

DOMESTIC VIOLENCE PROVIDER UPDATE | MAY 2019

Family Violence Act 2018 implementation from 1 July 2019

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

Please share with your team.

Ngā mihi nui ki a koutou katoa

The Family Violence Act 2018 and the Family Violence (Amendments) Act 2018 are about to enter the next phase of implementation on 1 July 2019. With any new legislation, there are changes to processes, wording and systems, and we are working alongside other teams in the Ministry of Justice to make sure the implementation and transition goes as smoothly as possible. As you are one of our key stakeholders you will need to understand how the changes will affect your non-violence and safety programme delivery.

Implementation of the two new Acts is in two phases. Phase one took effect on 3 December 2018 and strengthened criminal law. Phase two takes effect on 1 July 2019 and strengthens family law by:

- * making improvements to court orders to keep victims safer and hold perpetrators to account
- * giving greater emphasis to coercive and controlling behaviour in the legal definition of family violence
- * providing principles to guide decision making
- * giving family violence offences greater visibility in the courts

- * removing legal barriers to information sharing between agencies to increase victims' safety

- * identifying Family Violence Agencies.

From 1 July the Family Violence Act 2018 replaces the Domestic Violence Act 1995.

Implications for programme providers

One of the most obvious changes is the need to change all relevant references in our material and forms from Domestic Violence to Family Violence – but we know you are also asking questions about information sharing, Police Safety Orders and more.

Please know we are working to make the transition as straight forward as possible and will be supporting you through the changes – and we don't expect everyone to understand and implement everything immediately!

- * There will be changes from 1 July, but there will also be a number of more substantive aspects that will be implemented gradually

- * We will be issuing a reference document that summarises the changes that relate particularly to you as programme providers

- * We do plan on having amended DVPP forms up on the website for 1 July (mostly language changes, e.g. reference to FV not DV)

* We will be making changes to our DV Programme Provider Code of Practice to incorporate the new language and process changes but the new version may not come out until August

* You will be sent any relevant contract variation that incorporates language or process changes

A third phase of implementation will embed two longer term changes. These are:

* Increasing support for people bound by a Police Safety Order (PSO). Testing of a risk assessment process for people bound by a PSO concludes in August 2019 and will then be rolled out at some future stage.

* The family court will be able to direct respondents to Protection Orders, through an assessor, to a wider range of services, such as drug and alcohol treatment. This will be included in the conditions of a Protection Order and is in addition to attendance at a non-violence programme.

We will provide you with more information on these changes in due course. In the meantime, please contact your contract manager if you have any questions.

Mauri Ora

Sebastian and the Safety Services Team