

**Response of the  
Government of New Zealand**

**to**

**the Questionnaire from the United Nations  
Independent Expert on Violence against children**

This is New Zealand's response to the questionnaire from the United Nations Independent Expert on Violence against Children (the questionnaire).

The New Zealand Government wishes to advise the United Nations Independent Expert on Violence against Children (the independent expert) that for the purposes of the questionnaire, "violence" has been defined as including, but not limited to, physical, sexual and psychological violence, injury or abuse, neglect or negligent treatment and sexual exploitation against children, as per the definition of violence provided in Question 4 of the questionnaire. It does not include self-inflicted acts of violence.

The Government notes that references made to New Zealand's first and second periodic reports to the UN Committee on the Rights of the Child correspond to the versions of the reports posted on the website of the Office of the High Commissioner for Human Rights, <http://www.unhcr.ch/html/menu2/6/crc/>.

Appendix One of the questionnaire provides the URL addresses where relevant legislation, policies and other related documents mentioned in the questionnaire can be consulted.

## I Legal Framework

*This part of the questionnaire aims to determine how your country's legal framework addresses violence against children, including prevention of violence, protection of children from violence, redress for victims of violence, penalties for perpetrators and reintegration and rehabilitation of victims.*

### International human rights instruments

#### Question Number 1

**Describe any developments with respect to violence against children which have resulted from your country's acceptance of international human rights instruments, including, for example, the Convention on the Rights of the Child and its optional protocols, the Palermo Protocol or regional human rights instruments. Provide information on cases concerning violence against children in which your country's courts or tribunals have referred to international or regional human rights standards.**

The independent expert's attention is drawn to:

- New Zealand's core document (HRI/CORE/1/Add.33 refers)
- paragraphs 3 to 7 of New Zealand's initial report to the UN Committee on the Rights of the Child (CRC/C/28/Add.3 refers)
- paragraphs 105 to 112 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers).

The New Zealand Government wishes to advise that New Zealand implements its international human rights obligations through a combination of legislative and administrative measures. Several pieces of legislation reflect the principles of the United Nations Convention on the Rights of the Child (UNCROC). The "best interests principle" is incorporated into major legislation concerning children including the Children, Young

Persons, and Their Families Act 1989 and the Guardianship Act 1968. Section 11 of the Children's Commissioner Act 2003 requires the Children's Commissioner to have regard to UNCROC when exercising the Commissioner's functions and powers. Section 12 of the Children's Commissioner Act 2003 outlines the Commissioner's role of raising awareness and understanding of UNCROC. A copy of the text of UNCROC is appended to the Children's Commissioner Act 2003.

In addition, government policy and legislative development must strive for consistency with New Zealand's obligations under international law, including those contained in UNCROC. All new legislation must be vetted for compliance with the New Zealand Bill of Rights Act 1990. Obligations under UNCROC are also respected in official decision-making and reinforced by domestic common law (where international law obligations are accepted as relevant considerations).

The independent expert's attention is drawn to New Zealand's response to written question one on the General Measures of Implementation (CRC/C/93/Add.4 refers). This notes that section 59 of the Crimes Act 1961, which provides a defence enabling a parent (or a person in place of a parent) to use force by way of correction towards a child providing the force used is reasonable in the circumstances, has been under active consideration by the Government since 2000.

The Government decided that before a decision could be made about legislative change, it would be necessary to undertake a public education campaign on alternatives to the physical discipline of children. To this end, a parent support strategy *Strategies with Kids – Information for Parents* (SKIP) was launched in May 2004 (Questions 42 and 54 of the questionnaire refer). Government is to consider options for the reform of section 59 of the Crimes Act 1961 following the completion and evaluation of the parent support strategy.

With regard to cases concerning violence against children in which New Zealand's Courts or Tribunals have referred to international or regional human rights standards, the independent expert's attention is drawn to New Zealand's response to written question three on the General Measures of Implementation and paragraphs 127 to 134 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers).

At a general level, a number of cases have stated that where possible, New Zealand's domestic law should be interpreted in such a way as to accord with UNCROC, and that Courts should strive to uphold the norms of UNCROC when possible (*Tavita v Minister of Immigration* [1994] 2 NZLR 257; *B v G* [2002] 3 NZLR 233; *P v K* [2003] 2 NZLR 787).

Many of New Zealand's criminal laws relating to violence against children have been drafted with regard to UNCROC principles and other relevant human rights instruments. The result is there is often no explicit reference to the instruments themselves by the Courts, although their principles are upheld by the very application of the laws derived from them. In the following cases, however, UNCROC has received specific attention:

- *Moonen v Film and Literature Board of Review [2000] 2 NZLR 9*

This case concerned an administrative decision to ban a number of publications that tended to promote or exploit sexual activity with young boys. In determining a balance between the right to freedom of expression and other rights, the Court noted that the right is not absolute. The Court evidenced this with reference to Article 19(3) of the International Covenant on Civil and Political Rights and Article 34 of UNCROC.

- *R v Leuta [2002] 1 NZLR 215*

This case concerned a mother who had punished her four-and-a-half year-old son by striking him repeatedly with a fan belt, causing him injuries from which he later died. The Solicitor-General urged the Court to reflect, in sentencing, the obligation New Zealand has assumed under Article 19 of UNCROC, namely, to take measures to protect children from all forms of mental and physical violence. This, it was said, could be discharged in part by sentences with clear deterrent elements.

- *Re an Unborn Child [2003] 1 NZLR 115*

A man intended to feature the birth of a young woman's unborn child as part of a pornographic film. The Court relied on UNCROC Articles 16 and 34, stating that they must be read in the context of the Declaration of the Rights of the Child which states that:

...the child, by reason of his [sic] physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth.

The Court prohibited the use of any images of the birth in any pornographic material.

### **Legal provisions on violence against children**

#### **Question Number 2**

**Describe how forms of violence against children are addressed in your country's constitution, legislation and subsidiary legislation, and, where appropriate, customary law.**

The independent expert's attention is drawn to:

- New Zealand's core document (HRI/CORE/1/Add.33 refers)
- paragraphs 169 to 186 of New Zealand's initial report to the UN Committee on the Rights of the Child (CRC/C/28/Add.3 refers)
- paragraphs 493 to 556 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers)
- Question 3 of the questionnaire.

The New Zealand Government highlights that the Children, Young Persons, and Their Families Act 1989 is the governing piece of legislation in the area of child abuse and neglect, however, protection is also provided in other key legislation such as the Domestic Violence Act 1995, the Crimes Act 1961, the Guardianship Act 1967, the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

### **Question Number 3**

**Provide details of any specific legislation provisions on:**

- Prevention of all forms of physical, sexual and mental violence, injury or abuse, neglect or negligent treatment, and sexual abuse**
- Protection of children from all forms of violence**
- Redress, including compensation, for child victims of violence**
- Penalties for perpetrators of violence against children**
- Reintegration and rehabilitation of child victims of violence.**

The independent expert's attention is drawn to:

- New Zealand's core document (HRI/CORE/1/Add.33 refers)
- paragraphs 50, 51 and 169 to 186 of New Zealand's initial report to the UN Committee on the Rights of the Child (CRC/C/28/Add.3 refers)
- paragraphs 493 to 556 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers)
- New Zealand's response to written question one on the General Measures of Implementation (CRC/C/93/Add.4 refers).

The New Zealand Government highlights that legislative provisions on the prevention of all forms of physical, sexual and mental violence, injury or abuse, neglect or negligent treatment, sexual abuse and the protection of children from all forms of violence, are provided in the Children, Young Persons, and Their Families Act 1989, the Domestic Violence Act 1995, the Crimes Act 1961, the Summary Offences Act 1981, the Guardianship Act 1968, the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

The legislative framework for the redress, reintegration and rehabilitation of child victims of violence is provided in the Children, Young Persons, and Their Families Act 1989, the Domestic Violence Act 1995, the Guardianship Act 1968, the Domestic Violence Programmes (Regulations) 1996 and the Injury Prevention, Rehabilitation, and Compensation Act 2001.

Paragraphs 526 to 535 and 553 to 556 of New Zealand's second periodic report to the UN Committee on the Rights of the Child, and New Zealand's response to written question one on the General Measures of Implementation (CRC/C/93/Add.4 refer) outline protocols and policies that have recently been put in place to ensure the effective recovery and reintegration of child victims of violence.

Legislative provisions on penalties for perpetrators of violence against children are contained in the Crimes Act 1961, the Summary Offences Act 1981, the Domestic Violence Act 1995, the Summary Proceedings Act 1957, the Sentencing Act 2002, the Children, Young Persons, and Their Families Act 1989 and the Criminal Justice Act 1985.

#### **Question Number 4**

**Indicate whether any specific legislative provisions address all forms of violence including physical, sexual and psychological violence, injury or abuse, neglect or negligent treatment and sexual exploitation against children which take place in:**

- **The family/ home**
- **Schools and pre-school care and education (both formal and non-formal, state and private)**
- **Military schools**
- **Institutions including care, residential, health and mental health**
- **The context of law and public order enforcement including in detention facilities or prisons**
- **The neighbourhood, street and the community, including in rural areas**
- **The workplace (informal and formal)**
- **Sports and sporting facilities.**

The independent expert's attention is drawn to:

- New Zealand's core document (HRI/CORE/1/Add.33 refers)
- paragraphs 97 to 101, 169 to 189 and 368 to 375 of New Zealand's initial report to the UN Committee on the Rights of the Child (CRC/C/28/Add.3 refers)
- paragraphs 493 to 556, 813, 814, 907 to 923 and 924 to 950 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers).

The New Zealand Government highlights that legislative provisions addressing all forms of violence against children which take place in the family/home are provided in the Children, Young Persons, and Their Families Act 1989, the Domestic Violence Act 1995, the Domestic Violence Programmes (Regulations) 1996, the Guardianship Act 1968, the Crimes Act 1961 and the Summary Offences Act 1981.

Legislative provisions addressing all forms of violence against children which take place in schools and pre-school care and education are provided in the Education Act 1989, the Children, Young Persons, and Their Families Act 1989 and the Crimes Act 1961. Military schools for children and young people under 18 years do not exist in New Zealand, but would fall under the jurisdiction of the Education Act 1989.

Legislative provisions addressing all forms of violence against children which take place in institutions including care, residential, health and mental health are provided in the Children, Young Persons, and Their Families Act 1989, the Children, Young Persons, and Their Families (Residential Care) Regulations 1996, the Summary Offences Act 1981, the Health and Disability Services Act 2001, the Health and Disability Commissioner Act 1994 and the Health and Disability Commissioner (Code of Health and Disability Services Consumers' Rights) Regulations 1996.

Legislative provisions addressing all forms of violence against children which take place in the context of law and public order enforcement including in detention facilities or prisons are provided in the Children, Young Persons, and Their Families Act 1989, the Children, Young Persons, and Their Families (Residential Care) Regulations 1996, the Crimes Act 1961, the Penal Institutions Act 1954 and the Penal Institutions Regulations 2000.

Legislative provisions addressing all forms of violence against children which take place in the neighbourhood, street and the community, including in rural areas, are provided in the Children, Young Persons, and Their Families Act 1989, the Crimes Act 1961 and the Summary Offences Act 1981.

Legislative provisions addressing all forms of violence against children which take place in the workplace (informal and formal) are provided in the Children, Young Persons, and Their Families Act 1989, the Human Rights Act 1993, the Employment Relations Act 2000, the Crimes Act 1961, the Health and Safety in Employment Act 1992 and the Health and Safety in Employment Regulations 1995.

There are no specific legislative provisions that address all forms of violence against children which take place in sports and sporting facilities. However, provisions in the Children, Young Persons, and Their Families Act 1989, the Crimes Act 1961 and the Summary Offences Act 1981 apply to this domain.

The New Zealand Government also highlights its initial report on the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (CRC/C/OPAC/NZL/1 refers).

#### **Question Number 5**

**Indicate if corporal punishment of children, in any setting, including in the family, is explicitly prohibited in your legal system. Provide details of any legal defences available to those who administer corporal punishment to children, including in the family. Provide information on penalties applicable to those who administer corporal punishment to children, including in the family.**

The independent expert's attention is drawn to:

- New Zealand's core document (HRI/CORE/1/Add.33 refers)
- paragraphs 187 to 189 of New Zealand's initial report to the UN Committee on the Rights of the Child (CRC/C/28/Add.3 refers)
- paragraphs 79 to 81 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers)
- Question 1 of the questionnaire.

The New Zealand Government notes that the legal framework around corporal punishment is outlined in paragraphs 187 to 189 of New Zealand's initial report to the UN Committee on the Rights of the Child (CRC/C/28/Add.3 refers).

