

DOMESTIC VIOLENCE PROVIDER UPDATE | MARCH 2019

DVPP forms all updated, Police vetting, Safety Programme assessments, FAM and CRI numbers, NVP Progress reports, NVP high and complex programmes and Dual referrals

This update is essential reading for all approved MoJ programme facilitators.

Please share with your team.

Ngā mihi nui ki a koutou katoa

This is our second provider update since the new contracts came into effect. This one is critical reading for all facilitators as there have been changes to all the DVPP client forms you send to the court.

In this update we cover:

- **Updates to DVPP forms and processes**
- **Police vetting of facilitators**
- **Safety programme assessments**
- **Use of FAM and CRI numbers**
- **Progress reports for NVP Criminal Court referrals**
- **NVP additional hours for high and complex need clients**
- **Dual referrals**

This update also serves as an interim update to the Code of Practice and replaces the planned update we had signalled for the end of last year.

A comprehensive Code update will be issued prior to 1 July 2019 to align with the new Family Violence Act 2018 coming into force.

We are aware that some providers have had staffing changes since the first update, so we have included material from the July 2018 update to create a single document.

Because these updates will affect your daily interaction with the courts it is recommended that you file them with your Code of Practice and make them accessible to everyone in your organisation.

Thank you for your patience and understanding as you have adjusted to new contracts and changes in contract managers.

Our team is in the process of another round of visits to ensure we are supporting you to understand the contracts, processes and systems that underpin the work with our communities. We will go over the content of this update with you on your next visit.

Please contact your contract manager if you have any questions.

Mauri Ora

Jools and the Safety Services Team

DVPP forms – changes and compliance

Our DVPP forms have all been updated and will be available on the Ministry of Justice website later this week. You can continue to use the existing forms until the new ones are uploaded. Once the new forms are live, please delete earlier versions of the forms that may be stored on your computers.

PDF versions of the forms are included with this update, so you can make yourself familiar with them before they go live on the Ministry of Justice website.

Most of the forms have had minor amendments to remove references to the Domestic Violence Act 1995, change signature requirements, alter online functionality and clarify meaning. The new forms also include more explanations on how to complete them.

Most forms won't need a signature, just the facilitator name. Where a signature is required you will still need to sign, scan and send the form. Major changes to non-violence programme assessment forms and safety programme change forms are outlined below.

All forms are used to update the court data bases and are a critical aspect of contract compliance. We do expect all facilitators to be familiar with the forms and ask you to make sure everyone knows how to fill them in correctly. The DVPP forms can be found at <https://www.justice.govt.nz/about/lawyers-and-service-providers/service-providers/domestic-violence-service-providers/>.

CHANGES TO THE NON-VIOLENCE PROGRAMME ASSESSMENT OUTCOME FORMS

The current non-violence programme assessment outcome forms allow for Terms of Attendance settled (DVPP2A) or Terms of Attendance Not Settled (DVPP2B). We now have three different outcome forms as detailed below:

DVPP02A Terms Settled - amended form

A new sentence has been added to the confidentiality provisions advising that providers will share attendance registers of joint programmes funded by the Ministry of Justice (MoJ) and the Department of Corrections (Corrections). This information is used to reconcile provider invoices.

The form has also been modified to clarify there are three different assessment outcome forms.

The DVPP02A still needs to be signed by the client and facilitator before submission to the court.

DVPP02B Terms not settled – amended form

The DVPP02B form has been amended to clarify the difference between deferral and not settling. The form has been edited to clarify the reasons for not agreeing terms.

DVPP02C Deferral of programme – new form

The DVPP02C form records agreement between the client and facilitator to defer an assessment and programme until the client has begun treatment for alcohol, drug or mental health issues.

While deferral has always been a potential outcome, and the prior version of the DVPP02A has allowed this to be recorded, in practice this has not been clear enough for providers and has not recorded enough detail for the courts.

The new form includes clearer information about the treatment being sought and what date the respondent will return for further assessment. It also informs the respondent that non-attendance at the future agreed appointment will result in non-compliance notices to the courts.

Facilitator and client signatures are required on the form.

CHANGES TO RE-ENGAGEMENT PROCESS AND FORM FOR NON-VIOLENCE PROGRAMME PARTICIPANTS – DVPP16

The new re-engagement process allows clients to re-engage within three months of the court referral being closed. The change has been made after feedback from courts and providers that the current process creates barriers and time delays to re-engagement with clients who may be motivated to attend.

Under the previous process a client could only re-engage within two weeks of the court referral being closed because of a client failing to attend an assessment or repeatedly failing to attend sessions.

The new process allows re-engagement at the point of client motivation without the need to re-serve the programme direction. It also requires providers to formally notify the court when they do re-engage (there have been many instances where DV programmes only find out about clients re-engaging when a completion report is submitted).

The new form and process allows a longer timeframe for re-engagement and clarifies the provider and client responsibilities in this process.

- Re-engagement is permitted within 3 months of file closure
- Court processing of previous non-compliance notices will continue
- Client and facilitator signatures are required to confirm the agreement
- DV programmes will send a new referral with the agreed assessment details to the provider and client
- The client assessment and programme are treated as new in terms of payment schedules
- The client must attend a new assessment to confirm terms of attendance
- Assessments can be short, medium or long dependent on need.

