

FAMILY VIOLENCE PROVIDER UPDATE | JUNE 2019

Family Violence Act 2018 implementation from 1 July 2019: Part two

Ngā mihi nui ki a koutou katoa

This is the next in a series of updates about the Family Violence Act 2018 and the Family Violence (Amendments) Act 2018 and how it relates to your programme delivery. The May update contained an overview of the changes and is a good reference document for facilitators.

You also received an email last week from the Ministry of Justice giving guidance and a decision tree to assist understanding of the new information sharing section in the Family Violence Act (the Act).

In this update we outline our plans for supporting you through these changes and provide more details on contract variations, new options for approving assessors, exciting enhancements for safety programmes and using the updated Family Violence Programme Provider (FVPP) forms (formerly DVPP forms).

We have attached a summary of all the form changes to print out and share with facilitators.

Implementation support

We understand there has been a lot of information coming your way and it will take time to become familiar with the programme and process changes in the Act. We also know it will take time for the community to adjust to the new information sharing protocols and guidance from the Ministry of Justice and Oranga Tamariki. More information is available on the Ministry of Justice website.

To assist with the changes for programme providers, we will be providing a range of on-site support, stakeholder meetings, teleconferences and web-based support over the next six months. You can expect regular contact from your contract manager, and we welcome your questions and feedback about how we can best support you and the team.

Contract update

We will be sending you a letter before 1 July 2019 to confirm your existing contract covers delivery under the new Act. A detailed contract variation will be issued in the next few months to capture changes to legislative references, processes or specifications and to include any existing variations to your contract.

Approval of facilitators

We understand some providers would prefer the option to approve some facilitators just for assessments or programme delivery, rather than our current process that requires facilitators to be approved for both.

From 1 July you can do separate facilitator approvals for the two functions. You can approve a facilitator to do assessments only, or programme facilitation only, or for both. We will amend the resources in the Code of Practice to reflect this change. The approval criteria will still require all facilitators to have a core understanding of the Act and programme requirements, but recognises the specific skill set of each function may be different.

Police Safety Orders – the new assessment service is not due to start until 2020

Under the Act, Police will be able to direct bound people to attend a risk and needs assessment once the new service is in place. This new provision is being tested in three sites across New Zealand currently. The

results of the test will inform a national roll out of the new risk and needs assessment service in 2020. Police will not direct clients for assessments until this is in place.

Safety programmes: Children can access programmes independently

From 1 July, children will be able to request a programme without it having to go through the protected person. We have amended the request for a programme form (FV3a) to include this as an option. We will also be providing practice guidance in the next iteration of the Code of Practice. The key things to know are:

- We expect low numbers of children to request programmes independent of the protected adult.
- The usual consent processes and consideration of guardianship issues will need to be considered. Who are they living with, who else needs to know they are seeking support, are they old enough to be making independent decisions?
- Contact by a respondent to a child programme provider should be with the consent of the applicant/protected person as the child is covered under the non-contact provisions unless the court or protected person has given written permission for contact.

Safety Notifications: Now includes safety programme providers

The current legislation limits safety notifications under the Act to non-violence programme providers. From 1 July, the new Act includes safety programme providers – this means that all providers must submit safety notifications where there are *grave or escalating safety issues that are in addition to the issues that led to the protection order*.

The Act also requires providers to notify Police National Headquarters and the referring Court. In practice, this will mean sending notifications to the local Police co-ordinator, Court (DV Programmes) and Police headquarters. The national Police HQ email is on the new forms. In practice notifying local Police already happens in most instances.

There are now two safety notification forms – one for non-violence and one for safety programmes. The FVPP01A is for safety programmes and the FVPP01B is for non-violence programmes.

FVPP forms

Facilitators will notice there are some significant changes to some forms. We have added more explanation to the top of the forms and have included a summary of the changes below. We have also taken the opportunity to update some of the forms to more accurately reflect usage and to attend to some formatting improvements.

The new forms will be on the Ministry of Justice website from 1 July. You will need to use these from 1 July so please encourage facilitators to discard old forms and folders and use the new ones. This is especially important for the non-compliance form (FVPP04). You will also notice that 'not participating fully' is now included on the non-compliance form as it is being treated a little differently in the new legislations.

Shelley Barwick and the DV Programmes team will be working alongside your contract manager and the Safety Services team to give you the information and support you need to embed the changes to process and practice over the next few months.

Mauri Ora, Sebastian and the Safety Services Team