across government and working with whānau Māori and communities – to reduce family violence, sexual violence and violence within whānau.
- 5 We also propose establishing an interim Te Rōpū Māori to work in partnership with the Crown, Ministers and this joint venture to develop the national strategy and action plan, and to provide specific advice to address the disproportionate burden of harm suffered by Māori. The joint venture will also work with existing advisory groups and panels across government, to ensure a wide range of stakeholder perspectives and voices are reflected.

## Background

- 2 This Government is committed to reducing New Zealand's unacceptable rates of family violence and sexual violence [SWC-18-MIN-0037 refers]. Every year, over 1 million New Zealanders are directly affected by family violence and sexual violence, including over 250,000 children. Over half of all homicides are the result of family violence and sexual violence – around 30 deaths every year. One in ten older people experience abuse or neglect from a family member or carer.
- 3 Family violence and sexual violence share patterns of coercive and controlling abusive behaviours intended to entrap and exert power over victims, often repeated across multiple victims, and often with an escalating spiral of physical and other forms of violence as part of a pattern of cumulative harm.
- 4 Family violence, sexual violence and violence within whānau include intimate partner violence, child abuse and neglect, intra-familial violence, elder abuse, sexual assault by acquaintances or colleagues, and sexual assault by strangers. This violence is also entangled with multi-faceted social issues, driving demand across many public services:
  - 4.1 Victims often suffer lower wellbeing across many domains, including poor physical and mental health, alcohol and drug use and abuse, poor education outcomes, higher unemployment, poverty, and increased risk of homelessness.
  - 4.2 Children exposed to family violence and sexual violence are also victims, with life-long impacts on their development, ability to learn, attitudes to risk, and anti-social behaviour, creating an intergenerational cycle of further disadvantage and violence (as victims and as perpetrators).
  - 4.3 Perpetrators can come from any walk of life, and are often victims too – many have been exposed to trauma from family violence or sexual violence as children (and/or as adults), many have mental health and addiction issues (often untreated), and many have poor education outcomes.
- 5 Family violence and sexual violence are driven by gender inequities in society, and they are predominately perpetrated by men against women and children. Recognising the gendered patterns of violence is not intended to negate the experiences of male victims. The kinds of violence that men and women use, when and how they use violence, and the harm it causes are different. We need to acknowledge the gendered patterns of violence in order to develop different and tailored responses, so that we can effectively prevent this violence and reduce the harm that it causes.
- 6 Māori are disproportionately affected by family violence, sexual violence and violence within whānau due to the complex intersection of sociohistorical and contemporary factors. Understanding violence within Māori whānau requires placing it within the social, historical, political and cultural experience of Māori wāhine, tāne and tamariki. Māori are twice as likely to be victims and perpetrators of family violence and sexual violence. Every year, more Māori tamariki die as a result of family violence than all other children put together.
- 7 Reducing family violence and sexual violence is one of the greatest opportunities for government to improve wellbeing. We can reduce victimisation and offending, and reduce the flow of future offenders, contributing to our priorities for Safe and Effective Justice. We can reduce the violence inflicted on our children and young people and directly address the harm that it causes, to contribute to the outcomes sought through the development of a Child Wellbeing Strategy [s9(2)(f)(iv)]. There is a strong link between family

violence and sexual violence and the mental health of all people (including children and youth) affected by violence.

- 8 There is robust evidence that integrated responses are needed to meaningfully reduce the different forms of family violence and sexual violence – providing coordinated, comprehensive and sustained responses to the patterns of abusive behaviour and to support the recovery of each person affected. This will require tackling the abusive behaviours and cumulative harm directly, and also addressing the co-occurring forms of disadvantage, to ensure this recovery can be sustained.
- 9 Responsibility for addressing family violence and sexual violence is currently distributed across at least 10 government agencies. New ways of working across government and with iwi and communities are needed to deliver an integrated response that can seriously disrupt the cycle of family violence and sexual violence. This will take time and requires fundamental changes to the way in which government operates.
- 10 Cabinet has agreed to transform the way that government operates to prevent, detect and address family violence and sexual violence. New organisational arrangements, and changes in the culture and mindset across government, are required to significantly reduce levels of family violence and sexual violence.
- 11 This will also require a significant increase in our investment in this area. Cabinet has agreed there is significant opportunity to do better requiring a commitment to:
  - 5.1 significantly increase primary prevention, at the community and national level, to build a culture of non-violence and to break the intergenerational cycle of violence, whereby child victims become perpetrators in adulthood;
  - 5.2 fund early intervention services that mitigate the impacts of trauma on children, youth and their families;
  - 5.3 invest in the capability of all relevant government and non-government organisations so that they are confident in their role in the collective response, and have a coherent, common model to enable a collective identification of need and referral for victims, children and families to get the help they need;
  - 5.4 ensure the immediate safety of victims through rapid multi-agency safety responses, e.g. building on the Integrated Safety Response pilots being led by Police;
  - 5.5 increase funding for specialist services, ensuring they are sustainably funded, better contracted, and can support new approaches to service delivery at the community level; and
  - 5.6 build awareness of effective interventions, ensure evaluation informs our priorities, and supporting and empowering communities to act on evaluation findings.
- 12 Cabinet agreed to establish a dedicated agent that would lead, and provide a single collective point of accountability for, the performance of the whole-of-government response to family violence and sexual violence. This paper recommends the establishment of a joint venture of the Social Wellbeing Board to perform the role of this dedicated agent. Reflecting the role and functions agreed for the dedicated agent, the joint venture will provide leadership and alignment across government at both the strategic level and at a practical, operational and community level. The Social Wellbeing Board will have a key role in navigating the complexity and risks around these roles, for the joint venture and for the government and non-government agencies with whom it will need to work closely.

- 13 In addition, this paper recommends the establishment of an interim Te Rōpū to assist the Crown to work in partnership with Māori on this response, and recommends interim arrangements to engage a wide range of stakeholder perspectives.

### **A national strategy and action plan**

- 6 Family violence and sexual violence are a blight on our society. Family violence and sexual violence affect all New Zealanders in our communities, workplaces and homes, including children, young people and the elderly. These impacts are most severe for women and girls, and particularly those who are disabled, Māori, Pacific, or from ethnic minorities. An overall strategy to reduce family violence and sexual violence needs to be for all of us, and everyone has a role to play to help reduce violence.
- 7 Family violence and sexual violence have a severe disproportionate impact on Māori, particularly Māori women and children. Māori are significantly over-represented as both victims and perpetrators of family violence, sexual violence and related offences.
- 8 A national strategy can set a clear direction for our collective commitment to reduce family violence and sexual violence. This can be used to guide practical decisions at the front-line (we know that service providers still refer to the 2002 Te Rito strategy for guidance in the absence of more current direction). Learning from the ambitious reforms underway in the Australian state of Victoria, a key feature of our strategy will be a rolling action plan that can drive practical action and allow the public to track our progress towards reducing violence.
- 9 A critical early action for the dedicated agent will be to work with all agencies involved in the joint venture to develop this national strategy and action plan – which could clarify the desired future state, the most critical strategic objectives, and collective performance indicators (as they develop). This will enable collective prioritisation by the Social Wellbeing Board of effective or promising activities and outputs, and will help each social sector agency see the part it plays alongside others in achieving these objectives, as part of a collective action plan.
- 10 To ensure this strategy and action plan reflect the aspirations of all New Zealanders, they will be developed through open and engaging processes. The interim Te Rōpū Māori and wider stakeholder advisory groups will also have important roles in preparing the strategy, prioritising actions, informing effective approaches, and holding government to account. They will also have an explicit role in engaging people harmed by violence, people who have used violence, and a wide range of communities, to ensure their voices are heard.
- 11 We propose to develop a draft strategy working closely with service providers, experts, victim advocates, Māori and the wider public. This would then be refined and developed through formal consultation processes. [s9(2)(f)(iv)]
- 12 We will provide further advice on the emerging draft strategy, and the process to finalise the strategy, [s9(2)(f)(iv)].

### **Delivering this action plan – options for organisational form of the dedicated agent**

- 13 The collective response to family violence and sexual violence is complex and involves many agencies with overlapping interests. Voluntary models of cross-agency co-ordination have not been able to provide strategic oversight of this collective response, and efforts remain fragmented across agencies.

