

Zane Collins
Fyi-request 7456-2e1e3c20@requests.fyi.org.nz

Dear Mr Collins

Official Information Act 1982 request

I refer to your Official Information Act 1982 (OIA) request dated 15 March 2018 regarding Ministry of Justice non-violence programmes.

You have asked for:

- “The total number of respondents in the Family Court proceedings enforced to attend Non-Violence programmes per year from 2005 to 2018- grouped by gender
- The total cost per person and per total to attend Non-Violence programmes
- How many breaches were reported every year- non-compliance with the court order to attend a non-violence programme”.

On 6 April 2018, I wrote to you extending the time frame for responding to your request by 10 working days. I am now providing you with information in response to each of your requests, however there are some limitations on what the Ministry can provide to you. I have outlined these, and the applicable exceptions to the OIA, in relation to each of your specific requests.

Directions to attend Non-Violence Programmes 2005-2018

Tables One and Two (attached) outline the number of directions to attend non-violence programmes, however important points to note in relation to your specific request are:

- The Domestic Violence Amendment Act 2013 came into force on 1 October 2014 and with it brought some significant changes to how matters proceed and are managed by the Family Court. At this time, the Ministry introduced a new information management system that changed the way information was counted and reported. This means that from 2005 to 1 October 2014 the data provided in Table One relates to ‘*service provisions*’ resulting from directions in the Family Court for a respondent or associated respondent to attend a stopping violence programme. Service provisions should, but do not always, end up with a respondent being matched with a programme in the community, for example if court orders cannot be served on a respondent. Since 1 October 2014, the data (provided in Table Two) relates to ‘*referrals*’- these are service provisions that have been confirmed as referrals from the Family Court or District Court (criminal jurisdiction) to a non-violence programme provider. Please note that from 2008 a Judge could direct a person to attend a non-violence programme from one of the eight Family Violence Courts operating in the criminal jurisdiction- from 2014 this option has been available for all District Courts. Because the new systems and definitions came into effect

on 1 October 2014 the data for 2014 is split across the two systems/tables.

- The information provided is not broken down by gender. This aspect of your request is declined under section 18(f) of the OIA as the information cannot be made available without substantial collation or research, and accuracy could not be assured. The Ministry contracts with a range of providers who deliver non-violence programmes to both male and female perpetrators of family violence.

Cost of Non-Violence Programmes

Table Three (attached) outlines the total spend on non-violence programmes by the Ministry since 2005, however I am unable to provide a total cost per person as requested. This aspect of your request is declined under section 18(g)i of the OIA as the information is not held by the Ministry.

Non-violence programmes have a Fee for Service funding model, which means the cost per person is entirely dependent on how the programme is structured for each participant. A provider completes an assessment for every client referred to determine what, if any programme is appropriate. This is based on several factors including the level of risk and need identified. There is a fixed fee for an assessment of \$660.00.

If a client is placed on an individual programme a provider can deliver up to 15 programme sessions (excluding the assessment). There is a fixed fee of \$110 per hourly session.

If a client is placed on a group programme a provider can deliver a programme of a minimum of 25 hours and up to 52 hours (excluding assessment). In addition, up to four individual sessions can be provided to clients undertaking a group programme. Another point to note is that the Ministry pays programme providers different rates depending on how many clients are in a group- as this determines if one or two facilitators are required to deliver an effective programme.

Non-compliance with Non-Violence Programmes

Table Four (attached) outlines the number of notices the Ministry has received from programme providers regarding clients failing to attend an assessment appointment or programme session. The data provided relates to information held since the Domestic Violence Amendment Act 2013 came into force on 1 October 2014. I am unable to provide information from 2005 to 30 September 2014 and this aspect of your request is declined under section 18(g) of the OIA as the information is not held by the Ministry. While programme providers were required to submit non-compliance notices to Courts during this period information was not consistently recorded electronically. This made it difficult for the Ministry to report on non-compliance during this period.

The Ministry takes non-compliance with directions from the Court very seriously, however please be aware that:

- A non-compliance notification does not mean the client did not go on to satisfactorily complete the programme as directed by the Court. Clients who fail to attend the first assessment session often then engage with the provider to commence the service and those who fail to attend a scheduled programme session have the opportunity to undertake a 'make-up' session with the programme provider.
- The volume of non-compliance notices cannot be compared with the volume of referrals in a particular period. An individual may have had more than one notice regarding their non-compliance filed with the Court during the period. Also, in many cases clients may have been referred to and started a programme in one year but failed without reasonable grounds to attend a programme session in the following year.

If you are not satisfied with the decision to decline specific aspects of your request, you have the right to complain to the Ombudsman under section 28(3) of the OIA. You can contact the Office of the Ombudsman by writing to PO Box 10152, Wellington 6143; calling 0800 802 602; or emailing info@ombudsman.parliament.nz.

Yours sincerely



Sarah Turner

Group Manager, Commissioning and Service Improvement, Operations and Service Delivery Group

Table 1: Number of Service Provisions initiated by the Family Court for Non-Violence Programmes 1 July 2005 to 30 Sep 2014

Financial Year	Service Provisions
2005/06	3,293
2006/07	3,550
2007/08	3,853
2008/09	3,927
2009/10	4,171
2010/11	4,122
2011/12	3,769
2012/13	3,735
2013/14	4,009
2014/15*	1,204

*Note Incomplete Financial Year

Table 2: Number of Confirmed Referrals initiated by the Family Court and District Court for Non-Violence Programmes 1 Oct 2014 to 31 Dec 2017

Financial Year	Confirmed Referrals
2014/15*	3,568
2015/16	5,473
2016/17	6,465
2017/18*	3,495

*Note Incomplete Financial Year

Data in Tables 2-4 relates to referrals initiated by both the Family Court and District Court criminal jurisdictions

Table 3: Total cost of Non-Violence Programmes 1 Jan 2005 to 30 June 2017

Financial Year	Total cost (\$)
2004/05*	843,949
2005/06	1,862,289
2006/07	2,186,972
2007/08	2,859,589
2008/09	3,578,300
2009/10	5,574,828
2010/11	5,529,603
2011/12	5,175,184
2012/13	5,332,002
2013/14	4,880,476
2014/15	4,017,992
2015/16	6,583,871
2016/17	7,061,474

*Note Incomplete Financial Year

Table 4: Number of Notices received for non-compliance with Non-Violence Programmes 1 Oct 2014 to 31 Dec 2017

Financial Year	Number of notices
2014/15*	1,294
2015/16	3,526
2016/17	4,148
2017/18*	2,741

* Note Incomplete Financial Year

