



# FAMILY VIOLENCE INDICATORS

Can national administrative data sets be used to measure trends in family violence in New Zealand?

The Families Commission was established under the Families Commission Act 2003 and commenced operations on 1 July 2004. Under the Crown Entities Act 2004, the Commission is designated as an autonomous Crown entity.

Our main role is to act as an advocate for the interests of families generally (rather than individual families).

Our specific functions under the Families Commission Act 2003 are to:

- › encourage and facilitate informed debate about families
- › increase public awareness and promote better understanding of matters affecting families
- › encourage and facilitate the development and provision of government policies that promote and serve the interests of families
- › consider any matter relating to the interests of families referred to us by any Minister of the Crown
- › stimulate and promote research into families; for example, by funding and undertaking research
- › consult with, or refer matters to, other official bodies or statutory agencies.

Our specific functions under the Whānau Strategic Framework (2009–2012, p. 5) are to develop an operating environment which is regarded by whānau, Māori, iwi and key stakeholders as representative of an organisation that:

- › listens to the voice of whānau
- › has regard to the needs, values and beliefs of Māori as tangata whenua, as required under Section 11(a) of the Families Commission Act 2003
- › promotes and maintains whānau strength and resiliency
- › promotes whānau ora through the activities of advocacy, engagement, policy development and research.

Families Commission Amendment Bill currently before Parliament, amends the principal Act of 2003. In addition to its main advocacy function, it introduces a new social policy monitoring and evaluation function. Once passed, our main functions will be:

- › to act as an advocate for the interests of families generally
- › to monitor and evaluate programmes and interventions in the social sector, and provide social science research into key issues, programmes and interventions across that sector.

The content of this report and the opinions expressed by the author/s should not be assumed to reflect the views, opinions or policies of the Families Commission.

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A DIVISION OF FAMILIES COMMISSION



# FAMILY VIOLENCE INDICATORS

**CAN NATIONAL ADMINISTRATIVE DATA SETS BE USED TO  
MEASURE TRENDS IN FAMILY VIOLENCE IN NEW ZEALAND?**

**Pauline Gulliver and Janet Fanslow  
New Zealand Family Violence Clearinghouse**



# Contents

Preface 5

Acknowledgements 6

## 1. Introduction 7

1.1 Background 8

1.2 Selection of data sources to be assessed 10

1.3 Methods used to assess data sources 11

1.4 Terminology 11

## 2. What's in a name? 13

2.1 Labelling and definitions 14

2.2 The behavioural element 17

2.3 The relationship element 18

2.4 Operationalisation of definitions 19

## 3. Description of administrative data sources 23

3.1 New Zealand Police 30

3.1.1 Overview 30

3.1.2 Points of influence 31

3.2 Courts (Ministry of Justice) 34

3.3 The Family Court 34

3.3.1 Overview 35

3.3.2 Points of influence 35

3.4 The Criminal Court 37

3.4.1 Overview 37

3.4.2 Points of influence 37

3.5 Child, Youth and Family (Ministry of Social Development) 39

3.5.1 Overview 39

3.5.2 Points of influence 40

3.6 Hospitalisations (Ministry of Health) 43

3.6.1 Overview 43

3.6.2 Points of influence 44

3.7 New Zealand Crime and Safety Survey 46

3.7.1 Overview 46

3.7.2 Points of influence 47

## 4. Outcome indicators 49

4.1 The purpose of an indicator 50

4.2 Data sources for indicators 50

4.3 Characteristics of an outcome indicator 51

4.4 Data requirements for an outcome indicator 52

5. Evaluation of possible indicators	57
5.1 Possible indicators	58
5.1.1 Police	58
5.1.2 Courts	60
5.1.3 Child, Youth and Family	61
5.1.4 Hospitalisations (Ministry of Health)	62
5.1.5 NZCASS	63
5.2 Summary evaluation	64
6. Recommendations	69
6.1 Labelling	70
6.2 Case definition	70
6.3 Representativeness	72
6.4 Validity	72
6.5 Comparability	72
6.6 Overall	74
7. Conclusion	77
References	79
Appendix 1: Evaluation of possible outcome indicators	83
Appendix 2: Describing behaviours	93

# Preface

**Strong, resilient, violence-free families are the foundation of healthy communities and a healthy New Zealand.**

New Zealand has an appalling record for family violence, with high rates of domestic murders, and high rates of child maltreatment. But a common issue is a lack of quality information on family violence in New Zealand.

The new mandate for the Families Commission is to increase the use of evidence to inform social sector policies and practice. Access to quality information is critical to ensure family violence prevention strategies and initiatives have the greatest impact.

Having reliable data is crucial to the development and monitoring of effective interventions. It also provides a better insight into the nature of the problem to be addressed, contributing to the development of appropriate interventions, and enables the effectiveness of the interventions to be assessed over time. Reliable data means we can move beyond counting incidents and assess what works, when and why.

It is for this reason the Commission agreed to lead the development of family violence indicators for the Taskforce for Action on Violence within Families.

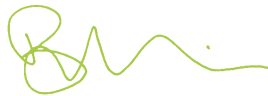
This report assesses the suitability of current administrative data for providing outcomes indicators to measure trends in the frequency of family violence in our communities.

The report also makes recommendations to improve the quality of data that already exists in New Zealand. It proposes a minimum data set for administrative family violence collections. There is currently no single administrative data source that can provide a **complete** measure of family violence, so a set of indicators has been necessary.

A range of provisional outcome indicators are proposed in this report.

We would like to acknowledge the New Zealand Family Violence Clearinghouse, as well as the key agencies who supported this work by providing us access to their data – the New Zealand Police, Child Youth and Family, and the Ministries of Justice and Health.

Family violence is a complex and critical issue and it needs our collective effort, knowledge and expertise to achieve the change we all want for New Zealand families.



**Belinda Milnes**  
Chief Commissioner

# Acknowledgements

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We also thank our external reviewers for their constructive feedback on an earlier draft of this report. Our external reviewers were Adjunct Professor Sharleen Forbes, Victoria University School of Government; Margaret Warner, Injury Epidemiologist, United States Centers for Disease Control; and Dr Henrica Jansen, International Researcher Violence against Women, UNFPA Pacific Sub-Regional Office, Suva, Fiji.

Finally, we acknowledge the valuable input from Nicola Paton, Manager of the New Zealand Family Violence Clearinghouse, and Emma Clarkson, Research Associate.





# 1. INTRODUCTION

In 2010, the Taskforce for Action on Violence within Families produced a preliminary set of family violence indicators, recognising that more work would be necessary to build on these indicators. The Families Commission agreed to lead the next phase of the development of family violence indicators for the Taskforce.

In November 2012, the Commission contracted the New Zealand Family Violence Clearinghouse (NZFVC) to lead this work, with a focus on administrative data sources from government agencies. This report describes the project, the findings and the conclusions from this piece of work.

## 1.1 Background

In recent years a number of government policy initiatives have signalled the need for a more joined-up approach to addressing the issue of family violence in New Zealand. In June 2005, the Taskforce for Action on Violence within Families was established to “lead and co-ordinate interagency action to address family violence” (Taskforce for Action Against Violence Within Families). Between 2005 and 2013, the Taskforce has overseen a number of cross-sector initiatives, including the ‘It’s not OK’ campaign and the establishment of the Family Violence Death Review Committee (Taskforce for Action Against Violence Within Families).

A Family Violence Ministerial Group has also been formed to oversee a whole-of-government approach to preventing violence within families and to guide the work of the Taskforce. The Ministerial Group is currently (as of 2013) chaired by the Associate Minister for Social Development and includes Ministers whose portfolios include Justice, Health, Education, Social Development, Police, Housing, Women’s Affairs, Māori Affairs, Pacific Island Affairs, Ethnic Affairs, Whanau Ora and Disability Issues (Taskforce for Action Against Violence Within Families).

The roles of the Taskforce include commissioning information, analysis and advice, and providing guidance on emerging issues (Taskforce for Action Against Violence Within Families). Fulfilling these roles requires good-quality, reliable data about the prevalence, or incidence, and nature of family violence in New Zealand.

When the Taskforce developed a preliminary set of family violence indicators for New Zealand in 2010, they set out the questions they would like a suite of indicators to answer:

- (i) Are the major outcomes of family violence changing, getting more or less severe?
- (ii) Are incidents of family violence increasing or decreasing year by year across all communities?
- (iii) Is there specific evidence of reduced tolerance of violence and behaviour change in families across all communities? (Taskforce for Action Against Violence Within Families, 2011)

In this report we are primarily concerned with whether the prevalence or incidence of family violence is increasing or decreasing. More detailed research will be needed to answer the other, more specific, questions about the severity of the outcomes of family violence, tolerance of family violence and behaviour change within communities.

The Taskforce intended that more work would be necessary to build on the preliminary indicators. The Families Commission agreed to lead the next phase of the development of family violence indicators for the Taskforce. In November 2012, the Commission contracted the NZFVC to lead this work, focusing on administrative data sources.

Administrative data sources provide a measure of agencies' response to, and the societal impact of, family violence. Although numerous sources of national administrative data are available in New Zealand (Lievore & Mayhew, 2007), the suitability of this data for the purpose of monitoring the incidence and nature of family violence has not yet been examined. The aim of this project is to make such an assessment.

In *'Violence against Women and Girls' – A compendium of monitoring and evaluation indicators*, Bloom defines an indicator as "a variable that measures a specific aspect of a programme or project" (Measure Evaluation, 2008). There are three types of monitoring and evaluation indicators:

- › Outcome indicators – Measures of prevalence, incidence, frequency
- › Process indicators – Measures of how well a programme or policy has been implemented or adopted
- › Impact indicators – Measure how much of the observed change (in frequencies or age-standardised rates) can be attributed to a programme or policy.

This report is concerned with assessing the suitability of national administrative data sets to provide *outcome* indicators to measure trends in the frequency of family violence events in the community. At the risk of being repetitive, we will use the term 'outcome indicator' throughout this report for the sake of precision and clarity.

Outcome indicators can generally be considered a measure of the burden of family violence on a community as measured by the impact on victims. However, measurement of the perpetration of family violence could also be seen as an outcome indicator, and is a very relevant measure for ascertaining the resources needed to reduce perpetration. We will indicate whether each of the data sets reviewed in this investigation can be used to produce a victim-centred or a perpetrator-centred outcome indicator.

## 1.2 Selection of data sources to be assessed

The selection of the data sources for inclusion in the current project recognises that most publicly available national information on family violence in New Zealand is sourced from four government agencies – the New Zealand Police, the Ministry of Justice, Child, Youth and Family (CYF) and the Ministry of Health – plus the New Zealand Crime and Safety Survey (NZCASS). Data from these sources form the basis of the Taskforce for Action on Violence within Families' indicators, as well as the annual data summaries produced by the NZFVC.

There are other national sources of administrative data that can provide additional information about the frequency of family violence experiences in New Zealand, especially non-government organisations, such as the National Collective of Women's Refuge. In addition, the New Zealand FVDRC provides detailed analysis of family violence deaths.

### **The Family Violence Death Review Committee (FVDRC)**

- › The FVDRC reports on the number of family violence deaths in New Zealand, reviews them and makes recommendations to reduce family violence in New Zealand.
- › Information is collected on victims and perpetrators. The FVDRC intends to supplement this information with a 'Proxy Informant Interview' process, to provide more information about people who had very little involvement with government agencies.
- › The FVDRC data set is 'live'. Information on cases is modified as it is updated by agencies. At present, the data set is still being developed. Once it is complete it will contain a mixture of categorical and free-text data. In addition, a data dictionary is expected to be available once the development of the database is complete.
- › Completion of the data set and the development of access systems will also allow bona-fide researchers to obtain access to the data if stringent criteria are met.

However, the research team, in consultation with the Families Commission, decided that it was important for each data source to be assessed thoroughly. Given the limited time available for the completion of the project, a focus on the four principal government agencies listed above plus the NZCASS was agreed upon.

We propose a range of provisional outcome indicators in this report. As will quickly become clear to the reader, there is currently no single administrative data source that can provide a complete measure of family violence, so a set of indicators will be necessary.

The report is divided into six sections: (1) Chapter 2: a discussion of definitions of family violence used by government agencies, and recommendations for the development of an umbrella definition; (2) Chapter 3: a description of the administrative data sources; (3) Chapter 4: an introduction to indicators and their data requirements; (4) Chapter 5: an evaluation of the possible outcome indicators; and (5) Chapter 6: recommendations; and (6) Chapter 7: Conclusions.

## 1.3 Methods used to assess data sources

Interviews were held with representatives of four government agencies: the New Zealand Police; the Ministry of Justice (which administers NZCASS); CYF; and the Ministry of Health.

The interviews allowed the research team to understand the data flow within each agency, and to determine the points of influence on the available data (such as the behaviour of practitioners, internal or external policy and targeted interventions). The agency representatives also directed the research team to policy and practice documents. These documents were reviewed to identify initiatives and/or policies that might have affected the content and quality of the data collected.

The administrative data sources were described and data flow process charts drawn up. The development of the charts for each agency was an iterative process, with agencies commenting on and clarifying successive drafts.

On the basis of the data sources, possible outcome indicators for family violence were suggested (Chapter 4). In Chapter 5 we examine the extent to which each of the possible indicators met the criteria for a good outcome indicator stipulated by Langley and Cryer (2000) and Measure Evaluation (2008). More detailed descriptions of our assessment of the criteria for each indicator are included in Appendix 1.

## 1.4 Terminology

Term	Definition
Case definition	A description of how a 'case' (an individual unit of measure – a person, a family, offence, prosecution etc) is identified in a data set.
Incidence	The number of new cases arising in a population in a given period (typically over a year).
Incidents/frequency	The number of events (incidents) in a specified population over a specified period. The number of incidents can be a count of people, events, families, offences or prosecutions depending on the data source.
Lifetime prevalence	Proportion of a population who have experienced the condition at one point in their lifetime.
Operational definition	Explains what is meant by a theoretical definition in terms of observable, measurable variables.
Prevalence	Proportion of the population who have experienced a certain event in a specified period of time. Counts people rather than events.
Theoretical definition	Explains what is meant by a concept, allowing a common understanding of that concept.





## 2. WHAT'S IN A NAME?

## 2.1 Labelling and definitions

Definitions are the starting point for all measurement of family violence, so that we can be clear about what we are counting. Without consistent definitions to underpin our data collection systems, we cannot hope to answer policy questions about trends over time. In this section we are interested in the *theoretical* and *operational* definitions of family violence (see below for the distinction between these terms). Both kinds of definitions of family violence can be contentious, and a range of alternative definitions has been proposed, including some that reflect Māori (Te Puni Kōkiri, 2009) and Pacific (Peteru et al, 2012) worldviews. A common theoretical definition and an explicit specification of the operational definitions in use is imperative for policy-makers and the general public to understand the use of the data and the conclusions that can be drawn from it.

*Theoretical definitions* explain what is meant by a concept in the abstract, allowing a common understanding of it. For example, a theoretical definition might be “Family violence comprises various component types of violence, such as physical, emotional and sexual abuse. The perpetrators of family violence hold a familial or familial-type relationship with their victim.” A common theoretical definition of family violence for use by government agencies would allow agreement on what is meant by ‘family violence’ at a government level.

*Operational definitions* translate theoretical definitions into practical, concrete terms, based on observable, measurable variables. Within each agency, the operational definition of a family violence event might differ depending on the legislative requirements of the agency concerned, the services provided and the limitations of their data set.

Various government agencies collect information on one or more components of family violence in delivering the services according to the public legislation within which they work. For example, CYF (Ministry of Social Development) works within the Children, Young Persons and Their Families Act 1989. Section 14 (1)(a) defines a child or young person in need of care and protection as one who “is being, or is likely to be, harmed (whether physically, emotionally or sexually), ill-treated, abused, or seriously deprived”. The Act makes no attempt to define specific kinds of perpetrators. Therefore, CYF is responsible for protecting children against abuse from *any* perpetrators, not just those who are considered to have familial relationships.

The police and the courts (administered by the Ministry of Justice) are also responsible for providing service to everyone within their jurisdiction, not just crime victims and perpetrators who are connected by a family relationship. For example, offences under the Crimes Act 1961 which are commonly regarded as measures of family violence (Male Assaults Female, Breaches of Protection Orders, Assaults on a Child) do not have a prerequisite of the perpetrator being a family member. Data on these cases or offences require additional processing to determine which of them are related to family violence.

Further, community perceptions of the nature, extent and social acceptance or disapproval of family violence can change, and are influenced by community advocacy and policy changes. These changes in perceptions can affect theoretical and operational definitions (eg the inclusion of exposure to intimate partner violence as a form of emotional abuse of children).

One possible theoretical definition of family violence for New Zealand is that provided in *Te Rito* (The New Zealand Family Violence Prevention Strategy), used by the Taskforce (Ministry of Social Development, 2002), which is consistent with that in the Domestic Violence Act 1995 (hereafter referred to as the DVA):

*Family violence covers a broad range of controlling behaviours, commonly of a physical, sexual and/or psychological nature, which may involve fear, intimidation and emotional deprivation. It occurs within a variety of close interpersonal relationships, such as between partners, parents and children, siblings and other relationships where significant others are not part of the physical household, but are part of the family and/or are fulfilling the function of family.*



In 2009, the Australian Bureau of Statistics produced a Conceptual Framework for Family and Domestic Violence, to facilitate the production of indicators (Australian Bureau of Statistics, 2009). They pointed out that a meaningful operational definition of family violence requires the specification of both the *behavioural elements* (what behaviours constitute violence) and the *relationship elements* (defined according to the nature of the relationship or by place of residence) involved (Australian Bureau of Statistics, 2009).

Below we reproduce the behavioural element and relationship element of family violence as specified in the DVA, as an example and starting point for discussing the basis of a theoretical definition of family violence. In this discussion we also consider the *Te Rito* definition further, along with other legislative definitions from New Zealand.

Extracted from the DVA:

### 3. Meaning of domestic violence

(1) *In this Act, domestic violence, in relation to any person, means violence against that person by any other person with whom that person is, or has been, in a domestic relationship.*

(2) *In this section, violence means–*

(a) *physical abuse*

(b) *sexual abuse*

(c) *psychological abuse, including, but not limited to–*

(i) *intimidation*

(ii) *harassment*

(iii) *damage to property*

(iv) *threats of physical abuse, sexual abuse, or psychological abuse*

(v) *in relation to a child, abuse of the kind set out in subsection (3).*

(3) *Without limiting subsection (2)(c), a person psychologically abuses a child if that person–*

(a) *causes or allows the child to see or hear the physical, sexual, or psychological abuse of a person with whom the child has a domestic relationship; or*

(b) *puts the child, or allows the child to be put, at real risk of seeing or hearing that abuse occurring*

*but the person who suffers that abuse is not regarded, for the purposes of this subsection, as having caused or allowed the child to see or hear the abuse, or, as the case may be, as having put the child, or allowed the child to be put, at risk of seeing or hearing the abuse.*

(4) *Without limiting subsection (2)–*

(a) *a single act may amount to abuse for the purposes of that subsection:*

(b) *a number of acts that form part of a pattern of behaviour may amount to abuse for that purpose, even though some or all of those acts, when viewed in isolation, may appear to be minor or trivial.*

(5) *Behaviour may be psychological abuse for the purposes of subsection (2)(c) which does not involve actual or threatened physical or sexual abuse.*

A 'domestic relationship' is defined as follows:

#### **4. Meaning of domestic relationship**

- (1) *For the purposes of this Act, a person is in a domestic relationship with another person if the person—*
- (a) is a spouse or partner of the other person; or*
  - (b) is a family member of the other person; or*
  - (c) ordinarily shares a household with the other person; or*
  - (d) has a close personal relationship with the other person.*
- (2) *For the purposes of subsection (1)(c), a person is not regarded as sharing a household with another person by reason only of the fact that—*
- (a) the person has—*
    - (i) a landlord-tenant relationship; or*
    - (ii) an employer-employee relationship; or*
    - (iii) an employee-employee relationship**with that other person; and*
  - (b) they occupy a common dwellinghouse (whether or not other people also occupy that dwellinghouse).*
- (3) *For the purposes of subsection (1)(d), a person is not regarded as having a close personal relationship with another person by reason only of the fact that the person has—*
- (a) an employer-employee relationship; or*
  - (b) an employee-employee relationship*
- with that other person.*
- (4) *Without limiting the matters to which a court may have regard in determining, for the purposes of subsection (1)(d), whether a person has a close personal relationship with another person, the court must have regard to—*
- (a) the nature and intensity of the relationship, and in particular—*
    - (i) the amount of time the persons spend together*
    - (ii) the place or places where that time is ordinarily spent*
    - (iii) the manner in which that time is ordinarily spent**but it is not necessary for there to be a sexual relationship between the persons:*
  - (b) the duration of the relationship.*

The title of the DVA itself creates complications regarding the understanding of family violence. While it can be seen that 'domestic' is being used as an umbrella term for the different types of relationships that may be embraced by a wide understanding of 'families', it has resulted in confusion because the term *domestic violence* is seldom identified with family violence in its broadest sense. In the international academic literature, domestic violence more often refers only to intimate partner violence (which is only one component of the wider concept of family violence) (Lievore & Mayhew, 2007).