- 14 Voluntary co-ordination has also struggled to provide strategic advice on the balance of resources and activities required to reduce family violence and sexual violence, resulting in – among other things – limited investment in prevention; and have failed to provide sustained focus on delivering integrated practice that is responsive to the needs of victims, perpetrators, children, families and whānau. Cross-agency co-ordinating mechanisms have also tended to be relatively short-lived, with none enduring beyond political cycles.
- 15 Cabinet agreed that a dedicated agent with responsibility for ensuring a whole-of-government response to family violence and sexual violence is necessary to significantly disrupt the cycle of intergenerational harm [SWC-18-MIN-0037 refers]. Cabinet was presented with potential organisational forms the agent could take (including a business unit, departmental agency and department) and we were invited to report back on the agent's appropriate form. These options have been considered alongside an additional option: a joint venture of the Social Wellbeing Board.

*Features of a successful dedicated agent*

- 16 An integrated response to family violence and sexual violence requires new and innovative ways of working and thinking across government, and new partnerships with communities and service providers. The dedicated agent is a catalyst for the necessary culture and behaviour change, and provides a central point of coordination and leadership to model and guide these new approaches. In doing so, the dedicated agent will also need to maintain and build specialist expertise in family violence and in sexual violence.
- 17 The functions of the dedicated agent were agreed by Cabinet and are listed in Appendix 1. These functions are wide-ranging and propose a comprehensive role for the dedicated agent, spanning the coordination of strategic policy and funding advice through to the delivery of elements of government's response to family violence and sexual violence. To be effective in delivering the full range of functions, we considered the dedicated agent would need:
  - 17.1 The mandate to lead a whole-of-government work programme to reduce family violence and sexual violence.
  - 17.2 Authority to provide strategic policy and funding advice on behalf of all agencies involved in the response to family violence and sexual violence, including collective Budget advice.
  - 17.3 Levers for Ministers collectively to prioritise the allocation of funding across different agencies to ensure effective delivery of a whole-of-government strategy and response.
  - 17.4 Strategic leadership of the approach to commissioning family violence and sexual violence services, working alongside contracting agencies to reflect this in their funding strategies, including the development of new models of contracting.
  - 17.5 An enduring, sustained commitment to reduce family violence and sexual violence that binds all of the agencies involved.
  - 17.6 Accountability to the public and to Parliament for the performance of this whole-of-government response – to substantially reduce family violence and sexual violence.
- 18 These criteria are informed by the understanding that family violence and sexual violence are complex social issues that do not fit neatly into the boundaries of agencies and sector. They are problems that generate demand across a wide range of public services and,

consequentially, all agencies involved have important insights and services to contribute to significantly reduce the harm caused.

- 19 To significantly disrupt the intergenerational cycle of family violence and sexual violence, activities that sit in the day-to-day operations of a range of agencies and sectors (for example, including Corrections, Police, Education, Health and Social Development) must be supported and influenced to build necessary capabilities and align around a common strategy and action plan. For this reason, the ability of a dedicated agent to coordinate across many agencies is critical to its ability to lead an effective response.
- 20 Based on this role of coordination across the system, as opposed to taking over the role of other agencies, three broad options remain for the form of the dedicated agent:
  - 20.1 a business unit tasked with leading a cross-agency work programme (broadly, the status-quo),
  - 20.2 a stand-alone department (or departmental agency) with a chief executive who has a formal cross-agency leadership role (similar to a sector or functional leadership role), or
  - 20.3 a joint venture where key chief executives are collectively accountable for the whole-of-government action.
- 21 Appendix 2 provides a summary of our analysis of the options for the form of the dedicated agent against these criteria. The form also needs to be agile and nimble, enabling a complex cross-agency work programme to be progressed efficiently and effectively. The analysis shows that a joint venture of the Social Wellbeing Board delivers the criteria described above more effectively than a business unit or stand-alone department.
- 22 The options of a stand-alone department or business unit would create an entity accountable for a whole-of-government response. While there are existing sector and functional leadership roles that offer examples of the levers and resources needed to build the collective commitment of other agencies to a common purpose, these are considered as insufficient in the face of the complexity of family violence and sexual violence.
- 23 Though government often looks to establish new stand-alone agencies in response to cross-cutting problems, experience suggests that often, despite best intentions, the commitment and engagement of other agencies can wane. Conversely, many informal and voluntary cross-agency working arrangements are unsustainable and vertical accountabilities tend to trump cross-agency priorities. The formal collective ownership and accountability of the joint venture model balances these trade-offs.

#### *Proposed changes to the State Sector Act 1988*

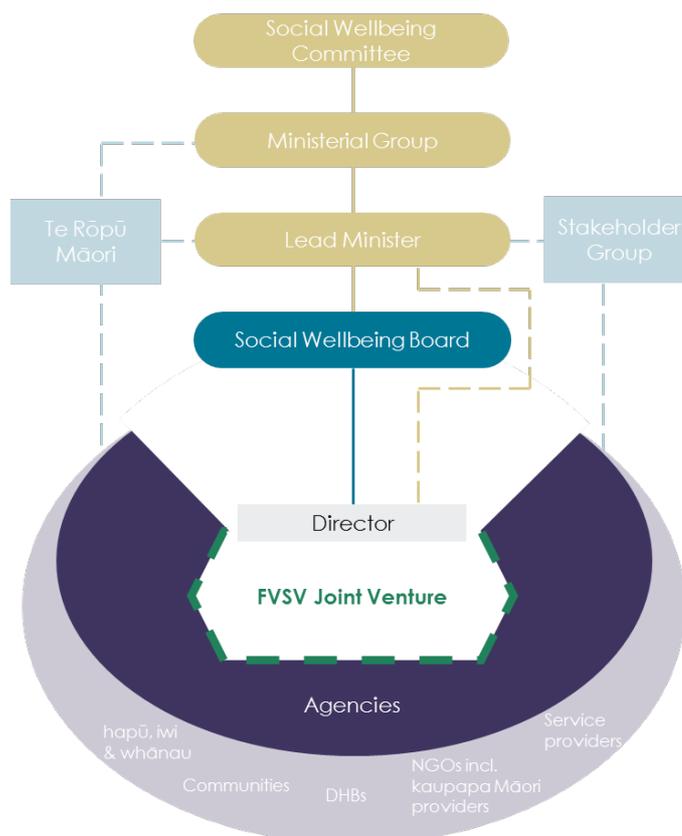
- 1 Proposed changes to the State Sector Act 1988, as recently agreed for consultation by Cabinet, would allow for a group of chief executives to collectively own and govern a formal joint venture.
- 2 Through a joint venture arrangement, the Social Wellbeing Board would be able to own and govern shared assets and coordinate resources including staff. The changes would also allow the Board to administer appropriations and be formally accountable as a collective. The joint venture approach offers the potential to transform the way that government operates through a new way of working that is consistent with the roles and contributions of many agencies to a whole-of-government response.

- 3 Pending the proposed changes to the State Sector Act, some interim ‘work-arounds’ would allow chief executives and agencies to operate as if they were collectively accountable to the lead Minister, and to Ministers collectively, for the whole-of-government actions to reduce family violence and sexual violence. In addition, chief executives and agencies would continue to be accountable to the responsible Ministers for their agency contributions to these government priorities. The constraints of the current system mean that these interim arrangements will rely on the commitment and buy-in of those involved to navigate the tensions between agency and collective interests.
- 4 We note that this Committee is also considering an amended Terms of Reference and name change for the Social Wellbeing Board (*Strengthening our approach to the governance of social wellbeing*). The proposed terms of reference note that the Board may also exercise governance over relevant interdepartmental joint ventures as agreed with Ministers.

**A Joint Venture Model**

- 5 The proposed joint venture would involve a group of chief executives (the Social Wellbeing Board) taking collective responsibility for the whole-of-government work programme. Chief executives would also be individually accountable for their agencies’ contributions to this shared initiative. The Board would appoint a Director and staff to support them to perform the roles and functions that Cabinet has agreed for the dedicated agent. The joint venture would report to this Committee, and this Committee would also be collectively responsible for this whole-of-government work programme and individually responsible for the contributions of their portfolios and agencies to these shared goals.
- 6 While the proposed joint venture is a new set of organisational arrangements, it also reflects a different mind-set and new way of working across government. This can deliver the sustained cross-agency commitment to integrated, collective actions to transform our response to family violence and sexual violence – working more effectively across agency boundaries.
- 7 Figure 1 provides an overview of this joint venture approach. Appendix 3 provides a fuller version of this diagram and further discussion of the features of the joint venture.

