

To: Family Violence Risk Assessment and Management Framework
Ministry of Justice
(Emailed to familyviolencerisk@justice.govt.nz)

From: Birthright New Zealand

Date: 15 September 2016

A Common Approach to Understanding Family Violence Risk Assessment and Management: A discussion document for consultation

1. About Birthright New Zealand and its Affiliates

1.1 Birthright New Zealand (BRNZ) ¹ has been operating in New Zealand (NZ) for over 50 years. Birthright works to strengthen and enrich the lives of children and families. We specialise in working with families led by one person. Our vision is nurtured, resilient, inspired children and families.

1.2 Birthright NZ is a charitable trust with 11 independent Affiliate organisations throughout NZ providing a strong interwoven web of organisations supporting children and families within the context of their local community.

1.3 Affiliate organisations work with children and families with a wide variety of needs, and deliver a range of social services. They assess needs, provide social work services and also work closely with other community service providers to ensure children and families who require support can access appropriate services.

1.4 Affiliate organisations vary in size and therefore the range of services offered. Where services are not offered directly, our organisations are often a referral point to other services.

1.5 Feedback from our Affiliate organisations is that a significant number of our clients (estimated up to 50% of families in some areas) are impacted by family violence².

2. General Comments

2.1 BRNZ welcomes the opportunity to comment on the discussion document and applauds the Minister of Justice for prioritising action on this issue and her commitment to addressing the high rates of family violence within our communities.

¹ www.brnz.org.nz

² Although we have used the term “family violence” in our response to reflect the language of the discussion document, please note our comments in our feedback on definitions of family violence and the shortcomings of using a “catch all” phrase to describe violence against the individuals affected.

2.2 We recognise developing a consistent approach to understanding family violence risk assessment and management is a critical step. There is a need to ensure greater understanding, identification, safety, and support for victims of family violence. We welcome guidance to agencies on how to respond to family violence victims and perpetrators in a way that is comprehensive and appropriate to their level of risk and tailored to their needs.

2.3 We believe an overarching strategy to address the root causes of family violence is necessary. A strategy should include:

- i. An understanding of the context within which family violence takes place. This includes addressing environmental impacts by developing initiatives to address:
 - Poverty and over-crowding,
 - Unemployment and pressured job situations,
 - Prevention and treatment for drug and alcohol consumption.
- ii. Greater investment in early intervention and preventative education. This would include investment in parenting programmes, and communication and conflict management skills. These will only be effective in adequately resourced and evaluated.
- iii. Wider community involvement in driving attitudinal change across socio-economic groups in relation to: attitudes towards women and to the more vulnerable members of our society including children, those with disabilities, and the elderly.

2.4 We note that it is also imperative to have in place adequately resourced specialist family violence services and other services to enable effective intervention. Timely access to quality specialised services after screening and risk assessment is essential. Such resources would include, but are not limited to the following:

- i. A greater focus on the perpetrators of family violence with more compulsory support programmes, including anger management and counselling that include consequences for non-attendance that go beyond the 12 weeks and provide an ongoing support mechanism,
- ii. Resourcing to promote a better understanding on how to support 'victims', work with 'perpetrators,'
- iii. Emergency housing, including appropriate safe housing for families with children, the elderly, and the disabled,
- iv. Specialist alcohol and drug services,
- v. Specialist mental health services.

2.5 We support a child centred approach being taken in relation to family violence and parenting arrangements. This should include:

- i. Protection of a child from all forms of violence as a primary consideration,
- ii. Acknowledgement of the impact and vulnerability of children who witness intimate partner violence and other forms of family violence,
- iii. Building more safeguards for children into parenting arrangements e.g. ensuring any history of family violence is reviewed when considering arrangements with wider family and building in review processes,

- iv. Enabling child specialist involvement (e.g. social worker, psychologist or lawyer for the child) in ensuring the best interests of the child are given primacy in making parenting arrangements,
- v. Provision of greater access to parenting information and support for parents.