Section 59 of the Crimes Act 1961 provides a defence enabling a parent (or a person in place of a parent) to use force by way of correction towards a child, providing the force used is reasonable in the circumstances. The unreasonable use of force against a child is a criminal offence. In considering whether the degree of force used by a parent is reasonable, the age and maturity of the child, other characteristics of the child such as size and physique, the type of offence and the type and circumstances of the punishment are considered.

The Government is due to consider options for the defence of reasonable force permitted in section 59 of the Crimes Act 1961 in 2005, following the evaluation of a parent support campaign (Question 54 refers).

Penalties applicable to people who administer corporal punishment to children are provided in the Crimes Act 1961 and the Summary Offences Act 1981.

**Question Number 6**

**Provide information on whether the penal code permits corporal punishment and/or capital punishment as a sentence for crimes committed by under 18 year olds.**

The independent expert's attention is drawn to paragraph 364 of New Zealand's initial report to the UN Committee on the Rights of the Child (CRC/C/28/Add.3 refers).

The New Zealand Government highlights that New Zealand's criminal legislation does not permit corporal or capital punishment. Capital punishment was abolished for murder in 1961, although it remained a penalty for treason and a number of military offences until the Abolition of the Death Penalty Act 1989.

**Question Number 7**

**Provide details on whether bullying/hazing and sexual harassment are explicitly addressed by legislation.**

The New Zealand Government wishes to advise the independent expert that sexual harassment is explicitly prohibited by section 62 of the Human Rights Act 1993, and in employment situations by the Employment Relations Act 2000.

Sexual harassment is prohibited by section 62 of the Human Rights Act 1993 in relation to participation in employment, education, access to goods and services, access to places, vehicles and facilities, access to land, housing and accommodation, and participation in partnerships, professional associations and vocational training. The Human Rights Act 1993 also protects against victimisation under section 66. This section prohibits a person from treating another person less favourably on the basis that he or she intends to make use of his or her rights under this Act.

Sexual harassment in employment is prohibited under section 104(1)(d) of the Employment Relations Act 2000. If an employee is sexually harassed in their employment, they may be able to bring a personal grievance against their employer, their representatives, or former employees.

With regard to bullying and hazing, the Education Act 1989 refers to the National Education Guidelines (Annex 65), which require schools to provide a safe physical and emotional environment for students. By definition this would include one that is free from bullying or hazing. These practices are not, however, explicitly mentioned in the legislation.



The independent expert's attention is drawn to Questions 38 and 42 of the questionnaire, which outline a number of programmes that address bullying in schools.

#### **Question Number 8**

**Provide information on the way in which harmful or violent traditional practices, including but not limited to female genital mutilation, child marriage or honour crimes are addressed in your country.**

The New Zealand Government wishes to advise the independent expert that such practices are prohibited by legislation in New Zealand.

Female genital mutilation is explicitly prohibited under section 204A of the Crimes Act 1961. Section 204B also explicitly prohibits sending any child under the age of 17 years (being a child who is a New Zealand citizen or is ordinarily resident in New Zealand), outside New Zealand for the purposes of performing female genital mutilation.

Under the Marriage Act 1955, children under the age of 16 years cannot marry. Children aged between 16 and 20 years can marry with parental consent (Question 15 of the questionnaire refers).

The New Zealand Government highlights paragraphs 847 to 860 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers), which outlines government funded services and programmes to assist the integration and induction of migrants and refugees to New Zealand.

#### **Question Number 9**

**Provide information on the applicability of specific provisions to address all forms of violence against children to non-citizens and stateless children, including asylum seekers and displaced children. If specific provisions do not apply to such children, provide details of protection offered to them.**

The independent expert's attention is drawn to:

- paragraph 334 of New Zealand's initial report to the UN Committee on the Rights of the Child (CRC/C/28/Add.3 refers)
- paragraph 855 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers)
- Question 8 of the questionnaire.

The New Zealand Government highlights that the general reservation under Article 2 of UNCROC reserves New Zealand's right to distinguish between persons according to the nature of their authority to be in New Zealand. Under New Zealand law, children who are unlawfully in New Zealand are not entitled to receive the same level of publicly-funded health, education and social welfare as other people who are lawfully in New Zealand.

In circumstances where there are specific care and protection concerns in respect of any children involved, the Department of Child, Youth and Family Services is able to intervene under the Children, Young Persons, and Their Families Act 1989 to specifically

address them (paragraph 334 of New Zealand's initial report to the UN Committee on the Rights of the Child, CRC/C/28/Add.3, refers).

Asylum seekers are entitled to receive the same level of publicly-funded health, education and social welfare as other people lawfully in New Zealand. They are offered protection from violence under the Children, Young Persons, and Their Families Act 1989 and other relevant legislation.

The Government is currently progressing work to lift this reservation.

#### **Question Number 10**

**Provide information on any difference in the definition of violence and the applicable legal framework according to:**

- The sex or sexual orientation of the victim and/or of the perpetrator**
- The age of the victim and /or of the perpetrator**
- The relationship between the victim and the perpetrator, including, but not limited to infanticide, sexual violence in marriage, incest and sexual abuse within the family, and physical chastisement.**

The New Zealand Government wishes to advise the independent expert that sections 2 and 3 of the Domestic Violence Act 1995 define violence in a domestic context. The definition is broad in that it specifically states that psychological violence occurs where a person causes or allows a child to see or hear the physical, sexual, or psychological abuse of a person with whom the child has a domestic relationship, or puts a child, or allows a child to be put, at real risk of seeing or hearing that abuse is occurring. Paragraphs 506 to 513 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers) outline the key features of the definition of domestic violence and its applicability to children.

The Crimes Act 1961 does not contain a general definition of violence. It does, however, prescribe as criminal offences the behaviour noted in the questionnaire, for example, infanticide, incest, as well as other sexual and violent offences perpetrated against children. The Crimes Act 1961 also prescribes the maximum penalties that may be imposed for those offences. The Sentencing Act 2002 sets out the guiding principles for the sentencing of persons convicted of the above-mentioned and all other crimes.

Section 9 of the Sentencing Act 2002 sets out the aggravating and mitigating factors the Court must take into account at sentencing. Aggravating factors (factors which tend to increase the sentence imposed) include:

- that the victim was particularly vulnerable because of his or her age or health or because of any other known factor to the offender
- that the offender was abusing a position of trust or authority in relation to the offender
- that the offender committed the offence partly or wholly because of hostility towards a group or person who has an enduring common characteristic such as sexual orientation, or age.

The age of an offender is a mitigating factor at sentencing (a factor that tends to reduce the sentence imposed).

### **Question Number 11**

**Provide information on any recent comprehensive review of the legal framework to address violence against children.**

The New Zealand Government wishes to advise the independent expert that no comprehensive review of the legal framework to address violence against children has recently been undertaken.

The independent expert's attention is drawn to *Te Rito New Zealand Family Prevention Strategy* (Question 41 of the questionnaire refers). *Te Rito New Zealand Family Violence Prevention Strategy* is part of the Government's work to improve child and family safety and security through more effective responses to child abuse, neglect and insecurity of care and violence within families.

Action four of *Te Rito New Zealand Family Prevention Strategy* provides for a review of the operation of legislation that interfaces with the Domestic Violence Act 1995, in particular, the Children, Young Persons, and Their Families Act 1989, Guardianship Act 1968, Family Proceedings Act 1980 and the Protection of Personal and Property Rights Act 1988. This is to ensure consistency in approach and effective integration in law, related policy and service delivery with regard to family violence, including violence against children.

This action is awaiting the completion of current and planned reviews of certain aspects of relevant legislation. Action four of *Te Rito New Zealand Family Prevention Strategy* is expected to commence in August 2004 and will be completed by June 2006.

### **Question Number 12**

**Provide information on any studies and surveys which have been undertaken to assess the impact of legal measures to address violence against children.**

The New Zealand Government wishes to advise the independent expert that a number of New Zealand research reports have been published relating to the impact of legal measures to address violence against children.

- *Evaluation of Programmes for Children under the Domestic Violence Act 1995 (2002)*

This was a comprehensive process and outcome evaluation. Documentation and qualitative analysis of the ways in which programmes for children under the Domestic Violence Act 1995 operate in practice were included. The report can be viewed at <http://www.justice.govt.nz/pubs/reports/2002/children-dva-act/index.html>.

- *The Domestic Violence Legislation and Child Access in New Zealand (1999)*

The Domestic Violence Act 1995 changed the approach taken by the Family Court in relation to the children involved in domestic violence cases. Both the Domestic Violence Act 1995 and an amendment to the Guardianship Act 1968 included provisions to enhance the protection and safety of the children involved in family violence. This study

was designed to assess the implementation and impact of these provisions in relation to the arrangements made for access to children. The report can be viewed at [http://www.justice.govt.nz/pubs/reports/1999/domestic\\_violence/index.html](http://www.justice.govt.nz/pubs/reports/1999/domestic_violence/index.html).

- *The Age of Physical Abuse Victims and the Sentence Imposed on their Abuser (2001)*

The Ministry of Justice undertook research comparing the sentences imposed on offenders charged with physical assault with reference to the age of their victims. The research is based on data extracted from the Police's Law Enforcement System (LES) computer system and from Court files for charges involving physical (non-sexual) assaults that were finalised in 1999. The report can be viewed at [http://www.justice.govt.nz/pubs/reports/2001/age\\_abuse/index.html](http://www.justice.govt.nz/pubs/reports/2001/age_abuse/index.html).

### **Courts tasked with addressing violence against children**

#### **Question Number 13**

**Identify those parts of the Court structure in your country tasked with addressing violence against children. Indicate if your family or juvenile courts have specific responsibility for this issue.**

The independent expert's attention is drawn to paragraphs 506 to 508, 517, 1005 and 1006 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers).

The New Zealand Government wishes to advise the independent expert that there are a number of Courts which address violence against children.

The Family Court is a specialist jurisdiction set up by the Family Courts Act 1980 as a division of the District Courts. It is responsible for determining measures for the care and protection of children subject to violence. The Family Court is also tasked with determining applications for protection of adults and children under the Domestic Violence Act 1995 and for custody and access of children under the Guardianship Act 1968.

Proceedings under the Domestic Violence Act 1995 and the Guardianship Act 1968 are usually brought to the Family Court. Complex cases may also be transferred to the High Court. Under the Domestic Violence Act 1995 applications can also be made to the District Court. The Family Court does not have jurisdiction in respect of certain proceedings under the Guardianship Act such as criminal proceedings where an order of the High Court relating to the custody or guardianship of, or access to, the child (other than an order under section 13 of the Act) is in force, and where the child is under the guardianship of the High Court.

The Youth Court is a specialist jurisdiction established under the Children, Young Persons, and Their Families Act 1989 as a division of the District Court. Split into two separate processes, the Children, Young Persons, and Their Families Act 1989 is designed to consider both care and protection issues and youth justice. It recognises

and has processes in place to deal with the care and protection needs of children and young people who are brought to its attention. The youth justice section seeks to deal constructively with youth offenders.

Serious crimes committed by young persons can be prosecuted in either the District Court or High Court.

### **Minimum age for sexual activity**

#### **Question Number 14**

**Provide information on any legislatively defined minimum age required for valid consent to sexual activity. Is this age different for girls and boys? Is this age different in respect of heterosexual and homosexual activities?**

The independent expert's attention is drawn to paragraphs 27 and 383 of New Zealand's initial periodic report to the UN Committee on the Rights of the Child (CRC/C/28/Add.3 refers).

The New Zealand Government highlights that under the Crimes Act 1961, and the Homosexual Law Reform Act 1986, the legislatively defined minimum age for valid consent to sexual activity in New Zealand is 16 years.

No distinction in the age of consent is made with regard to gender or sexuality in the legislation. There are, however, some minor gender differences provided in the defence provisions with regard to unlawful offences committed under the Crimes Act 1961.

Section 134 (sexual intercourse or indecency with a girl between 12 and 16 years) and 140A (indecency with a boy between 12 and 16 years) provide a defence if the person charged proves that the girl or boy consented, that the person charged is under the age of 21 years and had a reasonable belief that the girl or boy was of or over the age of 16 years. The offences refer to the persons being charged as male. The Crimes Amendment Bill (No 2), currently under select committee consideration, amends the defence of "reasonable belief in age" so that it is gender neutral and non-age specific. When the Bill is enacted, the new offence will be gender-neutral so that women, as well as men, can be charged with having consensual sex with under age boys.

Sections 134 and 140A also provide a defence where the perpetrator is younger than the victim and the victim consented. This similar age defence will not be carried into the new legislation.