## 2.2 The behavioural element

Specification of the behavioural element of family violence requires consideration of the types of behaviours that are considered to be 'violence'. One of the strengths of the New Zealand DVA is that it acknowledges that family violence may be a behavioural pattern rather than a one-off event ("a number of acts that form part of a pattern of behaviour may amount to abuse for that purpose, even though some or all of those acts, when viewed in isolation, may appear to be minor or trivial" (Domestic Violence Act 1995)). Indeed, this view is common in most of the New Zealand legislation that recognises different forms of family violence. For example, section 195 of the Crimes Act 1961 describes acts that constitute *ill treatment or neglect of a child or vulnerable adult*. These acts are described as a "major departure from the standard of care to be expected of a reasonable person", implying that they form a pattern of behaviour. Similarly, the Taskforce definition also refers to a "pattern of controlling behaviour".

The importance of clarity about the behaviours that should be included in a definition of family violence was highlighted in a 2008 review of the DVA and related legislation. At the conclusion of the review, the then Minister of Justice, the Hon Annette King, expressed the view that the Act was a "sound law" (King, 2008), but noted that amendments were required to enhance the consistency between the DVA and the Care of Children Act 2004, which is designed to promote the welfare and best interests of children. One of the recommendations of the 2008 review was to amend the Care of Children Act 2004 (COCA) to ensure protection from psychological abuse, which was explicitly addressed in the DVA but not in the COCA. As it stood at the time, the COCA defined violence as "physical abuse or sexual abuse" (Section 58 Care of Children Act 2004). To bring about consistency between the DVA and the COCA, the definition of violence in Section 58 of the COCA was repealed and Section 5E was amended as follows:

*the child's safety must be protected and, in particular, he or she must be protected from all forms of violence as defined in section 3(2) to (5) of the Domestic Violence Act 1995 (whether by members of his or her family, family group, whānau, hapū, or iwi, or by other persons). (Care of Children Amendment Act 2011)*

An important distinction between the DVA and the COCA is that the COCA specifically includes abuse by "other persons" (outside of the family), which is relevant to the specification of the relationship element (see 2.3.).

The descriptions of family violence in New Zealand legislation, including the acknowledgement of a *pattern* of behaviour, align with other international definitions, including that of the New South Wales Domestic Violence Death Review Team, taken from New South Wales legislation, which includes "a pattern of behaviour whereby one person, intentionally and systematically, uses violence and abuse to gain and maintain power over another person with whom they share (or have shared) an intimate or family relationship". The types of behaviour included in the New South Wales definition are physical; sexual; verbal; social; economic; psychological; emotional and spiritual abuse (NSW Death Review Team, 2012).

Early in 2013, the Australian Bureau of Statistics released a report setting out the data challenges for measuring 'family, domestic and sexual violence' in Australia. The behavioural component of its account of family violence included physical abuse; sexual abuse; psychological abuse; emotional abuse; verbal abuse and intimidation; economic and social deprivation; damage of personal property; harassment or stalking; and spiritual abuse (Australian Bureau of Statistics, 2013). A comprehensive list of behaviours associated with each of these terms was also provided (pages 9–11, included as Appendix 2 of this report).

Although the Australian definition is wider in scope than the DVA definition (because it includes spiritual abuse), it could still be said to lack certain components of violence and abuse. For example, neither the DVA nor the Australian Bureau of Statistics definition includes neglect. Exclusion of neglect can have important implications both for the types of data recorded, and for the services offered. This, in turn, can lead to discrepancies in the identification of need, and in service provision. For example, neglect as a form of violence may have a disproportionate impact on the very young, very old and disabled members of the community.

We would argue that to fully capture the experience of violence in the community, neglect is an essential component of any theoretical definition of family violence. Neglect is recognised by the Centers for Disease Control uniform definitions for child maltreatment, and by elder abuse researchers (Fox, 2012; Leeb, Paulozzi, Melanson, Simon, & Arias, 2008). It should be noted that neglect is captured within Section 195 of the Crimes Act 1961, and in the provisions of the Child, Young Persons and Their Families Act 1989, where child abuse is defined as “the harming (physically, emotionally or sexually), ill treatment, abuse, neglect or deprivation of any child or young person”.

## 2.3 The relationship element

Specification of the relationship between the victim and the perpetrator is fundamental to any definition of family violence, because it is the basis on which we determine what ‘family’ is. However, because human experience encompasses a broad range of relationships, there is still the need to specify carefully which relationships we want to include in this broad category. This section examines some of the nuances we may need to consider.

The Taskforce’s definition of family violence is focused on familial bonds: “It occurs within a variety of close interpersonal relationships, such as between partners, parents and children, siblings and other relationships where significant others are not part of the physical household, *but are part of the family and/or are fulfilling the function of family*” (emphasis added). However, there is a growing body of international literature that includes dating violence within the conceptual field of intimate partner violence, recognising that early experiences of intimate relationships can be crucial in determining if adult relationships will continue with patterns of intimate partner violence, or develop as positive relationships (Hamby & Grych, 2013). Thus, although the parties in such relationships may not be part of the same family or fulfilling the function of the family, they may represent a fundamental step towards becoming a victim or perpetrator of violence. For this reason, and others raised below, we have widened our consideration of relationships to cover ‘familial and intimate relationships’.

As it stands, the definition of a *domestic relationship* in the DVA gives rise to some ambiguity as to what constitutes ‘family violence’. As noted in the extract above, Section 4 (1(c)) of the DVA includes those “who are, or have been, people who ordinarily share a household (excluding those in landlord-tenant, employer-employee, or employee-employee relationships)”. The breadth of this definition has allowed anyone co-habiting, with or without an intimate or familial tie (for example, in flatmate-type relationships) to be included in family violence statistics (for example, the New Zealand Police statistics until 2012).

Although there is a very limited literature on the differences between flatmate and familial relationship dynamics, Bidart and Lavenu (2005) describe the particular interdependence that is fostered as the result of an establishment of a romantic relationship. Brown, Bhrolchain, and Harris, (1975) expand on these dynamics, noting the effects of the establishment of a family on personal relationship networks (for example, highlighting the fact that when a child is born into an intimate relationship, social contacts may be reduced substantially for the mother, increasing her reliance on a partner for social support). It would be reasonable to consider that people who are in each other’s social networks solely as the result of sharing a flat together are unlikely to have the same interdependence. Thus, violence in a flatting situation may result from different relationship dynamics than those underlying violence within a family or intimate relationship situation.

The wide scope of the relationships as specified in the DVA does, however, allow for the inclusion of carer-types relationships (for example, where disabled people are abused by their carers). Indeed, The Crimes Amendment Act (no 3) 2011, extended the offence under Sections 151 and 195 and 195A of the Crimes Act 1961 from that of ill treatment of a child to include that of a child or vulnerable adult; and makes it an offence to fail to protect a child or vulnerable adult (Abeygoonesekera, 2012). As highlighted by Abeygoonesekera, the Crimes Amendment Act 2011 describes the person who could be charged with this offence as “a person who has actual care or charge of a victim or a person who is a staff member of any hospital, institution, or residence where the victim resides”.

The current status of the relationship is also an area of variation between definitions. For example, some overseas legislation (such as that in New South Wales, quoted above) includes persons with whom the victim has previously shared an intimate or familial relationship. Former partners are also included in the New Zealand CYF definition of a family/whānau caregiver (Table 1). Similarly, although they are not explicitly mentioned in the definition of *domestic relationships* in the DVA, those with whom the victim has previously been in a domestic relationship are included through the wording of Section 3(1) (“...with whom that person is, or has been,...” (emphasis added)). There is strong evidence for capturing past relationships in data in this area, as considerable amounts of data indicate that violence against a woman will increase once she has left or as she is in the process of leaving an intimate relationship (Martin & Pritchard, 2010).

## 2.4 Operationalisation of definitions

With the exception of the Taskforce definition, the examples drawn from New Zealand government legislation above have been written to guide civil (DVA) or criminal (Crimes Act 1961) procedure, or to specify the statutory function of an agency (Children, Young Persons and Their Families Act 1989). Because these statutes guide the type of information that will be collected by specifying the type of application sought, the offence committed, or the nature of the violence that a child or adult should not be exposed to, they provide a basis on which the agencies included in this project could identify a component of family violence in their data sets.

A clear articulation of both the relationship between the victim and the perpetrator and the type of violence perpetrated allows data users to recognise and understand the reasons for any underlying sources of variation between data sets. Routine collection of information on relationship and behavioural elements allows operational or theoretical definitions to change over time in a transparent way.

Ideally, government agencies and other organisations should be encouraged to develop and specify their own operational definitions of family violence, or the components of family violence on which they collect information. By way of illustration, the current operational definitions of the behavioural and relationship elements of family violence from three of the four government agencies are given below (Table 1). No operational definition has been given for the Police, as the operational definition varies according to the policies of the day (New Zealand Police National Statistics Manager, personal communication, 19 April 2013). The Courts’ definition is limited to protection order cases and applies in both courts (the Family Court administers applications for protection orders, and the Criminal Court deals with breaches of protection orders).

Definitions are the starting point for all measurement of family violence, so that we can be clear about what we are counting.

Theoretical definitions explain what is meant by a concept, allowing a common understanding of that concept.

Operational definitions explain what is meant by the theoretical definition in terms of observable, measurable variables.

The two key data elements to be defined are behavioural elements (what behaviours constitute violence) and relationship elements (defined according to nature of relationship or place of residence).

Government agencies and other organisations should be encouraged to specify their own operational definition of family violence, or identify the component of family violence for which they collect information.

Table 1: Current operational definitions – the behavioural and relationship elements

Agency	Relationship element	Behavioural element	Reference
Courts	Domestic violence against a person by any other person who is or has been in a domestic relationship with that person.	<p>Physical abuse: behaviours like punching, slapping or kicking a person.</p> <p>Sexual abuse: any unwanted sexual contact / touching.</p> <p>Psychological abuse: For example, stalking a person, damaging property, threatening violence or abuse, harassing, scaring or intimidating a person. It can include trying to control someone's life by constantly humiliating them or controlling someone's money, time, car or contact with friends and family as a way of having power over them. If the respondent allows any children to witness the domestic violence this is psychological abuse against that child.</p>	Domestic Violence <sup>1</sup>
Child, Youth and Family	<p><b>Family group</b>, in relation to a child or young person, means a family group, including an extended family—</p> <p>(a) in which there is at least one adult member—</p> <p>i. with whom the child or young person has a biological or legal relationship; or</p> <p>ii. to whom the child or young person has a significant psychological attachment; or</p>	<p>A child or young person is in need of care or protection within the meaning of this Part if—</p> <p>(a) the child or young person is being, or is likely to be, harmed (whether physically or emotionally or sexually), ill-treated, abused, or seriously deprived; or</p> <p>(b) the child's or young person's development or physical or mental or emotional well-being is being, or is likely to be, impaired or</p>	Children, Young Persons and Their Families Act 1989 <sup>2</sup>

<sup>1</sup> <http://www.justice.govt.nz/courts/family-court-does/domestic-violence/what-is-domestic-violence> (accessed 8 May 2013)

<sup>2</sup> <http://www.legislation.govt.nz/act/public/1989/024/latest/whole.html#DLM459457> (accessed 30 May 2013)

**Table 1: Current operational definitions – the behavioural and relationship elements (continued)**

Agency	Relationship element	Behavioural element	Reference
Child, Youth and Family	<p>(b) that is the child's or young person's whānau or other culturally recognised family group.</p> <p><b>Near relative</b> means a grandparent, aunt, uncle, brother, or sister; and includes a brother or sister of the half-blood as well as of the full-blood.</p> <p><b>Parent</b>, in relation to a child, includes a step-parent of the child, but only if the step-parent shares responsibility for the day-to-day care of the child with a parent of the child.</p>	<p>neglected, and that impairment or neglect is, or is likely to be, serious and avoidable; or</p> <p>(c) serious differences exist between the child or young person and the parents or guardians or other persons having the care of the child or young person to such an extent that the physical or mental or emotional well-being of the child or young person is being seriously impaired.</p>	
Health	<p>Relationships can be categorised as:</p> <ul style="list-style-type: none"> <li>➤ spouse or domestic partner</li> <li>➤ parent</li> <li>➤ other family member</li> <li>➤ carer</li> <li>➤ acquaintance or friend</li> <li>➤ official authorities</li> <li>➤ person known to the victim</li> <li>➤ multiple persons unknown to the victim</li> <li>➤ other specified person</li> <li>➤ unspecified person</li> </ul>	<p>Assault, abuse and neglect:</p> <p>These are categories for use with injuries and poisonings specified as:</p> <p>Homicide</p> <p>Injuries inflicted by another person with intent to injure or kill, by any means. Includes</p> <ul style="list-style-type: none"> <li>➤ physical assault</li> <li>➤ sexual assault</li> <li>➤ neglect and abandonment</li> <li>➤ other maltreatment mental cruelty and torture.</li> </ul> <p>Do not assume intent. Intent must be documented in the record by a clinician.</p>	<p>National Centre for Classification in Health (2002a). Australian Coding Standards for ICD-10-AM. In <i>The International Statistical Classification of Diseases and Related Health Problems, tenth revision, Australian Modification</i> (Vol 5). Shannon Books, Sydney.</p>







# 3. DESCRIPTION OF ADMINISTRATIVE DATA SOURCES

This section describes the current processes used by each of the agencies to record data. The purpose and points of influence of each of the data sets are noted.

Table 2 summarises all of the data sets. Detailed information for each agency follows, including data process charts. This information is provided to equip the reader with a thorough understanding of the context, procedures and processes that influence the measures produced by each agency. Although none of the data sources reviewed were designed to monitor the incidence or prevalence of family violence in the community, we highlight measures drawn from these data sets that may have potential for use as indicators of family violence incidence or prevalence over time *as recorded by the agency*. We then assess the validity of the measures used by each agency as outcome indicators.

Although the table draws on the Victoria University of Wellington School of Government's assessment criteria for administrative data, the criteria are similar to those used by the Centers for Disease Control (CDC) to evaluate data sources for public health surveillance<sup>3</sup> (Guidelines Working Group, 2001).

<sup>3</sup> Public health surveillance is the ongoing, systematic collection, analysis, interpretation, and dissemination of data regarding a health-related event for use in public health action to reduce morbidity and mortality and to improve health.

**Table 2: Summary of administrative data sets and NZCASS**

Assessment criteria	Police	Justice	CYF	Health	NZCASS
Objective of data set	Family Court	District Court			
Why are these data collected?	Intelligence gathering, information sharing and integration for the purposes of crime prevention. Information from risk assessment tools are collected for the purposes of increasing safety and reducing recidivism.	Case management – to allow oversight of a case through the court process.	To assess and record decisions relating to the immediate safety of a child or young person to determine whether a statutory or non-statutory response is required. Thereafter, monitoring and oversight of children and young people who come in contact with CYF and for reporting purposes.	Policy formation, performance monitoring, research and review.	To measure the amount of crime in New Zealand, to complement police records. Provide information on risk and nature of victimisation, public perception of crime.
<b>Scope and coverage</b>					
Who do the data represent?	Offences reported to the New Zealand Police.	Applications made to the Family Court.	Notifications of concern about a child or young person, the actions taken and decisions made through the care and protection process.	Hospital admissions.	General population, non-institutionalised, aged 15 years and over.
Who is excluded (not included)?	Offences that are not reported.	Offences not prosecuted.	Children who are harmed but not notified to CYF.	Events that do not result in hospital admission including psychological harm, financial abuse.	Those residing in institutions, children under 15 years of age.
Impacts/bias caused by exclusion	Need to determine the impact of exclusions on the information contained within each of the data sets.				


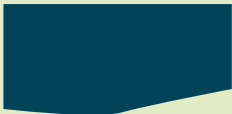

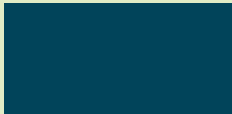
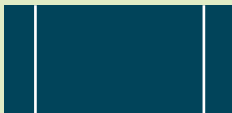

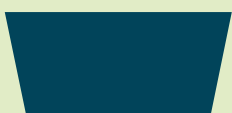



Table 2: Summary of administrative data sets and NZCASS (continued)							
Assessment criteria	Police	Family Court	Justice	District Court	CYF	Health	NZCASS
<b>Variables that have been collected</b>							
What level of geographic detail is there?	All nationwide coverage.						
Are definitions of the variables given?	Offences defined by law, relationship status currently being defined.	Applications defined by law.	Offences defined by law.	Offences defined by law.	Assessment and thresholds outlined on CYF Decision Response Tool.	Data dictionary available on Ministry of Health website.	Offences defined by law. Relationship status also defined.
What classifications are used?	ANZSOC for reporting offences that are apprehended, charged and prosecuted.						
<b>Accuracy of the data</b>							
What type of data is it?	All of the data collected is done so by those who are interacting with the people to whom the agency provides services.						
Open or closed field?	Predominantly categorical with free text to describe the context of the offence.	Predominantly categorical with 'other' and free text options.	Predominantly categorical with 'other' and free text options.	Predominantly categorical with 'other' and free text options.	Categorical and free text.	Predominantly categorical, small number of free text fields.	Categorical and free text.
	Predominantly closed.	Predominantly closed.	Predominantly closed.	Predominantly closed.	Closed and open.	Predominantly closed.	Closed and open.

Table 2: Summary of administrative data sets and NZCASS (continued)

Assessment criteria	Police	Justice	District Court	CYF	Health	NZCASS
Reference period	Family Court					
In what period were the data collected?	Current data collection methods (victim focus) initiated in July 2012. Relationship variable currently being developed.	From 2005.	From 2005.	From 2004 for official data.	ICD-10-AM, 3rd edition (allowed for more complete recording of perpetrator) began in July 2004.	1999, 2001, 2006, 2009 (comparable data available for 2006 and 2009).
Is there a reference period given?	As above	As above.	As above.	As above.	As above.	Previous calendar year.
Are there delays in registration?	The details of attended occurrences are expected to have been recorded within a month of attendance. There may be some delays depending upon the workload of attending officers.	Information is recorded as the case progresses through the court system.		Relevant information can be entered immediately and completed actions are expected to be entered in CYRAS within one month of the action being taken.	Information recorded by hospital coders once a patient has been discharged from hospital.	Dependent upon respondent recall for reference period.
<b>Timing</b>						
When is it released?	Monthly and annually	For ad-hoc requests.	Annually.	Quarterly and annually.	Annually.	12 months after the survey conducted.
Over what period and with what frequency?	Once a month (for most recent month available) and annually for last calendar or financial year.	As requested.	Annually covering previous 12 months.	Official data are available one month and three working days after the previous month.	Annually covering previous 12 months and updated information for previous years data that was provisional.	

Table 2: Summary of administrative data sets and NZCASS (continued)						
Assessment criteria	Police	Justice	District Court	CYF	Health	NZCASS
	Family Court					
<b>Meta-data</b>						
Is explanatory information available to users?	Explanatory information is available on the Statistics New Zealand website.	Analysis requests are dealt with on an individual basis by Ministry of Justice staff.	Explanatory information is available on the Statistics New Zealand website.	Explanatory information provided on website and in the annual report.	Data dictionary is available; additional explanatory information also available.	Technical document available.
Can more information about the data and data collection be obtained if required?	Yes.	Yes.	Yes.	Yes.	Yes.	Yes.
<b>Caveats</b>						
Are there any restrictions on the use of the data?	Application form completed concerning what is being requested, what impact this will have, police effort required, privacy implications, technical feasibility, whether the proposed methodology can reasonably be expected to answer the research question. Police consent is required to access data.			Operational data are not available for external release – official data are available one month after previous month.	Ethics approval process required to obtain access to de-identified unit record level data.	Available through Statistics New Zealand Data Lab.