**Figure 1: overview of a joint venture approach to the dedicated agent**



*Ministerial arrangements*

- 8 [s9(2)(f)(iv)]  
 [REDACTED] even the current constraints of the system and the focus on individual accountability, the Social Wellbeing Board, and this Committee, will have important oversight roles to monitor progress and to identify and resolve points of tension early.
- 9 This Committee would have overall Ministerial oversight for the joint venture, reflecting the impacts of family violence and sexual violence across all of our portfolios, and drive the overall strategy and direction. Ministers would be collectively accountable for the joint venture and the whole-of-government work programme through this Committee. Ministers would also continue to be individually responsible for their portfolios and agencies, helping to manage their contributions to these shared outcomes.
- 10 We propose that a Lead Minister should be responsible for the day-to-day oversight of the joint venture and its work programme. The joint venture of the Social Wellbeing Board would report to the Lead Minister, and the Lead Minister would work closely with the Minister responsible for the Social Wellbeing Board to manage the connections with the wider priorities of the Board and this Committee. To support the Lead Minister in this role, we propose forming a Ministerial Group to resolve issues where possible and to develop and coordinate advice to this Committee.
- 11 We propose that the Ministerial Group should comprise the Under-Secretary to the Minister of Justice, the Minister of Justice, the Minister for Social Development, the Minister for Children, the Minister for Seniors, and the Minister for Māori Development. Where detailed decisions around institutional arrangements and governance for this joint venture are required, we propose that Cabinet will delegate to this Ministerial Group to confirm arrangements with the Social Wellbeing Board.
- 12 For the purposes of this joint venture, we propose that the Social Wellbeing Board would report to the Under-Secretary to the Minister of Justice, as the Lead Minister for family violence and sexual violence.

*Governance arrangements of the joint venture*

- 13 The Social Wellbeing Board has agreed the following arrangements around the governance of the joint venture:
- 13.1 The Chief Executives of Police, Department of Corrections and ACC will be included as members of the joint venture governing body, along with the Social Wellbeing Board; and
- 13.2 All regular Social Wellbeing Board meetings will ring-fence time for the wider joint venture governing body to meet on family violence and sexual violence matters.
- 14 The Social Wellbeing Board will explore arrangements to establish the joint venture. The arrangements around funding are discussed later in this paper. The organisational arrangements agreed include:
- 14.1 The process of appointing a Director of the joint venture will be managed by one of the governing chief executives on behalf of the Social Wellbeing Board. The Director will be formally employed by the Secretary for Justice and will report to the Social Wellbeing Board collectively.

- 14.2 One of the governing chief executives will manage the accommodation of the joint venture business unit on behalf of the Social Wellbeing Board (the Ministry of Justice).
- 15 There is a risk that, until collective ownership and governance is able to be formalised through legislative change, the joint venture will be perceived as 'owned' by the agencies that are seen to be responsible for supporting it. For this reason, it is important that a distinct, agency-neutral identity of the joint venture is developed, including a stand-alone website and email presence. Similarly, the Director should be a high calibre senior appointment who is able to act on behalf of the Social Wellbeing Board, and has the mana to lead the whole-of-government response.
- 16 There is an expectation that the Director would hold the day-to-day relationship with, and report directly to, the Lead Minister on behalf of the Social Wellbeing Board, which may be achieved through delegation by the Board.
- 17 For the specific area of work on family violence and sexual violence, the Social Wellbeing Board would be supported and advised by the Director and the joint venture, similar to the proposed role for the Social Investment Agency for other areas of the Board's work. Te Puni Kōkiri, the Ministries for Pacific Peoples, and the Ministry for Women would support the joint venture to provide evidence-informed insights and advice based on the recognition that the experience of family violence and sexual violence differs for specific population groups, and an understanding of what matters for these groups to strengthen their wellbeing.
- 18 In addition to governing the joint venture as a Board, the chief executive members would provide collective leadership through leadership of their own departments, to ensure all elements of government's response are aligned to a common purpose. Through their cross-agency and sector leadership roles, the Social Wellbeing Board would also connect with a full range of perspectives, including those of the population agencies, to ensure all actions reflect government's wider priorities and the over-representation of key cohorts exposed to family violence and sexual violence.

*The joint venture approach and a new way of working*

- 19 We recognise that new structural arrangements will not alone be enough to bring about the transformational change required for an effective whole-of-government response. New and different behaviours and cultures will also be necessary. This proposed joint venture approach has a range of features – both structural and behavioural – that will support it to lead and coordinate a whole-of-government response.
- 20 The learnings from the implementation of this joint venture approach would be used to inform the further development of possible joint venture models to be introduced through the proposed reforms to the State Sector Act. We will review the effectiveness of this joint venture by December 2020, to inform a decision on the long-term organisational form for government's response to family violence and sexual violence.

*Funding arrangements to support the joint venture*

- 21 [s9(2)(f)(iv)] there are existing mechanisms we can use to enable the joint venture to lead and coordinate an effective whole-of-government response to family violence and sexual violence. [s9(2)(f)(iv)]

[s9(2)(f)(iv)]



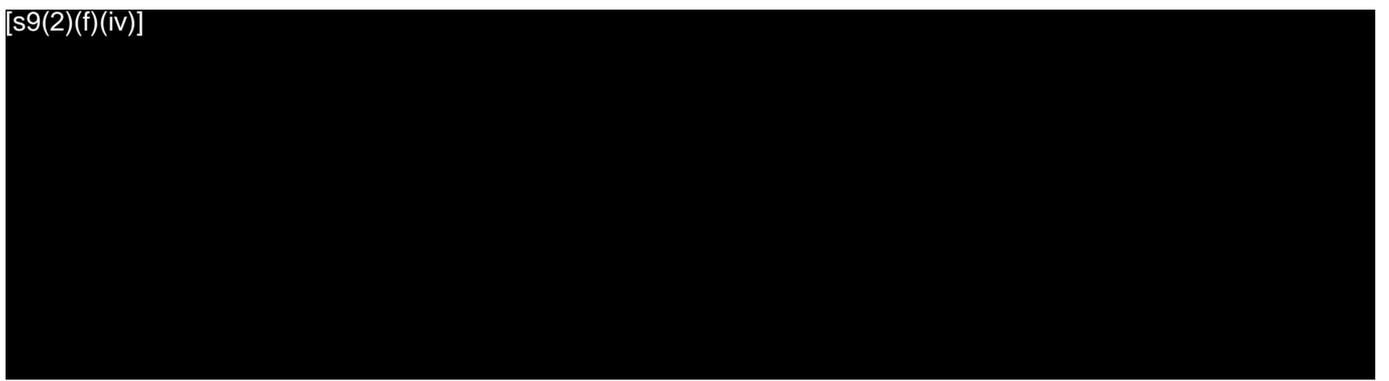
- 22.3 Reporting collectively through Estimates and Annual Reports for appropriations relevant to family violence and sexual violence. The Social Wellbeing Board will coordinate a collective reporting process for relevant appropriations that are spread across agencies and Votes. This can create a system-view of the funding and investment landscape and provide a collective account of performance towards shared outcomes.

[s9(2)(f)(iv)]



- 24 For example, a more collective approach to contracting across government could also enable and empower devolved, citizen-centred approaches to service delivery at the community level, that better recognise and respond to the different, complex needs of family and whānau. It could also reduce the perception that providers are in competition with each other for government funding.

[s9(2)(f)(iv)]



**Role and functions of the advisory bodies**

- 27 Cabinet has agreed that these cross-agency arrangements would be supported and informed by an independent Māori body and a wider stakeholder advisory body. The overarching purpose of these two bodies is to support government to work in partnership with the sector and to learn from the experiences of victims, perpetrators, and children affected by violence.
- 28 To achieve this, the membership of both bodies will reflect the perspectives of family violence and sexual violence practitioners, community representatives, survivors of violence, former users of violence (who may also be survivors), and active researchers in the areas of family violence or sexual violence.
- 29 Cabinet has also agreed that both bodies will provide expert advice on all aspects family violence and sexual violence, with a particular focus on supporting the dedicated agent – and all relevant agencies involved in the joint venture – to develop a national strategy and deliver a rolling action plan. These groups will also help to convey the needs and priorities of victims and perpetrators of family violence and sexual violence, along with their families, and ensure that those needs sit at the heart of all decisions and services.