The Government is currently reviewing inconsistencies between youth age provisions in primary legislation and the Bill of Rights discrimination standard in Part 1A of the Human Rights Act 1993.

**Question Number 15****Provide information on the minimum age of marriage for women and men.**

The independent expert's attention is drawn to paragraph 19 of New Zealand's initial report to the UN Committee on the Rights of the Child (CRC/C/28/Add.3 refers).

Under the Marriage Act 1955, the minimum age a person may marry (with parental consent) is 16 years. The minimum age of marriage without parental consent is 20 years. No gender distinction is made.

The New Zealand Government is currently reviewing inconsistencies between youth age provisions in primary legislation and the Bill of Rights discrimination standard in Part 1A of the Human Rights Act 1993.

**Sexual exploitation of children****Question Number 16****Provide information on legislation and other measures to prevent the commercial sexual exploitation of children, including through prostitution and other unlawful sexual activities. Provide details on means to ensure that child victims of such exploitation are not criminalized. Provide information on legislation or other measures to prohibit all forms of sale or trafficking in children, including by their parents.**

The independent expert's attention is drawn to:

- paragraphs 382 to 392 of New Zealand's initial report to the UN Committee on the Rights of the Child (CRC/C/28/Add.3 refers)
- paragraphs 974 to 984 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers).

The New Zealand Government wishes to advise the independent expert that the legislation specifically prohibits the commercial sexual exploitation of children and the sale or trafficking of children.

The Prostitution Reform Act 2003 aims to create a framework that prohibits the use in prostitution of persons under 18 years. Sections 20 to 23 of the Prostitution Reform Act 2003 create a range of criminal offences in respect to the use of persons under 18 years in prostitution, including:

- assisting or encouraging a person under 18 years of age to provide commercial sexual services
- receiving a payment or other reward that is derived, directly or indirectly, from commercial sexual services provided by a person under 18 years of age
- entering into a contract or other arrangement under which a person under 18 years of age is to provide commercial sexual services to or for that person or another person,
- receiving commercial sexual services from a person under 18 years of age.

All of the offences have a maximum penalty of seven years imprisonment.

In recognising these children as victims, the Prostitution Reform Act 2003 specifies that no person under 18 may be charged (under the relevant section) as a party to an offence committed on or with that person.

As well as existing legislative provisions prohibiting all forms of sale or trafficking of children (for example section 98 of the Crimes Act 1961), the Crimes Amendment Bill proposes a new clause specifically related to children. This provides heavy criminal penalties for those that deal in people under the age of 18 for sexual exploitation, removal of body parts, or engagement in forced labour.

In addition, New Zealand has ratified ILO convention 182, the Palermo Protocol and is party to the Hague Convention on the Civil Aspects of International Child Abduction. To raise public awareness and understanding of ILO Convention 182 and encourage initiatives to identify and eliminate the worst forms of child labour in New Zealand, the Government has formed the Child Labour Officials Advisory Committee. Work continues to progress on the implications of ratifying ILO Convention 138.

New Zealand also signed the *United Nations Convention against Transnational Organised Crime* (the TOC) and its Protocols on the Smuggling of Migrants and Trafficking of Persons in December 2000. In order to implement the TOC and the Trafficking Protocol, the New Zealand Parliament has passed several statutes, including the *Immigration Amendment Act 2002*, which came into force on 17 June 2002.

### **Pornography and harmful information**

#### **Question Number 17**

**Provide information on legislation and other measures to prohibit the production, possession and dissemination of child pornography. In particular, please provide information on any controls on pornography produced and/or disseminated via the internet.**

The independent expert's attention is drawn to paragraph 389 of New Zealand's initial report to the UN Committee on the Rights of the Child (CRC/C/28/Add.3 refers).

The New Zealand Government highlights that the Films, Videos and Publications Classification Act 1993 contains specific provisions to protect children from sexual exploitation in these media.

The New Zealand Government highlights that the Films, Videos and Publications Classification Amendment Bill was introduced to Parliament on 2 December 2003. The Bill makes a number of amendments to offences and penalties under the Films, Videos and Publications Classification Act 1993 and consequential amendments to related legislation. These will facilitate compliance with the requirements of the Optional Protocol on the Sale of Children with respect to child pornography. In particular, the Amendment Bill addresses the advances in internet dissemination of child pornography. It is expected these legislative changes will be in force by the end of 2004.

**Question Number 18**

**Provide information on any legislation or guidelines to protect children from injurious information and material transmitted through the media, Internet, videos, electronic games, etc.**

The independent expert's attention is drawn to:

- Question 17 of the questionnaire
- paragraphs 987 and 988 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers).

**Reporting obligations relating to violence against children****Question Number 19**

**Provide information on legislation, regulations or administrative directives requiring reporting of all forms of violence against and abuse of children in all settings to appropriate bodies. If reporting legislation, regulations or administrative directives exist, please indicate whether all citizens are required to report, or whether the obligation falls on certain professional groups only. Provide details of any sanctions for non-reporting.**

The New Zealand Government wishes to advise that the Department of Child Youth and Family Services is mandated to investigate notifications to it of all forms of violence or abuse against children. Under the Interagency Protocol for the Reporting and Investigation of Child Sexual Abuse and Serious Physical Abuse, the Department of Child, Youth and Family reports the notification to the Police for investigation (Question 24 of the questionnaire refers). Where a crime is suspected to have occurred and is reported, the Police will investigate and criminal charges may result.

There is no New Zealand legislative requirement for citizens or professional bodies to mandatorily report all forms of violence against and abuse of children to appropriate bodies.

The independent expert's attention is drawn to paragraphs 536 to 545 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers) which outlines systems for reporting abuse and responding to any such report.

**Complaints procedures****Question Number 20**

**Provide information on any complaints procedures relating to all forms of violence against children perpetrated in:**

- The family/ home
- Schools and pre-school care and education (both formal and non-formal, state and private)
- Military schools
- Institutions, state and private, including care, residential, health and mental health



- **The context of law and public order enforcement including in detention facilities or prisons**
- **The neighbourhood, street and the community, including in rural areas**
- **The workplace (informal and formal)**
- **Sports and sporting facilities.**

The independent expert's attention is drawn to

- New Zealand's core document (HRI/CORE/1/Add.33 refers)
- paragraphs 32 to 36, 97 to 101, 169 to 189 and 368 to 375 of New Zealand's initial report to the UN Committee on the Rights of the Child (CRC/C/28/Add.3 refers)
- paragraphs 135 to 142, 514 to 518 and 536 to 545 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers)
- New Zealand's response to written question nine on Data and Statistics (CRC/C/93/Add.4 refers)
- Question 32 of the questionnaire.

The New Zealand Government highlights that the basic systems for reporting abuse are provided by the Children, Young Persons, and Their Families Act 1989. Interagency protocols for reporting child abuse between the Department of Child, Youth and Family Services, Police and the Ministries of Health and Education, as well as youth workers and a wide range of community providers, are in place (Question 24 of the questionnaire refers).

Specifically, complaints procedures relating to all forms of violence against children which take place in the family/home are provided in the Children, Young Persons, and Their Families Act 1989, the Domestic Violence Act 1995 and the Guardianship Act 1968. When a child or young person up to the age of 17 appears before the Youth Court or Family Court, the Children, Young Persons, and Their Families Act 1989 requires that a lawyer is appointed to represent them. This lawyer is appointed free of charge and can assist them in making complaints.

Complaints procedures relating to all forms of violence against children which take place in schools and pre-school care and education are provided in the Education Act 1989. Complaints may also be made to the Police or to the Department of Child, Youth and Family Services, and may be investigated in accordance with their powers under the Police Act 1958 and the Children, Young Persons, and Their Families Act 1989, respectively.

Complaints procedures relating to all forms of violence against children which take place in institutions including care, residential, health and mental health are provided in the Children, Young Persons, and Their Families Act 1989, the Children, Young Persons, and Their Families (Residential Care) Regulations 1996, the Health and Disability Commissioner Act 1994 and the Health and Disability Commissioner (Code of Health and Disability Services Consumers' Rights) Regulations 1996.

All organisations who receive funding from the Department of Child, Youth and Family Services to provide care and protection services to children and young persons are

required, as part of the approval process, to show that the organisation has a formal process in place to resolve complaints regarding service provision.

The Office of the Children's Commissioner, which was first established under the Children, Young Persons, and Their Families Act 1989, also monitors complaint systems within the statutory care and protection system and ensures that children and young people have access to procedural fairness while in and out of home care. The Children's Commissioner Act 2003 strengthened the provisions related to the Children's Commissioner and placed them in a new, separate statute. The Office of the Children's Commissioner visits residential facilities operated by the Government to ensure that each residence has a grievance process in place and that it is functioning appropriately.

Complaints procedures relating to all forms of violence against children which take place in the context of law and public order enforcement, including in detention facilities or prisons, are provided in the Children, Young Persons, and Their Families Act 1989, the Children, Young Persons, and Their Families (Residential Care) Regulations 1996, the Penal Institutions Act 1954, the Penal Institutions Regulations 2000, and the Police Complaints Authority Act 1988. The Office of the Children's Commissioner also monitors the complaints system and receives complaints.

Complaints relating to all forms of violence against children which take place in the neighbourhood, street and the community, including in rural areas may be made to the Police or to the Department of Child, Youth and Family Services, and will be investigated in accordance with their powers under the Police Act 1958 and the Children, Young Persons, and Their Families Act 1989, respectively. Each national sports body has its own complaints procedure in place to address violence in sport.

Complaints procedures relating to violence against children which take place in the workplace (informal and formal) are provided in the Employment Relations Act 2000, the Human Rights Act 1993 and the Health and Safety in Employment Act 1992.

Where a child is sexually harassed in their employment, they may be entitled to raise a personal grievance against their employer. The child has a choice of whether to raise a personal grievance under the Employment Relations Act 2000 or to make a complaint under the Human Rights Act 1993. The Health and Safety in Employment Act 1992 requires employers to provide a safe working environment. This includes preventing situations where a person's behaviour may be an actual or potential cause or source of harm to another person. Breaches of this Act can be investigated by the Health and Safety Inspectorate of the Department of Labour.

**Question Number 21**

**Indicate whether children or persons acting on their behalf can access these procedures. Indicate whether legal aid is available to facilitate submission of complaints, and the circumstances in which legal aid will be available.**

The independent expert's attention is drawn to:

- paragraphs 133 to 142, 514 to 518 and 526 to 545 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers)
- New Zealand's response to written question nine on Data and Statistics (CRC/C/93/Add.4 refers)
- Question 20 of the questionnaire.

The New Zealand Government wishes to advise the independent expert that children or persons acting on their behalf can access the complaints procedures outlined in Question 20 of the questionnaire.

The Government highlights paragraph 135 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers), which outlines a number of agencies that children can access if their rights have been violated.

It notes the particularly important role performed by the Office of the Children's Commissioner in addressing complaints from children and assisting them with accessing complaints procedures that are established by the legislative framework, through the provision of information and advice.

With regard to the availability of legal aid, when a child or young person up to the age of 17 appears before the Youth Court, Family Court or High Court, the Children, Young Persons, and Their Families Act 1989 requires that a lawyer is appointed to represent them. This lawyer is appointed free of charge.

Civil legal aid is available to children and young people for legal complaints that may go to Court or to a specified range of Tribunals and Authorities. The Legal Services Act 2000 provides that any young person aged between 16 and 20 years can apply for civil legal aid in their own right (and are also personally liable for to repay the legal aid if they are assessed as being able to do so). If the child or young person is living with their parents or guardian, the income and assets of their parents or guardian will be taken into consideration in deciding whether or not legal aid is awarded.

Children and young people under the age of 16 years are not entitled to apply for civil legal aid in their own right, and a person of full age (who may or may not be their parent or guardian) must apply on their behalf and must bear the liability for contributions required. The Legal Services Agency has the discretion to waive the requirement for the legal aid application to be made by a person of full age. For children or young people who apply for protection orders under the Domestic Violence Act 1995, the income or assets of their parents or guardians will not prevent them from being eligible to receive legal aid.

In considering whether legal aid is awarded for civil matters, the Legal Services Agency will consider the applicant's income and assets, the grounds for taking or defending the action and whether the prospects of success in taking or defending the action are sufficient.

Community Law Centres also provide free legal advice and some also provide representation services.

Under the Crimes Act 1961, the Police can bring criminal proceedings relating to offences of violence on behalf of complainants of any age. Criminal legal aid can be sought by a child or young person who is facing charges in the District Court. Their eligibility will depend on the gravity of the offence, whether they are assessed as being able to fund their defence and the consequences for the applicant of not granting aid.