**Table 3: Key for flow charts**

Name	Shape	Description
Start/stop		Beginning or end of a process.
Document		Hard-copy documentation of process/findings. Output of a case management system.
Multiple documents		Multiple documents as input or output from a process.
Process		A procedure that is expected to occur following an action or finding.
Predefined process		Well-specified procedure expected to be followed following an action or finding.
Manual entry		Entry of information gathered into a database – a manual operation.
Manual operation		This is when information is handled manually (ie written/ discussed) as part of the process.
Decision		A critical point in the process in which decisions are made about the most appropriate path to take.
Database		Central repository to store information.
Narrative		Additional information about factors that may influence the outcome of a process.

## 3.1 New Zealand Police

### 3.1.1 Overview

The electronic data systems that support the work of the police (referred to as the 'National Intelligence Application' or NIA) are intended to allow information sharing and integration through interfaces between police and other national crime prevention and government agencies (New Zealand Police, 2004). Police officers and contact centre staff enter information in NIA about a case as it is gathered, to document the event, describe the offences if any and record the process from notification to resolution. For example, contact centre staff record the 'lodging' (recording) of an occurrence and assign a priority for attendance, while the attending police officers record details about any offences committed, the actions taken and how the offences were resolved.

**Table 4: Police terminology (taken from the Police National Recording Standard) (New Zealand Police)**

Term	Definition
Case	The group of files related to an occurrence for the purposes of an investigation, from receipt of call through to final resolution (may contain one or more occurrences).
Apprehension	When police determine that a particular person or organisation is responsible for having committed an offence, which may or may not involve an arrest.
Occurrence	A matter involving one or more offences, incidents and/or tasks, and that involves the same actor (offender, group of offenders or subject), and happened at the same time and place.
Offence	A breach of New Zealand law, enforced by police. This not only includes offences specified in the Crimes Act 1961, but also in other legislation, such as the DVA, Summary Offences Act 1981, Local Government Act 2002.
CARD system	Communications and Resource Deployment. Supports the initial response process of the police ( <a href="http://www.justice.govt.nz/publications/publications-archived/1997/justice-information-stocktake/new-zealand-police">http://www.justice.govt.nz/publications/publications-archived/1997/justice-information-stocktake/new-zealand-police</a> , accessed 12 August 2013).

Before an event can be recorded in NIA, it needs to be reported to, or discovered by, police. Crimes most likely to be reported include those that involve insurance claims or injuries requiring medical treatment. Many other crimes, including family violence, are frequently not reported (Statistics New Zealand, 2013). The factors that influence whether a crime is reported to police or not include:

- › the type of crime
- › the age, sex, race and ethnicity of the victim
- › the relationship between the victim and offender
- › the perceived seriousness of the crime
- › a perception of how police would deal with the matter. (Statistics New Zealand, 2013)

A crime is recorded in NIA when an officer attends an event and an offence is identified or reported. Offences are defined in the Crimes Act 1961 as well as other legislation, such as the Summary Offences Act, Local Government Act 2002, etc. In the context of family violence, the police also refer to the Domestic Violence Act 1989 (DVA).



### 3.1.2 Points of influence

Since the early 1980s, the approach of the New Zealand police to family violence has changed substantially. These changes have been driven by a number of factors, including two high-profile murders in the early 1980s, which put intimate partner violence on the radar for New Zealand police (Newbold & Cross, 2008). At this time, the Domestic Protection Act 1982 was introduced, making provision to detain persons who had breached non-molestation and non-violence orders. The first police family violence policy was adopted in New Zealand in 1987, and the guidelines were re-issued in 1993 (Herbert, 2008). In 2001, the Serious Abuse Team/Child Abuse Team Protocol was signed by CYF and the police. This protocol was revised and distributed to all CYF workers in December 2003 (Waldegrave & Coy, 2005). In 2010, the Protocol was revised further and re-launched as the Child Protection Protocol (Child, Youth and Family & New Zealand Police, 2010). In 2010, the police revised national policies and procedures for family violence further (New Zealand Police), and they have worked to align their procedures with their Australian colleagues, developing an Australasian family violence policing strategy (Australian Federal Police & New Zealand Police, 2008).

Along with changes in practice since the 1980s, there has been an increased appreciation of the importance and value of good quality data to develop an understanding of patterns of behaviour and for directing police operations (New Zealand Police). The police have been recording offences against the Children, Young Persons and their Families Act 1989 and the Domestic Violence Act 1995 and flagging them as 'family violence' since before 2000. However, as with other agencies reviewed in this report, the police have substantially changed the way offences are recorded electronically since 2001. Some of the large-scale changes are:

- › 2005: Introduction of NIA.
- › 2008: Australasian Policing Strategy for Family Violence developed (Australian Federal Police & New Zealand Police, 2008).
- › 2010: Introduction of the police New Zealand Family Violence Policy and Procedures (New Zealand Police).
- › 2010: Provisions introduced for issuing Police Safety Orders (PSOs). PSOs assist police staff in providing safety for victims and their children where police believe family violence has occurred or will occur, but no offence can be identified. They are recorded in NIA as a 1D (domestic dispute).
- › 2011: A new system for recording family violence offences in NIA is introduced. For each family violence offence, it is anticipated that the relationship between the perpetrator and the victim will be described.
- › 2011: The Prevention First strategy is launched, which shifted focus for the police from offenders to victims of crime. The strategy uses targeted policing to reduce offending and victimisation and aims to reduce crime. It includes the development of an IT system that allows repeat and high-risk offenders and victims to be identified (New Zealand Police, 2011).
- › 2012: The Ontario Domestic Assault Risk Assessment tool (ODARA), the Intimate Partner Vulnerability Factors (IPVF) tool and the Child Risk Factor (CRF) tool are introduced (Nimmo, 2012).
- › 2013: Police officers provided with tablets to facilitate the retrieval of information from NIA and recording of case notes in NIA while attending an occurrence (New Zealand Police, 2013).

Each of these initiatives has the potential to improve the services delivered by police for family violence victims. Some of the more recent initiatives are also expected to improve the quality of information gathered by police on family violence events. However, it is inevitable that initial reporting to and by the police will continue to be variable, and will be influenced by changing social norms and perceptions of the way the police will deal with a matter (Fanslow & Robinson, 2010).

As police continue to refine and improve policies and mechanisms to address family violence, what they record as being related to family violence will change. In recent years, what is recorded for family violence has been affected by changes to forms, ICT systems, and which relationships are considered relevant to family violence (for example, the inclusion of flatmates). Also, new family violence preventative mechanisms introduced under the Prevention First strategy, such as

PSOs, intimate partner risk assessments (ODARA) and child risk assessments, will impact on the information recorded. Such changes mean that trends in the numbers of police records flagged as family violence reflect police decisions (outputs), rather than the incidence or prevalence of family violence (Manager, Statistics, New Zealand Police, personal communication, 23 May 2013). Gavin Knight (Manager, Statistics, New Zealand Police) explains:

*Police can provide two types of statistics relevant to family violence. One of these (counts of family violence investigations) reflects police outputs; the other (crime statistics) can help inform the picture of trends in the incidence of family violence in society.*

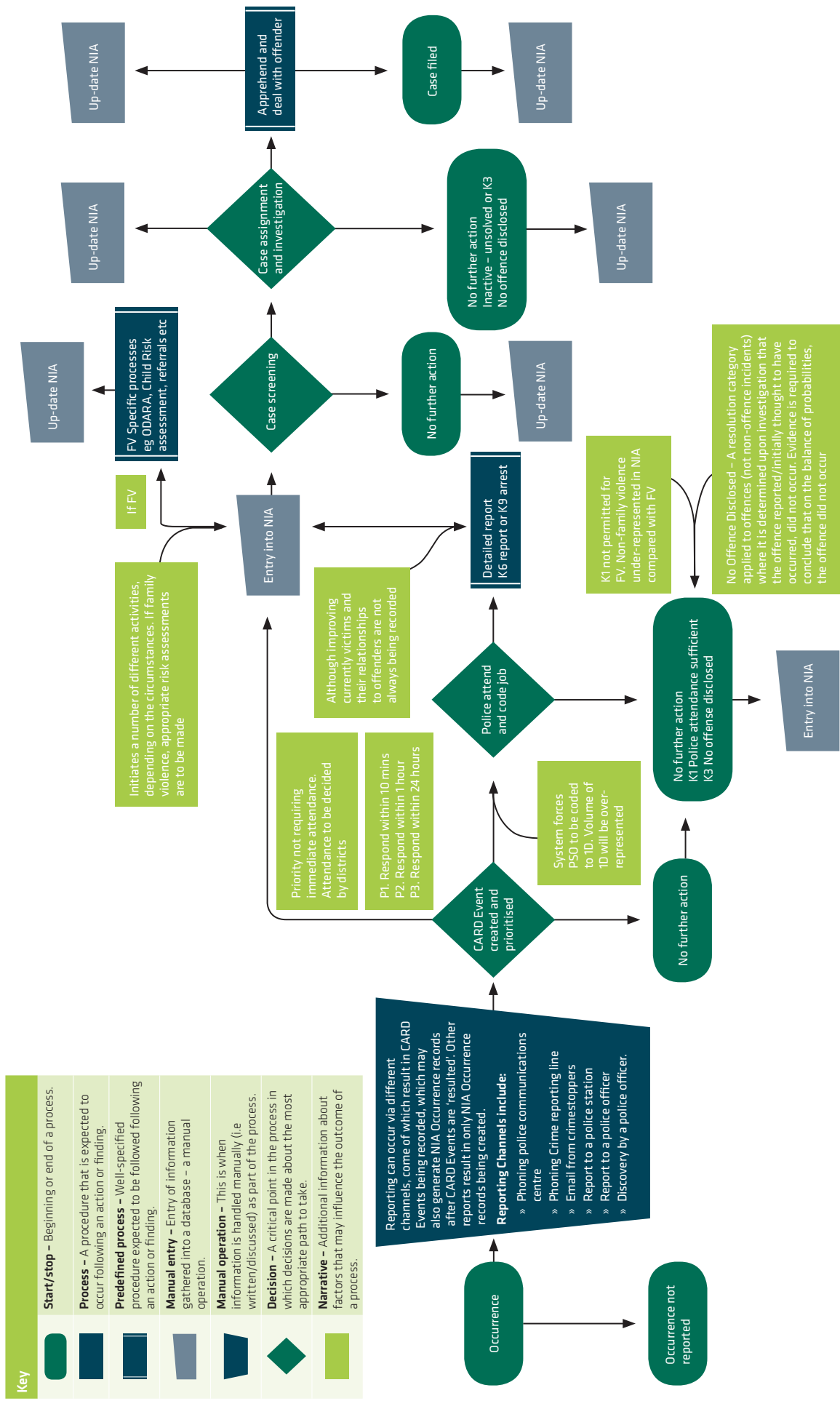
*Counts of family violence investigations are sensitive to many factors, including policy changes, IT system changes and training. As a result, they are unsuitable for use as an indicator of the incidence of family violence in society.*

*Police crime statistics cannot provide a complete picture of the incidence of family violence in society, partly because much family violence does not get reported to police. Also, it is not feasible to flag a given offence as being family violence in a consistent way over time. So police do not publish statistics for family violence offences per se.*

*This does not mean that police crime statistics cannot provide useful information. New Zealand Police is currently developing the capability to report offence statistics that take the relationship between victim and offender into account. Once this development has occurred, resultant statistics will provide a useful addition to currently available information. Also, in the meantime, police crime statistics can already report offences based on the 'scene description'. The list of scene descriptions includes 'dwellings'. So, it is possible, for example, to report the number of offences that occur in dwellings. We would expect most of these to be family violence related. If the rate of reporting family violence remains constant, we would expect that trends in the number of assaults in dwellings would reflect trends in the incidence of family violence assaults in society. (Personal communication, 8 May 2013)*

To mitigate against changes in recording reflecting changing priorities, in 2012 the police shifted their focus to reporting statistics that take into account both the type of offence and the relationship between victim and offender. However, achieving consistent and accurate recording of this information has challenges, as recording the relationship between the victim and offender is not required for all offence types, but only those that relate to family violence (New Zealand Police). Nevertheless, police report having made plans to improve NIA to minimise such problems, and make the amount of information collected for all offence types more consistent.

Figure 1: Police data flow



## 3.2 Courts (Ministry of Justice)

There are four jurisdictions within the District Court in New Zealand: Criminal, Family, Civil and Youth. The majority of family violence cases flow through the Criminal and Family Courts, although some family violence may be dealt with through either the Civil or Youth Courts (less than 1 percent of convictions for Male Assaults Female and Assaults on a Child occurred in the Youth Court). As such, the Criminal and Family Courts are the focus of this description.

Most cases before the Criminal Court are initiated by the Police Prosecution Services (99 percent of criminal prosecutions in 2009/10 (Cabinet Domestic Policy Committee, 2011)). For family violence crimes, police policy will guide the most appropriate cases to charge (New Zealand Police, 2007). The Solicitor General's prosecution guidelines require that prosecutions be brought only where there is reasonable prospect of a conviction (that is, they pass 'the evidential test') (Crown Law, 2010). In contrast, cases before the Family Court are generally initiated by the applicant, by an advocate on their behalf or by CYF.

The electronic data systems that support the courts are primarily for case management (referred to as a 'case management system' or CMS). Court administrators enter information about a case in CMS to allow oversight of the case throughout the court process. For example, court administrators will record the lodging of a protection order application, judicial orders for a protection order to go from 'without-notice' to 'on-notice' (see the terms and definitions, Table 5), the outcome of the application, court orders for attendance at stopping violence programmes, notifications of non-attendance at stopping violence programmes, applications for a change of stopping violence programme, notification that the stopping violence programme has been completed, and applications to discharge a protection order.

The Family Court and Criminal Court data systems are maintained separately. If a judge has reason to believe that certain information may be held in another jurisdiction (for example, on the basis of an affidavit), the judge may request it. Such information is supplied in hard copy only.

## 3.3 The Family Court

Family Court processes may differ slightly depending upon the type of application. For the purposes of this project, we are limiting our discussion to the Family Court processes associated with the DVA only to provide clarity for the reader.

**Table 5: Family Court terminology**

Term	Definition
Case	Collection of applications and related actions/orders relating to a family group and a specific piece of legislation (for example, the Domestic Violence Act 1995).
Applicant	Named person(s) applying for an order.
Respondent	Named person(s) against whom the order is sought.
Application	A request for an order/action by the court.
On-notice	On-notice applications are served on (notified to) the respondent who has an opportunity to respond to the application before an order is considered.
Without-notice	Without-notice applications are considered by a judge before the respondent has an opportunity to respond (usually because there are significant safety concerns).

### 3.3.1 Overview

A 'case' consists of one or more applications made to the court for one or more orders (for example, a protection order). An application may have more than one respondent (the person against whom the application is sought) and more than one applicant. In addition, there may be other people in the house covered by an application and/or a subsequent order. Complications arise for counting applicants or respondents when, for example, there is more than one respondent in an application, and there is a discharge application for only one of the respondents covered.

Court administrators use CMS for generating family court documentation (such as protection orders) in a standardised format. This documentation is sent to relevant parties for action (for example, to the police for the purposes of serving a protection order) or information (for example, the applicant in a protection order). Hard copy information may also be generated for judges in the criminal courts to assist with decision-making, but only if they request it.

All applications and their outcomes are recorded in CMS.

#### Protection orders (Domestic Violence Act 1995)

A protection order is made by a court to protect people from violence as described in the DVA. The court can make the order if it is satisfied that:

- › the respondent is using or has used violence against the applicant, or a child of the applicant's family, or both; and,
- › the order is needed to protect an applicant and any children that usually live with a person who has been violent. (Domestic Violence Act 1995)

Protection order applications can be filed on-notice or without-notice. On-notice applications are served on a respondent who has had an opportunity to respond to the application. Without-notice applications are considered by a judge before the respondent has an opportunity to respond, usually because there are significant safety concerns.

If a judge grants a without-notice application, a temporary protection order is made in the first instance. The respondent can then defend the order becoming permanent. Temporary protection orders automatically become permanent after three months, unless they are challenged by the respondent, discharged by the court or withdrawn by the applicant.

Once a final protection order is granted, it remains enforceable indefinitely. It also usually requires the respondent to attend a 'domestic violence education programme'.

The removal of a final protection order requires the granting of an application for its discharge. The application to discharge can be made by either the applicant or the respondent to the protection order.

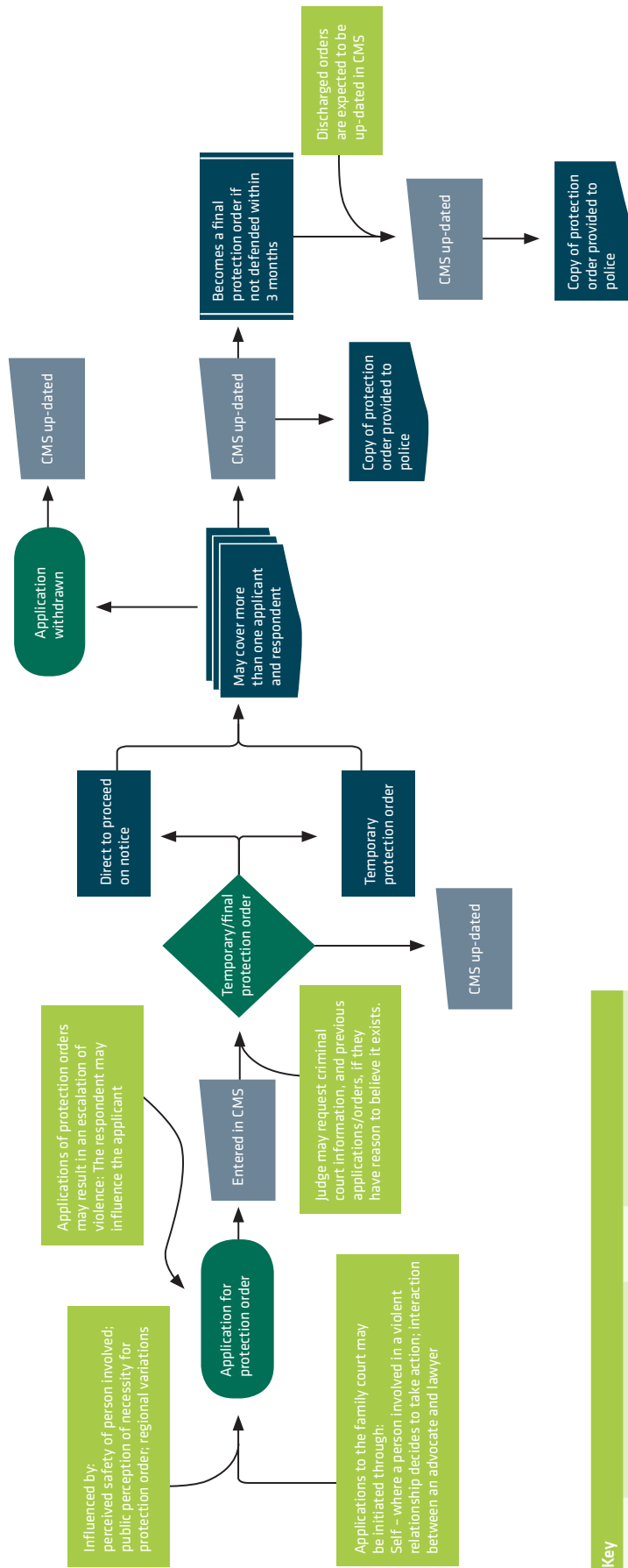
### 3.3.2 Points of influence

Changing public perceptions regarding the need for protection orders over time will influence the likelihood of applications being made. There will also be regional variations in the likelihood of people applying for a protection order, and in the amount and quality of information recorded in CMS.

When a judge makes a direction to proceed from a 'without-notice' protection order to 'on-notice', there may be an escalation in violence (Barwick, Gray, & Macky, 2000). This can influence the applicant's decision to proceed, or result in an application being withdrawn. Without-notice protection orders that have been directed to proceed on-notice have been observed to have a higher withdrawal rate than other protection orders (Barwick et al, 2000).

The introduction of Police Safety Orders (PSO) in 2010 has resulted in an apparent reduction in the number of applications for protection orders and the granting of final protection orders.

