

Jan Logie MP

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

Proactive release – Process for developing a national strategy for eliminating family violence and sexual violence with Interim Te Rōpū

Date of issue: 3 November 2020

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

Some information has been withheld on the basis that it would not, if requested under the Official Information Act 1982 (OIA), be released. Where that is the case, the relevant section of the OIA has been noted and no public interest has been identified that would outweigh the reasons for withholding it.

No.	Document	Comments
1	Process for developing a national strategy for eliminating family violence and sexual violence with Interim Te Rōpū <i>Cabinet paper</i> Office of the Parliamentary Under-Secretary to the Minister of Justice (Domestic and Sexual Violence Issues) 7 August 2019	Some information has been withheld in accordance with section 9(2)(g)(i) of the OIA to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of a public service organisation. No public interest has been identified that would outweigh the reasons for withholding it.
2	Process for developing a national strategy for eliminating family violence and sexual violence with Interim Te Rōpū <i>Cabinet Minute: SWC-19-MIN-0095</i> Cabinet Office Meeting date: 7 August 2019	Released in full.

In Confidence

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

Chair, Cabinet Social Wellbeing Committee

Process for developing a national strategy for eliminating family violence and sexual violence with Interim Te Rōpū

Proposal

1. I am presenting for your consideration the process to develop a consultation draft of the national strategy for eliminating family violence and sexual violence that gives effect to the Māori/Crown relationship.

Background

2. In 2018, Cabinet [SWC-18-MIN-0037 and SWC-18-MIN-0117 refer] agreed the Joint Venture would lead the development of a national strategy and action plan that reflects the Government's commitment to prevent and eliminate family violence and sexual violence, engaging with a wide range of stakeholder perspectives in the development of the national strategy. This responds to pervasive family violence and sexual violence, its impacts on whānau, iwi, and communities, particularly on child and youth wellbeing, and the severity of its inter-generational consequences.
3. The national strategy and action plan are to clarify the desired future state, the most critical strategic objectives, and collective performance indicators, helping each social sector agency see the part it plays alongside others in achieving these objectives. To ensure the documents reflect the aspirations of all New Zealanders, they will be developed through open and engaging processes.
4. As part of its decisions, Cabinet established Interim Te Rōpū, a key role of which is "to develop the national strategy and action plan in partnership with the Crown... engaging with and reporting back to iwi, hapū and whānau, including Māori organisations". This recognises the disproportionate burden of harm from family violence and sexual violence experienced by Māori and the need to build a more effective Māori-Crown relationship that delivers improved outcomes in line with *Te Tiriti O Waitangi*.
5. This work contributes to the Government's wellbeing agenda. It aligns with the forthcoming Child and Youth Wellbeing Strategy; child poverty reduction work; Hāpaitia te Oranga Tangata - Safe and Effective Justice; Oranga Tamariki's operating model and action plan; and the Government's response to the Mental Health Inquiry.
6. To prepare for the next phase, officials have gathered perspectives of sector and other stakeholders. They have reviewed the findings and recommendations of previous reports, including those in related areas, and research on lived experience. They have reviewed data and are working on indicators with the Chief Science

Advisors and contributing to related strategies, such as the Child and Youth Wellbeing Strategy.

Proposed process for reaching agreement on a draft national strategy

7. This paper outlines how a consultation draft of a national strategy will be developed to reflect a Māori/Crown relationship. A subsequent paper will seek Cabinet agreement to the consultation draft, the process for wider engagement and strategy finalisation.
8. Interim Te Rōpū have a critical role to play in working with the Crown to develop the national strategy. The level of engagement with Interim Te Rōpū is towards the more significant end of engagement for a Crown Māori relationship to reflect Cabinet's commitment to the Māori/Crown relationship in this mahi and aligns with principles for Māori engagement agreed by Cabinet [CAB 19-MIN-0077]. It responds to the significant extent to which Māori interests are affected by issues associated with family violence and sexual violence, which is identified as a priority issue in the Mana Wāhine Kaupapa Inquiry. It is in line with the Crown's approach to this Inquiry, which is to seek opportunities to make early progress on issues raised, working in collaboration with wāhine Maori.
9. I propose a staged approach to strategy development, starting with the Interim Te Rōpū draft strategy, which they presented to me in July 2019. Ministers, the Joint Venture agencies and Interim Te Rōpū will then reach agreement on a draft national strategy for consultation, before wider engagement occurs.
10. The Crown will need to invest the time required to get to a point of jointly understood problems, a mutually workable process and joint decision-making. My intent is to take the time required to fully undertake this work together. I consider this approach is fully justified and will be more effective in the long-run than more arms-length consultation.
11. The proposed process is:

July	Interim Te Rōpū presented a draft strategy to me.
August	Joint Venture agencies receive the document and begin working with it.
August/September	Joint Venture Ministers meet Interim Te Rōpū to discuss their proposed direction, determining areas of agreement and issues for further work.
Sept/Oct	Interim Te Rōpū and representatives of Joint Venture agencies undertake further work as needed and develop the process for wider engagement, with a further Ministers' meeting on outstanding issues if needed.
23 October	Cabinet considers a paper seeking agreement to the draft and the process for wider engagement, following which wider engagement will take place.
December	Strategy is completed for Ministerial consideration, aiming to feed into Budget 2020 proposals.