### **Question Number 22**

**Describe steps which have been taken to raise awareness of possibilities to submit complaints about violence against children.**

The independent expert's attention is drawn to:

- paragraphs 519 to 521 and 538 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers)
- New Zealand's response to written questions five and seven on the General Measures of Implementation (CRC/C/93/Add.4 refers)
- Question 54 of the questionnaire.

The New Zealand Government wishes to highlight the *Breaking the Cycle Campaign*, which ran between 1995 and 2000. The campaign aimed to educate and promote awareness about the unacceptability of child abuse and how to recognise, prevent and report it.

Other education programmes around child abuse which took place during this period included the *Neglect Prevention Programme* (1999) and the *Alternatives to Smacking Campaign* (1998 and 2000). To facilitate reporting abuse, the freephone 0508 FAMILY (0508 326 459) nationwide call centre was established to receive calls and notifications of child abuse to the Department of Child, Youth and Family Services. This freephone service remains active.

The independent expert's attention is also drawn to the Department of Child, Youth and Family Services *Everyday Communities* initiative (New Zealand's response to written question 5 on General Measures of Implementation, CRC/C/93/Add.4, refers).

### **Question Number 23**

**Provide information on any special procedural or evidentiary rules which may apply in proceedings with respect to violence against children.**

The New Zealand Government wishes to advise that the Evidence Act 1908 and the Summary Proceedings Act 1957 both contain provisions governing the giving of evidence in the case of child complainants in sexual crimes. These provisions apply where the complainant is 17 years of age or younger.

At the preliminary hearing, the child complainant may give evidence in the form of a written statement and is not to be cross-examined on that statement. The child's evidence may also be given by way of videotape. The Evidence (Videotaping of Child Complainant) Regulations 1990 govern the requirements for such videotapes, for

example, who may conduct the interview, who may consent on behalf of the child, who may be present, security, use and disposal of the tape.

Under the Evidence Act 1908, once the accused is committed for trial the Judge will make directions as to the mode by which the complainant's evidence is to be given at trial. The different modes available include videotape, closed circuit television, a screen or one-way glass placed between the complainant and the accused, a wall or partition so complainant cannot see those in the courtroom or a complainant gives evidence at a location outside courtroom with others (as directed by the judge present). This will be videotaped. In determining whether to use a special mode of giving evidence, the Judge must have regard to the need to minimise stress on the complainant while at the same time ensuring a fair trial for the accused.

During cross examination, the Judge has the power to disallow any question which is, having regard to the age of the complainant, intimidating or overbearing. The accused is not entitled to cross-examine the complainant, although their counsel is and the accused may do so in some limited circumstances. Where cross-examination is permitted the questions may be via audio link, or as the Judge directs, to a third person, who will repeat the questions to the complainant.

In these cases, when tried before a jury, there are provisions which relate to the Judge's directions to the jury. These include that the jury should not draw adverse inferences against the accused with regard to the mode in which the complainant's evidence is given and there should not be any warning to the jury about the need to scrutinise the evidence of young children generally with special care, nor to suggest that young children generally have tendencies to invention or distortion. A warning about the absence of corroboration should not be given if the Judge would not have made such a warning if the complainant had been of full age.

There is also a provision in the Evidence Act 1908 allowing an expert witness to give evidence during the proceedings as to whether the complainant's behaviour is consistent or inconsistent with sexual abuse

Although the above provisions only deal with sexual offending against children, the Court has relied on its inherent jurisdiction to order that a child complainant in a non-sexual assault prosecution could give evidence in one of the ways set out in section 23E of the Evidence Act 1908.

#### **Question Number 24**

**Provide information on the usual outcome of complaints of violence against children (e.g. compensation, punishment of perpetrators, perpetrator rehabilitation, family therapy).**

The New Zealand Government wishes to advise that there is no standard response to complaints of violence against children. Each complaint is investigated and the response will depend on the result of that investigation. For example, complaints of violence against children that come to the attention of the Department of Child, Youth and Family Services are investigated. Outcomes of those investigations can include no further action being undertaken where the complaint is unsubstantiated. When it is

appropriate for the child to remain with the family, the Department of Child, Youth and Family Services provides assistance to develop safeguards against further violence occurring. When it is not appropriate for the child to remain with the family, the child is removed and placed under the care and protection of the State in accordance with the Children Young Persons, and Their Families Act 1989.

There is a Memorandum of Understanding between the Department of Child, Youth and Family Services and Police to promote a consistent and effective interagency approach to the investigation of child sexual abuse and serious child physical abuse. When either party receives a report of child sexual abuse and/or serious physical abuse, the partner agency is informed immediately before any action is undertaken, except where urgent action is required to protect a child from abuse or the risk of abuse. The Memorandum of Understanding outlines the roles and responsibilities of both parties. It makes it clear that in cases of child abuse, the primary function of the Police is the investigation of offences and, where appropriate, the prosecution of the offender. The Department of Child, Youth and Family Services is responsible for the assessment of the need for, and the provision or initiation of, care and protection.

The offences for which prosecution is taken and penalties applied will depend on the nature and seriousness of the violence perpetrated. Section 9 of the Sentencing Act 2002 sets out the guiding principles for the sentencing of persons convicted for such offences. Further information on the application of the Sentencing Act 2002 is set out in Question 10 of the questionnaire.

#### **Question Number 25**

**Provide information on the usual outcome of legal proceedings in which children and juveniles are found guilty of perpetrating violence (e.g. imprisonment, corporal punishment, community service, perpetrator rehabilitation, family therapy).**

The independent expert's attention is drawn to paragraphs 340 to 363 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers).

The New Zealand Government highlights that the youth justice system is designed to be flexible and take into account the severity of the crime, the likelihood of re-offending, and the needs and wellbeing of the offender. Child offenders (aged 10 to 13 years) and young offenders (aged 14 to 16 years) are differentiated in the system and there are different options available for dealing with the offending of each group.

Children aged between 10 and 13 years can be prosecuted for manslaughter or murder. If a child aged between 10 and 13 years of age is charged with murder or manslaughter, their case will be decided in the High Court and, if convicted, the child can be sentenced in the same way as an adult. All other offending by children is dealt with by way of Police warning, Youth Aid diversion, or through the care and protection provisions of the Children, Young Persons, and Their Families Act 1989.

Young people aged between 14 and 16 years can be prosecuted with any offence, but the youth justice system is guided by the principle that, unless the public interest

requires otherwise, criminal proceedings should not be instituted against a child or young person if there is an alternative means of dealing with the matter. In accordance with this principle, Police statistics show that of all apprehensions of young people in 2003:

- approximately 75 percent were dealt with through Police diversion or a warning or caution
- 7 percent were referred to the Department of Child, Youth and Family Services for a Family Group Conference
- 17 percent resulted in prosecution.

For perpetrators of the lowest levels of violence, Police may use informal diversionary responses after consultation with victims, families and the offender. Alternatively when intending to lay charges against a young person, Police can make a referral to the Department of Child, Youth and Family Services for a Family Group Conference. Agreed elements of a plan for the offender to complete after a conference could include attending an anger management programme, completing alcohol and other drug treatment or doing community work. If everything on the plan is adhered to, it is likely that the charges will be withdrawn and the young person discharged.

In serious cases, Police may make an arrest and lay charges in the Youth Court. If the case is proved, judges refer the case for a Family Group Conference to design a plan to address the offending. When a plan cannot be agreed or is not completed by the offender, the Youth Court judge can make an order, which can include reparation, fines, supervision, and community work. Judges can also order the offender to supervision with residence which includes up to three months in a Department of Child, Youth and Family Services youth justice facility and six months supervised release back into the community.

If the offence is particularly serious, the young person will be dealt with in the District Court or High Court, where the full range of adult sentences is available, including sentences of imprisonment. In 2003, 77 percent (307) of the proved violent cases involving young people were finalised in the Youth Court, and 23 percent (92) were finalised in the District or High Courts.

## **II. INSTITUTIONAL FRAMEWORK AND RESOURCES TO ADDRESS VIOLENCE AGAINST CHILDREN**

*The aim of this section is to establish if your country has an institution coordinating multi-sectoral activities concerning violence against children, which include prevention, protection, redress, reintegration and rehabilitation.*

### **Question Number 26**

**Are there any Governmental authorities, structures and mechanisms, including at federal, state/provincial, municipal and local level which are currently responsible for addressing violence against children?**

**If YES, identify these authorities, structures and mechanisms and describe how coordination is ensured.**

A number of Government agencies are responsible for addressing violence against children. The key agencies include the Ministries of Social Development, Youth Development, Justice, Health, Education, Pacific Island Affairs, the Departments of Child, Youth and Family Services, Labour, Corrections and Internal Affairs, Police, Te Puni Kōkiri and the Office of the Children's' Commissioner.

With regard to ensuring the coordination of agencies responsible for addressing violence against children, the independent expert's attention is drawn to:

- paragraphs 151 to 162 and 553 to 556 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers)
- New Zealand's response to written question number five on the General Measures of Implementation (CRC/C/93/Add.4 refers).

The New Zealand Government highlights the important role played by *Te Rito New Zealand Family Violence Prevention Strategy* and the *Care and Protection Blueprint 2003* in coordinating activity across government and non-government agencies.

The Government advises that it has recently put in place measures to ensure more effective interagency collaboration, coordination and communication in the areas of family violence and the care and protection of children. This includes a revised work programme under *Te Rito New Zealand Family Violence Prevention Strategy* and the *Care and Protection Blueprint 2003* to align initiatives (Question 41 of the questionnaire refers), improving case by case coordination in instances where the safety of children is highly at risk or where abuse or neglect has occurred, and the establishment of *Family Safety Teams*, which is aimed at providing a multi-disciplinary response to family violence to ensure the full range of needs and issues for a family experiencing family violence are addressed.

Furthermore, the *Family Violence Funding Circuit Breaker* is a regional initiative involving the coordination of government funding processes, and seeks to reduce compliance costs for the many organisations whose services are funded by more than one government agency. Family violence prevention funding teams are currently gathering funding information in 15 regions nationally to inform the national policy development on family violence prevention funding and service capacity.

A new Family and Community Services service-line has been established within the Ministry of Social Development to coordinate broad-based family support services across the government and non-government sectors.

**Question Number 27**

**Is there a lead Government authority tasked with responsibility for addressing violence against children?**

**If YES, provide details.**

The Department of Child, Youth and Family Services has primary responsibility for preventing and responding to child abuse and neglect. It has a vision of safe children, strong families and stronger communities free from abuse, neglect and offending.



The two key roles of Department of Child, Youth and Family Services are to be a provider of high-quality services to children who need care and protection (or who offend), and to support and assist their families to keep their children safe; and to facilitate and collaborate in the delivery of high-quality services by other service providers to children and young people who are living in circumstances where they are at risk of being in need of care and protection or committing offences.

Key services provided by the Department of Child, Youth and Family Services in relation to preventing violence against children include education and public awareness programmes, care and protection activities, child and family support services, youth services (including youth justice), family group conference services and adoption services. The Department of Child, Youth and Family Services is also responsible for funding and monitoring a range of community based support services and works closely with other government and non-government agencies.

As outlined in Question 26 of the questionnaire, there are a large number of Government and other agencies involved in addressing violence against children.

**Question Number 28**

**Are specific financial and/or human resources allocated by your country to address violence generally?**

**If YES, indicate the extent of these allocations.**

The New Zealand Government wishes to advise the independent expert that specific financial and human resources are allocated to various Government Departments to deliver programmes and services and provide policy advice that addresses violence generally.

It is not feasible to indicate the extent of the expenditure on violence generally, as Budget appropriations are for specific outputs or classes of output that may contribute to several outcomes. For this reason, outcome achievement is monitored outside of the financial accountability framework.

The new *Family Violence Funding Circuit Breaker* teams (Question 42 of the questionnaire refers) will be collecting funding information on a regional basis over the next year. As this information is analysed, the information produced will be used to better inform Government and communities about the amount and source of government funding allocated to preventive, crisis and rehabilitative family violence prevention services across New Zealand.

**Question Number 29**

**Does your country allocate specific financial and/or human resources to activities to address violence against children?**

**If YES, provide details.**

The New Zealand Government wishes to advise the independent expert that specific financial and human resources are allocated to various government departments to deliver programmes and services and provide policy advice that address violence against children.

The independent expert's attention is drawn to New Zealand's response to Questions 41 and 42 of the questionnaire, which outline key government funded initiatives to address violence against children.

**Question Number 30**

**Do international or bilateral donors provide resources to your country for activities to address violence against children?**

**If YES, indicate the extent of these resources and the way in which they are used.**

The New Zealand Government wishes to advise the independent expert that no international or bilateral donors provide resources to New Zealand for activities to address violence against children.