Figure 2: Family Court data flow



All information is entered in the courts Case Management System (CMS) by court clerks. There are limited instructions concerning HOW data should be entered.  
 Any orders or directions made by the Judge is required to be entered:  
 » How and when is dependent upon the time and resources;  
 » Regional standardisation rather than national  
 Clerks involved throughout court processes:  
 » Set hearing dates;  
 » Monitor whether expected events occur;  
 » Generate letters from CMS to relevant parties (council, applicants, respondents)  
 National meetings are held with court managers rather than court clerks.  
 Instruction manuals required to ensure consistent data entry.

Key	Start/stop - Beginning or end of a process.	Predefined process - Well-specified procedure expected to be followed following an action or finding.
	<b>Document</b> - Hard-copy documentation of process/ findings. Output of a case management system.	<b>Manual entry</b> - Entry of information gathered into a database - a manual operation.
	<b>Multiple documents</b> - Multiple documents as input or output from a process.	<b>Decision</b> - A critical point in the process in which decisions are made about the most appropriate path to take.
	<b>Process</b> - A procedure that is expected to occur following an action or finding.	<b>Narrative</b> - Additional information about factors that may influence the outcome of a process.

## 3.4 The Criminal Court

**Table 6: Criminal Court terminology**

Term	Definition
Case	A group of one or more charges against one or more defendants.
Defendant	Person accused of an offence.
Offence	A breach of criminal law. This not only includes offences specified in the Crimes Act 1961, but also in other legislation, such as the DVA, Summary Offences Act 1989, Local Government Act 2002, etc.

### 3.4.1 Overview

The charging of a person with an offence is governed by the Crimes Act 1961. The decision whether or not to charge will be guided by the amount of information available about the incident, the time since the alleged offence occurred and the police resources available at the time. The Criminal Court is soon to be regulated by the Criminal Procedure Act 2011. This Act will govern the process of cases through the court system from 1 July 2013.

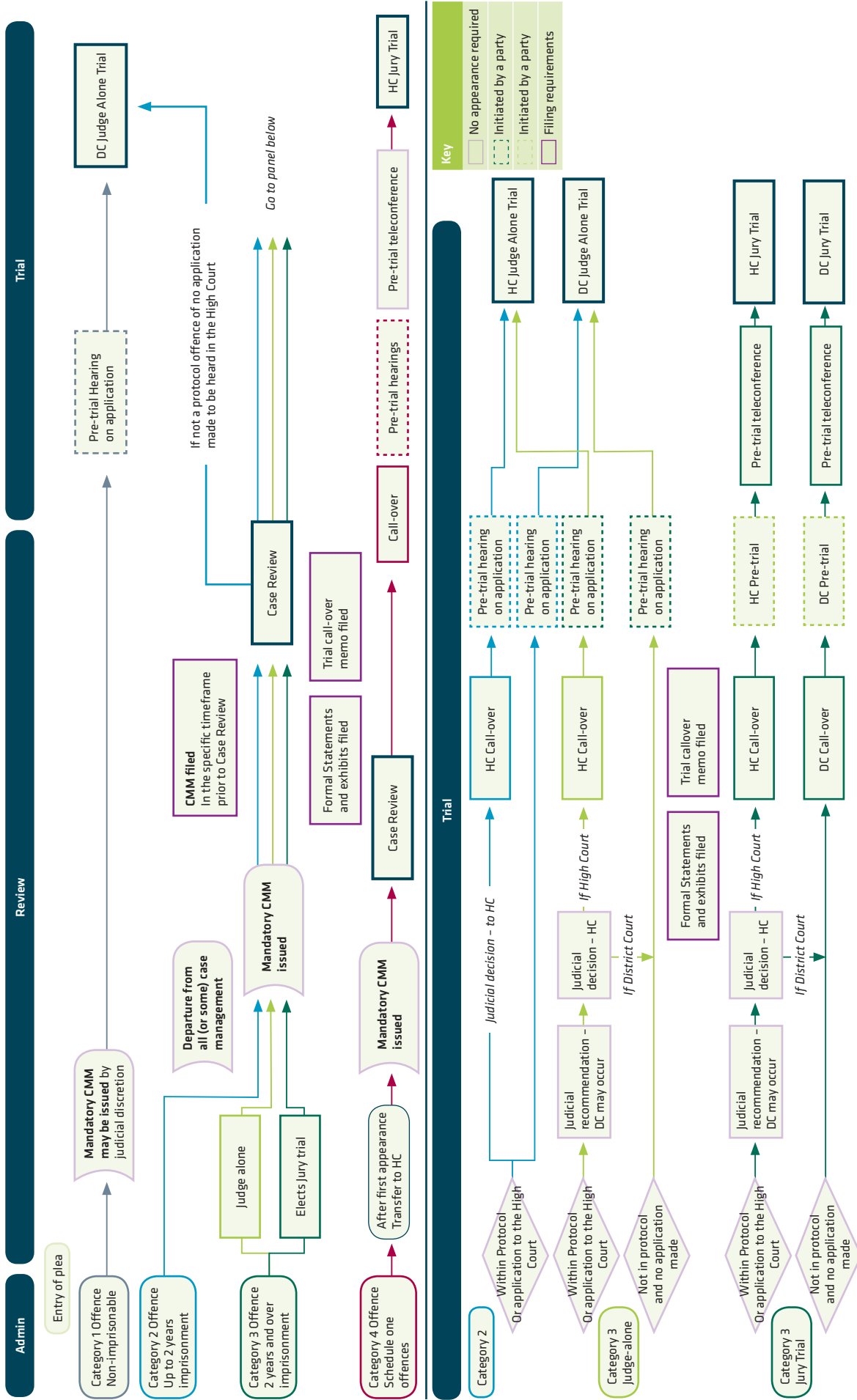
A 'case' consists of one or more charges for one or more offences. An offence may involve more than one defendant. The data process chart for the Criminal Court is represented in Figure 3. This process chart differs from others in this report, because it has been developed and provided by the Ministry of Justice. However, it is apparent from this chart that the journey through the court system will depend upon the category of the offence (imprisonable or not), action by the defendant (electing jury trial or not) and judicial decision (whether the trial should be heard at the District Court or the High Court).

Court administrators are responsible for the collating and recording (filing) of applications, warrants and summonses. Charging documents are entered by the police, and the information flows from NIA to the court data set. Court staff will help the judiciary ensure the court process flows in accordance with the rules set out in the Criminal Procedure Act 2011. This process includes entry of plea and case review, pre-trial applications, formal statements and memoranda. As in the Family Court, CMS is used to generate documentation in a standard format. Therefore, although not shown in Figure 3, at each point in the process, court administrators are expected to enter information in CMS. The purpose the data entry is to allow the cases to be managed appropriately, to ensure up-to-date information is available on each case and to allow monitoring of progress through the court system.

### 3.4.2 Points of influence

Appearance in the Criminal Court is largely the result of the actions of the police. The outcome of the process will be determined by the decision made by the presiding judge (Judge Alone trials) or the outcome of jury deliberations. The relative strength of legal representation may affect the outcome of the court process, as will changes to practice for dealing with offenders. For example, the move away from pecuniary measures for youth offenders, acknowledging that the "vulnerability of younger people and their generally more immature judgement means that they ought to be treated differently from adult offenders" (Ministry of Justice), is likely to impact on the findings from the Youth Courts.

Figure 3: Criminal Court process chart (implemented from July 2013)  
**Criminal Procedure Act 2011**





## 3.5 Child, Youth and Family (Ministry of Social Development)

The function of the electronic data systems that support CYF – CYRAS – is to support social workers’ recording, monitoring and managing of information about children and young people. Initial information concerning a child or young person is generally recorded by staff at the National Contact Centre. The contact centre determines whether a CYF response is required, the appropriate response pathway (assessment, investigation or partnered response) and assigns a degree of urgency to the case for follow-up before referring the case to a site. While most information about children and young people is entered by the social workers as they work with a family, supplementary information (such as court orders) may also be entered by social work administrators at each site.

**Table 7: CYF terminology**

Term	Definition
Case	A child or children and young people up to the age of 17 and their family.
Notification	Also known as ‘report of concern’. Initial contact with CYF from which information is collected about the reason for concern and relevant details of the child.
Criticality	Degree of urgency given for follow-up of the child. Those considered to be at greatest risk of harm are given the highest level of criticality.
Findings	A finding identifies the nature of any harm to the child or young person as a result of an investigation or assessment into a report of concern (notification) about a child.

### 3.5.1 Overview

CYF works under the Children, Young Persons, and Their Families Act 1989. The summary of the Act describes it as:

*An Act to reform the law relating to children and young persons who are in need of care or protection or who offend against the law and, in particular:*

- (a) to advance the wellbeing of families and the wellbeing of children and young persons as members of families, whānau, hapū, iwi, and family groups*
- (b) to make provision for families, whānau, hapū, iwi, and family groups to receive assistance in caring for their children and young persons*
- (c) to make provision for matters relating to children and young persons who are in need of care or protection or who have offended against the law to be resolved, wherever possible, by their own family, whānau, hapū, iwi, or family group (Children, Young Persons, and their Families Act 1989).*

CYF is responsible for responding to reported concerns and protecting children from re-abuse from any perpetrators, not just those who are considered to have familial relationships with them.

The Ministry of Social Development maintains CYRAS, a case management and administrative data recording system for children and young people who have been the subject of contact with CYF. The following is an extract from the CYF Recording Policy:

*What's Important To Us*

*The primary role of a social worker is to work with and support families to protect and care for their children. Keeping records of information obtained, actions taken and decisions made supports good social work practice. Timely recording facilitates analysis and reflection, supports supervision and professional development, and is a means by which social workers can be accountable for their actions and decision making.*

*Accurate recording also supports our commitment to data quality and integrity. (Child, Youth and Family, 2012)*

The policy reflects the need for social workers to be accountable for the decisions they have made concerning the wellbeing of a child, and accountable to the child and their family. CYRAS is a record of the child's journey through the CYF system (CYF, personal communication, 5 April 2013). A secondary driver of CYF recording policy is the requirement for the Government and public to have confidence in the system (Mansell, 2006).

A 'case' in CYRAS is the relevant child or children or young person or people up to the age of 17 and their family. The main point of entry into the case management system is CYF's contact centre. At the contact centre, and at other points in the process of CYF's involvement with a family, information about the nature of concern and known information about the child or children is recorded.

Staff at the contact centre determine whether a CYF response is required and what the response pathway is (assessment, investigation or partnered response). Where further action is required, the level of criticality is also determined at the contact centre, before the case is referred to the local site for confirmation or amendment of the required response. At the local site, information pertaining to the case will be reviewed, and the response required and level of criticality may be revised in the light of local knowledge. If the concerns are so serious that the required response is an investigation, CYF will work with local police. The social worker at the local site who is responsible for the case is also responsible for recording actions taken, decisions made and the outcomes of investigations. This work is overseen by a supervisor who is responsible for signing off the social worker's work.

### 3.5.2 Points of influence

There have been substantial changes in CYF data recording practices over time. In 1996, electronic collection of care and protection data began, and paper files were converted to electronic records. Before 1996, the amount of information available on historic contacts with CYF is limited. In 2000, CYRAS was launched as a platform for recording case management for children who come in contact with CYF. This greatly changed in the amount and quality of information recorded, ensuring that discrete records were kept for each child. Prior to this there had been examples where information relevant to a case may have been located on a sibling's record (Centre for Social Research and Evaluation, 2012).

CYF data have also been heavily influenced by policy and ideological changes regarding the role of child protection agencies in dealing with family violence. For example, the early 2000s heralded a more precautionary approach to family violence and more joined-up working between CYF and the police. This resulted in a substantial increase in the number of family violence notifications reported to CYF, but was also associated with an increase in the proportion of children having contact with CYF for whom there were no findings (Mansell, Ota, Erasmus, & Marks, 2011).

The focus on recording and reporting has also resulted in a number of cases where exposure to intimate partner violence was the dominant concern, recorded as a case of emotional abuse, although the services provided by CYF and partner organisations focused on responding to the core needs of the family, such as social and financial support, rather than solely on abuse (CYF, personal communication, 16 January 2012).<sup>4</sup>

In CYRAS there are a number of compulsory fields to be completed, including a safety assessment, finding/no finding and response to the notifier. In general, the information in CYRAS is contained in free-text fields, although drop-down menus are provided for some fields. Information from the drop-down menus (such as the types of findings and the number of notifications for which further action is required) is reported on a routine basis. However, CYRAS was originally designed as a record of the child's journey through the CYF system rather than as a reporting database (CYF, personal communication, 5 April 2013). As a result, extraction of information from free-text fields is labour intensive.

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<sup>4</sup> Most cases identified through the police attended process will be discussed at a Family Violence Inter-Agency Response meeting, and either considered to require no further action, referred to family violence (NGD) services, or directed through the Partnered Response pathway. Children present in these situations considered to need immediate CYF involvement are referred through the Contact Centre (see Figure 4).



## 3.6 Hospitalisations (Ministry of Health)

The functions of the electronic data system that supports hospitals (the 'National Minimum Data Set' of hospital events or NMDS) are policy formation, performance monitoring, research and review. It provides statistical information, reports and analyses about the trends in the delivery of hospital services nationally and by provider. It is also used for funding purposes (Ministry of Health, 2009). There are two possible points of entry to the NMDS – hospital-based coders and those in the Ministry of Health. All information that is entered into the NMDS is drawn from hospital notes recorded during a hospital stay. Clinicians, nurses and other allied health professionals will all record information in hospital notes.

**Table 8: Ministry of Health terminology**

Term	Definition
Case	Hospital admission event. A period of time in which a person is treated in hospital for an illness or injury.

### 3.6.1 Overview

The NMDS is collated and maintained by the Ministry of Health. It contains information on public and private hospital discharges throughout New Zealand. Public hospital discharge information has been recorded electronically since 1988 (Chris Lewis, Information Analyst, personal communication, 21 March 2013). Over 99 percent of acute injury hospital admissions are treated in public hospitals in New Zealand (Davie, Langley, Samaranayaka, & Wetherspoon, 2008).

In the large majority of cases, information is captured electronically at the end of a hospital event (generally a period of stay in hospital, although some mental health patients may spend a day at home and return to the hospital in the evening or the next day, but are still captured as a single hospital event). The exception is smaller private hospitals where paper summary forms are sent to the Ministry of Health for coding by Ministry of Health staff.

The recording of a hospital event requires hospital coders to extract the relevant information from hospital notes, which are generally handwritten by clinicians as they attend to the patient. Although a discharge summary may contain all of the information needed for coding an event, coders are required to review the entire clinical record, which may include ambulance and emergency department notes, operation reports, laboratory results, radiology reports, clinical letters and clinical notes (Thompson, 2010). For more complex cases, where the patient has been treated by a number of different specialists during the hospital event, the notes may be extensive, requiring detailed review to find and record the appropriate information.

Hospital clinicians are primarily responsible for treating diseases or injuries. Although there is a requirement to collect as much information as possible about the reason for a hospital event, the collection of contextual information (cause of injury) is frequently not of prime importance to clinicians. For injury-related hospital events, the cause of injury is required, and is coded according to international coding standards: the International Classification of Diseases and Health Related Conditions (version 10, Australian Modification (ICD-10-AM) (National Centre for Classification in Health, 2002b)). As highlighted in the Operational Definitions (Table 1), the recording of an assault, abuse or neglect cause of injury code requires the intent to have been documented in the notes, and coders must be able to locate and extract this information. If there is uncertainty about the intent of the injury, coders are instructed to record 'undetermined intent' (National Centre for Classification in Health, 2002a).

In 2001, the Ministry of Health launched the Family Violence Project (now named the Violence Intervention Programme) (Ministry of Health, 2002). The programme was initially piloted in four district health boards (DHBs), and then expanded to all DHBs in 2007. The aim of the programme was to prevent the health impacts of violence and abuse through early intervention, assessment and referral of victims to appropriate services. The Violence Intervention Programme requires that all assaults be recorded, and specific attention be paid to family violence. A 96-month audit of the programme revealed that although all DHBs had a partner abuse and child abuse and neglect intervention programme as at 30 June 2012, the roll-out has been variable, with training continuing in emergency, maternity, child health, sexual health, mental health and alcohol and drug services. Implementation is also variable, with internal chart reviews indicating that only 30 percent of DHBs (n=6) were screening at least half of all eligible women for intimate partner violence (Koziol-McLain & Gear, 2012).

### 3.6.2 Points of influence

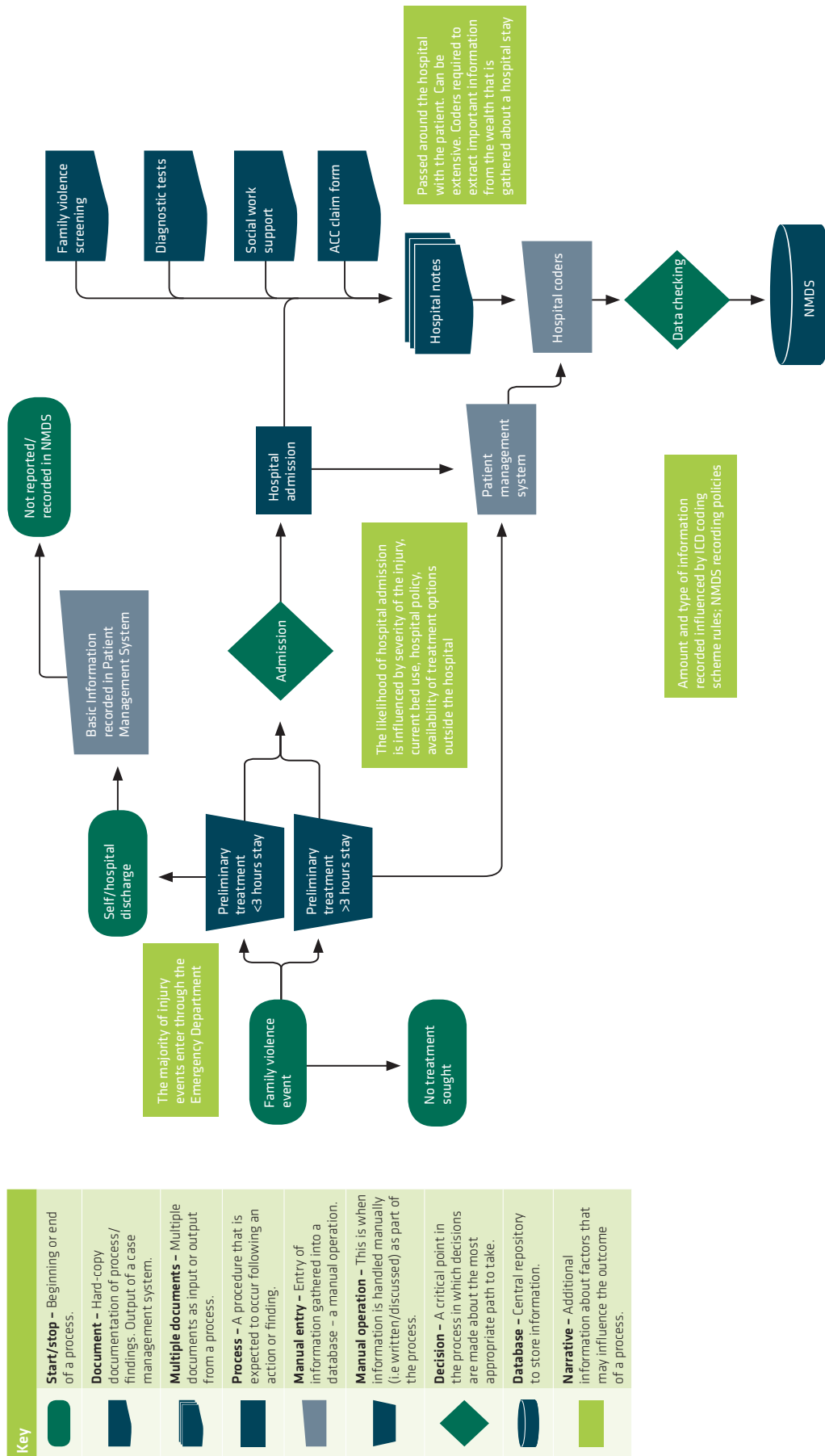
Before 1999, discharges were coded using the Australian version of the clinical modification of version 9 of the ICD (ICD-9-CMA-II). In 1999, ICD-10-AM was implemented. In 2004, the third edition of ICD-10-AM was introduced, which allowed the recording of the relationship between the perpetrator and the victim for assault, abuse and neglect cases. Information on the relationship between perpetrator and victim was not routinely recorded under the ICD-10-AM scheme before 2004. Although edition 1 of ICD-10-AM had perpetrator codes, which were applicable to 'neglect and abandonment' and 'other maltreatment syndromes,' this edition was only used in New Zealand in the 2001 calendar year.