*Development of advice on the two groups*

- 30 Te Puni Kōkiri and the multi-agency team for family violence and sexual violence (hosted by the Ministry of Justice) held two hui with Māori experts and sector representatives to better understand their aspirations and expectations of any Māori group. Their feedback was clear that the group needed to be independent and have standing and influence, to reflect a genuine partnership between the Crown and Māori. The experts considered the group should work in partnership with the Crown to develop the strategy, design and plan for the implementation of programmes, and the levels of resourcing required. They also felt that the group needed to be enduring to provide an independent assessment of government’s progress towards the shared goals of reducing family violence and sexual violence.
- 31 The experts were keen to explore establishing the group as a separate entity to provide the necessary standing, an independent voice (reporting to Parliament and the public) and an enduring form. They also advised that Māori should be involved in developing advice on the form of the group. The experts suggested the name Te Rōpū – literally “the group” – as a practical name for this group.
- 32 There will need to be a close connection between Te Rōpū and the Ministry of Social Development’s Māori Reference Group. The Māori Reference Group was originally established to advise the Taskforce for Action on Violence within Families. In 2008, they developed and published the first E Tū Whānau Programme of Action following extensive kōrero within Te Ao Māori. The Māori Reference Group now provides strategic advice to the E Tū Whānau initiative as well as having input into government policy that affects whānau, particularly where there is violence. Members of the Māori Reference Group were involved in the two hui, [s9(2)(g)(i)]
- 33 The multi-agency team has also been working with a number of government agencies to engage with existing advisory groups, reference groups, boards and panels across aspects of the current response to family violence and sexual violence, including non-government specialist service providers, sector stakeholders and academic researchers. [s9(2)(f)(iv)]

*Interim arrangements to support the development of the national strategy*

- 34 Ensuring a partnership with Māori and representation of a wide range of voices is a core component of the new way of working that we are keen to see reflected in the development of the national strategy. We propose establishing interim arrangements to ensure these voices are involved to help develop and shape the national strategy from an early stage.
- 35 We propose establishing an interim Te Rōpū to give effect to a partnership between Māori and the Crown (and especially for wahine Māori) to transform the whole-of-government response to family violence, sexual violence and violence within whānau. The interim Te Rōpū will work in partnership with the Crown, Ministers and the dedicated agent to deliver these shared goals, underpinned by the Treaty of Waitangi and the Crown's obligations to uphold mana motuhake.
- 36 As reflected in its terms of reference, the interim Te Rōpū will have the following roles, advising Government directly, and working in partnership with the dedicated agent:
- 36.1 Working in partnership with the Crown on setting the strategy, priorities, specific actions and resourcing levels;
  - 36.2 Working with the dedicated agent to develop a national strategy and action plan;
  - 36.3 Working with the dedicated agent to advise on outcomes and performance measures for the strategy and action plan, monitor progress, and report to Parliament and the public;
  - 36.4 Working with and advising the dedicated agent to ensure that Māori approaches and whānau-centred thinking and solutions are adopted and applied across the work programme;
  - 36.5 Advising the government on the effectiveness of the whole-of-government response to family violence, sexual violence and violence within whānau, and the performance of the dedicated agent;
  - 36.6 Engaging with and reporting back to iwi, hapū and whānau; and
  - 36.7 Working with the dedicated agent to advise on the nature, form and functions for the enduring Te Rōpū Māori.
- 37 This interim Te Rōpū will have a clear mandate from Cabinet, and will be an independent group appointed by the Lead Minister in consultation with the Minister for Māori Development. A draft of these terms of reference is provided in Appendix 4 and will be discussed and agreed with the chair of the interim Te Rōpū. The interim Te Rōpū would comprise up to ten members who bring appropriate skills and expertise and who can represent community, rangatahi and whānau, urban and regional Māori and wahine Māori. It will report directly to Ministers and will be supported by an independent secretariat.
- 38 We also propose the dedicated agent will engage with existing advisory groups, reference groups, boards and panels to develop the draft national strategy and action plan, and to seek their input and guidance on the arrangements for wider stakeholder representation. The dedicated agent will ensure that this engagement includes a wide range of perspectives, including people with disabilities, older people, rainbow, ethnic and migrant communities, Pacific peoples, children and young people. The dedicated agent would lead work across government agencies to build on these existing groups to develop advice on the longer term

arrangements for the stakeholder advisory body/bodies to support the delivery of the national strategy and action plan.

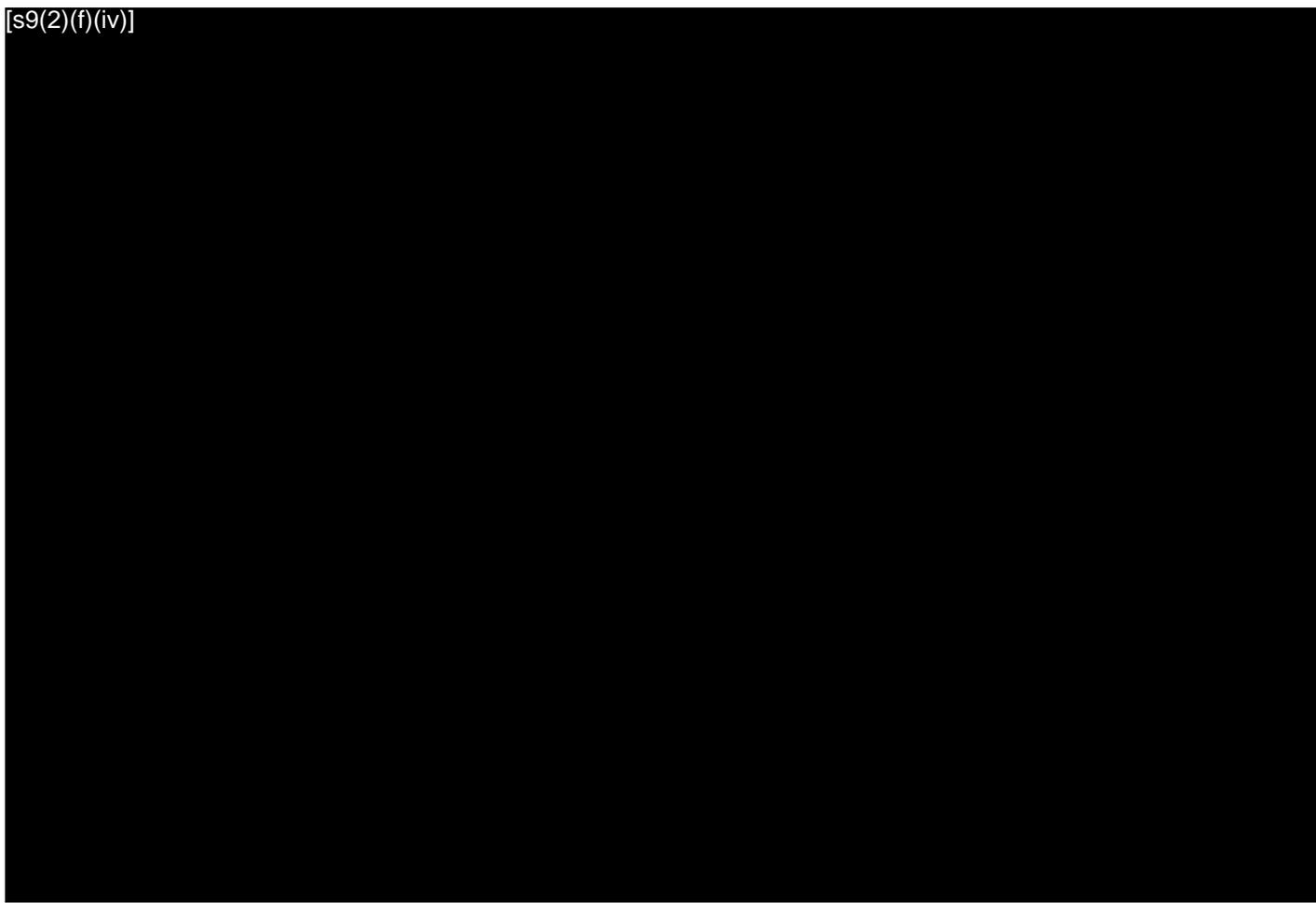
### **Financial Implications**

- 39 Budget 2018 allocated \$2 million of new funding to the work to develop and design the dedicated agent. This has been supplemented by contributions from other departments, including co-located staff (from a number of agencies) to help progress the work programme, office space and other facilities and support being provided by the Ministry of Justice (with the Ministry meeting these costs).