12. The engagement process will be designed in close consultation with Interim Te Rōpū and Te Arawhiti. Particular attention will be paid to ensuring the process adheres to principles for building closer engagement with Māori and builds towards the establishment of a strongly functioning enduring form of Te Rōpū in the future.
13. Following Interim Te Rōpū agreement and Cabinet endorsement, wider engagement on a draft national strategy will occur so that all stakeholder perspectives shape the final national strategy. These include whānau impacted by violence, children and young people, disabled people, older people, rainbow, ethnic and migrant communities, and Pacific peoples. The process will be designed to be open, accessible and engaging.
14. I have tested this approach with Interim Te Rōpū, the Minister for Māori Crown Relations, and Joint Venture Ministers and have their support.

Next steps and risks

15. While the above process is underway, officials will work on action plan development and Budget packages (for example Budget 2020 and Budget 2021). This will include ensuring alignment with related strategies and work programmes.
16. There is a risk that it takes longer to work through to agreement with Interim Te Rōpū than proposed in the above table. If this occurs, I intend to manage the risks as far as possible by working with my Joint Venture Ministerial colleagues at the level of intensity needed to work through the issues in a timely manner, but deferring wider consultation if needed. Were this to occur, the initial action plan and Budget 2020 would only partially reflect the ultimate priorities and direction of the national strategy. We would then expect Budget 2021 to reflect them more fully.

17. s9(2)(g)(i)

Consultation

18. This paper has been prepared by the Joint Venture Business Unit on behalf of and with input from Joint Venture agencies: Ministry for Children—Oranga Tamariki, Ministry of Education, Ministry of Health, Ministry of Justice, Ministry of Social Development, the Accident Compensation Corporation, Department of Corrections, Te Puni Kōkiri, New Zealand Police, and the Child Wellbeing Unit of the Department of Prime Minister and Cabinet. In addition, the following agencies have been consulted on this paper: Ministry of Business Innovation and Employment, Ministry for Pacific Peoples, Ministry for Women, Te Arawhiti, Office of Ethnic Communities, State Services Commission, the Office for Disability Issues, and the Treasury.

Financial Implications

19. There are no financial implications at this stage as costs will be met within baselines.

Legislative Implications

20. This paper has no direct legislative implications.

Impact Analysis

21. A regulatory impact or compliance cost statement is not required.

Human Rights

22. Implementing a strategy and action plan to eliminate family violence and sexual violence assists the Government to meet its human rights obligations in 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.

Gender Implications

23. Family violence and sexual violence are gendered in terms of victimisation, perpetration and impacts. Women are nearly twice as likely as men to suffer serious harm from partner abuse and are more likely to be killed by a partner. 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. Recognising gendered patterns of violence is not intended to negate experiences of male victims.
24. Māori women, Pacific women, young women, women on a low income, rainbow women, gang women and disabled women are at a higher risk of experiencing family violence than other women and are more likely to experience secondary victimisation when seeking help. Family and sexual violence have a significant impact on women's physical, psychological, sexual, reproductive, and spiritual wellbeing. Engagement with women, and Māori women in particular, is contributing to the development of the draft strategy and will be a key part of wider engagement.

Disability and Older People's Perspective

25. 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. In New Zealand, it is estimated that one in ten older people experience abuse or neglect from a family member or carer. Some older people are more vulnerable to abuse due to poor health, frailty or mental incapacity. Abuse of disabled people is less likely to be reported or identified. Disabled people's experiences of family violence are unique and occur in wider range of contexts. Targeted engagement with disabled people will be part of the broader engagement process and informed through consultation with the Office for Disability Issues and members of the disability community.

Children's and Young People's Perspective

26. Children report experiencing family violence or sexual violence at over twice the rate of adults, with higher rates for Māori and Pacific children. There are life-long impacts on development, ability to learn, literacy, numeracy, attitudes to risk, and anti-social behaviour, creating an intergenerational cycle of further disadvantage and violence (as victims and as perpetrators). Abuse of children is less likely reported or identified because of reliance on family members to do so on their behalf. While our child protection system intervenes for children at greatest risk of harm, many more children and young people needing help and support are unlikely to access services they need.
27. Targeted engagement with children and young people will be undertaken and will be informed through consultation with the Office of the Children's Commissioner, the Child Wellbeing Unit in the Department of Prime Minister and Cabinet, and Children's Agencies. There are likely to be significant areas of intersection with the Child and Youth Wellbeing Strategy, and for this reason officials are working closely together to ensure the two strategies align in support of outcomes for children.

Other populations

28. Broader engagement on the draft national strategy will also be designed to capture the unique experience and perspectives of members of rural communities, Pacific communities, and other ethnic communities, rainbow communities and other groups. The Joint Venture will liaise with relevant agencies and members of community groups to ensure appropriate engagement processes are employed.

Publicity and Proactive Release

29. I intend to proactively release this Cabinet paper as soon as possible in accordance with proactive release guidelines.
30. Further advice on publicity about the development of the draft National Strategy will be provided separately.