3. Specific Comments

The following comments are made in relation to the questions posed under the main headings in the discussion document.

3.1 A framework for assessing and managing family violence risk

- i. We support greater recognition that the victims of family violence are also those who witness the violence, particularly as these victims are most commonly children.
- ii. We suggest that there should be greater recognition of the reduced capacity of many victims to protect themselves (including disclose what is happening) for reasons of age, disability or psychological harm caused by the perpetrator.
- iii. We agree that family violence is not only about physical violence. Family violence has a variety of different forms including physical and sexual abuse, economic and financial abuse, and psychological and emotional abuse. We support a family violence definition that recognises and names the wider forms of abuse that occur.
- iv. We understand the starting point for an assessment in the consultation document is identifying “coercive and controlling behaviours”. These are often the behaviours which result in police and/or refuge intervention and are reflected in the statistics. We acknowledge the importance of screening and assessment to address this.
- v. We agree that family violence is complex and agree that further research in a New Zealand context would be useful. It is often the longer term impact of psychological and emotional abuse that Birthright Affiliate organisations work with in their communities. This type of abuse frequently goes unreported, may be viewed as ‘low level’ violence, may be parent to child or sibling to sibling, and may equally be carried out by women to children particularly as they are often the primary caregiver. It may also include the abuse of or threat of abuse to a family pet.
- vi. We believe psychological and emotional abuse require greater recognition due to their prevalence and impact, and hope the definition provided in the discussion document does not lose sight of this.
- vii. We agree that a new, wider definition of the complexity of family violence needs to be accompanied by training for individuals and agencies working with families. We agree that family violence *‘directly contributes to and accompanies a wide range of health (physical, sexual and mental) and social*

issues (such as employment and education) along with other sources of vulnerability (such as disability). It therefore requires an investment in a diverse range of services which support families to prevent and / or address patterns and dynamics which lead to emotional and other forms of violence and abuse. This includes support for vulnerable families, parenting skills programmes (which include learning appropriate ways to discipline), and programmes providing adults with skills in conflict resolution.

- viii. We support a definition of family violence that makes explicit reference to family violence being a human rights violation against the individual i.e. against children, the disabled, women, men, the elderly etc.

3.2 Screening and identification of family violence

- i. Although Birthright Affiliate member organisations currently have screening and risk assessment processes, we support the provision of a screening tool based on best available local and international evidence to guide this work.
- ii. We agree that the ability to identify patterns and indicators over time is important and that screening is not a one-off event. Disclosure is usually made in a relationship of trust once rapport and empathy have been built with the individual so that they are comfortable sharing. This is rarely during the first interview or session. For example, fear of removal of their children, or the possible negative impact of police intervention can prevent early disclosure.
- iii. The ability to be culturally responsive adds an additional layer of complexity to screening and risk assessment. To ensure risk assessment is effective with hard to reach families this requires attention in the development and delivery of screening tools.

3.3 Risk Assessment

- i. Engagement. In order to ensure risk assessment is effective, our concerns are in the way reports are responded to i.e. when a report is received from Police, and followed up by a family violence agency, the extent to which the agency is able to 'engage' those involved. Some areas felt that screening and assessment are well covered in the training already available. However there is a need for better understanding of how to support 'victims' and how to work with 'perpetrators.' Guidance on protocols and approaches when people do not engage or maintain their engagement, and specific training in relation to managing the related risk, would be useful.
- ii. Information sharing and orders. We note when protection orders are issued, greater coordination to ensure relevant agencies are notified would be useful

- iii. We believe it would be useful for Police to be able to refer a perpetrator to services such as short-term housing and support when Police Safety Orders are issued. Also to be able to support the victim to apply for a protection order (or enable a third party to support them to do this where a victim consents or does not object).

Thank you for the opportunity to comment on this discussion document.



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