#### *Funding for the dedicated agent in 2018/19*

- 40 Budget 2018 did not make any provision for the costs of establishing the dedicated agent, during this financial year, or the costs of its operations once established.

[s9(2)(f)(iv)]



### **Human Rights**

- 45 Reducing family violence and sexual violence assists the Government to meet its human rights obligations including the Convention on the Elimination of Discrimination Against Women (CEDAW), Convention on the Rights of the Child, the Declaration on the Rights of Indigenous Peoples, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of Persons with Disabilities.

### **Legislative Implications**

- 46 This paper has no direct legislative implications. The Family and Whānau Violence Legislation Bill, currently in the House, and the proposals outlined in this paper are mutually reinforcing.

### **Regulatory Impact Analysis**

- 47 A regulatory impact or compliance cost statement is not required.

### **Gender Implications**

- 24 Family violence and sexual violence are gendered in terms of victimisation, perpetration and impacts of violence. Women are nearly twice as likely as men to suffer partner abuse in their lifetime. Women are more likely to be killed by a partner than men are, and girls are more likely to be killed by a family member than boys. Men are more likely to perpetrate sexual violence, serious assaults on adults and children, and to be arrested for family violence. Women suffer more repeat victimisation, harm, fear, stalking and negative health impacts of partner abuse than men.
- 25 Māori women, Pacific women, young women, women on a low income, rainbow people, women in gang-involved families and women with disabilities are at a higher risk of experiencing family violence than other women, and are more likely to experience secondary victimisation when seeking help. Family violence and sexual violence have a significant impact on women's physical, psychological, sexual, reproductive, and spiritual wellbeing.
- 26 A strong gender analysis is a critical component of the Government's response to family violence and sexual violence. The Minister for Women will help to ensure this gender analysis through the Social Wellbeing Committee's oversight of this response, as one of its priorities. The Ministry for Women also has an important advisory role to the joint venture of the Social Wellbeing Board to support the Board's delivery of this priority work programme.

### **Disability Perspective**

- 27 One quarter of New Zealanders, and one third of Māori, report having a disability. Disabled people, particularly disabled women and children, have a higher risk of experiencing family violence and sexual violence than people without a disability. Recent Australian research showed women with a disability or long term illness are one and a half times more likely to experience partner abuse than women without a disability, and are less likely to report it to Police or seek support.
- 28 Some older people are more vulnerable to abuse due to poor health, frailty, or mental incapacity. New Zealand's ageing population means there will be an increase in the number of older people living with dementia. In 2016, around 45,000 people were living with dementia and, by 2050, it is forecast that more than 170,000 people will have dementia.
- 29 Abuse of disabled people is less likely to be reported or identified because of reliance on family members, as well as communication difficulties. Disabled people's experiences of family violence are unique and occur in wider range of contexts, including preventing access to medical treatment, failing to provide basic needs, social isolation, erratic care and attention, taking away necessary aids such as wheelchairs.

### **Children's Perspective**

- 30 At least one-in-five children are exposed to family violence and sexual violence every year. The harm experienced has life-long impacts on their development, ability to learn, attitudes

to risk, and anti-social behaviour, creating an intergenerational cycle of further disadvantage and violence for these children (as victims and as perpetrators).

- 31 Abuse of children is also less likely to be reported or identified because of the reliance on family members to do so on their behalf. While our child protection system intervenes for the children at greatest risk of harm, many more children and young people are in need of help and support and are unlikely to access the services that they need.

### **Publicity**

- 32 We will work with the Prime Minister to announce the establishment of the joint venture and the interim Te Rōpū – as a new way of working across government, and as an important first step towards delivering this Government’s commitment to reduce family violence and sexual violence. We will also announce the process of design and engagement to develop a national strategy and action plan to guide the work towards this goal.
- 33 We will work with the Social Wellbeing Board to develop a separate identity for the joint venture, including an appropriate name, branding and presence. This will include a dedicated website where we will proactively release relevant documents, including this paper and the previous Cabinet paper.
- 34 The joint venture will engage with the sector, Māori and the wider public to work in partnership to develop a national strategy and action plan. This engagement will involve two broad stages: targeted engagement and collaboration to develop a draft strategy building on previous reviews and reports, working with the interim Te Rōpū and existing stakeholder advisory groups, reference groups, boards and panels (before Christmas); and a more formal consultation process on the draft strategy, (early in the new year).

[s9(2)(f)(iv)]

### **Consultation**

- 48 This paper has been prepared jointly by the multi-agency team hosted by the Ministry of Justice and the State Services Commission.
- 49 The following agencies have been consulted on this paper: Ministry of Business, Innovation and Employment, Oranga Tamariki - Ministry for Children, Ministry of Education, Ministry of Health, Ministry of Justice, Ministry for Pacific Peoples, Ministry of Social Development, Ministry for Women, Department of Corrections, Office of Ethnic Communities, New Zealand Police, Te Puni Kōkiri, the Accident Compensation Corporation, the Treasury and the Child Wellbeing Unit. The Department of the Prime Minister and Cabinet was informed.

## Recommendations

The Minister of Justice, the Minister for Social Development and the Parliamentary Under-Secretary to the Minister of Justice (Domestic and Sexual Violence Issues) recommend that the Committee:

- 1 **Note** that Cabinet has previously:
  - 49.1 Noted that NZ has unacceptable rates of family violence and sexual violence which severely undermines the lifetime wellbeing of victims and their children, in particular those most marginalised and disadvantaged in our society;
  - 49.2 Agreed that there are significant opportunities to do better;
  - 49.3 Agreed to establish a dedicated body or agent within central government that has a stewardship role for the collective response to family violence and sexual violence [SWC-18-MIN-0037 refers];
- 50 **Note** that reducing family violence and sexual violence is a key initiative that will improve wellbeing for New Zealanders and that will contribute to our Child Wellbeing Strategy, and that will contribute to reduced offending and victimisation and our Safe and Effective Justice programme;
- 51 **Note** that sustained cross-agency commitment to an integrated response is required to reduce family violence and sexual violence and that it will take new ways of working across government and with Māori and communities to deliver this integrated response;

### *Features of a successful dedicated agent*

- 52 **Note** that, to be effective, the dedicated agent will need:
  - 52.1 The mandate to lead a whole-of-government work programme to reduce family violence and sexual violence;
  - 52.2 Authority to provide strategic policy and funding advice on behalf of all agencies involved in the response to family violence and sexual violence, including collective Budget advice;
  - 52.3 Levers to prioritise the allocation of funding across different agencies to ensure effective delivery of a whole-of-government strategy to respond to and reduce family violence and sexual violence;
  - 52.4 Strategic leadership of the approach to commissioning services across government, including the development of new models of contracting – that enable and empower devolved, citizen-centred approaches to service delivery at the community level, integrated across contracting agencies, to better recognise and respond to the different, complex needs of family and whānau;
  - 52.5 An enduring, sustained commitment to reduce family violence and sexual violence that binds all of the agencies involved;
  - 52.6 Accountability to the public and to Parliament for the performance of this whole-of-government response – to substantially reduce family violence and sexual violence;
- 53 **Note** the variety of issues causing and contributing to family violence and sexual violence require a coordinated response across many government agencies;