In 2007, in response to an increasing number of DHBs recording short-stay emergency department events in the NMDS, the Ministry of Health mandated the recording of this information in the NMDS by all DHBs. This directive has been implemented gradually, but the last DHBs are expected to be recording emergency department events from the 2012/13 financial year (Chris Lewis, Information Analyst, personal communication, 30 January 2013). This change has resulted in a dramatic increase in the number of injury-related hospital events recorded in the NMDS.

Previous research has shown that there has been no change in reporting practices for assault-related hospital discharges in response to increasing public awareness of this as a problem (Gulliver, Cryer, & Langley, 2013). However, the investigation was focused on cases of assault resulting in hospitalisation for the general population, of which a large proportion are not family violence related.

The introduction of the Violence Intervention Programme has encouraged hospital staff to identify cases of intimate partner violence and child maltreatment when they present at hospital, in order to refer them to the most appropriate services. This programme may have multiple effects, such as increasing recognition of cases, more recording of injury resulting from assaultive acts and more reporting of the relationship between the perpetrator and the victim. As yet the impact of any such changes on data recording processes has not been assessed.

Figure 5: Hospital data flow



Key	Symbol	Description
<b>Start/stop</b>	Oval	Beginning or end of a process.
<b>Document</b>	Single trapezoid	Hard-copy documentation of process/ findings. Output of a case management system.
<b>Multiple documents</b>	Stack of trapezoids	Multiple documents as input or output from a process.
<b>Process</b>	Rectangular trapezoid	A procedure that is expected to occur following an action or finding.
<b>Manual entry</b>	Rectangular trapezoid	Entry of information gathered into a database – a manual operation.
<b>Manual operation</b>	Rectangular trapezoid	This is when information is handled manually (i.e. written/discussed) as part of the process.
<b>Decision</b>	Diamond	A critical point in the process in which decisions are made about the most appropriate path to take.
<b>Database</b>	Cylinder	Central repository to store information.
<b>Narrative</b>	Vertical bar	Additional information about factors that may influence the outcome of a process.

## 3.7 New Zealand Crime and Safety Survey

### 3.7.1 Overview

Although it is administered by the Ministry of Justice, we have chosen to review NZCASS independently of other data sets maintained by the Ministry. There are two main reasons for this. The first is that NZCASS is a survey, therefore the methods of collecting information are more standardised than those for courts data. NZCASS interviewers are expected to probe in order to elicit complete information on victimisation experiences, whereas courts data is dependent upon what is elicited from an applicant or defendant in a court case.

The second reason is that NZCASS is not conducted on a routine basis. Although surveys were conducted in 1999, 2001, 2006 and 2009, there was a substantial change in the methods between 1999 and 2006, preventing comparison of the results. Planning has begun to re-administer NZCASS for 2014. For the purposes of this report, we summarise procedures used to obtain data from the most recently completed NZCASS.

The purposes of the 2009 NZCASS were to:

- (i) measure the amount of crime in New Zealand in 2008, to complement police records
- (ii) provide information on offences reported to police and the reasons for not reporting
- (iii) show changes in the amount and effects of victimisation between 2005 and 2008
- (iv) identify those most at risk of different types of crimes
- (v) give information on the nature of victimisation
- (vi) give information on the public's perception of crime problems in their area.  
(Ministry of Justice, 2010a)

The survey sample was selected to provide a representative sample of the usually resident, non-institutionalised civilian population of New Zealand, aged 15 years and over. A Māori booster sample was also included to allow reliable results to be produced for the Māori population (Ministry of Justice, 2010a).

NZCASS is administered as a face-to-face interview, in the person's home, using Computer Assisted Personal Interviewing and Computer Assisted Self Interviewing technology. Interview respondents were asked how many incidents they had experienced over one calendar year, beginning on 1 January 2008 for various types of crime. If they had experienced 1–3 incidents, information on each of them was recorded on victim forms (in which more detailed information about the incident was recorded). If they had experienced more than three incidents, victim forms were completed on three incidents selected at random by the software (Ministry of Justice, 2010a).

If a respondent indicated that they had experienced at least one incident classified as *Violence by a partner*, *Violence by people you know well* or *Sexual incidents*, **one** incident form was completed for each of these crime types, irrespective of the number reported. Respondents were instructed to think about the most recent incident and complete the form for that incident (Ministry of Justice, 2010a).

Family violence is described in the 2009 NZCASS as 'confrontational crime', which includes assaults, threats to an individual and threats to their personal property, where the offender was a partner or a person well known to them. 'Partners' are defined as those with whom the victim was a partner *when the offence occurred*. Excluded from the definition of confrontational crime are psychological and economic abuse, although this information is collected elsewhere in the questionnaire (Ministry of Justice, 2011). Included in 'persons well-known' to the victim were parents, friends, siblings, sons, daughters and previous partners. The inclusion of friends in this grouping means that the relationships go wider than those described in the DVA. The exclusion of psychological and economic abuse means, however, that the range of violence recorded is narrower than that defined in the DVA. The definitions used by NZCASS were consistent between the 2006 survey and the 2009 survey.



### 3.7.2 Points of influence

It is recognised in the local and international literature that crime surveys have a tendency to underestimate family/partner violence because such experiences are often not considered a 'crime' by those who are victimised in this way (Centers for Disease Control, 2011). Nevertheless, relative to the other data sources discussed in this report, NZCASS has the potential to provide a more complete account of the prevalence of family violence in New Zealand.

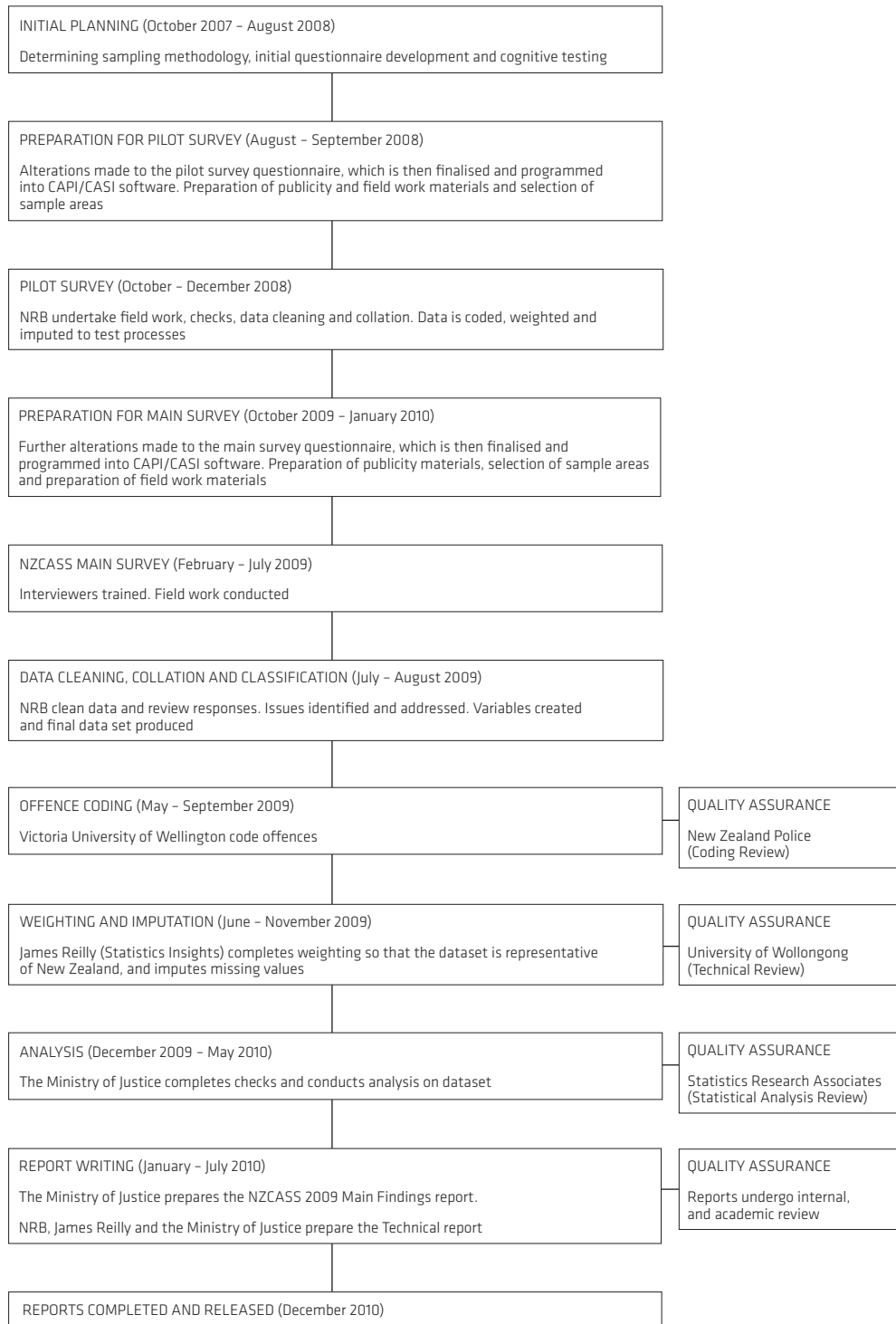
Variations in the methods used for victimisation surveys over time and between localities can result in different estimates of crime exposure. When assessing comparability over time, key components of survey methodology to be considered are:

- (i) Mode of survey: administration face-to-face, over the telephone or via the internet, for example
- (ii) Sampling frame: the age groups to be included, over-sampling for sub-groups of the population
- (iii) Recall periods: longer recall periods can introduce error and over-reporting of more serious events and under-reporting of less serious events
- (iv) Offence coverage: inclusion of threats and attempts
- (v) Offence truncation: the number of offences for which detailed information is collected
- (vi) Differences in questionnaire design. (Ministry of Justice, 2010c)

Considerable effort was put into the implementation of consistent methods when administering the 2006 and 2009 surveys, to allow comparisons to be made over time. Therefore, for at least two time periods, comparable data are available for New Zealand. Use of a consistent methodology in 2014 would again provide comparable information.

## Figure 6: New Zealand Crime and Safety Survey 2009

**Figure 1.1: The NZCASS process**





# 4. OUTCOME INDICATORS

This section describes the purpose and definition of an outcome indicator and sets out specific data requirements for an outcome indicator.

## 4.1 The purpose of an indicator

Outcome indicators summarise often complex data in a way that makes it easy for policy-makers, service deliverers, researchers and the general public to understand (Jansen, 2012). In *The Good Indicators Guide*, the following analogy is used to describe an outcome indicator:

Imagine a car dashboard: an indicator is a warning light flashing on the dashboard. It is fed by one of many streams of data – maybe oil level, temperature etc... It flashes when all is not well, suggesting we stop the car. The indicator 'alerts us to something worthy of investigation'. (Association of Public Health Observatories, 2008, p. 6)

Good quality, reliable outcome indicators can be used to monitor trends, identify emerging problems (Langley & Cryer, 2000), create awareness, guide legislative and policy reforms and ensure adequate provision of services (Jansen, 2012). They are seldom the only measure of an event of interest; however, a good outcome indicator will be a reliable measure, providing a point of reference for other measures. Indicators should be largely free from the influence of extraneous factors, such as service delivery changes and changes in policy and practice that affect data recording rather than changing outcomes.<sup>5</sup> As the analogy used above shows, the outcome indicator will only serve to highlight the fact that there is a problem. More detailed work will be required to determine the exact nature of the problem and whether a new part is required for the car.

## 4.2 Data sources for indicators

There are two potential data sources for indicators of family violence: surveys and administrative data. Population-based surveys have the potential to provide information on the nature of violence experienced by the population as a whole, or different sectors of the population. If surveys are conducted using consistent methods, and at regular intervals, they have the potential to produce prevalence-based outcome indicators. The quality, validity, reliability and specificity of indicators derived from surveys will depend upon (amongst other factors) the focus of the survey, the training of interviewers, the procedures used and the mode of delivery (Jansen, 2012).

Administrative data sources will provide information about the experience of family violence reported by those who accessed the services delivered by the agency or organisation concerned. They will not give a complete account of the nature and prevalence of family violence experienced by a community, as they were not designed to do so. Also, international literature indicates that only the most serious cases of family violence are brought to the attention of service providers and therefore recorded in national data sets (United Nations, 2007). While administrative data sources can provide important information about government service provision for those who experience family violence and access these services (United Nations, 2007), they should be interpreted with an understanding of the data source from which they have been derived, and appropriate caution.

<sup>5</sup> International evidence suggests that administrative data sources are not free from the influence of extraneous factors. Therefore they need to be interpreted with this limitation acknowledged.

## 4.3 Characteristics of an outcome indicator

Assessment of the quality of the data on which an outcome indicator is based is vital. Just as a faulty engine light could result in a waste of time and money in multiple visits to the mechanic when there is nothing wrong with a car, an unreliable outcome indicator can result in inappropriate channelling of resources, if the data on which it is based are not sound.

A number of authors have outlined criteria for the development of reliable outcome indicators. Langley and Cryer (2000) suggest four key criteria:

1. The indicator should reflect the occurrence of [an event] satisfying some case definition.
2. Case ascertainment should be important in terms of incapacity, impairment, disability, quality of life, cost and/or threat to life.
3. Cases should be completely ascertained from routinely or easily collected data.
4. The probability of a case being ascertained should be independent of social, of service supply, and access factors. (Langley & Cryer, 2000, p. 6)

Langley and Cryer also emphasise case definition<sup>6</sup> – clarity as to what it is we are trying to measure (Langley & Cryer, 2000). In order to accurately report on an outcome indicator, it is important that the case definition is clearly articulated. Only then can other characteristics of the indicator be evaluated:

Validity – that the indicator measures what it is intended to measure, eg trends in incidence over time as opposed to trends in service delivery over time.

Specificity – that family violence is captured as defined in the case definition. For example, if the data set is intended to capture only adult physical violence between intimate partners, then children, however defined by age, should not be included.

Reliability – minimising measurement error, most easily achieved by having clear guidelines for identifying and recording a case, and by employing a structured data system for case capture.

Comparability – over time and between localities, dependent upon specificity and reliability of the indicator.

Precision – clear, well specified definitions.

Feasibility – depending on available tools and methods. (Measure Evaluation, 2008).<sup>7</sup>

A clear definition of family violence is required for the development of a reliable outcome indicator. While the definition of family violence may not appear to be a practically important issue, it is necessary to determine precisely what constitutes family violence (Australian Law Reform Commission, 2010) when seeking to observe trends over time, or to assess whether a programme or intervention is expected to affect the nature or frequency of family violence events. Indeed, both the Australian Law Reform Commission (2010) and United Nations Department of Economic and Social Affairs Division for the Advancement of Women (2009) make it clear that a comprehensive definition of violence, including physical, sexual, psychological and economic violence, is required at a legislative level:

...adopting a common shared understanding of family violence will help to facilitate the capture of statistics about family violence, thereby providing more useful and comparable data upon which policies to address family violence can be based. (Australian Law Reform Commission, 2010)

<sup>6</sup> A case definition describes how a 'case' (an individual unit of measure – individuals, families, offences, prosecutions etc) is identified in a data set. There can be more than one case definition per data set – each case definition will be specific to the indicator being described.

<sup>7</sup> In their *Compendium of Monitoring and Evaluation Indicators*, Measure Evaluation also lists 'non-directionality' and 'programmatically relevant'. These measures relate to process and impact indicators, not to outcome indicators. Therefore we have chosen not to examine these qualities in this report.

## 4.4 Data requirements for an outcome indicator

In this section we will expand on the characteristics of a high-quality outcome indicator and draw on examples from the international literature to guide the evaluation of New Zealand administrative data. It should be noted that most are drawn from surveys, simply because surveys are covered in more detail than other potential sources in international literature. However, they also illustrate the data requirements for good-quality outcome indicators. The use of international examples in the discussion below is deliberate, as it allows an exploration of examples of good practice as well as a description of the problems and challenges. There are few, if any, examples from New Zealand literature. As highlighted in the Background section of this report, the preliminary work undertaken by the Taskforce and the work presented here are the initial steps required for the development of a suite of family violence outcome indicators.

### *Validity*

A valid outcome indicator will measure what it is intended to measure. For family violence, a valid outcome indicator would measure whether the frequency of family violence is increasing or decreasing year by year. To do this, the data on which the outcome indicator is based must measure the incidence or prevalence of family violence in the community rather than changes in service delivery.

Validity does not imply completeness. It is possible to have a valid measure of an event (or trends in an event) without counting every instance of that event, as long as there is no bias in the under-counting of the cases. For example, if only every fifth event is counted, but we know that every fifth event is reflective of the events in general (in terms of age, gender, ethnicity, socio-economic status, etc) then this will provide a valid outcome indicator of change over time. However, if every fifth event includes only those events that happen in Canterbury (for example), then the outcome indicator will be skewed to reflect what is happening in Canterbury rather than overall New Zealand.

### **The Victorian Family Violence Database**

This database was established by The Victorian Community Council Against Violence in 2000 in collaboration with the Magistrates' Court of Victoria, the Victoria Police, the Department of Human Services, the family violence sector and the National Data Collection Agency of the Australian Institute of Health and Welfare. Family violence data from various sources were brought together into a single, state-wide database to allow comprehensive analysis of the nature and incidence of family violence in Victoria.

However, the Victorian Family Violence Database is unable to provide an analysis of trends over time due to changes in reporting behaviour to the police as well as changes in service delivery. For example, the police are taking an increasingly proactive approach to family violence (Victims Support Agency, 2012, p. 18).

The Family Violence Database provides a valid measure of *police and reporting activity* for family violence-related events as opposed to a valid measure of the *incidence of family violence* in the community.

## Specificity

Is family violence captured according to the case definition? What is the case definition?

To determine how specific our outcome indicators are, we have to understand what it is we are trying to measure. To do so, we need to define it. The *Report of the Special Rapporteur on Violence Against Women*, while acknowledging the difficulty of obtaining a consensus definition of violence against women, recommended the use of surveys that have been constructed to allow the analysis of results from different definitions, including those recognised by international standards (Erturk, 2008; Jansen, 2012; United Nations, 2007).

The North West Public Health Observatory has put together the Violence Indicator Profiles for England Resource (VIPER) in an effort to use administrative data sources to derive “robust, comparable measures of trends in violence” for all localities in England (Bellis, Hughes, Perkins, & Bennett, 2012). The indicators are well specified and include caveats about the source of the information and potential limitations of the data (North West Public Health Observatory, 2012). However, even with these caveats acknowledged, similar issues to those highlighted in the Victoria Family Violence Database will arise, where trends may reflect changes in service delivery rather than changes in the prevalence of family violence in the community. As yet only one set of data has been made available using the VIPER system, available on EVIPER website.

## Reliability

Minimising measurement error requires minimising the likelihood of identifying false positives (a positive measure of violence when none has occurred) as well as false negatives (a negative measure of violence when violence has occurred). Sensitivity is the term for the ability of a system to detect cases within the community and to reveal changes in incidence when they occur, which is dependent on the ability to measure different experiences of violence.

When considering how to measure domestic violence, the Irish Crime Council decided to concentrate on those events considered serious, where seriousness was defined as “a pattern of physical, emotional or sexual behaviour between partners in an intimate relationship that causes, or risks causing, significant negative consequences for the person affected” (Watson & Parsons, 2005, p. 52). The decision to focus on the more serious end of the spectrum (where incidents form a pattern of behaviour and have a severe impact) was driven by the consideration that any prevalence estimates derived from the results would influence policy development, and policies should be targeted at assisting those most severely affected.

Population-based prevalence measures from the Irish Crime Council survey illustrate how differences in measurement can play out when the results of all incidents of ‘domestic violence’ are reported as compared with those of serious incidents. For physical abuse, when both serious and minor incidents are included, the lifetime prevalence for both men and women was 13 percent. When only serious incidents were considered, the lifetime prevalence was 9 percent for women and 4 percent for men. For all abuse (including physical, sexual and emotional), comparative figures were 29 percent for women and 26 percent for men (serious and minor) in contrast with 15 percent for women and 6 percent for men (serious only) (Watson & Parsons, 2005). Because of the clearly articulated case-definition in this example, it is possible to suggest that the ‘minor’ incidents might have captured more one-off events that did not result in significant consequences relative to events that satisfied the ‘serious’ criteria.

These findings also highlight the importance of considering the type, intensity and duration of violence captured in administrative data sets (to the extent possible) when making comparisons between different sectors of the population.