**Question Number 31**

**Does your country provide any assistance to other countries' efforts to respond to the problem of violence against children? If YES, provide details.**

The New Zealand Government wishes to advise the independent expert that it does provide financial assistance to a number of overseas countries to support initiatives to address violence against children. These include services related to violence prevention, intervention and rehabilitation for child victims of violence and their families.

In the 2002/03 financial year, the New Zealand Government provided almost NZ\$1,494,000 to overseas countries to support initiatives addressing violence against children. Countries that received this funding include Bangladesh, India, Afghanistan, the Philippines, South Sudan, Indonesia, Lao, the Cook Islands, Fiji, Papua New Guinea/Bougainville, Samoa and Tonga.

The majority of these projects are implemented by non-government organisations (NGOs). Some funding is allocated to New Zealand NGOs that are working with in-country partners.

The New Zealand Government is presently unable to indicate the level of funding allocated for these initiatives in the 2003/04 year.

**Question Number 32**

**If your country has a national human rights institution, such as a human rights commission or ombudsman, or a child-specific human rights institution, does it have any role or competence in the area of violence against children, including receiving complaints?**

**If YES, provide details.**

The independent expert's attention is drawn to:

- Questions 20 and 21 of the questionnaire
- paragraph 9 of New Zealand's initial report to the UN Committee on the Rights of the Child (CRC/C/28/Add.3 refers)
- paragraphs 135 to 142 and 522 to 525 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers)
- New Zealand's response to written question seven on the General Measures of Implementation and written question nine on Data and Statistics (CRC/C/93/Add.4 refers).

A number of agencies contribute to upholding human rights, including children's rights. These are listed in paragraph 135 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers). The primary agency with a formal mandate to provide protection of human rights in New Zealand is the Human Rights Commission.

The Office of the Children's Commissioner has responsibility for children's rights. It has a key role in monitoring violence and abuse against children. The Office of the Children's Commissioner can receive and investigate complaints made on matters related to violence against children. It also monitors complaint systems within the statutory Care and Protection system and ensures that children and young people have access to procedural fairness.

The Children's Commissioner Act 2003 strengthened the provisions related to the Children's Commissioner and placed them in a new, separate statute. The Children's Commissioner now has a role in investigating any decisions made or actions taken to do with children and young people, not just those under the Children, Young Persons, and Their Families Act 1989.

Under the Children's Commissioner Act 2003, the Office of the Children's Commissioner also has a role to promote the establishment of accessible and effective complaints procedures of children and young people.

**Question Number 33**

**Are there any particular parliamentary structures (for example special committees) to address violence against children?**

**If YES, provide details.**

The New Zealand Government wishes to advise the independent expert that matters relating to violence against children can be considered by three parliamentary select committees – the Justice and Electoral Committee, the Law and Order Committee and the Social Services Committee.

**Question Number 34**

**Have there been any recent parliamentary initiatives to address violence against children?**

**If YES, please give details.**

The New Zealand Government wishes to advise the independent expert that there have been no recent parliamentary initiatives to address violence against children.

**III. ROLE OF CIVIL SOCIETY IN ADDRESSING VIOLENCE AGAINST CHILDREN**

*The aim of this section is to elicit information on civil society activities relating to violence against children.*

**Question Number 35**

**Describe significant civil society initiatives addressing violence against children in your country, including the types of institutions involved (such as academic institutions, professional associations, women's associations, student associations, community-based groups, faith-based groups, child and youth-led groups, trade unions, employer's organizations, national non-governmental organizations, international non-governmental organizations) and the major activities engaged in (including advocacy, awareness raising, research, prevention, rehabilitation and treatment of children harmed by violence, provision of services, provision of resources).**

The New Zealand Government wishes to advise the independent expert that civil society (referred to as non-government organisations [NGOs]) engages in a wide range of different initiatives to address violence against children.

A large proportion of the statutory care and protection services in New Zealand provided under the Children, Young Persons, and Their Families Act 1989 are delivered by the NGO sector, with many of these organisations receiving most or all of their funding from Government. In addition, the NGO sector also engages in a wide range of activities to address violence against children that are independent of the Government.

Addressing issues of violence against children is a priority for a number of NGOs in New Zealand. Key agencies in this area include Barnardos, UNICEF New Zealand, the Child Abuse Prevention Service, Save the Children, Action for Children and Youth Aotearoa and the National Collective of Independent Women's Refuges, however, these are only a few of the many NGOs that deliver services to address violence against children or advocate for measures to reduce violence against children.

Significant NGO initiatives in the areas of advocacy and awareness-raising include New Zealand's first and second NGO reports to the UN Committee on the Rights of the Child, which include specific mention of care and protection issues and violence against children.

A number of NGOs promote positive, non-violent parenting and provide general family support. Initiatives which take place on national level are provided by the Royal New Zealand Plunket Society, Barnardos, Parent Centre and Presbyterian Support Services. The National Collective of Independent Women's Refuges regularly runs media education campaigns on issues relating to violence against women and children.

Certain NGOs such as Child Abuse Prevention Services, which has a number of member agencies, provide specific child abuse prevention services. A large number of NGOs deliver family violence prevention and intervention services. The main providers include the National Collective of Independent Women's Refuges and the National Network of Stopping Violence Services. Both of these organisations have a number of member agencies.

The Children's Issues Centre regularly undertakes research on issues of violence against children. It was recently commissioned by the Office of the Children's Commissioner to undertake a major literature review on physical punishment of children, and also completed a report commissioned by the Ministry of Social Development outlining how three primary schools addressed bullying and developed a positive school culture (Question 47 of the questionnaire refers).

The New Zealand Government also highlights that the development and implementation of *Te Rito New Zealand Family Violence Prevention Strategy* has been a collaborative approach between Government and NGOs. In 2002, the National Executive was established to monitor the progress of the *Te Rito New Zealand Family Violence Prevention Strategy* and maintain cross-sectoral commitment to its implementation. It comprises both government and NGO representatives.

#### **Question Number 36**

**Describe the support provided by your Government for these activities and the efforts made to coordinate civil society and government initiatives.**

The independent expert's attention is drawn to New Zealand's response to written question five on the General Measures of Implementation (CRC/C/93/Add.4 refers).

Coordination of Government and NGO initiatives is provided for under *Te Rito New Zealand Family Violence Prevention Strategy* and the *Care and Protection Blueprint 2003* (Question 41 of the questionnaire refers).

The Department of Child, Youth and Family Services administers the funding of community services by approving providers, negotiating and monitoring contracts for the provision of services by those providers, and working with the community sector and other government agencies to facilitate and collaborate in the delivery of high-quality services to children and young people who have care and protection concerns.

The Office of the Children's Commissioner has designed and delivered children rights training programmes for (predominantly) community based organisations which work with children, young people and their families. The training aims to raise awareness about children's rights generally and also focuses on the rights of children to be free from violence in their homes, schools and communities. It covers the indicators and impact on children of child abuse and neglect and family violence. The training aims to better enable community organisations to recognise and respond to violence against children and to educate organisations on the legislative and policy provisions which should guide best practice.

#### **Question Number 37**

**Describe the role played by the media in addressing violence against children.**

The independent expert's attention is drawn to:

- paragraphs 78 to 86 of the New Zealand Government's initial report to the UN Committee on the Rights of the Child (CRC/C/28/Add.3 refers)
- paragraphs 379 to 385 and 985 to 986 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers).

It highlights that that in New Zealand, freedom of the press is a long-established tradition. The press operates freely, subject to the limitations and restrictions imposed by common law and statute, such as the law relating to defamation, blasphemy or obscenity, and human rights legislation.

The Broadcasting Standards Authority, an independent body established under the Broadcasting Act 1989, develops broadcasting codes which regulate the content of programmes. The Broadcasting Code of Conduct for free to air television contains sub-clauses relating to the protection of children, including protection from exploitation by the media. No media guidelines relating to children's rights have been established.

#### **IV. CHILDREN AS ACTORS IN ADDRESSING VIOLENCE**

***This section is designed to extract information on children's activities to address violence.***

#### **Question Number 38**

**Provide information on the involvement and consultation of children in designing activities, and in implementation and monitoring of programmes and policies to address violence against them. Provide details, including ages and other details of the children involved.**

The New Zealand Government wishes to advise the independent expert that children are involved and consulted in a number of initiatives to address violence against them. Key initiatives are outlined below.

During the development of the *Agenda for Children* (Question 41 of the questionnaire refers), children and young people were consulted with the aim of gathering a broad level of information and ideas from them on policy and research issues relating to children and young people, including their aspirations, concerns, and ideas for making things better. The consultation targeted all children and young people aged between 5 and 17 inclusive. Over 3,500 submissions from individual children and groups were received, representing the views of over 7,500 individuals under the age of 18 years. Various methods of consultation were used including face-to face interviews, group interviews and use of a website. Issues relating to violence were raised during the consultation, and action area four of the *Agenda for Children* addresses violence in children's lives, with a particular focus on reducing bullying.

An initiative arising out of action area four of the *Agenda for Children* entailed a study of three primary schools (for children aged 5 to 11 years inclusive) to examine the different approaches taken by primary schools to creating positive school cultures and environments, and in particular to reduce bullying. Approximately 50 children in total were interviewed about what they liked about school, what they did when they felt unsafe at school or when they were upset and disagreed with someone else at school. This and other information gathered will be used to produce a report on developing more positive school cultures to address bullying. The report is likely to be released in August 2004. The findings from the report will be integrated into existing initiatives in the education sector which focus on creating a context for effective learning through improving teacher quality, school quality and student engagement.

*Eliminating Violence from Schools* is a programme to address violence issues in schools which is partly subsidised by the Ministry of Education (paragraph 825 of New Zealand's second report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4) and Question 42 of the questionnaire, refer). When the programme is delivered in intermediate and secondary schools (for children aged 11 to 18 years inclusive), children are represented on the Management Committees established to oversee the implementation of the programme. Children have input into the design and implementation of activities, and participate in the planning of ongoing policies relating to anti-violence in their school once the programme has been completed.

In February 2002, the Office of the Children's Commissioner held a *Children's Call Symposium*. 150 children and young people aged between 11 and 18 years participated in the Symposium and provided specific feedback and comments on the impact of violence, including bullying, domestic violence and media representations, on their lives. The children and young people identified initiatives taking place in their schools and community environments to address violence, including peer mediation programmes that they led or were involved in. They also identified the agencies they believed had a key role to play in responding to and protecting children and young people, their peer groups and family from violence.

### **Question Number 39**

**Describe the involvement, if any, of children in designing special procedural or evidentiary rules applying in court proceedings with respect to hearings concerning violence against children. Provide details including ages and other details of the children involved.**

The independent expert's attention is drawn to Question 23 of the questionnaire, which provides details regarding special procedural or evidentiary rules which may apply in proceedings with respect to violence against children. No children were directly involved in the development of these procedures.

### **Question Number 40**

**Describe the amount and type of resources made available to support children's participation in activities to address violence against children.**

The New Zealand Government wishes to advise the independent expert that a number of resources are available to support children's participation in activities to address violence against them, including those outlined in Question 38 of the questionnaire.

In 2003, the Ministry of Social Development released *Planning for Participation: A Toolkit for Care and Protection Providers*. It is a web-based toolkit for care and protection providers to provide practical advice on how to incorporate the views of children and young people into the development of care and protection policies and programmes. The toolkit is available at <http://www.msd.govt.nz/work-areas/children-and-young-people/providers-toolkit/index.html>. The guide arose out of area of action three of the Care and Protection Blueprint 2003.

Government has also developed two other print resources developed to promote child and youth participation – *Youth Development Participation Guide: Keepin' It Real* (which targets children and young people aged 12 to 24 inclusive) and *Involving Children: A Guide to Engaging Children in Decision-making* (which targets children up to the age of 18).

Whilst these guides do not specifically target activities related to violence against children, they promote child and youth participation in all decision-making processes that affect them. Regional training on child and youth participation has been delivered to community organisations. *Involving Children: A Guide to Engaging Children in Decision-making* can be consulted at <http://www.msd.govt.nz/publications/e-i.html> and *Youth Development Participation Guide: Keepin' It Real* is available at <http://www.myd.govt.nz/pag.cfm?i=347>.

In addition, a review of the way in which schools are promoting student participation in decision making – *Student Participation in School Decision-making* – and a literature review – *Increasing the Participation of Children, Young People and Young Adults in Decision-making* – were completed in 2003.