*A Joint Venture Model*

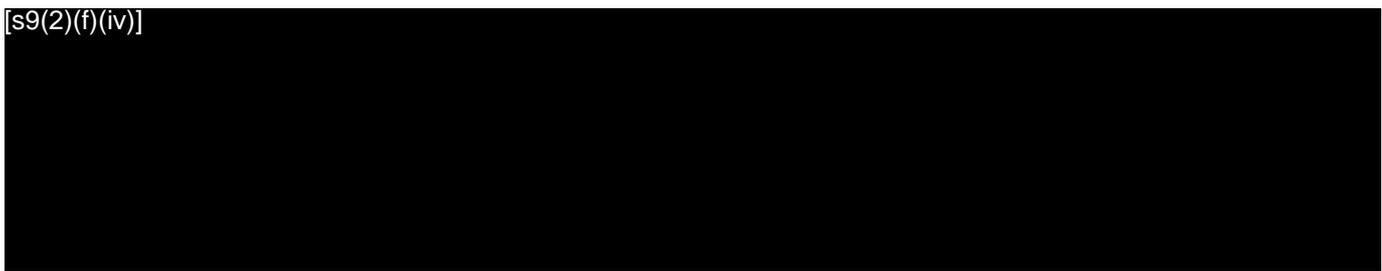
- 54 **Note** the benefits of a joint venture approach are that it creates collective ownership and a collective responsibility to ensuring a whole-of-government response to family violence and sexual violence across the agencies involved;
- 55 **Agree** that the new dedicated agent should be established as a joint venture of the Social Wellbeing Board;
- 56 **Note** that this joint venture will be governed by the Social Wellbeing Board and the chief executives of New Zealand Police, the Department of Corrections, and the Accident Compensation Corporation;
- 57 **Agree** that, through this joint venture of the Social Wellbeing Board, these Chief Executives will be collectively responsible for leading a whole-of-government response to reduce family violence and sexual violence;
- 58 **Agree** that this joint venture of the Social Wellbeing Board will report to the Lead Minister for family violence and sexual violence;
- 59 **Note** that the Minister of Justice currently has responsibility for the government's work programme to end domestic and sexual violence within his portfolio, and that this Lead Minister role is assigned to the Parliamentary Under-Secretary to the Minister of Justice;
- 60 **Note** that, while the joint venture business unit would be hosted by the Ministry of Justice, the Director of the joint venture would report directly to the joint venture of the Social Wellbeing Board;
- 61 **Note** that there is an expectation that the Director hold the day-to-day relationship with the Lead Minister on behalf of the Social Wellbeing Board which may be achieved through delegation by the Board;
- 62 **Agree** that the Lead Minister will be supported by a Ministerial Group comprising the Under-Secretary for Domestic and Sexual Violence Issues, Minister of Justice, Minister for Social Development, Minister for Children, Minister for Seniors, and Minister for Māori Development
- 63 **Agree** to delegate any detailed decisions around institutional arrangements and governance required for a joint venture of the Social Wellbeing Board to this Ministerial Group;

[s9(2)(f)(iv)]



- 68 **Agree** that the joint venture of the Social Wellbeing Board will lead a process of collective reporting across agencies with appropriations relevant to family violence and sexual violence activities;

[s9(2)(f)(iv)]



*Role and functions of the advisory bodies*

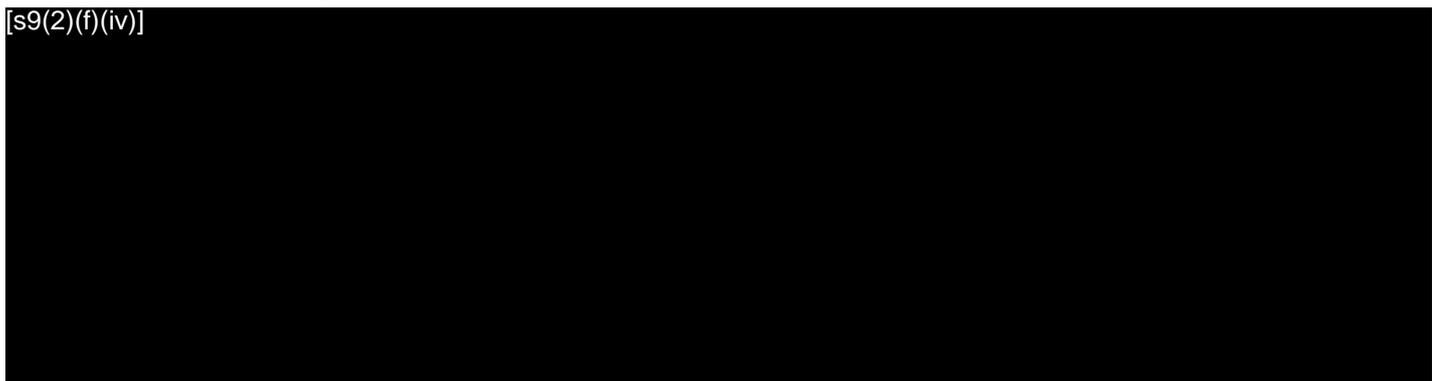
- 71 **Note** that Cabinet has previously agreed to establish two external bodies to inform and support the dedicated agent, comprised of relevant sector experts, NGOs, victims and community representatives [SWC-18-MIN-0037 refers]:
- 71.1 an independent Māori body to provide specific advice to address the disproportionate burden of harm suffered by Māori, and
  - 71.2 a wider stakeholder advisory body;

- 72 **Note** that the multi-agency team has listened to Māori experts and service providers, through a series of conversations, to develop the proposed approach for an interim Te Rōpū Māori;
- 73 **Agree** to establish an interim Te Rōpū to assist the Crown, Ministers and the joint venture of the Social Wellbeing Board to work in partnership with Māori on an integrated response to family violence and sexual violence;
- 74 **Agree** that this interim Te Rōpū should have the mandate and terms of reference as detailed in Appendix 4;
- 75 **Note** that the interim Te Rōpū will also provide key input on the development of advice on the organisational form and terms of reference for an enduring rōpū Māori to support the delivery of the national strategy and action plan to reduce family violence and sexual violence;
- 76 **Note** that the joint venture will engage with existing advisory groups, reference groups, boards and panels to reflect a wide range of stakeholder perspectives in the development of the national strategy, including people with disabilities, older people, rainbow, ethnic and migrant communities, and Pacific people;
- 77 **Direct** the joint venture of the Social Wellbeing Board to propose longer term arrangements to engage this diversity of stakeholder perspectives in the delivery of the national strategy and action plan by April 2019;

*Transitional arrangements and financial implications*

- 78 **Note** that Budget 2018 provided funding for advice on the organisational form and supporting arrangements for the dedicated agent and that this, together with contributions from other departments, is funding the current multi-agency team;
- 79 **Note** that no funding has been provided for the establishment of the dedicated agent, or for the operating costs of delivering the dedicated agent's roles and functions, once it is established;

[s9(2)(f)(iv)]



*Publicity*

- 82 **Note** that the joint venture of the Social Wellbeing Board will work with relevant Ministers to develop a separate identity for the joint venture, including an appropriate name, branding and presence;
- 83 **Note** that this paper, the previous paper and relevant background documents will be proactively released to support public engagement with the new joint venture and the development of a national strategy and action plan.

Authorised for lodgement

**Hon Andrew Little**

Minister of Justice

**Hon Carmel Sepuloni**

Minister for Social Development

**Jan Logie**

Parliamentary Under-Secretary to the Minister of Justice  
(Domestic and Sexual Violence Issues)

## Appendix 1: Core functions of the dedicated agent

Cabinet has agreed to establish a dedicated agent with a stewardship role for the performance of the whole-of-government response to family violence and sexual violence. While the dedicated agent's role will evolve over time, Cabinet has agreed that its core functions are to:

- Set a clear direction for the Government's commitment to reduce family violence and sexual violence by developing a collective strategy, designed in partnership with the sector, Māori and the wider public, that establishes clear goals and targets for reducing family violence and sexual violence;
- Strengthen and sustain networks for ongoing organisational development across government agencies to ensure they know their role in the future system and align their current and future actions with the strategy's priorities;
- Hold governments to account for making progress via the collection and public reporting on progress to achieving the outcomes, objectives and targets of the strategy;
- Support the ongoing evaluation and continuous improvement of responses to family violence and sexual violence, to build the evidence base for effective interventions;
- Provide input and advice into other related government priorities;
- Provide strategic, whole-of-government advice to Ministers [s9(2)(f)(iv)] to ensure current settings will realise the long-term goals outlined in the strategy;
- Co-design with communities the necessary infrastructure, tools and support they need to deliver the components of the integrated system, including community driven approaches to primary prevention, early intervention, and immediate safety and long-term recovery; and
- Develop, in collaboration with the sector and training organisations, the capabilities of front line staff in government and non-government organisations and family and friends, to safely identify and respond to violence before it escalates.