## *Comparability*

Ensuring comparability in the measurement of an outcome indicator over time and between localities requires consistency in data collection over time and between localities. Consistency requires that the same question(s) is asked and/or the same data collected.

To ensure consistency in the recording of deaths attributable to suicide, the Australian Bureau of Statistics introduced a revision process, targeting deaths with an 'unspecified' cause of death recorded. The revision process was introduced to overcome the variable level of evidence required by different coroners to be satisfied that the death met the definition of suicide. To ensure consistency in recording, the revision process requires coders at the Australian Bureau of Statistics to find additional information and review the mechanisms of death (identifying those indicative of possible suicide) as well as the coroners' determination and the supporting documentation such as suicide notes, previous suicide attempts and documentation about any history of mental illness (Australian Bureau of Statistics, 2010). The outcome of the revision process is an increase in the number of deaths coded as suicide and a reduction in the number coded as 'unspecified' (Australian Bureau of Statistics, 2010).

The revision process results in consistent coding of data in all coronial jurisdictions in Australia and allows commentators to speak about trends over time (and regional variations) with more confidence. This example illustrates the importance of good-quality data and consistent data collection and recording.

## *Precision*

We have highlighted the importance of clear definitions ('What's in a name', Chapter 2) and discussed the difficulties of developing a clear theoretical definition of family violence for New Zealand.

## *Feasibility*

Outcome indicators based on current data collections are considered most feasible because little additional resource is required for their regular production (Langley & Cryer, 2000). Although administrative data collections have generally not been designed as surveillance tools, there are examples of initiatives to improve the quality of data recorded so as to improve comparability over time. For example, the British Home Office has established 'counting rules' for recorded crime in an effort to become "victim focused and maintain consistency of recording across all forces" (Home Office, 2012). They also have a clear definition of 'notifiable crime', which is used as the basis of reported crime statistics<sup>8</sup> (Home Office, 2012).

As acknowledged previously, surveys provide a more comprehensive account of the experience of family violence in the general population. Although recognised as being expensive to gather, survey data have been advocated by the United Nations Special Rapporteur on Violence Against Women as the most appropriate data source of an outcome indicator (Erturk, 2008), because dedicated violence-based survey data collections elicit better disclosure, especially in the context of violence against women (Walby, 2005). The cost effectiveness of surveys can be enhanced by finding ways to reduce the costs of surveys and ensuring that they are conducted regularly. For example, the Crime Survey for England and Wales has a dedicated module on intimate partner violence which is self-completed, in the context of the general survey, using the interviewer's laptop (TNS-BMRB, 2010).

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<sup>8</sup> Not all criminal offences are counted, as almost all the minor summary offences are excluded (even though the police may record them for their own investigations).



It is important to ensure, however, that efforts to reduce the cost of conducting surveys do not reduce the quality and completeness of the data collected. For example, the use of telephone or mail surveys may reduce response rates and the disclosure of more sensitive forms of victimisation (Justice Sector Strategy Group, 2010). However, if they are designed with the safety of the survey respondent in mind, telephone surveys have been shown to be as effective as face-to-face interviews. For example, in 2010, the United States Centers for Disease Control launched the National Intimate Partner and Sexual Violence Survey (NISVS). The telephone-administered survey was designed “to maximize safety and to facilitate the reporting of sexual violence, stalking, and intimate partner violence using the best available knowledge and expert advice. NISVS provides the most current and comprehensive data about the prevalence of these forms of violence” (Centers for Disease Control, 2011, p. 17). NISVS is ongoing and nationally representative, providing timely data to inform policies and programmes, to establish priorities and to track progress and assess trends. The Centers for Disease Control sees the administration of the survey in a health context rather than a crime context as an advantage, as it allows people to report the experience without having to consider it as a crime (Centers for Disease Control, 2011).

Outcome indicators summarise complex data.

Good-quality, reliable, outcome indicators can be used to monitor trends.

A clear definition of family violence is imperative for the development of an outcome indicator.

Assessment of the quality of the data on which an outcome indicator is based is a vital component of development.





# 5. EVALUATION OF POSSIBLE INDICATORS

This section presents possible outcome indicators that could be drawn from the four principal agencies. For each agency, the possible indicators are presented first, followed by a review of their key strengths and limitations.

More detailed discussion about the quality of each of the possible indicators is presented in Appendix 1. In the appendix we have documented how well each of the indicators meets the data requirements of a high-quality outcome indicator described in the section above.

When making suggestions for possible outcome indicators, we sought measures that would be minimally influenced by extraneous factors unrelated to the incidence of family violence as captured by the agency concerned. We also sought measures that would be easily understood by members of the public and policy-makers.

For any of the measures to be considered outcome indicators for family violence, a reliable measure of relationship between the perpetrator and victim is required. For some agencies (such as the Police) we have been able to identify a suitable proxy measure of family violence (dwelling assaults) that can be used until reliable measures of relationship status can be routinely applied.

## 5.1 Possible indicators

### 5.1.1 Police

#### *Perpetrators*

- › Number and age-standardised rate of apprehensions for serious assault resulting in injury.
- › Number and age-standardised rate of re-apprehensions for serious assault resulting in injury.

#### *Victims*

- › Number and age-standardised rate of victimisations for serious assault resulting in injury.
- › Number and age-standardised rate of re-victimisations for serious assault resulting in injury.

Although the Police clearly state that police data should not be used for monitoring trends over time, the public availability of offence and apprehension data inevitably results in it being used as a source of trend data. We have therefore attempted to find measures that may be useful for describing trends in incidence.

Police data have traditionally been used as a measure of perpetration, as most of the information in this data set relates to the perpetrator. Indeed, it would be possible to report counts of offenders or offences for a given year, and of repeat offenders. However, with the shift in focus to recording more information about the victim, there is also potential for police data to produce measures of victims, such as providing counts of the absolute number of victims, and of the number of people who have been victimised more than once.

In this section, we have been informed by work of the English North West Public Health Observatory – Violence Indicator Profiles for England (North West Public Health Observatory, 2012). The Violence Indicator Profiles use crimes against the person as a measure of family violence.

We have suggested apprehensions and victimisations for serious physical assault resulting in injury (ANZSOC offence category 021) as possible indicators. Our rationale for this is our assumption that increases in the severity of offence or the injury involved, increase both the likelihood of reporting to the police and likelihood of consistent recording by the police. **This assumption has not yet been tested.** At the present, the information available describes only the number of apprehensions

recorded and does not include the relationship between the victim and the offender. As a result, data are not currently available on the number of perpetrators and victims who share a defined intimate or familial relationship. This is expected to be reported in the future, along with the number of repeat offenders and the number of people who are re-victimised in a given period.

For illustrative purposes, we have highlighted the number of apprehensions (and victimisations for 2012 only) where a serious physical assault resulting in injury offence occurred in a dwelling as a proxy measure of family violence. **It is important to stress that these figures are provided for illustrative purposes only, as relationship data as recorded by the Police are not yet sufficiently specific or complete to report.**

	2005	2006	2007	2008	2009	2010	2011	2012
<b>Total apprehensions</b>	<b>8,664</b>	<b>9,226</b>	<b>10,639</b>	<b>11,034</b>	<b>10,871</b>	<b>10,164</b>	<b>9,680</b>	<b>8,762</b>
Female	621	749	880	938	1,111	1,095	1,188	1,032
Males	8,043	8,477	9,759	10,956	9,757	9,067	8,491	7,728
<b>Location of offence = dwelling</b>								
<b>Total apprehensions</b>	<b>6,185</b>	<b>6,524</b>	<b>7,450</b>	<b>7,840</b>	<b>7,948</b>	<b>7,372</b>	<b>7,207</b>	<b>6,340</b>
Female	369	431	499	583	710	687	797	696
Male	5,816	6,093	6,951	7,257	7,238	6,685	6,407	5,644

<b>Characteristic</b>	<b>Number</b>
<b>Gender</b>	
Female	4,049
Male	1,819
Unknown	376
<b>Age</b>	
Under 12 years	609
12–16 years	533
17–64 years	4,639
Over 65 years	47
Unknown	415

## 5.1.2 Courts

### *Perpetrators*

- › Number and age-standardised rate of prosecutions for serious physical assault-related offences resulting in injury.
- › Number and age-standardised rate of prosecutions for aggravated sexual assault.
- › Number and age-standardised rate of prosecutions for non-aggravated sexual assault.

### *Victims*

- › Number and age-standardised rate of applications for a protection order.
- › Number and age-standardised rate of final protection orders granted.

Possible indicators drawn from Criminal Court data will be focused on the perpetrator. Indicators drawn from the Family Court will refer to the use of protection orders as a mechanism for avoiding or reducing the impact of family violence.

Once a protection order application is filed, there are legislative criteria on how they should be considered (for example, 'on-notice' or 'without-notice') and granted – see, for example, Section 13 of the DVA. There is, however, evidence of variable implementation of the DVA for the granting of protection orders (Robertson et al., 2007).

This is particularly evident in the decisions of certain Family Court judges who have, for example, failed to carry out the risk assessment mandated by section 61 of the Care of Children Act 2004, or who have added an extra 'gloss' to the criteria for granting without notice protection orders (based on a very problematic view of section 27(1) of the New Zealand Bill of Rights Act 1990) to impose a higher threshold than Parliament intended. (Robertson et al, 2007, p. 5)

If the guidelines for granting protection orders were applied consistently, it is likely they would be minimally influenced by extraneous factors, and could be considered for use as family violence outcome indicators. At present, this is not the case.

The Violence Indicator Profiles for England use violence against the person and sexual offences as measures of violence in the population (North West Public Health Observatory, 2012). Following from the possible indicators in the police data sets, we suggest that outcome indicators derived from Criminal Court data might possibly be drawn from prosecutions and convictions for physical assault-related offences. We have also considered sexual assault-related offences that result in an injury, if relationship between victim and offender can be adequately specified.

Tables 11 and 12 have been provided for illustrative purposes only. It is apparent from Table 11 that, with the introduction of PSOs in July 2010, there has been a reduction in the number of protection order applications and final orders granted. This suggests that the number of protection order applications is not independent of external influences. There has also been a substantial reduction in the number of family violence-related common assault (injury) offences between 2011 and 2012. The source of this reduction is not clear at present.

Of greatest concern with the use of Criminal Court data for the production of family violence outcome indicators is the reliance on police data collection for the establishment of relationship status. As highlighted above, the police are still developing their relationship categories.

As a result of these caveats, we would **not** recommend the use of Family Court or Criminal Court data for family violence outcome indicators.

	2005	2006	2007	2008	2009	2010	2011	2012
<b>Total number of protection order applications</b>	<b>4,545</b>	<b>4,432</b>	<b>4,511</b>	<b>4,422</b>	<b>4,641</b>	<b>4,685</b>	<b>4,064</b>	<b>3,611</b>
Final protection orders granted	2,561	2,520	2,633	2,505	2,637	2,657	2,328	1,892
<b>% of total applications</b>	<b>56</b>	<b>57</b>	<b>58</b>	<b>57</b>	<b>57</b>	<b>57</b>	<b>57</b>	<b>52</b>

Offence type	Family violence-related			
	2009	2010	2011	2012
Common assault (injury)	6,378	6,391	6,322	5,625
Aggravated sexual assault	1,087	1,772	1,666	1,930
Non-aggravated sexual assault	79	122	122	118

### 5.1.3 Child, Youth and Family

Number and age-standardised rate of children and young people with substantiated findings of:

- physical abuse only
- sexual abuse only
- emotional abuse only
- neglect only
- combined finding types.

These have been proposed as possible outcome indicators because there have been suggestions that the reporting of *substantiated physical abuse* may be less influenced by policy and practice changes than other forms of substantiated abuse, simply because it involves observable symptoms (Mansell, 2006). In a similar vein, cases of *substantiated sexual abuse* may be expected to be less influenced by changes in policy and practice.

In 2001, the Serious Abuse Team/Child Abuse Team Protocol was signed between CYF and the police. This protocol was revised and distributed to all CYF workers in December 2003 (Waldegrave & Coy, 2005). In 2010, the protocol was revised further and re-launched as the Child Protection Protocol (Child Youth and Family & New Zealand Police, 2010). It sets out clear guidelines for the identification, investigation and reporting of *serious* cases of physical abuse, sexual abuse, wilful neglect and serious family violence (emotional abuse). There may be the potential to use the findings derived from investigations following the protocol as indicators of child maltreatment over time.

Table 13 presents the counts of each type of substantiated abuse derived from the CYF/Police investigation pathway. These are specifically those cases covered by the Child Protection Protocol and are serious cases of physical, sexual, emotional abuse and wilful neglect. It has only been possible to identify these specific cases since the 2010/11 financial year.

**Table 13: Number of children and young people with findings of substantiated abuse as a result of joint CYF/Police investigation – family member is alleged perpetrator**

	Physical abuse	Sexual abuse	Emotional abuse	Neglect	Multiple abuse
2010/11 (n)	1,686	428	996	335	462
2011/12 (n)	1,741	382	1,069	358	455

\* This table presents distinct clients; duplicates have been removed.

## 5.1.4 Hospitalisations (Ministry of Health)

### Victims

Number and age-standardised rate of serious non-fatal assault admissions for:

- women
- children aged under 10 years.

Despite limitations due to changes in policy and practice (see Chapter 3), ways have been found to minimise the influence of policy changes, and allow the reporting of trends in the incidence of serious non-fatal assault-related hospital discharges (Gulliver et al, 2013). These methods do not, however, counteract the effect of changes in the reporting of the relationship between the victim and the perpetrator. While this has been the focus of extensive policy and practice changes, and is improving, the recording of the perpetrator has yet to become standard practice in some hospitals (Table 14). This remains a limitation when attempting to identify cases of family violence.

**Table 14: Number of serious non-fatal assault-related hospital admissions for which the perpetrator was identified as a family member or was unknown**

	2005	2006	2007	2008	2009	2010	2011
<b>Total (n)</b>	<b>564</b>	<b>622</b>	<b>569</b>	<b>585</b>	<b>590</b>	<b>570</b>	<b>548</b>
Family (n)	82	99	96	82	107	102	102
(%)	14.5	15.9	16.9	14.0	18.1	17.9	18.6
Unknown (n)	355	378	299	333	312	295	250
(%)	62.9	60.8	52.5	56.9	52.9	51.8	45.6

Another option for a health-derived outcome indicator would be to use serious non-fatal assaults on women and children aged under 10 years, where the perpetrator is recorded as a family member or is unknown. This is proposed on the basis that those perpetrators recorded as 'unknown' on the records of women and children are more likely to be family violence-related. Once again, however, it is important to note that **this assumption has not been tested**. However, Table 14 shows that as the proportion of assaulted women with an 'unknown' perpetrator decreases, the proportion whose



perpetrator was recorded as a family member increases. These frequencies and the proportions with a family member, non-family member or unknown person identified as a perpetrator for each of these categories are presented in Table 15.

<b>Table 15: Number of serious non-fatal assaultive hospital admissions</b>							
	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
<b>Total women</b>	<b>87</b>	<b>126</b>	<b>117</b>	<b>89</b>	<b>99</b>	<b>116</b>	<b>97</b>
Family (n)	45	67	66	40	59	68	58
(%)	51.7	53.2	56.4	44.9	59.6	58.6	59.8
Non-family (n)	16	24	17	21	17	27	17
(%)	18.4	19.0	14.5	23.6	17.2	23.3	17.5
Unknown (n)	26	35	34	28	23	21	22
(%)	29.9	27.8	29.1	31.5	23.2	18.1	22.7
<b>Total children (&lt; 10 years)</b>	<b>24</b>	<b>29</b>	<b>28</b>	<b>23</b>	<b>46</b>	<b>36</b>	<b>29</b>
Family (n)	14	16	19	13	26	22	21
(%)	58.3	55.2	67.9	56.5	56.5	61.1	74.2
Non-family (n)	1	1	1	1	2	2	0
(%)	4.1	3.4	3.6	4.3	4.3	5.6	0
Unknown (n)	9	12	8	9	18	12	8
(%)	37.5	41.3	28.6	39.1	39.1	33.3	27.6

## 5.1.5 NZCASS

### *Victim indicators*

- › Incidence of partner confrontational crime in previous 12 months, per 100,000 adults.
- › Prevalence of partner confrontational crime in previous 12 months, per 100,000 adults.

As the definition of ‘confrontational crime by partner’ was stable in the 2006 and 2009 surveys, we suggest that the prevalence and incidence of confrontational crime by partners may be a possible outcome indicator.

However, at present, the total number of cases of confrontational crime by people well known to the victim cannot be used as an outcome indicator of family violence, because we lack the ability to distinguish confrontational crime perpetrated by friends, work colleagues and fellow students from confrontational crime perpetrated by family members. In a specialised analysis done for the 2006 survey, for male respondents, 37 percent of the offences by persons well known to the victim were by friends, work colleagues or fellow students. For female respondents, 11 percent of the offences by persons well known to the victim were by friends, work colleagues or fellow

students, while 61 percent were by siblings, son or daughter, previous husband or wife, boyfriend or girlfriend or other family members (Ministry of Justice, 2011). As it currently stands, NZCASS's routine aggregation of these relatively disparate groups of people into one category results in a lost opportunity to produce an outcome indicator of family violence.

It is currently possible to determine the relative *proportions* of confrontational crime perpetrated by family members who were classed as 'people well known' through specialised analysis (this was produced for the 2009 Families Commission *Family Violence Statistics Report* using data from the 2006 survey) (Families Commission, 2009). However, at present, it is not possible to determine the *prevalence* of confrontational crime perpetrated by other family or persons in intimate relationships. It may become possible to elicit this information, and this may result in estimates that more accurately reflect family violence in the community. However, this would reduce the comparability of these prevalence rates over time.

Table 16: Incidence and prevalence of crimes by partners		
Sex	2006	2009
<b>Incidence of partner confrontational offences in previous calendar year</b>		
Males	18 per 100,000 adults	11 per 100,000 adults
Females	26 per 100,000 adults	18 per 100,000 adults
<b>Prevalence of partner confrontational offences in previous calendar year</b>		
Males	6% experiencing crime	3% experiencing crime
Females	7% experiencing crime	5% experiencing crime

## 5.2 Summary evaluation

Each of the possible outcome indicators were evaluated against the criteria set out by Langley and Cryer (2000) and Measure Evaluation (Measure Evaluation, 2008). The evaluation for each possible outcome indicator is described in detail in Appendix 1. A summary of the evaluations is presented in Table 17. For efficiency, the summary evaluation is presented according to the agency from which they were derived, as the comments are agency-specific.

With the exception of the NZCASS data, all of the indicators fulfil the CDC public health surveillance evaluation criteria (Guidelines Working Group, 2001) for timely measures of family violence, as they are published on an annual basis. In addition, for each of them, there is the potential to obtain the information at shorter intervals (quarterly or monthly), although the use of these shorter intervals might result in biased data (for example, where some localities report to the national agency more regularly than others) and misleading trends (for example, where there are seasonal effects).

**Table 17: Evaluation of possible outcome indicators**

	Police	Family Court	Courts	District Court	CYF	Health	NZCASS
Case definition	The specified offences are not solely related to family violence. The collection of information about the relationship between the perpetrator and the victim will allow the identification of family violence offences.	Clearly outlined in the DVA.		Offences are clearly defined by various Acts. Classification of 'family violence' as determined by the police. The 'family violence flag' is not considered a complete measure of the relationship between the perpetrator and the victim for all offences (see Appendix A1.1).	Clear definitions of the nature of violence captured by the term 'substantiated finding'. Family member also clearly defined.	Clear operational definitions of the nature of violence captured in the NMDS. Operational definitions for relationship status provided.	Clear definition of the nature of violence captured and the relationship between the perpetrator and victim.
Case ascertainment	Would be considered important by the Langley and Cryer criteria.	Would be considered important by the Langley and Cryer criteria.		Would be considered important by the Langley and Cryer criteria.	Would be considered important by the Langley and Cryer criteria.	Would be considered important by the Langley and Cryer criteria.	Would be considered important by the Langley and Cryer criteria.
Feasibility	Based on national administrative data, therefore feasible.	Based on national administrative data, therefore feasible.		Based on national administrative data, therefore feasible.	Based on national administrative data, therefore feasible.	Based on national administrative data, therefore feasible. Small numbers for serious non-fatal assault-related hospital events may reduce the feasibility of this measure as an outcome indicator for children aged under 10 years.	Determined by ongoing funding of the survey and consistent measurement over time. Small population numbers for the survey (around 6,000 people) may reduce the feasibility of measures derived from this data source as an outcome indicator.