## V. POLICIES AND PROGRAMMES TO ADDRESS VIOLENCE AGAINST CHILDREN

***A comprehensive policy for dealing with violence against children is one that addresses multiple forms of violence against children that works across the different settings in which violence occurs, and which includes components for prevention, protection, victim medical, psychological, legal and social assistance, victim rehabilitation and reintegration, and perpetrator interventions. Such policy is distinguished from specific programmes that address selected sub-types of violence against children or its effects in specific populations and settings.***

### Question Number 41

**Does your Government have a comprehensive policy concerning violence against children?**

**If YES, provide details and describe any gender-specific provisions included in the policy.**

The New Zealand Government wishes to advise the independent expert that the Children, Young Persons, and Their Families Act 1989 provides the principles and operational framework for the care and protection system to prevent and protect children from harm, ill-treatment, abuse and neglect. For further information on the policy framework, the independent expert's attention is drawn to paragraphs 9, 10 and 169 to 186 of New Zealand's initial report to the UN Committee on the Rights of the Child (CRC/C/28/Add.3 refers).

In addition to the policy framework provided by the Children, Young Persons, and Their Families Act 1989, there are three key government strategies which establish a comprehensive policy concerning violence against children.

*Te Rito New Zealand Family Violence Prevention Strategy* was released by Government in 2002. The focus of the strategy is on the prevention of family violence. The Strategy's vision is to create a society where families/whānau are living free from violence. A set of nine principles has guided its development and are also intended to guide the implementation process and any further approaches to family violence prevention. The strategy sets out five key goals, a number of objectives for achieving those goals, and a five-year implementation plan detailing 18 specific interrelated areas of action.

*Te Rito New Zealand Family Violence Prevention Strategy* can be viewed at <http://www.msd.govt.nz/publications/p-t.html>

The *Care and Protection Blueprint 2003* is a strategy for improving the services provided to children and young people at risk of, or who have suffered from, abuse, neglect and insecurity of care. The vision of the Blueprint is "families, communities and government working together for the safety and wellbeing of children, young people and their families".

The *Care and Protection Blueprint 2003* sets out four key goals and ten specific action areas to achieve these goals. Work is currently being progressed on the action areas,

and the Blueprint is to be reviewed annually. The *Care and Protection Blueprint 2003* can be viewed at <http://www.msd.govt.nz/publications/care-protection-blueprint-2003/index.html>

The New Zealand Government has now aligned the *Te Rito New Zealand Family Violence Prevention Strategy* and the *Care and Protection Blueprint 2003* work programmes. This is to ensure coordination between initiatives in response to family violence issues and care and protection concerns. In some cases this involves integrating actions from *Te Rito New Zealand Family Violence Prevention Strategy* and the *Care and Protection Blueprint 2003* into joint work streams. In other cases, the scope of projects will be broadened to cover the full spectrum of family violence and care and protection cases.

The *Agenda for Children* is a government strategy aimed at improving the lives of children. It includes a vision, a set of principles to guide decision-making, a new “whole child” approach to child policy and service development, and a programme of action for the Government to help achieve the vision. Action area four of the *Agenda for Children* is “Addressing violence in children’s lives with a particular focus on reducing bullying”. This work builds on initiatives already underway that aim to reduce crime and violence in families and in children’s lives that is taking place through the *Care and Protection Blueprint 2003* and *Te Rito New Zealand Family Violence Prevention Strategy*.

The *Agenda for Children* can be viewed at <http://www.msd.govt.nz/publications/agenda-for-children-public-report/>

The New Zealand Government wishes to advise that there are no gender specific provisions in these policies.

#### **Question Number 42**

**Does your Government deliver, or provide direct support for delivery by other agencies, of specific programmes aimed at preventing and responding to violence against children?**

**If YES, please provide available summary reports, or URLs, of these programmes, and indicate, using the table below, which settings and types of violence are addressed by these programmes.**

The independent expert’s attention is drawn to:

- paragraphs 178 to 186 of New Zealand’s initial report to the UN Committee on the Rights of the Child (CRC/C/28/Add.3 refers)
- paragraphs 526 to 533 of New Zealand’s second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers)
- Question 41 of the questionnaire.

The New Zealand Government wishes to advise the independent expert that it both delivers and provides direct support for delivery by other agencies of specific programmes aimed at preventing and responding to violence against children. The programmes and initiatives outlined below are examples of *key* initiatives that

specifically relate to violence against children. They do not include all programmes which address violence generally.

The Government highlights that the Department of Child, Youth and Family Services has primary responsibility for preventing and responding to child abuse and neglect and consequently provides a large number of services and programmes under the Children, Young Persons, and Their Families Act 1989. The Department of Child, Youth and Family Services provides funding to approved community providers to provide programmes aimed at preventing and responding to violence against children. The types of programmes funded by the Department of Child, Youth and Family Services include:

- abuse prevention programmes
- Maori and Pacific initiatives to reduce family violence
- programmes and services for child victims or witnesses of family violence
- programmes for the prevention of Maori family violence
- counselling for the victims of family violence
- social work support to whanau affected by family violence
- crisis intervention social work support to rural families
- family violence prevention services (also supported by inter-agency funding from the Department of Internal Affairs, the Ministry of Justice, the Accident Compensation Corporation and the Department of Corrections)
- refuge accommodation and/or support
- family violence prevention services
- family violence recovery programme
- family violence intervention prevention.

The specific outcomes the Department of Child, Youth and Family Services is focused on achieving, together with a summary of the key services delivered, can be found in the Department of Child, Youth and Family Services Statement of Intent 2004/2005, at [http://www.cyf.govt.nz/UploadLib/images/2004\\_soi\\_20040531\\_145718.pdf](http://www.cyf.govt.nz/UploadLib/images/2004_soi_20040531_145718.pdf), in paragraphs 169 to 186 of New Zealand's initial report to the UN Committee on the Rights of the Child (CRC/C/28/Add.3 refers) and paragraph 160 of New Zealand's second periodic report to the UN Committee on the Rights of the Child (CRC/C/93/Add.4 refers).

Other key programmes delivered by, or funded by, the government aimed at preventing and responding to violence against children include:

- actions identified under the *Care and Protection Blueprint 2003* and *Te Rito New Zealand Family Violence Prevention Strategy* (Question 41 of the questionnaire, <http://www.msd.govt.nz/publications/care-protection-blueprint-2003/index.html>, <http://www.msd.govt.nz/publications/p-t.html> refer)
- *Strengthening Families* programme (<http://www.strengtheningfamilies.govt.nz/> refers)
- *Everyday Communities* (Question 22 of the questionnaire, New Zealand's response to written question five on the General Measures of Implementation, CRC/C/93/Add.4, refer)
- *Local Services Mapping* (New Zealand's response to written question five on the General Measures of Implementation, <http://www.cyf.govt.nz/view.cfm?pid=191>, refers)

- *Effective Responses Project* – the aim of the *Effective Responses Project* is to improve systems, services and investments to change the trajectory for the children and young people with care and protection risks so their problems do not escalate to the level where statutory intervention (or re-intervention) is necessary. Planning for this project is currently underway
- *Domestic Violence Programmes* for protected children provided under the Domestic Violence Programmes (Regulations) 1996 (Question 12 of the questionnaire, paragraphs 526 to 531 of New Zealand's second periodic report to the UN Committee on the Rights of the Child, CRC/C/93/Add.4, refer)
- *Eliminating Violence from Schools* (Question 38 of the questionnaire, paragraph 825 of New Zealand's second periodic report to the UN Committee on the Rights of the Child, CRC/C/93/Add.4, refer)
- *Family Violence Funding Circuit Breaker* – this is an initiative which seeks to enhance and streamline national systems and processes between relevant agencies to encourage a collaborative approach to funding family violence prevention services. This is intended to improve Government's responsiveness to the needs of community based service providers, reduce compliance costs, increase provider capacity and sustainability and contribute over time to enhanced community safety and wellbeing. The initiative involves the establishment of regional teams across 15 regions. These teams are made up of representatives from the five main government agencies which fund family violence initiatives
- *Keeping Ourselves Safe* (KOS) – this is a child abuse/personal safety programme operated by Police for primary and secondary school students, teachers and parents. It aims to provide them with skills to resist physical and sexual violence and change perceptions and beliefs about its nature and occurrence (<http://www.police.govt.nz/service/yes/resources/violence/kos1.html> refers)
- *Family Safety Teams* – this is a pilot initiative aimed at providing a multi-disciplinary, collaborative response to family violence. It is a joint initiative between Police, the Ministry of Justice and the Department of Child, Youth and Family Services. It involves Police, adult and child victim advocates working together to ensure the full range of needs/issues for a family experiencing family violence are addressed. The first two Family Safety Teams will begin work in early 2005, and the third and fourth teams will be established in the first quarter of the 2005 and 2006 financial years respectively
- *Strategies with Kids – Information for Parents (SKIP)* – this is a parent support strategy that was launched in May 2004. It provides local communities with resources to promote the benefits of positive parenting. A toolkit and Local Initiatives Fund will support community organisations to provide practical knowledge and skills on safe, effective ways of disciplining children (<http://www.msd.govt.nz/work-areas/families-whanau/skip.html> refers)
- *Kia Marama and Te Piriti Sex Offender Treatment Programmes* – these treatment programmes, funded by the Department of Corrections, operate in two prisons for male inmates who are nearing the end of a sentence for sexual offences against children. The goal of the programmes is to reduce re-offending among men who have offended sexually against children
- *DV Free* – this is an employer-based violence prevention programme that is currently being developed by the Ministry of Health. It aims to make workplaces an aware, safe and supportive environment place for women who are victims of

domestic violence, and consequently will have implications for responding to violence against children and to children who have witnessed violence.

Government completed a *First Principles Baseline Review of the Department of Child, Youth and Family Services* in 2003. The Baseline Review has resulted in the allocation of additional resources to the Department of Child, Youth and Family Services to assist it in implementing the Children, Young Persons, and Their Families Act 1989.

The table below replicates the table provided in the questionnaire. It indicates the settings and types of violence that are addressed by the programmes outlined above. The New Zealand Government wishes to advise that it is seeking a definition of the term “HTP” from the independent expert. Hence, this column has been left blank until the definition has been provided. The column and row headed “Other” have been left blank as the settings and categories of violence already provided adequately encompass both the types of violence addressed by the programmes, and the definition of violence used in the questionnaire.

	<b>Physical</b>	<b>Sexual</b>	<b>Psychological</b>	<b>Neglect</b>	<b>HTPs</b>	<b>Other</b>
<b>Family/Home</b>	- CYFS - Te Rito - Blueprint - SKIP - Everyday Communities - Effective Responses - Strengthening Families - FVFCB - Family Safety - LSM - Domestic Violence	- CYFS - Te Rito - Blueprint - Everyday Communities - Effective Responses - Strengthening Families - FVFCB - Family Safety - LSM - Domestic Violence - Kia Marama - Te Piriti	- CYFS - Te Rito - Blueprint - Everyday Communities - Effective Responses - Strengthening Families - FVFCB - Family Safety - LSM - Domestic Violence	- CYFS - Blueprint - Everyday Communities - Effective Responses - Strengthening Families - FVFCB - Family Safety - LSM - Domestic Violence	Awaiting Definition	N/A
<b>Schools</b>	- CYFS - Eliminating Violence - KOS	- CYFS - Eliminating Violence - KOS	- CYFS - Eliminating Violence	- CYFS	Awaiting Definition	N/A
<b>Institutions</b>	- CYFS	- CYFS	- CYFS	- CYFS	Awaiting Definition	N/A
<b>Neighbourhood/Community</b>	- CYFS - Te Rito - Blueprint - Everyday Communities - FVFCB - LSM - Family Safety	- CYFS - Te Rito - Blueprint - Everyday Communities - FVFCB - LSM - Kia Marama - Te Piriti	- CYFS - Te Rito - Blueprint - Everyday Communities - FVFCB - LSM	- CYFS - Blueprint - Everyday Communities - FVFCB - LSM - Family Safety	Awaiting Definition	N/A
<b>Workplace</b>	- DV Free	- DV Free	- DV Free		Awaiting Definition	N/A
<b>Law enforcement</b>					Awaiting Definition	N/A
<b>Other</b>	N/A	N/A	N/A	N/A	N/A	N/A

Key to abbreviations used in the table:

CYFS – programmes delivered by the Department of Child, Youth and Family Services  
Te Rito – programmes delivered under *Te Rito New Zealand Family Violence Prevention Strategy*

Blueprint – programmes delivered under the *Care and Protection Blueprint 2003*

Effective Responses – *Effective Responses Project* initiative

Domestic Violence – *Domestic Violence Programmes*

Eliminating Violence – *Eliminating Violence from Schools*

FVFCB – *Family Violence Funding Circuit Breaker* initiative

KOS – *Keeping Ourselves Safe*

Family Safety – *Family Safety Teams*

SKIP – *Strategies for Kids - Information for Parents*

LSM – *Local Services Mapping*

Kia Marama – *Kia Marama Sex Offender Treatment Programme*

Te Piriti – *Te Piriti Sex Offender Treatment Programme*

#### **Question Number 43**

**Does your Government monitor the impact of these policies and programmes directed towards violence against children?**

**If YES, describe the monitoring systems and provide a URL or other reference where the system and outcomes are described in greater details.**

The New Zealand Government wishes to advise the independent expert that monitoring and/or evaluation systems have been established for the programmes outlined in Question 42 of the questionnaire.