Recommendations

The Parliamentary Undersecretary (Domestic and Sexual Violence Issues) recommends that the Committee:

- 1 **Note** that in 2018 Cabinet [SWC-18-MIN-0037 and SWC-18-MIN-0117 refer]:
 - 1.1 agreed the Joint Venture would develop a national strategy and action plan that reflects the Government's commitment to prevent and eliminate family violence and sexual violence, engaging with a wide range of stakeholder perspectives in development of the national strategy;
 - 1.2 established the Interim Te Rōpū, a key role of which is "to develop the national strategy and action plan in partnership with the Crown engaging with and reporting back to iwi, hapū and whānau, including Māori organisations";
- 2 **Note** Interim Te Rōpū presented a draft strategy to the Under-Secretary in July 2019;

- 3 **Note** Joint Venture Ministers will meet with Interim Te Rōpū in August or September 2019 to discuss the draft, following which Joint Venture Ministers, officials and Interim Te Rōpū will further work as needed to reach agreement and develop the process for wider engagement;
- 4 **Note** the Under-Secretary will bring a paper to the Cabinet Committee on 23 October 2019 seeking agreement to the draft strategy and the wider engagement process;
- 5 **Note** the risk that agreement with Interim Te Rōpū will not be achieved in the planned time-frame, and that the Under-Secretary and her Joint Venture Ministerial colleagues will make best efforts to enable this to occur;
- 6 **Note** the Under-Secretary has tested this approach with Interim Te Rōpū, the Minister for Māori Crown Relations, and the Joint Venture Ministers and has their support;
- 7 **Note** the process aligns with Māori engagement principles agreed by Cabinet [CAB MIN 19-0077];
- 8 **Note** that following agreement with Interim Te Rōpū, and Cabinet endorsement, engagement on a draft national strategy will take place with a wide range of stakeholders, including whānau impacted by violence, children and young people disabled people, older people, rainbow, ethnic and migrant communities, and Pacific peoples; and
- 9 **Note** that the Under-Secretary intends to proactively release this Cabinet paper as soon as possible in line with proactive release guidelines.

Authorised for lodgement

Jan Logie MP

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



Cabinet Social Wellbeing Committee

Minute of Decision

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

Developing a National Strategy for Eliminating Family Violence and Sexual Violence with Interim Te Rōpū

Portfolio **Justice (Domestic and Sexual Violence Issues)**

On 7 August 2019, the Cabinet Social Wellbeing Committee (SWC):

- 1 **noted** that in 2018, SWC:
 - 1.1 agreed that the Joint Venture would develop a national strategy and action plan that reflects the government's commitment to prevent and eliminate family violence and sexual violence, engaging with a wide range of stakeholder perspectives in development of the national strategy;
 - 1.2 established the Interim Te Rōpū, a key role of which is "to develop the national strategy and action plan in partnership with the Crown engaging with and reporting back to iwi, hapū and whānau, including Māori organisations";
- [SWC-18-MIN-0117]
- 2 **noted** that the Interim Te Rōpū presented a draft strategy to the Parliamentary Under-Secretary to the Minister of Justice (Domestic and Sexual Violence Issues) (the Under-Secretary) in July 2019;
 - 3 **noted** Joint Venture Ministers will meet with the Interim Te Rōpū in August or September 2019 to discuss the draft, following which Joint Venture Ministers, officials and Interim Te Rōpū will further work as needed to reach agreement and develop the process for wider engagement;
 - 4 **noted** that the Under-Secretary intends to bring a paper to SWC in October 2019 seeking agreement to the draft strategy and the wider engagement process;
 - 5 **noted** that there is a risk that agreement with the Interim Te Rōpū will not be achieved in the planned time-frame, and that the Under-Secretary and her Joint Venture Ministerial colleagues will make best efforts to enable this to occur;
 - 6 **noted** that the Under-Secretary has tested this approach with the Interim Te Rōpū, the Minister for Māori Crown Relations: Te Arawhiti, and the Joint Venture Ministers, and has their support;

- 7 **noted** that the proposed process aligns with Māori engagement principles agreed by Cabinet [CAB-19-MIN-0077];
- 8 **noted** that following agreement with Interim Te Rōpū and Cabinet's endorsement, engagement on a draft national strategy will take place with a wide range of stakeholders, including whānau impacted by violence, children and young people disabled people, older people, rainbow, ethnic and migrant communities, and Pacific peoples.

Gerrard Carter
Committee Secretary

Present:

Rt Hon Jacinda Ardern
Hon Grant Robertson
Hon Dr Megan Woods (part of item)
Hon Andrew Little
Hon Carmel Sepuloni (Chair)
Hon Dr David Clark
Hon Nanaia Mahuta
Hon Stuart Nash
Hon Kris Faafoi
Hon Tracey Martin
Hon Willie Jackson
Hon Aupito William Sio
Hon Poto Williams
Michael Wood, MP
Jan Logie, MP

Officials present from:

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

Hard-copy distribution:

Parliamentary Under-Secretary to the Minister of Justice

PROACTIVELY RELEASED