**Appendix 2: Summary assessment of potential organisational forms**

Success factors	Business unit	Department/Departmental Agency	Joint venture
<b>Mandate to lead whole-of-government work programme</b>	 <ul style="list-style-type: none"> <li>Mandate flows from Government's strategy and action plan</li> <li>Dependent on parent department CE to support this stewardship and leadership</li> </ul>	 <ul style="list-style-type: none"> <li>Mandate flows from Government's strategy and action plan</li> <li>Entity CE could be given a formal, explicit stewardship and leadership role (similar to sector or functional leadership roles)</li> </ul>	 <ul style="list-style-type: none"> <li>Mandate flows from Government's strategy and action plan</li> <li>SWB would collectively provide leadership and stewardship, supported by JV business unit</li> <li>SWB provide strong mandate to lead across agencies, and can hold each other to account</li> <li>Reflected in SWB's terms of reference, agreed by Cabinet</li> </ul>
<b>Authority to provide strategic policy and funding advice (including Budget packages)</b>	 <ul style="list-style-type: none"> <li>Dependent on parent CE</li> <li>Would need commitment of other CEs (e.g. through a sector board) to bring other Votes and appropriations into the advice</li> </ul>	 <ul style="list-style-type: none"> <li>Entity CE could have a formal leadership role</li> <li>Would need commitment of other CEs through a sector board</li> </ul>	 <ul style="list-style-type: none"> <li>SWB would collectively provide this advice, supported by JV</li> <li>SWB can commit the agencies and sectors they lead to this shared advice</li> </ul>
<b>Leverage for Ministers to prioritise allocation of funding</b>	 <ul style="list-style-type: none"> <li>Potential for an MCA, or voluntary pooling (like the JSF) to bring together resources</li> <li>Potential for joint reporting of financial and non-financial performance</li> </ul>	 <ul style="list-style-type: none"> <li>Potential for an MCA, or voluntary pooling (like the JSF) to bring together resources</li> <li>Potential for joint reporting of financial and non-financial performance</li> </ul>	 <ul style="list-style-type: none"> <li>Potential for an MCA, or voluntary pooling (like the JSF) to bring together resources</li> <li>Potential for joint reporting of financial and non-financial performance</li> <li>Central appropriation for joint venture activities</li> </ul>
<b>Strategic leadership of commissioning of specialist services</b>	 <ul style="list-style-type: none"> <li>Dependent on commitment of contracting agencies (e.g. to align funding strategies with over-arching approach)</li> </ul>	 <ul style="list-style-type: none"> <li>Dependent on commitment of contracting agencies (e.g. to align funding strategies with over-arching approach)</li> <li>Contracting roles could be delegated or transferred to new entity</li> </ul>	 <ul style="list-style-type: none"> <li>SWB agencies are the contracting agencies (to align funding strategies).</li> <li>Contracting roles could be delegated to JV director, with commitment from SWB</li> </ul>
<b>Enduring, sustained commitment</b>	 <ul style="list-style-type: none"> <li>Can have separate appropriation, administered by parent CE (and could be delegated to director)</li> <li>Vulnerable to changes in priority for parent department, and/or changes in Minister</li> </ul>	 <ul style="list-style-type: none"> <li>Ring-fenced appropriation, administered by its CE</li> <li>New entity locks-in strongest commitment over time but remains vulnerable to changes in priority</li> </ul>	 <ul style="list-style-type: none"> <li>Ring-fenced appropriation, can be delegated to JV director</li> <li>SWB is a creation of current Government – joint venture will need to earn its right to exist</li> </ul>
<b>Accountability to public and to Parliament</b>	 <ul style="list-style-type: none"> <li>Reports to Parliament as part of parent department</li> <li>Public reporting on strategy performance/outcomes</li> </ul>	 <ul style="list-style-type: none"> <li>Reports own strategic intentions and annual report to Parliament</li> <li>Public reporting on strategy performance/outcomes</li> </ul>	 <ul style="list-style-type: none"> <li>JV to lead strategic planning and potential cross-agency reporting through a collective annual report</li> <li>Public reporting on strategy performance/outcomes</li> </ul>
<b>Examples of forms</b>	<ul style="list-style-type: none"> <li>Office of Disability Issues</li> <li>The current Multi-Agency Team has elements of this model</li> </ul>	<ul style="list-style-type: none"> <li>Social Investment Agency (Departmental Agency)</li> <li>Ministry of Housing and Urban Development (Department)</li> <li>The Government Chief Digital Officer, currently within DIA</li> </ul>	<ul style="list-style-type: none"> <li>Search and Rescue (Board and engagement model)</li> <li>Student Loans (collective reporting)</li> </ul>

Appendix 3: More detailed information on the proposed joint venture approach

**Family Violence and Sexual Violence Joint Venture**  
Better outcomes through a single focus and collective accountability

**DRAFT**

**To disrupt** the cycle of intergenerational harm caused by family violence and sexual violence we need **the right institutional and funding arrangements.**

**INSTITUTIONAL ARRANGEMENTS**

**SYSTEM ROLE OF THE JOINT VENTURE:**

A Joint Venture will not take over the role of other agencies nor will it directly deliver services. Its responsibility will be to ensure an effective whole-of-government response to family and sexual violence.  
Its role is to integrate, coordinate and provide support for agencies.

**LEVERS AND ENABLERS OF A SYSTEM ROLE:**

- Credible leadership and a clear mandate
- The collective commitment of agencies to a strategy and shared goals
- An agency-neutral team that is seen as independent of other government agencies
- A single line of advice to Social Wellbeing Board and Ministers: enabled by a commitment of agencies to input and influence through the Joint Venture
- Collective view and oversight of funding for family violence and sexual violence intervention and prevention

**HOW WILL AGENCIES AND THE JOINT VENTURE WORK TOGETHER?**

- The Strategy and Action Plan need to identify core roles of agencies in responding to and preventing family violence and sexual violence
  - Different agencies will have different levels of engagement and needs for participating
- Agencies should be able to make themselves heard through the Joint venture and have real ownership of its products
  - To do this agencies could co-locate or second key officials to the Joint Venture (in-kind resourcing) to ensure strong links
- ACC have an existing role leading cross-government work on preventing sexual violence and is increasingly bringing that into the work of the future Joint Venture

**HOW DOES FVSV ALIGN WITH OTHER GOVERNMENT PRIORITIES?**

**The Child Wellbeing Strategy**

- Family Violence and Sexual Violence is a key element of one of the six initial focus areas: "Children are safe and nurtured, in their whānau and their homes"

**Safe and Effective Justice**

- Reducing the number of offenders and those going to prison: will draw on what's happening in other areas like family violence and sexual violence

**Place-Based Initiatives**

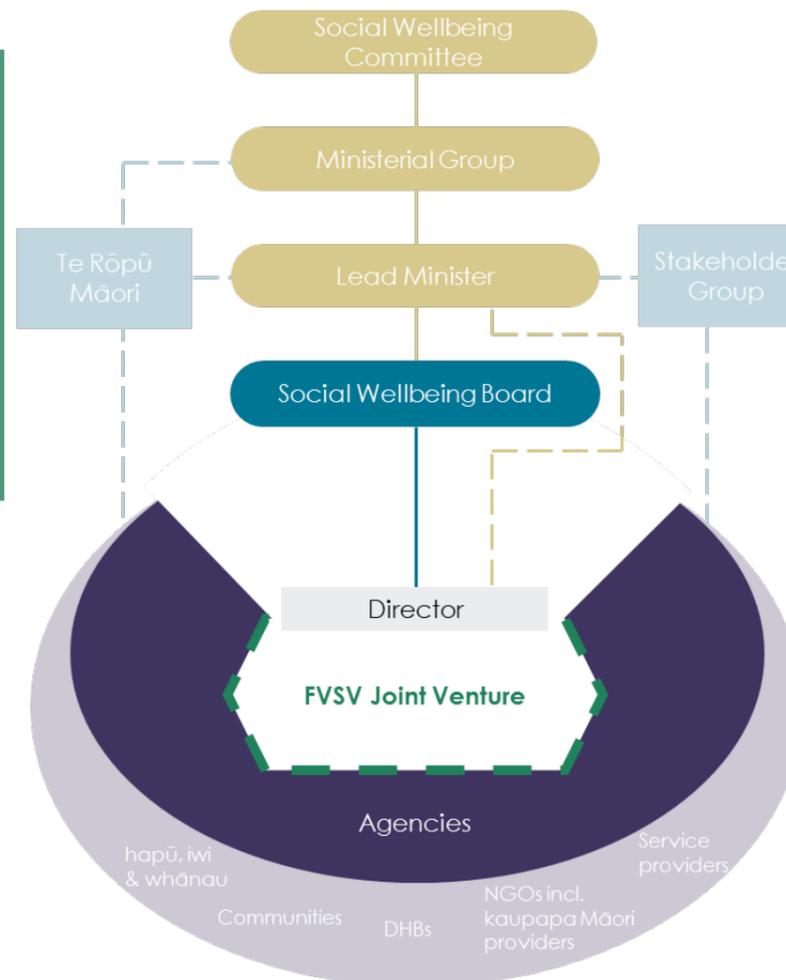
- Most of the current place-based initiatives are focusing on family violence as key issues in their respective areas