The Government notes that *Strategies with Kids – Information for Parents*, the *Effective Responses Project* and *DV Free* have only recently been initiated, hence monitoring and evaluation systems have not yet been put in place.

The continuation of funding from the Department of Child, Youth and Family Services to programme providers is dependent on the programmes providing satisfactory reports accounting for the outputs and outcomes produced. The frequency and content of these reports depends on the amount of funding received by the provider, and other factors such as whether the services being offered are budget initiatives. Some programmes are also monitored and evaluated in addition to the expectations set out in the contracting system.

The monitoring and implementation of *Te Rito New Zealand Family Violence Prevention Strategy* is overseen by the Te Rito National Executive made up of Government and NGO representatives (Questions 35 and 36 of the questionnaire refer). Information on the Te Rito National Executive can be found at <http://www.msd.govt.nz/work-areas/families-whanau/te-rito/national-executive.html>.

The implementation of the *Care and Protection Blueprint 2003* has been overseen by the Blueprint Steering Group consisting of government and NGO representatives with care

and protection knowledge and expertise (Question 36 of the questionnaire refers). Progress on the implementation of the *Care and Protection Blueprint 2003* is monitored and can be viewed at <http://www.msd.govt.nz/work-areas/children-and-young-people/care-protection-blueprint/progress-reports.html>.

*Strengthening Families* has monitoring systems in place. Information on these systems can be found on <http://www.strengtheningfamilies.govt.nz/>.

An evaluation of the implementation of *Everyday Communities* has been commissioned in order to review the public communications approach used, and to define the ideal outcomes for both the general public and the community through the development of a Program Logic. The evaluation report will be available at the end of August 2004. This framework will be used to evaluate the outcomes of the programme regions for 2004/2005. A further evaluation report will be available at the end of this period.

To review the outcomes that are achieved through *Local Services Mapping*, an infrastructure will be developed in each site to monitor the outcomes achieved in each community. This information will be used to enhance the processes in place. Information on the monitoring and evaluation processes can be found at <http://www.cyf.govt.nz/view.cfm?i=2&pid=191>.

The *Domestic Violence Programmes* for protected children provided under the Domestic Violence (Programmes) Regulations 1996 were evaluated shortly after commencement. Most of the responses from parents and children indicated that many of their needs were met during the programme and that these gains were sustained three months later (paragraphs 526 to 535 of New Zealand's second periodic report to the UN Committee on the Rights of the Child, CRC/C/93/Add.4, refer). An in-depth evaluation of these programmes, *Evaluation of Programmes for Children under the Domestic Violence Act 1995*, was completed in 2002. It can be viewed at <http://www.justice.govt.nz/pubs/reports/2002/children-dva-act/index.html>.

A comprehensive evaluation of the *Eliminating Violence from Schools* programme was undertaken in 1997. The *Eliminating Violence from Schools Evaluation Project: Final Report* (Moore, Adair, Kruiswijk and Lysaght) evaluated the programme in three schools. An evaluation of the *Eliminating Violence from Schools* programme has not been undertaken in the last five years, however, individual programmes operating at an individual school level have been evaluated.

*Family Violence Funding Circuit Breaker* is a relatively new initiative. Government is currently undertaking action research to track the 2004/05 implementation of the project. This involves enabling the *Family Violence Funding Circuit Breaker* teams to reflect on and discuss their work during the implementation year, making the ideas and issues generated by the implementation process available to all the teams, and facilitating a process of learning and information exchange, which supports strategic collaboration and the streamlining of funding systems.

*Keeping Ourselves Safe* has been extensively evaluated since its implementation. Information on these evaluations can be viewed at <http://www.police.govt.nz/service/yes/resources/violence/kos2.html>

All four *Family Safety Teams* are due to be established by the end of 2006. An evaluation of the effectiveness of the pilot programme will be conducted over a three-year period.

An evaluation of the *Kia Marama Sex Offender Treatment Programme* was conducted in 1998. An evaluation of *Te Piriti Sex Offender Treatment Programme* was conducted in 2003. The evaluation reports can be viewed at <http://www.corrections.govt.nz/public/Research/tepiriti/index.html> and <http://www.corrections.govt.nz/public/Research/ThereWasLight/index.html>

The New Zealand Government also notes that under action area four of the *Care and Protection Blueprint 2003*, a project to develop outcome measures for community care and protection providers is currently underway. The goal is to establish a common data set and procedures in consultation with the sector. The project responds to recognition of the importance of outcome measures for monitoring the effectiveness of community care and protection service providers' interventions and programmes, in particular for planning and funding of services.

**Question Number 44**

**Does your Government participate in any internationally coordinated activities concerning violence against children?**

**If YES, please provide details.**

The New Zealand Government wishes to advise the independent expert that children's rights, together with the rights of women, indigenous people and disabled people, are New Zealand's international human rights policy priorities. In this context, New Zealand makes statements promoting the advancement of children's rights and is an active supporter of resolutions and initiatives on children's rights in the United Nations. Violence against children was one of the subjects of New Zealand's national statement on human rights at the Commission on Human Rights in 2004.

New Zealand is a party to UNCROC and its Optional Protocol on the Involvement of Children in Armed Conflict and a signatory to the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. New Zealand also plays a leading role in the Bali process on people smuggling, trafficking in persons and related transnational crime and is a party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime (Question 16 of the questionnaire refers).

New Zealand takes bilateral and other opportunities that arise to promote the rights of the child. Accordingly, New Zealand has recently joined a complaint about the use of the juvenile death penalty in the United States (the European Union Amicus Curiae Brief with the United States Supreme Court on the juvenile death penalty case of *Roper vs. Simmons*).



## VI. DATA COLLECTION, ANALYSIS AND RESEARCH

***This section aims to provide an overview of information systems and information about violence against children that may be used to inform, plan and monitor policy, legal and programmatic interventions concerning violence against children.***

### **Question Number 45**

**Over the past five years, has there been any victimization, epidemiological or other population-based surveys of any forms of violence against children in your country?**

**If YES, provide details or references, or attach.**

The New Zealand Government wishes to advise the independent expert that the Ministry of Justice published a *Survey on Public Attitudes towards the Physical Discipline of Children* in 2001. This can be referred to at <http://www.justice.govt.nz/pubs/reports/2001/children/index.html>.

The Ministry of Justice also undertook a *National Survey of Crime Victims* in 2001, involving persons aged 15 years and over. This report can be viewed at [http://www.justice.govt.nz/pubs/reports/2003/victims-survey/National\\_NZ\\_Survey\\_Crime-Victims.pdf](http://www.justice.govt.nz/pubs/reports/2003/victims-survey/National_NZ_Survey_Crime-Victims.pdf)

### **Question Number 46**

**Have there been any small-scale or representative interview studies with parents and children on violent victimisation of children?**

**If so, please give details.**

The independent expert's attention is drawn to Question 12 of the questionnaire.

### **Question Number 47**

**Over the past five years, has your Government conducted or commissioned any scientific research projects on the problem of violence against children?**

**If YES, indicate the subject of this research and where the findings of these projects may be consulted in more detail.**

The New Zealand Government wishes to advise that it has conducted and commissioned a number of scientific research projects on the problem of violence against children.

During the development of the *Te Rito New Zealand Family Violence Prevention Strategy*, a literature review was initiated. The findings from the literature review are expected to be made available later in 2004.

The Ministry of Social Development commissioned the Children's Issues Centre to undertake research on bullying in schools and developing a more positive school culture (Question 38 of the questionnaire refers). The findings of the research will be outlined in a report, which is due to be released in August 2004. It will be available in the publications section of the Ministry of Social Development's website, [www.msd.govt.nz](http://www.msd.govt.nz).

The Office of the Children's Commissioner also commissioned the Children's Issues Centre to undertake a major literature review on the physical punishment of children. The findings of the literature review are provided in *The Discipline and Guidance of Children: A Summary of Research*. The report can be viewed at [www.occ.org.nz](http://www.occ.org.nz).

Furthermore, as part of *Te Rito New Zealand Family Violence Prevention Strategy*, the New Zealand Government is establishing a Family Violence Clearing House service. This service will collect, collate, promote and disseminate information on family violence to a broad range of end users through a dedicated website and hard copy repository. It will contribute to developing our information base about what is already known in New Zealand as well as the gaps that require research.

**Question Number 48**

**Have studies or surveys been undertaken into the impact of legal measures to address violence against children?**

**If YES, provide details or references, or attach.**

The independent expert's attention is drawn to Question 12 of the questionnaire.

**Question Number 49**

**Does your Government have a system for formal inquiries into all child deaths in which it is known or suspected that violence may have played any part?**

**Provide details.**

The New Zealand Government wishes to advise the independent expert that under the Coroners Act 1988, all deaths which appear to have been violent or unnatural, including child deaths, are required to be reported to the Coroner, who will investigate the cause of death.

The Office of the Children's Commissioner is required by law to monitor the policies and practices of the Department of Child, Youth and Family Services. This is a specific function in relation to the Children, Young Persons, and Their Families Act 1989. One of the ways the Office of the Children's Commissioner carries out this monitoring is by reviewing the deaths of all children who have had some involvement with the Department of Child, Youth and Family Services.

A review by the Department of Child, Youth and Family Services follows the death of any child or young person who is or has been in the care, custody and control of the Chief Executive of the Department of Child, Youth and Family Services, who has had

significant involvement with Department of Child, Youth and Family Services in the six months prior to the death, or where there has been some other exceptional event which indicates the need for a review.

In reviewing the report completed by Department of Child, Youth and Family Services, the Office of the Children's Commissioner constructs a synopsis of the case, identifies any significant organisational or practice issues arising from the Department's management of the case, analyses practice issues with reference to the Department of Child, Youth and Family Services' policies, procedures, and legislation, and presents findings and comments to the Department in order that these to be incorporated into the learning that can be made from a particular child's death.

New Zealand's Child and Youth Mortality Review Committee aims to reduce child and youth mortality by providing information that identifies ways of preventing deaths through improving systems and processes. The Child and Youth Mortality Review Committee reviews the deaths of all children and young people in New Zealand aged between four weeks and 24 years, and reports to the Minister of Health on the outcomes. More information on the Child and Youth Mortality Review Committee can be found at <http://www.newhealth.govt.nz/cymrc/>.

**Question Number 50**

**Are regular (e.g. annual) reports published describing the statistical profile of the known or suspected violent deaths investigated by the system?**

**If YES, what proportion of all homicide deaths are under the age 18?**

The New Zealand Government wishes to advise that the New Zealand Health Information Service, which is part of the Ministry of Health, publishes mortality data annually. This includes information on the statistical profile of known or suspected violent deaths.

In 2000, there were 20 homicide deaths in New Zealand. Six of these homicide deaths – 30 percent – were under the age of 18 years.

**Question Number 51**

**If reports on the national profile of known and suspected violent deaths are published by your Government, indicate how the data is broken down for the purpose of reporting (check all that apply):**

The independent expert's attention is drawn to the table below, provided in the questionnaire, which indicates the way in which data related to known and suspected violent deaths is published (Question 50 of the questionnaire refers).

<b>Sex</b>	✓
<b>Age</b>	✓
<b>Ethnicity</b>	✓
<b>Manner of death (homicide, suicide, undetermined)</b>	✓
<b>External causes of death (firearm, strangulation, etc.)</b>	✓
<b>Geographical location of incident (address)</b>	
<b>Scene of occurrence (home, school, etc.)</b>	
<b>Time and date of incident</b>	
<b>Victim-perpetrator relationship</b>	
<b>Other</b>	

The New Zealand Government wishes to advise that the New Zealand Health Information Service also collates information in relation to:

- the geographical location of the death (the census area unit where the person lived, which may differ from the location of the death)
- the time and date of the death (if this information is reported in the Coroner's findings)
- the nature of the relationship between the victim and the perpetrator (if known)
- details of the injuries sustained in the death.

This information is not published, however, it may be made available to interested persons upon request, subject to privacy regulations.