REQUESTING EXTENSIONS OR CHANGES TO SAFETY PROGRAMMES – DVPP10

The new DVPP10 form clarifies the extension or change process and confirms agreed processes between our team and the courts. The new process will also provide clearer data on programme completions and repeat requests.

Requests for a safety programme can be made at any time the protection order is in force. The outcome agreement and Code of Practice detail a maximum number of hours funded per programme, but there is no limit to the number of times a protected person can request a programme. The protected persons right to request an additional programme for themselves or their children is unchanged.

Extension to existing programme: An additional 5 hours per individual programme, or 5 additional group sessions can be requested and funded under one referral. When an extension to an individual programme has been granted, the provider should note this on subsequent invoices.

Requesting a full repeat programme: Where a full repeat programme is requested, the current referral must be closed by a completion notice and a new request made to the court. The DV3a should detail why an additional programme is being requested. When the new referral is received a short assessment is completed and reported back to the courts to redefine the current client need and format of programme.

Police vetting of facilitators

Some requests for police vetting have been being denied by the police vetting service, with providers being told the role they have selected is no longer vetted. The correct process for submitting a vetting request is to select the primary role as 'Other.' When the form asks if the vetting request is mandatory under the Vulnerable Children Act 2014 (VCA), select 'Mandatory VCA' and then select 'Core Worker.' This will ensure that the vetting applications are submitted as a Clean Slate check under the VCA, which will mean that any VCA convictions will override Clean Slate and be released.

Please add into the roles field either 'RJ' or 'DV Programme Facilitator' which will alert police vetting to these types of checks. If you want to add another role, such as Support Worker, include the phrase in brackets after the role.

Using Safety programme assessments

Every adult is entitled to a long assessment. Every group of siblings under the same referral is entitled to one long assessment and a short assessment for each of the other children.

If the client is unknown to your service, or there are complex needs, we expect a long assessment (5 hours) to be completed.

The July 2018 update included scenarios to help you decide the appropriate mix of long and short assessments.

- A **LONG** assessment and intervention. We expect a long assessment to be performed where the client is unknown to your service or there are complex needs. It includes a comprehensive risk assessment followed by the development of safety strategies and linking the family/whānau to wider support services. This is funded as a fixed fee of 5 hours (including preparation and reporting) and you are expected to spend a minimum 4 hours face-to-face or on the phone.

- A **SHORT** assessment will usually provide you with all the information needed to proceed with a programme if you are already engaged with a client, or a referred child is known to you through your contact with the parent. The client file should always reference any other prior assessment or services the client is attending with you.



FAM and CRI numbers

When a client has both FAM (Family Court) and CRI (Criminal Court) numbers on the referral letter, please include both numbers in email subject lines and DVPP forms sent to the court. Putting both numbers in emails and on forms helps the DV programmes team capture accurate information.

Progress reports for Criminal Court referred NVP clients

Some courts are asking for progress reports as part of the monitoring of clients referred pre-sentence to non-violence programmes (these clients will have a CRI prefix on the referral number).

We have amended a current progress report that is in use in some centres and have attached for your use. If you are using an alternative format that works for you and the courts, there is no need to use the new form.

Most courts seeking an update will send the request for an update from their local court email. These forms are to be sent to the appropriate criminal court. Providers can give a copy of the report to their client who can share the report with their lawyer.

Approving additional 15 hours for complex and high need NVP

You can settle terms for up to 25 hours individual work with clients who have complex and high needs. You will need to identify the need for the longer programme at the assessment stage to allow the terms

of attendance to reflect the need. You will also need an internal documented process for approving the higher number of sessions. See the Code of Practice for more details.

Dual referrals (Clients referred from MoJ and Corrections)

Providers may receive referrals for the same client from both agencies because Justice and Corrections programmes are authorised from different legislative sources. Clients may be required to attend more than one programme, either as a condition of their community or custodial sentence, or due to a Court direction to attend a programme. It is important to note the referrals may relate to different victims and offences.

Where a provider identifies a client as a dual referral, they need to get signed consent from the client giving permission to share the assessment outcome, attendance, safety notifications, and the completion report with both agencies. If the client does not give permission to share information, they will have to attend both the Ministry of Justice and Department of Corrections programmes.

Different responses need to be taken depending on the timing of a dual referral and how far providers have worked through an assessment or programme with a client when they receive the second referral.

Scenario	Actions
1. Client is attending a Corrections programme then is directed to attend a MoJ programme.	<ol style="list-style-type: none"> 1. Continue with client on Corrections programme. 2. Undertake a short Justice assessment to assess risk and determine whether additional sessions will be needed to address their risks and needs (anything from a few sessions to a full programme). 3. Send Terms of Attendance DVPP form to DV programmes. Invoice and report to Justice only on the additional Justice sessions agreed. 4. Send relevant DVPP forms to DV programmes with copies to Corrections.
2. Client is attending a MoJ programme and Corrections sends you a referral for the same client.	<ol style="list-style-type: none"> 1. Inform Corrections the client is on a Justice programme and seek direction re next steps: 2. In most instances, you will continue the Justice programme and send relevant weekly reports to Corrections and copies of DVPP forms. 3. In some instances, you will complete a short assessment invoiced and reported under the Corrections contract.