



Draft Cabinet paper – Sustaining a collaborative approach to support the whole-of-government response to eliminate family violence and sexual violence

Date: 23 August 2021 **Security Level:** IN CONFIDENCE
Report No: 2021/0241
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	Actions Sought	Due Date
Hon Marama Davidson, Minister for the Prevention of Family and Sexual Violence	Provide any feedback to officials	N/A
Hon Chris Hipkins, Minister for the Public Service	Provide any feedback to officials	N/A

Enclosure: Yes – Draft Cabinet paper

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Recommended Action

We recommend that you:

- a **note** the attached draft Cabinet paper proposing the establishment of the Joint Venture as an interdepartmental executive board, and a Tangata Whenua Rōpū as a ministerial advisory committee to the Minister for the Prevention of Family and Sexual Violence
- b **provide** any feedback to officials on the draft Cabinet paper
- c **note** Appendix 3 to the draft Cabinet paper is an updated Terms of Reference for the Tangata Whenua Rōpū, which Minister Davidson may wish to share with the current tangata whenua rōpū for their feedback
- d **note** we will provide you with advice by Thursday 26 August on whether and how the Tangata Whenua Rōpū could be strengthened through a statutory mechanism
- e **agree** that Te Kawa Mataaho release this briefing alongside other planned releases for the launch of the National Strategy for the Elimination of Family Violence and Sexual Violence.

Agree/disagree.

Hon Marama Davidson

**Minister for the Prevention of Family Violence
and Sexual Violence**

Hon Chris Hipkins

Minister for the Public Service

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Te Kawa Mataaho Report: *Draft Cabinet paper – Sustaining a collaborative approach to support the whole-of-government response to eliminate family violence and sexual violence*

Purpose of Report

- 1 This report provides you with a draft Cabinet paper proposing the establishment of:
 - a. the Joint Venture for Family Violence and Sexual Violence as an interdepartmental executive board under the Public Service Act 2020.
 - b. a Tangata Whenua Rōpū as a minsiterial advisory committee to the Minister for the Prevention of Family and Sexual Violence.

Cabinet paper

- 2 The Cabinet paper has been drafted for the Minister for the Public Service and the Minister for the Prevention of Family and Sexual Violence to take to Cabinet jointly, and introduces organisational mechanisms to sustain a collaborative approach to the whole-of-government response to eliminate family violence and sexual violence.
- 3 This paper will go to the Social Wellbeing Committee alongside a companion paper on the National Strategy for the Elimination of Family Violence and Sexual Violence.

Interdepartmental executive board

- 4 The paper proposes the establishment of the Joint Venture as an interdepartmental executive board. The proposed name for the Board is the *Joint Venture Board for Eliminating Family Violence and Sexual Violence* (referred to as the *JV Board* in this paper). The remit of the Board would be:
 - a. Department of Corrections
 - b. Ministry of Education
 - c. Ministry of Health
 - d. Ministry of Justice
 - e. Ministry of Social Development
 - f. New Zealand Police
 - g. Oranga Tamariki
 - h. Te Kawa Mataaho Public Service Commission
 - i. Te Puni Kōkiri
- 5 As required under the Public Service Act 2020, the Public Service Commissioner will designate the members and chairperson of the Board from the chief executives of the agencies within the remit, and take into consideration any matters you identify as relevant.
- 6 Because the Accident Compensation Corporation is a Crown Agent, it cannot be included within the remit of the Board (nor its Chief Executive as a member). This paper explains the Commissioner instead intends to appoint the Chief Executive as an independent advisor to the JV Board under section 29(3) of the Public Service Act. The involvement of ACC will also be reinforced through:
 - a. The operating procedures the JV Board will develop;

- b. A memorandum of understanding (MoU) between the JV Board and the Board of ACC. The Minister for the Prevention of Family and Sexual Violence and the Minister for ACC will be consulted on relevant matters to take into account with developing the MoU.
- 7 The JV Board will also continue to work with current 'associate members' of the Joint Venture as appropriate. Current associate members include the chief executives of the Ministries for Pacific Peoples, Ethnic Communities and Women, and the chief executive of the Department of the Prime Minister and Cabinet (DPMC). These associate members will not be formal board members but will be consulted on papers and may raise matters with the chair or attend meetings where there is an issue of relevance. DPMC is included due to their role in oversight of the Child and Youth Wellbeing Strategy.
- 8 The paper names the Ministry of Justice as the servicing department initially. This will allow current arrangements to continue seamlessly in the interim and reduce any costs and disruption while the JV Board is focused on the National Strategy.
- 9 Officials will consider hosting arrangements for the longer term as part of an ongoing review of these working arrangements. The paper proposes a report back to Cabinet on any suggested changes to hosting arrangements.

Ministerial advisory committee – Tangata Whenua Rōpū

- 10 On 10 August we gave you advice [2021/0219 refers] on the form of a future tāngata whenua rōpū to support this work.
- 11 In line with your preferred approach, the Cabinet paper proposes a Tangata Whenua Rōpū is established by Cabinet to provide advice to the Minister for the Prevention of Family and Sexual Violence. The paper outlines the role of the Tangata Whenua Rōpū – to:
 - a. provide an independent voice on the design and implementation of the strategies and policies that impact on whanau, hapū, iwi and hāpori Māori;
 - b. monitor and provide regular advice to the Minister on progress in implementing the National Strategy and Action Plan.
- 12 We have also amended the sector's draft proposed Terms of Reference to reflect your preferred approach. These Terms of Reference are attached as Appendix 3 to the Cabinet paper.
- 13 The paper outlines the process for appointing members to the Rōpū. As the Minister for the Prevention of Family and Sexual Violence, you will invite nominations, and a Kaitiaki group will facilitate the nomination and selection process. You will seek agreement to final appointments to the Tāngata Whenua Rōpū by the Cabinet Appointments and Honours Committee.
- 14 As requested, we will also provide you with further advice on the whether the arrangements could be strengthened through a statutory mechanism by 26 August, for you to discuss with your colleagues.
- 15 The JV Board will resource the Kaitiaki group, and ongoing support arrangements for the Tangata Whenua Rōpū once established.

Role of Minister for the Prevention of Family and Sexual Violence in operation of JV Board

- 16 We understand that further information has been requested regarding the role of the Minister for the Prevention of Family and Sexual Violence in relation to operational structures of the JV board. As the

Cabinet manual outlines, Ministers are generally not involved in the day-to-day operations of public service agencies. However, as the Minister responsible for the proposed JV Board (a public service agency), we would expect the chair of the JV Board to keep you informed of operational decisions and structures in the same way that a chief executive keeps a Minister for a department informed. This would include receiving updates, for example, on significant appointments or changes to organisational structure.

Next Steps

- 17 We will provide you with further advice by 26 August on whether and how the Tangata Whenua Rōpū could be strengthened through a statutory mechanism, including options on how to achieve this. Once you have taken decisions on this point, we will update the Cabinet paper accordingly.
- 18 In the meantime, please provide any other feedback you have to officials. We will include your feedback and ensure this paper is aligned with the companion paper *National Strategy and Action Plans for the Elimination of Family Violence and Sexual Violence*.
- 19 Minister Davidson, we understand you intend to consult directly with the Tangata Whenua Rōpū on the Terms of Reference.
- 20 We understand that ministerial consultation on both Cabinet papers will begin next week (week of 30th August), in order to lodge the paper for SWC on 16 September, noting this is subject to change given the implications of Level 4 lockdown on Cabinet meetings.

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