**WHAT IS DRIVING HOW WE ORGANISE?**

- **Cabinet agreed** to establish a dedicated agent to be responsible for ensuring a whole-of-government response to FVSV
- **Senior Ministers** have been vocal about how they expect Public Service agencies to join up in order to tackle complex social issues more effectively
- The **Social Wellbeing Board** have agreed to progress a joint venture approach to organising agencies around FVSV
- Cabinet have also agreed to establish Māori and wider stakeholder advisory groups to inform the work of the dedicated agent

**HOW WILL THE SOCIAL WELLBEING BOARD GOVERN THE JOINT VENTURE?**

- Collective decision-making role around priorities, work programme and resourcing of FVSV work
  - This is informed by the Joint Venture
- Collective appointment of the Director by SWB
- Board members need to not only support the work of the Joint Venture in their own organisations but ensure strong engagement with those agencies not at the SWB 'table'
- For this work, SWB reports through the Lead Minister to the Social Wellbeing Committee





## **Appendix 4: Terms of Reference for interim Te Rōpū**

This document is a Terms of Reference approved by Cabinet following Ministerial consultation, and consultation with the Chair of Te Rōpū.

The [Lead Minister] will consult with Cabinet on any substantive proposed change to the Terms of Reference, and these Terms of Reference may be reviewed and amended by Cabinet.

### *Scope*

The Government is committed to substantially reducing family violence, sexual violence and violence within whānau.

There is overwhelming evidence that a sustained, integrated response is required to achieve this goal, and that new ways of working across government and with whānau Māori and communities are needed to deliver this integrated response.

The Government is working with service providers, experts, communities and the wider public to develop a national strategy and action plan reflecting the aspirations of all New Zealanders, and guiding practical steps towards this goal.

### *Purpose*

Te Rōpū will work in partnership with the Crown, Ministers and the dedicated agent to deliver these shared goals, underpinned by the Treaty of Waitangi and the Crown's obligations to uphold mana motuhake.

Cabinet is establishing an interim Te Rōpū to give effect to this partnership in the initial stages of the development of a national strategy and action plan. The interim Te Rōpū will also contribute to the development of a more enduring set of arrangements to formalise this partnership.

### *Role of Te Rōpū*

The role of Te Rōpū is to provide an enduring mechanism to:

- Establish a partnership between Māori and the Crown (and especially for wahine Māori) to transform the whole-of-government response to family violence, sexual violence and violence within whānau.
- Facilitate Māori views on what and how the Crown needs to operate in order to be able to create the change Māori want to see for Māori and to work with the Crown to give effect to such change.
- Ensure Māori express their own views on what works for Māori and their right to determine their own development (reflecting mana motuhake and rangatiratanga).
- Monitor and report on the Crown's performance.

Te Rōpū will report directly to the [Lead Minister], and will be supported by an independent secretariat.

### *Functions of Te Rōpū*

## IN CONFIDENCE

- Work in partnership with the Crown on setting the strategy, priorities, specific actions and resourcing levels needed to reduce family violence, sexual violence and violence within whānau: facilitating solutions by Māori for Māori.
- Work with the dedicated agent on the development of a national strategy and action plan, endorsing the final strategy before this is presented to Cabinet, and reflecting the aspirations of kaupapa Māori NGOs, whānau, hapū, iwi and urban Māori authorities.
- Work with the dedicated agent to advise on outcomes and performance measures for the strategy and action plan, monitor progress (of government and the nation) against these outcomes and measures, and report to Parliament and the public on this performance.
- Work with and advise the dedicated agent on the whole-of-government response, and ensuring that Māori approaches and whānau-centred thinking and solutions, strength-based Mātauranga Māori including te reo and philosophies are adopted and applied across the work programme.
- Advise the government on the effectiveness of the whole-of-government response to family violence, sexual violence and violence within whānau, and the performance of the dedicated agent.
- Engage with and report back to iwi, hapū and whānau.
- Work with the dedicated agent to advise on the nature, form and functions for the enduring Te Rōpū Māori.

### *Membership*

Te Rōpū will draw from community, rangatahi and whānau representation, as well as national and sector appointments. Membership of Te Rōpū needs to reflect a range of Māori experts and providers in the family violence and sexual violence sector, and victims, perpetrators and children affected by violence.

Te Rōpū will also be able to invite and commission additional expertise to support the group, where this is required.

Members of Te Rōpū must:

- Be of Māori descent, grounded in kaupapa Māori expertise and philosophies for supporting whānau to address family violence, sexual violence and violence within whānau.
- Provide a representative cross-section of whānau, hapū, and iwi across regions, and urban Māori authorities.
- Reflect the voices of victims, perpetrators and children affected by violence within whānau.
- Include rangatahi representation and significant representation of wahine Māori with expertise in family violence or in sexual violence.
- Have relationships with whānau, hapū and iwi (or a line of sight back to whānau), and a track record of taking action.

### *Appointment*

## IN CONFIDENCE

Members of Te Rōpū are appointed by the [Lead Minister] in consultation with the Minister for Māori Development. Te Rōpū shall consist of no more than 10 members, including the Chair. Members shall be appointed for a period determined by the [Lead Minister].

The [Lead Minister] may remove a member of Te Rōpū by issuing a written notice stating the date from which the removal of the member is effective. The Minister must consult the Minister for Māori Development, and may choose to consult with the Chair, before removing a member of Te Rōpū.

The Chair may be removed from Te Rōpū by the [Lead Minister] in consultation with the Minister for Māori Development, by issuing a written notice stating the date from which the removal of the Chair is effective.

Any member of Te Rōpū may tender their resignation at any time by way of letter addressed to the [Lead Minister].

Members are expected to act in good faith, with integrity and with reasonable care in performing their duties on behalf of Te Rōpū.

### *Protocol*

Member of Te Rōpū are committed to developing a relationship that:

- Allows for discussion and ensures that decisions are made collectively
- Uses good faith and mutual respect
- Is based on trust and mutual honesty
- Acknowledges and respects the different values, perspectives, roles and functions of the participants
- Is based on the equal participation of all members
- Ensures all discussions are confidential.

Members seek within Te Rōpū to create an environment that:

- Expects free and frank discussion and the equal participation of all members
- Acknowledges that all ideas have merit, and that members can agree to disagree
- Acknowledges the contribution of all members, and respects each member's status
- Promotes open communication
- Ensures no surprises
- Ensures decisions are made and owned collectively
- Focuses on issues.

Members are committed to influencing change within their own communities and with the people and communities to which they have connections. Members are also committed to driving change in government's response to violence within whānau directly, and through working with the dedicated agent.

Quorum will be attendance of more than fifty per cent of the members.

*Confidentiality*

The public has a right to be informed about issues being considered by Te Rōpū. Te Rōpū should have procedures in place for the release of information and to process requests for information. In deciding whether to release or withhold information, Te Rōpū must comply with the provisions of the Official Information Act 1982 and Privacy Act 1993.

At no time should members individually divulge details of matters discussed or decided by Te Rōpū to persons who are not members of Te Rōpū. Disclosure of Te Rōpū business to anyone outside of Te Rōpū must be on the decision of Te Rōpū or, between meetings, at the discretion of the Chair.

Only the Chair is authorised to comment on the affairs and decisions of Te Rōpū and, where appropriate, the Chair will advise the Lead Minister in advance.

Members have the right to comment to the media on any matter in their professional capacity, as long as they do not attribute the comment to Te Rōpū or imply they are speaking on behalf of Te Rōpū. If a member is forewarned of being asked to comment to the media, they should advise Te Rōpū accordingly. If a Te Rōpū member is not forewarned, they should advise the Chairperson immediately after making comment to the media.

*Conflict of interest*

Members are required to declare any actual or perceived conflict of interest to the full Te Rōpū. Te Rōpū will then determine whether or not the interest represents a conflict and, if so, what action will be taken.

A register of declaration of conflicts of interests will be maintained by the Secretariat and reviewed as an agenda item at each meeting.