**Table 17: Evaluation of possible outcome indicators (continued)**

	Police	Family Court	Courts	District Court	CYF	Health	NZCASS
Representativeness	Younger people, Pacific people, those who are victims of sexual offences and those who live in a household with extended family members, are less likely to report an offence (Ministry of Justice, 2010b).	Cost is identified as the biggest barrier to accessing protection orders, especially for those on low incomes, where the male controls the finances. Fear of repercussions and lack of confidence in the court system also limits seeking assistance (Barwick et al, 2000).		High withdrawal rate for sexual violence cases. Withdrawal influenced by the offender being an ex-partner or boyfriend of the victim (Triggs, Mossman, Jordan, & Kingi, 2009). There may be inconsistency in decisions whether or not to prosecute a case.	National and international research indicates that notifications with comprehensive information about the nature of concern and the child at risk are more likely than others to proceed to investigation.	Minimal impact of service, supply and access factors due to the high threat to life threshold. Significant proportion of assault hospitalisations with unspecified or missing relationship information.	Does not meet internationally agreed upon definitions of violence against women as it does not include psychological and economic abuse (Ministry of Justice, 2011). Likely to underestimate true extent of victimisation, especially those that form part of a series. Prevalence estimates for ex-partners not currently available.
Validity	Good face validity although potential for bias in data collection. Unaware of any work that describes the criterion validity of these offence measures as outcome indicators.	Good face validity. Potential for bias in case capture. Need to determine if this is the case.		There is a lack of clarity in the operational definition of a family violence offence and potential bias in prosecution and subsequent conviction.	High degree of face validity. Linkage with hospitalised cases of physical assault may provide additional information about potential bias.	Possible bias in likelihood of reporting true cause of injury or relationship with perpetrator where familial relationships exist.	Potential for NZCASS reporting to be adjusted to allow more valid indicators to be produced.
Comparability	Changes to recording practices reduce the comparability over time. This may change once new recording schemes have become embedded.	The introduction of PSOs has impacted on the application for, and granting of, protection orders over time. Further work is required to understand these implications.		Changes in recording practices and prosecution guidelines suggest that family violence-related offences are not comparable over time.	Identification of findings of substantiated abuse derived from the investigation (CPP) pathway only possible since 2009. Clearly defined and case capture well specified therefore would expect consistency across time and location.	Use of all serious non-fatal assaults against women and children under the age of 10 is likely to improve comparability over time. Need to determine the influence of non-family violence assaults on frequencies reported.	Requires consistent application of case definitions, data collection and recruitment methods over time.

On the basis of the evaluation above, we have suggested the following *provisional* indicators as measures of trends in family violence as **recorded by government agencies**. It is important to note that further work is required to establish whether they are valid outcome indicators. For example, the following questions remain to be answered:

1. If an identical occurrence happened in different regions or at different times in New Zealand, what is the likelihood of both being recorded as a 'serious assault'?
2. Are there differences in referral to the CYF/ police investigation (Child Protection Protocol) pathway dependent upon the demographic characteristics of the family and their previous involvement with CYF?
3. Do cases of hospitalised serious assault where the perpetrator was recorded as 'unknown', have the same characteristics as hospitalised serious assault where the perpetrator was recorded as a family member?

Another important point to keep in mind is that once these indicators have been validated, they will be indicators of *agency-recorded* family violence only, rather than of the incidence or prevalence of family violence in the community. Finally, the proposed indicators do not target older persons or those living with a disability. For adults, sexual assault, psychological and emotional harm and neglect are also **not** captured by the proposed indicators.

**Table 18: Recommended provisional indicators – family violence as recorded by government agencies**

Description	Operational definition	Measures
Police apprehensions for serious assault perpetrated by a family member	Familial or intimate relationship between victim and offender* Serious assault as described in ANZSOC code O21	Number and age-standardised rate of apprehensions for serious assault resulting in injury Number and age-standardised rate of re-apprehensions for serious assault resulting in injury
CYF substantiated findings of serious abuse	Familial relationship between victim and alleged offender Serious abuse as defined in the CYF-Police Child Protection Protocol	Number and age-standardised rate of children and young people with substantiated findings of: <ul style="list-style-type: none"> <li>› physical abuse only</li> <li>› sexual abuse only</li> <li>› emotional abuse only</li> <li>› neglect only</li> <li>› combined finding types</li> </ul>
Serious, non-fatal assault-related hospitalisations for women	Relationship between victim and offender recorded as familial or 'unknown'** ICD-10-AM external cause of injury codes in the range X85-Y09	Number and age-standardised rate of serious non-fatal assault admissions for women
Confrontational crime perpetrated by a partner	Relationship between victim and offender: current partner Assault, threat to individual and threat to property	Incidence of partner confrontational crime in previous 12 months, per 100,000 adults Prevalence of partner confrontational crime in previous 12 months, per 100,000 adults

\* Until the recording of relationships becomes routine, offences that occurred at a dwelling can be used as a proxy measure.

\*\* Until there is complete recording of the relationship between victim and perpetrator, we recommend that 'unknowns' be treated as family violence.





# 6. RECOMMENDATIONS

In 2008, Knight conducted an Official Statistics research project documenting the standards required for good-quality administrative data. Many of the recommendations made in that report are applicable in the current context.

Even though the project was completed five years ago, it has become apparent from our review of four administrative data sources that a number of the recommendations have not been implemented. Specifically pertinent to this report are the findings that there was no framework to standardise and manage data capture, and no resources such as guideline manuals for staff addressing data capture (Knight, 2008, p. 6).

In addition, the report recommended that agencies should “create a data dictionary for the organisation, as a central registry of variables, containing their labels, definitions, formats, scales, ranges and instructions to be given to people capturing the data” (Knight, 2008, p. 10).

Against this background, a number of recommendations have emerged from the current investigation. Most of them are applicable to all of the agencies involved in this project, while some are agency specific.

## 6.1 Labelling

The current project revealed inconsistent use of terminology related to what constitutes family violence. In some cases, ambiguity is created by lack of clarity in terminology used by contributing agencies (for example, CYF’s inclusion of Police ‘family violence’ attendances when it is not clear what they cover – intimate partner violence or other forms of family violence). In other cases, this ambiguity results from the inappropriate use of agency data as a measure of ‘family violence’ (for example, in the media, which regularly reports findings of substantiated abuse, without considering the relationship between the alleged perpetrator and the victim). In other cases, information on relationship status is not consistently available (for example, in hospital discharge data in cases of assault). In all, the use of ambiguous terms when describing family violence, the components of family violence and the types of cases captured by national administrative data sets results in a confusing array of information about what may be considered to be a measure of violence within families.

*We strongly recommend* that family violence reporting uses words that represent events (offences/ apprehensions/CYF findings/hospital discharges) accurately for what they are. For example, if the police can recognise serious assaults perpetrated by a partner or ex-partner, they should be labelled as such. If CYF can identify cases of child abuse where the perpetrator was a family member, this is what should be recorded (with an accompanying description of the types of relationships in the ‘family member’ group).

## 6.2 Case definition

Family violence comes in a number of different aspects or forms: child maltreatment (perpetrated by a family member or caregiver); sibling abuse; intimate partner violence (between heterosexual or same-sex couples); and elder abuse perpetrated by a family member or caregiver. However, because of their particular legislative responsibilities, some agencies will capture only one form of family violence (such as family-perpetrated child maltreatment, as typically captured by CYF), while other components are not routinely captured by any agency (for example, elder abuse and intimate partner violence between same-sex couples).



It is our view that a theoretical definition of family violence is necessary to specify the range of relationships and nature of violence included. In the box below, we have presented a modified version of the *Te Rito* definition. We have intentionally split this definition into three components. We have added a component recognising the coercive and controlling aspect of family violence to the two advocated by the Australian Bureau of Statistics. The coercive and controlling nature of family violence has been well documented in the academic literature, and explains why any incident seen in isolation may be considered trivial, but may be significant when understood as a component of an ongoing unhealthy relationship (Stark, 2007).

We *strongly recommend* that this proposed definition be considered as a starting point for discussion of a more comprehensive and widely endorsed theoretical definition of family violence in New Zealand. We also *recommend* that the Taskforce be charged with leading consultation towards a more comprehensive theoretical definition of family violence for New Zealand, which reflects Māori (Te Puni Kōkiri, 2009) and Pacific (Peteru et al, 2012) worldviews.

*Family violence can occur within various close interpersonal relationships, with whom a person shares (or has shared) an intimate, family or family-like relationship. Such relationships include (but are not limited to) intimate partners, parents and children, siblings, other family and whānau relationships, and between older or disabled people and their carers.*

*The types of violence are commonly of a physical, sexual and/or psychological nature (actual or threatened), which may involve fear, intimidation and emotional deprivation. They can also include controlling a person's social interactions and economic abuse.*

*Behaviours that would be considered a departure from a reasonable standard of care for children or vulnerable persons (neglect) are also considered forms of family violence.*

*Family violence covers a broad range of coercive and controlling behaviours.*

This is the first investigation to interrogate national administrative data from government agencies to determine whether it is of sufficient quality to yield family violence indicators. If government agency data are to be used for this purpose, two crucial dimensions – the relationship between the victim and the perpetrator and the nature of violence recorded – need to be clearly specified. A strength of the existing data is that, at present, each of the agencies can clearly describe the nature of violence captured by their data set, in terms of either international coding structures, legislative requirements or protocols with other agencies.

Of the agencies included in this investigation, currently only CYF and Health can clearly specify the types of familial relationships indicated in their data set. The police are working to develop a relationship variable for use in relation to all offence types. If the police implement relationship recording successfully, it may eventually be possible to link police and Criminal Court data to also allow the identification of relationships between perpetrators and victims from court data.

Further improvements could be made to allow more efficient identification of family violence in other data sets, of the kind already being implemented by the Police. Recording of the type of relationship involved (parent-child, intimate partner etc), would allow users of the data to search on the group of specific relationships that fulfilled their own definition of family violence. This would also allow agencies to identify emergent trends (for example, the proportion of CYF-substantiated findings for young people where the alleged perpetrator is *not* a family member that are the result of dating violence).

We *recommend* that each of the agencies continue to consider coding and recording of the relationship between victim and perpetrator, and the nature of the violence captured by their data sets, as high-priority variables and invest in them appropriately. Clear guidelines (or coding schemes) for this purpose should be drawn up and made available, within each agency.

However, implementing these recommendations would come with an administrative cost, and agencies might reasonably be concerned that diverting efforts from their core functions to collecting more complete data might be seen as exceeding their remit. The minimum information we consider necessary to drive policy efforts to curb family violence is set out in Table 19.

## 6.3 Representativeness

Because administrative data capture only what is reported and recorded by each agency, there are limited ways of knowing how representative they are of what is happening in the community. There is also a paucity of New Zealand research on the representativeness of the cases captured in national administrative data sets. Generating the evidence to describe sources of bias in the data is feasible, and has been done in other contexts: for example, police-reported motor vehicle traffic crashes (Alsop & Langley, 2001); cyclists in the NMDS (Langley, Down, & Stephenson, 2003); and drowning recorded in DrownBase (Langley, Warner, Smith, & Wright, 2001). Similar studies should be considered for family violence. Analysing the representativeness of the cases captured by each data set would facilitate understanding of the data they contain, and differences between results obtained from similar queries of the different data sources.

We *recommend* that consideration be given to undertaking further work on ways of ascertaining and indicating the representativeness of cases identified using the data sets reviewed in this report.

## 6.4 Validity

There are two aspects of validity as it applies to outcome indicators – face validity and construct validity. In the absence of a gold standard or survey data for the measurement of family violence in New Zealand, assessment of the validity of indicators of family violence will be difficult.

Further discussions are necessary with the Ministry of Justice to determine whether a more appropriate measure of intimate partner violence can be generated from the NZCASS data set. At present, partners, ex-partners and boy/girlfriends are not grouped together when NZCASS results are reported, contrary to international definitions of intimate partner violence (Saltzman, Fanslow, McMahon, & Shelley, 2002).

We *recommend* providing a full, clear case definition and assessing the representativeness of the data on which measures are based to help assess the validity of a potential outcome indicator.

## 6.5 Comparability

Lack of comparability results from changing data collection and recording methods, regional variations in reporting or recording and lack of standardised documentation processes. This limitation reduces our ability to reliably monitor trends over time or compare regional rates.

Various possible initiatives could improve the comparability of administrative data from different sources, times and regions. First, the completion of certain data fields could be made compulsory in order for a case to be 'closed' or a finding to be entered. We have listed the fields we would consider to be the bare minimum for a useful description of any component of family violence (Table 19).

We *recommend*, where possible, that agencies give consideration to including these variables in all data sets used to measure family violence in New Zealand. Ideally, the variables listed (with the exception of age) would be recorded using a drop-down menu or similar standardised format to ensure consistency.

**Table 19: Minimum data set for administrative family violence data**

Variable type	Variable name	Description
Victim	Unique identifier	
	Age	Age of victim at time of event
	Gender	Sex of victim
	Ethnicity*	Ethnicity of victim
Perpetrator	Relationship	Relationship between victim and perpetrator
	Age	Age of perpetrator at time of event
	Gender	Sex of perpetrator
	Ethnicity*	Ethnicity of perpetrator
Violence	Nature	Type of violence sustained. Information on all types of violence should be recorded and the violence should be well described in supporting documentation
	Outcome	Substantiated abuse, apprehension or conviction information, hospital discharge. Complete for the agency

\* Need to consider the most effective way of ensuring that this is self-identified by both victim and perpetrator, where possible; also the option of recording more than one ethnicity.

In addition to the variables listed above, the United States Centers for Disease Control has developed Uniform Definitions and Recommended Data Elements for the surveillance of intimate partner violence (Saltzman et al, 2002), child maltreatment (Leeb et al, 2008) and sexual violence (Basile & Saltzman, 2002). We *recommend* reviewing these data elements, with a view to their inclusion in national data sets where appropriate.

The second desirable initiative would be to ensure that staff are trained about the importance of good data recording, and value its influence on the overall quality of data derived from administrative data sets. Since good, consistent data collection is necessary for agencies to undertake and support their statutory roles, this should not be seen as outside of the scope of work for agency staff. Indeed, this initiative would also provide organisational benefits for government agencies.

Finally, national policies for quality data collection will be of no use if staff are not regularly trained to implement the policy and on the importance of good-quality data collection. We *recommend* regular staff training on the current standards for data collection and the importance of good-quality data.

## 6.6 Overall

We believe that if these recommendations were implemented fully, they would improve the quality of the data available, and answer some of the questions posed in this investigation. They would not, however, solve the fundamental issue faced by currently available national data sets: *none* of them were designed with the surveillance of family violence in mind. Rather, they were designed to monitor and inform agency practice. Further, none of those responsible for the collection of the agency data were employed in a position related to data collection for family violence surveillance: they have been appointed as police, clinicians, social workers, court clerks and in other roles. For these reasons, there are always likely to be limitations on the usefulness of these administrative data sources for public health surveillance purposes.

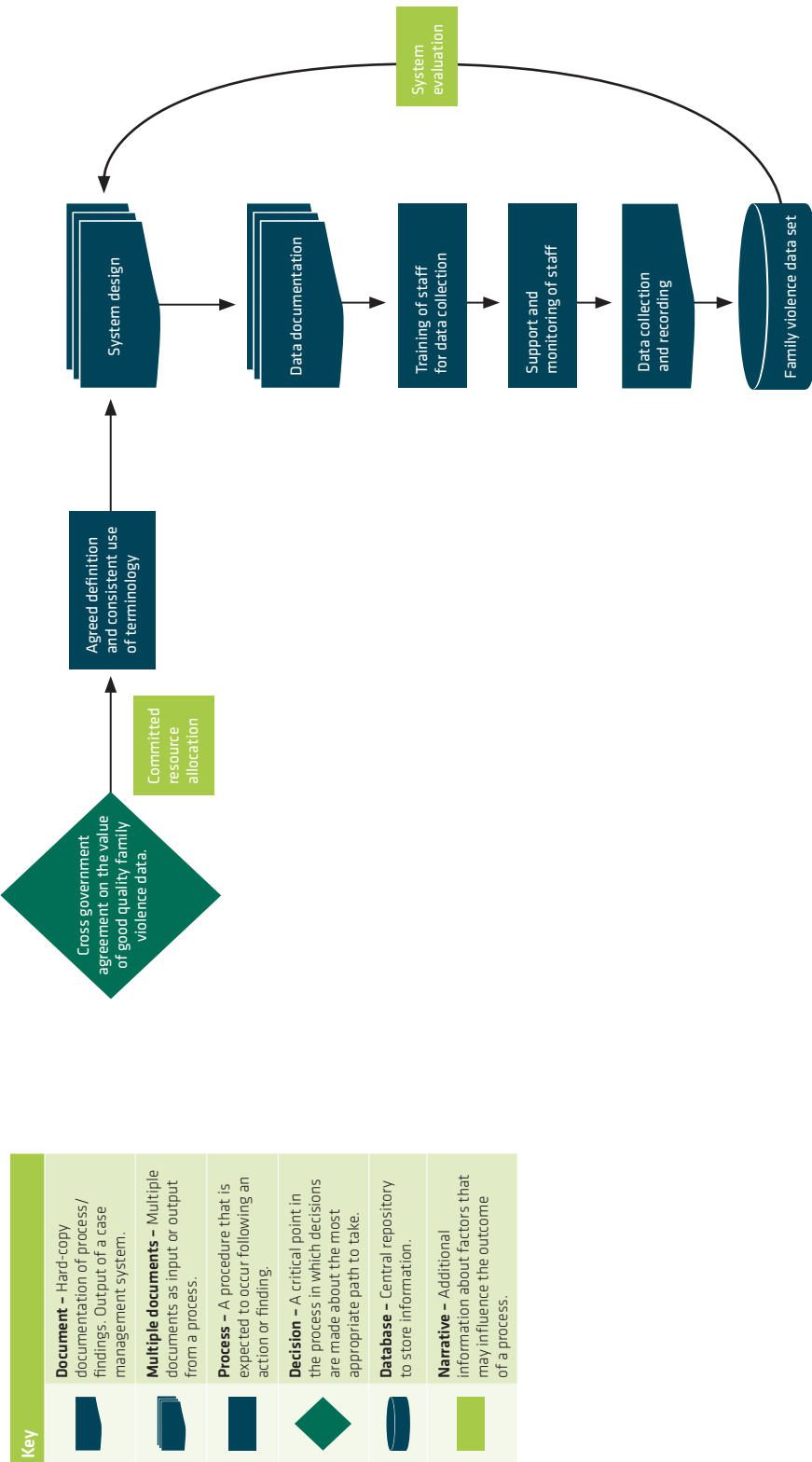
Nevertheless, implementation of our recommendations, in addition to improving the usefulness of administrative data for the purposes of developing outcome indicators, could also enhance the utility of the data sources for the purposes for which they were designed. Agencies' understanding and monitoring of case flows on the basis of the types of violent situations they are responding to can inform case treatment, within each agency's scope of practice.

If, however, public health surveillance and monitoring of family violence in the population is the central goal, it should be approached with the same level of dedication and resourcing that is directed at other significant health problems. For example, the Ministry of Health and (the Crown Research Institute) Environmental Science and Research have in place a surveillance system for notifiable diseases, while the National Poisons Centre provides a resource for monitoring of poisonings in New Zealand. Ideally, surveillance systems should be designed with the event of interest (in this case family violence) at the centre (Guidelines Working Group, 2001).

Figure 7 provides a diagrammatic representation of the steps we would consider necessary to create a data system for the reliable monitoring of family violence in New Zealand. Most of the costs involved in such systems are absorbed in their development. Therefore the implementation of an ongoing surveillance system – compared to surveys that are designed and used only once, or surveys undertaken at periodic intervals that require new data collection teams to be recruited and trained each time – would be most cost effective over the long term. When they implemented the NISVS, the CDC said, “These data will help us identify who is most likely to experience these forms of violence and use this information to inform practices, policies, and programs that promote nonviolence and change the behaviors and environments that make violence more likely to occur” (Centers for Disease Control, 2011).

We recommend considering the introduction of an ongoing dedicated family violence surveillance system, such as that introduced for intimate partner and sexual violence in the United States (the National Intimate Partner and Sexual Violence survey) (Centers for Disease Control, 2011).