**Question Number 52**

**Provide the total number of reported cases of violence against children in 2000, 2001, 2002 and 2003.**

The independent expert's attention is drawn to the table below, which indicates the number of notifications of violence against children made to the Department of Child, Youth and Family Services that warranted further investigation for the period 2000/01 to 2003/04.

<b>Year</b>	<b>Notifications Requiring Further Action</b>
<b>2000/2001</b>	22,868
<b>2001/2002</b>	23,805
<b>2002/2003</b>	27,394
<b>2003/2004</b>	36,066

**Question Number 53**

**Provide the total number of convictions and reported cases for the various categories of crimes of violence recorded against children in 2000, 2001, 2002 and 2003.**

New Zealand advises that, with limited exceptions, electronic data collected on criminal offences does not generally include information on whether victims were adults or children.

As the available information would not give a complete picture, New Zealand is not providing these statistics at this time.

**VII. AWARENESS, ADVOCACY AND TRAINING**

***This section is aimed at gathering information on any awareness-raising, advocacy and training activities relating to violence against children which may have been conducted by your Government.***

**Question Number 54**

**Over the last five years has your Government conducted or commissioned any campaigns for raising awareness of and preventing violence against children?**

**If YES, please describe any recent campaigns, including the settings and types of violence that were the subjects of the campaigns and the target audience (general public, caregivers, teachers, etc.).**

The independent expert's attention is drawn to Question 22 of the questionnaire.

The *Neglect Prevention Programme* was launched by the Department of Child, Youth and Family Services in May 1999. It was a targeted programme to increase community awareness about the neglect of children and young people, and to change attitudes and behaviour about it. The programme also aimed to help families meet their care, control and support responsibilities and contributed to the Government's Strengthening Families policy. The *Neglect Prevention Programme* targeted both at-risk families and a broader audience of people who would not usually come into contact with the Department of Child, Youth and Family Services, but who would benefit from the education and advice activities of the programme.

Activities undertaken as part of the *Neglect Prevention Programme* included a multimedia campaign of television, radio and print advertising focusing on several specific child neglect messages, community seminars and workshops for Maori, Pacific peoples and general audiences and professional education to increase awareness among health, welfare and education professionals about the early detection and prevention of child neglect. Education tools include workshops, forums, publications and articles published in professional journals.

An *Alternatives to Smacking* Campaign took place in March and April 2000. It built upon an earlier *Alternatives to Smacking* Campaign in 1998, which aimed to raise awareness of the alternatives to smacking and to encourage parents and caregivers to use them. Non-violent alternative forms of discipline for children and ways to encourage good behaviour were promoted using four weeks of television advertising, radio advertising for Maori and Pacific Peoples, as well as a proactive media strategy and printed information.

*Everyday Communities* is a regional education programme which commenced in areas around New Zealand in February 2002. The programme focuses on promoting well-being, positive parenting and safety for children, to create an environment where child abuse is less able to exist. It comprises a comprehensive radio strategy that includes messages created by local people, live parenting programmes and talkback that will reinforce the community's responsibility for preventing child abuse. The programme is initiated by the Department of Child, Youth and Family Services, and becomes a community programme driven by, and for, the local community.

*Strategies with Kids – Information for Parents* (SKIP) is a parent support strategy launched in May 2004. It provides local communities with resources to promote the benefits of positive parenting. A toolkit and Local Initiatives Fund will support community organisations to provide practical knowledge and skills on safe, effective ways of disciplining children.

**Question Number 55**

**How were the campaign messages and information disseminated (check all that apply)?**

<b>Print media</b>	✓
<b>Radio</b>	✓
<b>Television</b>	✓
<b>Theatre</b>	✓
<b>Schools</b>	✓
<b>Others</b>	✓

**Question Number 56**

**Over the last five years, has your Government provided, commissioned or sponsored training programmes in the area of violence against children?**

**If YES, indicate which of the following areas were addressed by the last such training programmes and which provider groups received training (check all that apply).**

The New Zealand Government wishes to advise the independent expert that it provides and funds, training programmes in a wide range of areas of violence against children, and for a diverse audience. These are indicated in the table below.

	Prevention	Protection	Redress	Rehabilitation	Penalties
Medical Professionals (including paediatricians, nurses, psychiatrists and dentists)	✓	✓	✓	✓	
Public health practitioners	✓	✓	✓		
Social workers and Psychologists	✓	✓	✓	✓	
Teachers and other educators	✓	✓			
Court officials (including judges)	✓	✓	✓	✓	
Police	✓				
Prison officers					
Juvenile offenders personnel Institution personnel Parents/guardians	✓	✓			
Domestic Violence Programme Providers	✓	✓	✓	✓	

**Please provide details.**

The New Zealand Government wishes to advise the independent expert that the Department of Child, Youth and Family Services provides a number of specific training courses in the area of violence against children. These are primarily delivered to staff and programme providers. Key initiatives include:

- *Dangerous Dynamics* – this is a two-day course that focuses on dangers in the social work profession and highlights the dynamics that can occur between families and social workers. It involves an analysis of New Zealand reports relating to deaths of

children, application of models, systems and theories, components of child focused practice and strategies for safe social work practice

- *Family Violence* – this training is compulsory for all new social work staff. It involves assisting staff to develop an understanding of the dynamics of family violence, examine the effects of family violence on women and children, and consider the implications for social workers when clients are victims of family violence
- *Dynamics of Sexual Abuse* – this is a two day course which aims to enable staff to identify the dynamics of sexual abuse, investigate, assess and intervene effectively in notifications or cases involving sexual abuse and explain the rationale for the policies and practices of the Department of Child, Youth and Family Services in relation to sexual abuse
- *Child Focussed Interviewing* - this course concentrates on identifying and applying skills/knowledge and techniques necessary for the successful interviewing of children for assessment and where there has been a disclosure of abuse
- *The First Four Years* – this is a one-day training course that provides an overview of the physical development of children aged zero to four years, and the impact of trauma on a young child
- *Te Puaruruhau – Diagnosis and Management of Abused Children (Whakaruruhau)* – this two-day training focuses on the sexual and physical abuse of children and provides an overview of medical and nursing diagnosis and management. It explores information about the diagnosis and management of physical and sexual abuse including fractures and shaken baby syndrome.

The Department of Child, Youth and Family Services also funds some NGOs to provide training in the area of violence against children.

The Police work with teachers to assist them in delivering the *Keeping Ourselves Safe* programme in schools (Question 42 of the questionnaire refers).

The Ministry of Health also delivers training to health providers and professionals on the *Family Violence Intervention Guidelines: Child and Partner Abuse*. Released in November 2002, the *Family Violence Intervention Guidelines* are a practical tool to assist health providers to make safe and effective interventions to assist victims of violence and abuse. They have been written as generic health professional guidelines, setting out principles of intervention that will apply to a number of health professions and a number of clinical settings.

Training for health providers and professionals on the *Family Violence Intervention Guidelines: Child and Partner Abuse* commenced in 2002. Approximately 2000 health professionals have undergone training to date.

The Office of the Children's Commissioner also designs and delivers children's rights training programmes for a range of (predominantly community) organisations that work with children, young people and their families (Question 36 of the questionnaire refers).

The Ministry of Justice District Courts operational unit is responsible for the provision of children's programmes under the Domestic Violence (Programmes) Regulations 1996 (Question 42 of the questionnaire refers). In 1995 and 1998, a national training programme was delivered to a wide range of community groups by the Department for Courts (now part of the Ministry of Justice). The Department for Courts also developed



a set of guidelines for the provision of children's programmes, in consultation with a group of experts. Since this time, a comprehensive manual and set of resources has been developed and maintained for community providers. The Ministry of Justice has also provided an advisory and consultative service for providers, regionally and nationally.

In 1995, the Family Violence Task Force held a national conference on children and domestic violence. In 2003, a series of workshops on the impact of emotional abuse on children were provided throughout New Zealand, and a national training programme for all family court staff was also undertaken.

Other key training initiatives with regard to the *Domestic Violence Programmes* have included:

- a workshop for all domestic violence programme providers in the northern region in November 2001. The workshop set aside an afternoon to specifically discuss children's issues.
- a regional workshop for children's programme providers in November 2002, with a further provider workshop in 2003
- a national training for all family court coordinators in 2000
- regional training for all Waikato family court staff in May 2004.

Domestic violence advisors provide ongoing support and information to programme providers.

## APPENDIX ONE

### Legislation

- All legislation referred to in the questionnaire can be viewed at:  
<http://www.legislation.govt.nz/>

### New Zealand's reports to the UN Committee on the Rights of the Child

- New Zealand's core document – HRI/CORE/1/Add.33 refers
- New Zealand's initial periodic report to the UN Committee on the Rights of the Child – CRC/C/28/Add.3 refers
- New Zealand's second periodic report to the UN Committee on the Rights of the Child – CRC/C/93/Add.4 refers
- <http://www.unhchr.ch/html/menu2/6/crc/doc/past.htm>

### Government Agencies

- The Child and Youth Mortality Review Committee  
<http://www.newhealth.govt.nz/cymrc/>
- The Department of Child, Youth and Family Services  
<http://www.cyf.govt.nz>
- The Department of Corrections  
<http://www.corrections.govt.nz>
- The Department of Labour  
<http://www.dol.govt.nz>
- The Ministry of Education  
<http://www.minedu.govt.nz>
- The Ministry of Foreign Affairs and Trade  
<http://www.mfat.govt.nz>
- The Ministry of Health  
<http://www.moh.govt.nz>
- The Ministry of Justice  
<http://www.justice.govt.nz>
- Office of the Children's Commissioner  
<http://www.occ.org.nz>
- The Police  
<http://www.police.govt.nz>
- The Ministry of Social Development  
<http://www.msd.govt.nz>

- The Ministry of Youth Development  
<http://www.myd.govt.nz>

## Documents and Strategies

- *The Agenda for Children*  
<http://www.msd.govt.nz/publications/agenda-for-children-public-report/>
- *The Age of Physical Abuse Victims and the Sentence Imposed on their Abuser*  
[http://www.justice.govt.nz/pubs/reports/2001/age\\_abuse/index.html](http://www.justice.govt.nz/pubs/reports/2001/age_abuse/index.html).
- *The Care and Protection Blueprint 2003*  
<http://www.msd.govt.nz/publications/care-protection-blueprint-2003/index.html>
- *The Discipline and Guidance of Children: A Summary of Research*  
<http://www.occ.org.nz>.
- *The Domestic Violence Legislation and Child Access in New Zealand*  
[http://www.justice.govt.nz/pubs/reports/1999/domestic\\_violence/index.html](http://www.justice.govt.nz/pubs/reports/1999/domestic_violence/index.html)
- *Department of Child, Youth and Family Services Statement of Intent 2004/2005*  
[http://www.cyf.govt.nz/UploadLib/images/2004\\_soi\\_20040531\\_145718.pdf](http://www.cyf.govt.nz/UploadLib/images/2004_soi_20040531_145718.pdf)
- *Evaluation of Programmes for Children under the Domestic Violence Act 1995*  
<http://www.justice.govt.nz/pubs/reports/2002/children-dva-act/index.html>
- *Involving Children: A Guide to Engaging Children in Decision-making*  
<http://www.msd.govt.nz/publications/e-i.html>
- *Keeping Ourselves Safe*  
<http://www.police.govt.nz/service/yes/resources/violence/kos1.html>
- *Kia Marama and Te Piriti Sex Offender Treatment Programmes*  
<http://www.corrections.govt.nz/public/Research/tepiriti/index.html> and  
<http://www.corrections.govt.nz/public/Research/ThereWasLight/index.html>
- *Local Services Mapping*  
<http://www.cyf.govt.nz/view.cfm?pid=191>
- *National Survey of Crime Victims*  
[http://www.justice.govt.nz/pubs/reports/2003/victims-survey/National\\_NZ\\_Survey\\_Crime-Victims.pdf](http://www.justice.govt.nz/pubs/reports/2003/victims-survey/National_NZ_Survey_Crime-Victims.pdf)
- *Planning for Participation: A Toolkit for Care and Protection Providers*  
<http://www.msd.govt.nz/work-areas/children-and-young-people/providers-toolkit/index.html>.
- *Strategies with Kids – Information for Parents*  
<http://www.msd.govt.nz/work-areas/families-whanau/skip.html>

- *Strengthening Families*  
<http://www.strengtheningfamilies.govt.nz/>
- *Survey on Public Attitudes towards the Physical Discipline of Children*  
<http://www.justice.govt.nz/pubs/reports/2001/children/index.html>.
- *Te Rito New Zealand Family Violence Prevention Strategy*  
<http://www.msd.govt.nz/publications/p-t.html>
- *Youth Development Participation Guide: Keepin' It Real*  
<http://www.myd.govt.nz/pag.cfm?i=347>