Figure 7: Process of family violence surveillance system design



Key	Symbol	Description
Document	Stack of documents	Hard-copy documentation of process/ findings. Output of a case management system.
Multiple documents	Stack of multiple documents	Multiple documents as input or output from a process.
Process	Rectangular box	A procedure that is expected to occur following an action or finding.
Decision	Diamond	A critical point in the process in which decisions are made about the most appropriate path to take.
Database	Cylinder	Central repository to store information.
Narrative	Green box	Additional information about factors that may influence the outcome of a process.





## 7. CONCLUSION

**This project has shown that, although there are some useful administrative data sets in New Zealand, none could currently be considered a reliable source of data for monitoring trends in family violence in the community over time.**

Administrative data sources will always provide more information about service use than about the incidence and nature of family violence in the community. This is because only a small proportion of either victims or perpetrators will be identified by government agencies and thus captured by administrative data sets (United Nations, 2007). However, the appropriate use of measures derived from these data sets, properly interpreted on the basis of an understanding of the data sets from which they were drawn, can provide a description of how New Zealand government agencies are responding to some components of family violence.

This report proposes a number of recommendations to improve the quality of data that already exist in New Zealand. Implementation of these recommendations has the potential to improve service delivery and expand the possibilities for use of administrative data to provide outcome indicators. They include the following actions:

- The consistent use of terminology.

- A clear description of the variables contained in each data set that allows the extraction of data on family violence.

- Investigating the representativeness of the measures proposed.

- Investigating the possibility of generating more appropriate measures of intimate partner violence from the NZCASS.

- Collecting a core set of variables in each data set (Table 19).

- Regular staff training on the importance of good-quality data and the current standards for data collection within each agency.

Ideally, surveillance systems should be designed with the event of interest (in this case family violence) in mind (Guidelines Working Group, 2001). It follows that only population-based surveys will provide a true picture of the nature and extent of family violence in New Zealand. To be fully informative, such surveys should be designed and delivered with the safety of the respondent in mind, and conducted at regular intervals using consistent methods.



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# APPENDIX 1: EVALUATION OF POSSIBLE OUTCOME INDICATORS

## A1.1 Police

Note: For the following to be considered indicators of family violence, a reliable measure of relationship between the perpetrator and victim is required. Until reliable measures of relationship status can be routinely implemented, those offences recorded with an offence scene of 'dwelling' will be considered proxy measures.

### Perpetrators

- › Number and age-standardised rate of apprehensions for serious assault resulting in injury.
- › Number and age-standardised rate of re-apprehensions for serious assault resulting in injury.

### Victims

- › Number and age-standardised rate of victimisations for serious assault resulting in injury.
- › Number and age-standardised rate of re-victimisations for serious assault resulting in injury.

### Case definition

All of these offences have been clearly defined in the Crimes Act 1961. However, none are solely related to family violence. It will be necessary to have the relationship between the victim and the perpetrator clearly defined.

The decision by police to flag an occurrence as 'family violence' reflects an operational decision aimed at risk prevention. Therefore, this flag may be applied when there is perceived risk of family violence occurring, rather than when it has occurred. The use of the family violence flag will initiate a number of actions such as risk assessment and/or referrals.

For an indicator of violence recorded by the police where the relationship between the victim and the offender is familial or intimate, a more reliable measure is needed than the family violence flag. A relationship variable to be recorded for all offences has the potential to produce a more reliable measure. This is planned but is not yet implemented, and will require a lead-in period while the police become accustomed to recording this information before it can be used. In the meantime, the use of the 'dwelling' location code may be considered as a proxy measure, although this will need to be qualified.

### Case ascertainment

Cases meeting the above case definition are those physical offences that result in injury. Therefore all would be considered 'important' according to the criteria established by Langley and Cryer (2001).

### Feasibility

As the number and rate of apprehensions and victimisations for serious assault resulting in injury are based on national administrative data, the production of outcome indicators based on these measures is feasible.

### Representativeness

There is no documented information on the representativeness of the above offences recorded by the police. However, the New Zealand Crime and Safety Survey has stated that younger people (those aged 15–24 years), Pacific people, those who are victims of sexual offences and those who live in a household with extended family members are less likely to report an offence. In contrast, offences against those who live in the most deprived areas, where the offence was considered a 'crime', and those that were perceived as serious were most likely to be reported (Ministry of Justice, 2010b).

## Validity

Serious physical assault offences that result in injury have a high degree of face validity as potential outcome indicators of family violence, conditional on consistency in the capture of relationship status. The Crime and Safety Survey's account of the representativeness of reported crime quoted above suggests the potential for bias in data collection, and also for missing some more serious cases. Further work would be required to determine if this is the case for the serious assault offences or if the survey's account is a reflection of reporting bias for crime in general. We are unaware of any work on the criterion validity (the relationship between the measure and what is happening in the community) as applied to these offence measures for outcome indicators.

## Comparability

With changes in the recording practices for relationship status at the New Zealand Police, we would not expect these offences to be comparable across time. However, there is the potential to use those where the location of the offence is recorded as a 'dwelling' until the relationship variable has been adopted by the police and collected consistently.

## A1.2 Family Court

- › Number and age-standardised rate of applications for a protection order.
- › Number and age-standardised rate of final protection orders granted.

### Case definition

The conditions required and process for granting a protection order are clearly defined in the Domestic Violence Act 1995. For an application for a protection order to be made, a 'domestic relationship' as defined by the Act must be, or have been, in existence. For a protection order to be granted, the court must be satisfied that:

- the respondent is using, or has used, domestic violence against the applicant, or a child of the applicant's family, or both; and*
- the making of an order is necessary for the protection of the applicant, or a child of the applicant's family, or both. (Section 14(1))*

The Act's definition of 'use domestic violence' includes the encouragement of other people to engage in a behaviour that would have been considered 'domestic violence' if the respondent had engaged in it (Section 14(2)). In addition, the court is expected to consider the applicant's *perceived* nature and seriousness of the behaviour, and the effect of that behaviour on the applicant (Section 14(5)).

### Case ascertainment

Living in a violent relationship has the potential to be incapacitating, resulting in reduced quality of life and/or threat to life. Therefore, we anticipate that cases captured by counting the number and age-standardised ratio of protection order applications would be considered 'important' according to the criteria established by Langley and Cryer (2001). However, the severity of violence experienced in cases captured by this possible indicator will be varied. We expect that the variability of severity would reduce if only granted applications were counted.

### Feasibility

As applications for protection orders are based on national administrative data, the production of outcome indicators based on these measures is feasible.

## Representativeness

In an early evaluation of the use of protection orders, the Ministry of Justice said, “Cost was identified as the biggest barrier to accessing the protection of the Act, particularly for those on low incomes, or for those women in partnerships where the male partner controls finances. Fear of violence or repercussions from the abuser, and fear of or lack of confidence in the court process itself was thought to be a deterrent for a number of people needing the protection of the Act”.<sup>9</sup> We are unaware of any follow-up to this process evaluation to determine whether these issues persist.

Since the introduction of PSOs, the number of applications for protection orders and the number of final protection orders granted have fallen. As yet there has been no evidence as to whether this reduction affects any sectors of the population more than others.

## Validity

Again, there is the potential for bias in capture of cases. It is also possible that the application of protection orders and the granting of final protection orders have been influenced by the introduction of PSOs. Therefore, although the process for granting a final protection order is well defined, it appears to be influenced by extraneous factors (especially the introduction of PSOs). Final protection orders **cannot** be considered a valid outcome indicator.

## Comparability

Recent changes have affected the comparability of the frequencies of applications for, and granting of, protection orders. Robertson et al (2007) also suggest that the implementation of the guidelines set out in the DVA for the granting of protection orders is variable. Therefore, the frequencies reported are not comparable over time, and may be variable at the regional level.

## A1.3 Criminal Court

Note: For the following to be considered indicators of family violence, a reliable measure of relationship between the perpetrator and victim is required.

- › Number and age-standardised rate of prosecutions for serious physical assault-related offences resulting in injury.
- › Number and age-standardised rate of prosecutions for aggravated sexual assault.
- › Number and age-standardised rate of prosecutions for non-aggravated sexual assault.

## Case definition

The types of violence for court prosecutions are clearly defined in the Crimes Act 1961. Familial relationships for prosecutions are specified by the police. However, we have noted that the inclusion of cases in the definition of ‘family violence’ by the police can vary over time and between offences.

However, unique identifiers used by the Police, Courts and Corrections allow a case to be traced from the lodging of an offence to conviction. This makes it possible to define an offence as family violence according to the relationship status recorded by the Police and to determine the outcome of the offence. Therefore, although we have reservations about the current case definition, there is the potential for this to be improved.

<sup>9</sup> <http://www.justice.govt.nz/publications/publications-archived/2000/domestic-violence-act-1995-process-evaluation-august-2000/summary>



## Case ascertainment

We have chosen to include only those physical and sexual assault offences that result in injury. Therefore all would be considered 'important' as described by the criteria established by Langley and Cryer (2001).

## Feasibility

As sexual and physical assault offences that result in injury are based on national administrative data, the production of outcome indicators based on these measures is feasible.

## Representativeness

A 2009 study has found that of 1,955 police-recorded sexual violation cases (1 July 2005 to 31 December 2007), in at least one-fifth of cases, the victim did not want to proceed with the investigation (Triggs et al, 2009). Withdrawn cases were more likely than others to involve an offender who was an ex-partner or boyfriend. Of those who were prosecuted, however, current partners had a high prosecution but low conviction rate; while offenders who were family members had both high prosecution and high conviction rates relative to other offenders (Triggs et al, 2009). Other studies have also highlighted a lack of consistency within agencies in decisions whether to prosecute an offence (Cabinet Domestic Policy Committee, 2011). The highly filtered nature of Criminal Court data because of these issues suggests that it is not useful as an outcome indicator.

## Validity

Lack of clarity around operational definitions of relationships and the potential for bias in capture of cases that proceed to prosecution and conviction highlight possible problems with the validity of prosecution and sentencing data as outcome indicators for family violence.

## Comparability

There have been recent changes in prosecution practices. In line with their 2012–2014 Statement of Intent, the police have been seeking alternative resolution processes for some crimes, moving away from prosecution where possible in an effort to reduce the burden on the Criminal Court and prison systems (New Zealand Police, 2012). In contrast, the police will be seeking to bring more offenders charged with sexual offences before the courts, to redress the low rate of reporting in this area (New Zealand Police, 2012). With these changes, and changes in the practices for recording of relationship status, data on the frequency of prosecutions are not currently comparable over time.

## A1.4 Child, Youth and Family

Note: These indicators would be derived from children and young persons with findings of substantiated abuse, identified through the Child Protection Protocol Investigation pathway. For these findings, the alleged perpetrator would need to have an established familial or intimate relationship with the victim.

Number and age-standardised rate of children and young people with substantiated findings of:

- › physical abuse only
- › sexual abuse only
- › emotional abuse only
- › neglect only
- › combined finding types.

## Case definition

CYF has clear definitions of the nature of violence that are jointly investigated with police and may result in the substantiated findings listed above (Child, Youth and Family & New Zealand Police, 2010). A 'family member' has also been clearly defined within CYF policy (Child, Youth and Family).

CYF social workers are required to record the information necessary to ensure the safety of the child or young person involved. This incentivises the recording of family/non-family relationship status between the victim and the (alleged) perpetrator, as this information will guide the actions to be undertaken to ensure the safety of the child or young person. For a small proportion of substantiated findings there is no alleged perpetrator; some are historical events, and sometimes no information about the alleged perpetrator was provided. It is important to note that substantiated findings relate to children and young people up to the age of 17 years. The circumstances of abuse and ability to identify or willingness to report the perpetrator for a child under five as opposed to a young person aged 15–17 years will vary greatly.

## Case ascertainment

All substantiated findings would be considered 'important' according to the criteria established by Langley and Cryer (2001).

## Feasibility

As they are based on national administrative data, the production of outcome indicators based on substantiated findings is feasible.

## Representativeness

Both New Zealand (Manion & Renwick, 2008) and international literature (Wells, Downing, & Fluke, 1991) suggest that those notifications where comprehensive information is provided about the nature of the concern and the child at risk are more likely than others to proceed to investigation. Such notifications are often made by professionals and are concerned with children or families that have had multiple engagement with CYF (Manion & Renwick, 2008). These studies suggest potential bias in the recording of substantiated findings by CYF, where those who are well-known to services are more likely to receive a substantiated finding.

It is only since 2010 that CYF has been able to extract information on substantiated findings that have been identified through the joint CYF/police investigation pathway (the Child Protection Protocol, CYF personal communication, 26 February 2013). Therefore, it is not possible to determine whether the frequency of recording substantiated findings has been influenced by changes in police reporting practices.

## Validity

The use of substantiated findings as an outcome indicator for family violence has a high degree of face validity. Linking between physical assault cases recorded in the NMDS and those recorded by CYF may also provide additional information about the potential bias in CYF data and may establish criterion validity for these measures.

## Comparability

As substantiated findings, derived from the CYF/police investigation pathway, have only been available since 2009, it is not possible to determine the comparability of these measures over time. However, they have been clearly defined and case capture is well specified, suggesting that there should be consistency between locations and over time.

## A1.5 Hospitalisations

Note: For the following to be considered indicators of family violence, a reliable measure of relationship between the perpetrator and victim is required. In the absence of complete information about the relationship between the victim and perpetrator for a proportion of hospital events, we have considered not only those who have a familial relationship recorded but also those with an 'unknown' relationship recorded.

Number and age-standardised rate of serious non-fatal assault admissions for:

- › women
- › children aged under 10 years.

### Case definition

Using the International Classifications of Diseases and Health Related Problems (ICD) ensures that the NMDS has clear operational definitions of the types of violence captured and the relationship between the perpetrator and the victim. However, while there is potential for obtaining complete information, in a proportion of cases relationship information is not available or not obtained. The collection of perpetrator information is gradually improving.

### Case ascertainment

We have chosen to consider only those hospitalisations that resulted from serious non-fatal injury. Therefore all would be considered 'important' according to the criteria established by Langley and Cryer (2001).

### Feasibility

As they are based on national administrative data, the production of outcome indicators based on serious non-fatal assault-related hospitalisations is feasible.

### Representativeness

The inclusion of only those cases that meet a high threat-to-life threshold minimises the influence of service, supply and access factors on the likelihood of seeking medical help for the injury sustained. For a significant proportion of assault hospitalisations, information about the relationship between the perpetrator and the victim is missing or recorded as unspecified, so we suggest the use of serious non-fatal cases of hospitalised assault for women and children aged under 10 years where the perpetrator is recorded as a family member or is unknown. We base this on an assumption that the majority of these 'unknown' perpetrators will have a family or intimate relationship with the victim. **This assumption has not yet been tested.**

### Validity

It would be useful to determine what proportion of cases with unspecified or missing relationship information are related to family violence, in order to increase the face validity of these measures as outcome indicators for family violence. In a population-based investigation of reporting behaviour of women who had experienced intimate partner violence, Fanslow and Robinson (2011) reported that half had reported the true cause of their injury to a health care provider. It may also be possible to analyse the relation between hospitalised assault and offences recorded by the police to determine whether there are sources of bias in either data set.

## Comparability

It is apparent from Tables 14 and 15 that an increasing proportion of serious non-fatal assaults on women and children aged under 10 years have been attributed to a family member. Since the underlying frequency of serious non-fatal assaults in general has remained relatively stable between 2005 and 2012, it is likely that the higher proportion attributed to a family member reflects better reporting or recording of the relationship status. Counting cases with an 'unknown' perpetrator as well as those where the perpetrator is identified as a family member is likely to improve the comparability of this measure over time. However, it is also important to determine the influence of non-family violence-associated assaults on these frequencies.

## A1.6 NZCASS

- › Incidence of partner confrontational crime in previous 12 months, per 100,000 adults.
- › Prevalence of partner confrontational crime in previous 12 months, per 100,000 adults.

### Case definition

Clear operational definitions of the type of violence captured and the relationship between the perpetrator and the victim are recorded in NZCASS.

### Case ascertainment

NZCASS collects and reports on all offences, irrespective of their severity. Measures of severity include how much the offence affected the victim, whether they were injured and whether medical help was required. Each of these measures will be subject to recall bias, as they were based on self-reporting. Information about the reliability of the injury question as a measure of severity would be useful, and may provide a way of ensuring that the offences considered important are measured. In addition, this information might alter the prevalence estimates of partner confrontational crime, as it did in the survey conducted by the Irish Crime Council (Watson & Parsons, 2005).

### Feasibility

The feasibility of NZCASS measures will be determined by the ongoing funding of this survey and the consistency of measurement over time.

### Representativeness

Because of differences between internationally agreed definitions of violence against women and the offences included in NZCASS (NZCASS does not include psychological abuse in estimates of confrontational crime prevalence and incidence), it is unlikely that partner confrontational crime as reported in NZCASS will be representative of intimate partner violence in general. In addition, ex-partners are included among 'other people well known' in NZCASS. There is substantial evidence that the likelihood of violence increases as a woman leaves a violent relationship.

With this acknowledged, however, because NZCASS is a population-based survey, we could expect the prevalence estimates of partner confrontational crime *as defined by the survey* to be representative of what is experienced in the general population. However, the authors of NZCASS acknowledge an important limitation:

*research has shown that respondents forget relatively recent victimisation events, particularly more trivial offences and/or offences which have happened quite frequently to the victim within the recall period (Sparks, 1981; Skogan, 1986). To the degree that this occurs the estimates will underestimate the true level of victimisation, particularly trivial offences and offences which form part of a series, such as partner assaults and sexual offences. (Ministry of Justice, 2010b, p. 24)*

## Validity

The exclusion of ex-partners from partner confrontational crime and the exclusion of psychological and economic abuse limit the face validity of confrontational crime from NZCASS as a measure of family violence. Inclusion of minor events also raises the potential for spurious trends to be inferred. Since NZCASS includes information about the relative severity of an event and the relationship between the offender and perpetrator, there is potential for these measures to be adjusted so that more valid indicators could be produced.

## Comparability

Consistent application of case definitions, data collection and recruitment methods will ensure the comparability of measures derived from NZCASS over time.





# APPENDIX 2: DESCRIBING BEHAVIOURS

(Extracted from pages 9–11 of the Australian Bureau of Statistics *Defining the Data Challenge for Family, Domestic and Sexual Violence* (Australian Bureau of Statistics, 2013).)

Physical assault and abuse: actual or threatened, causing pain, injury and/or fear that can be a single incident or a series of incidents that are located on a continuum of behaviours:

- › direct assault on the body (strangulation or choking, shaking, eye injuries, slapping, pushing, spitting, punching, or kicking)
- › actions leading to disablement or murder
- › use of weapons including objects
- › assault or neglect of children
- › sleep and food deprivation.

Sexual assault and abuse: actual or threatened, including sexual assault and the sexual abuse of children, that can be a single incident or a series of incidents that are located on a continuum of behaviours from sexual harassment to life-threatening rape:

- › any form of pressured and unwanted sex or sexual degradation by an intimate partner or ex-partner, such as sexual activity without consent
- › non-consensual sexual acts
- › causing pain during sex
- › assaulting genitals
- › forcing or coercing a person to have sex without protection against pregnancy or sexually transmitted disease
- › making the victim perform sexual acts unwillingly (including taking explicit photos)
- › criticising, or using sexually degrading insults
- › forcing a person/child to take their clothes off or remain naked against their will
- › forcing a person to watch pornography or sexual activities
- › lewdness or stalking
- › indecent assault
- › date rape
- › drug-assisted sexual assault
- › child sexual abuse or incest
- › deliberate acts that groom children for sexual activity or exploitation
- › exposure of a person/child to pornography, use of a person/child in the creation of pornography.

Psychological abuse: involving manipulative behaviour to coerce, control or harm:

- › denying a person's reality
- › unfairly blaming a person for adverse events or making them feel they are a problem; or constant comparisons with other people, which work to lower confidence and self-worth
- › driving dangerously with the intent to incite fear or cause harm to another person
- › making threats regarding custody of, or access to, any children
- › acts intended to control an individual
- › asserting that the police and justice system will not assist, support or believe the victim should they seek assistance or report abuse.



For individuals in same-sex relationships, abusive partners can rely on homophobia or heterosexism as a tool to control their partner. This type of abuse can involve 'outing' or threatening to 'out' their partner to friends, family, police, church or employer, telling their partner that:

- › they will lose custody of their children as a result of being 'outed'
- › the police or the justice system will not assist because the legal justice system is homophobic
- › the abusive behaviour is normal within gay relationships and convincing the abused partner that they do not understand lesbian or gay relationships and sexual practices because of heterosexism (Chan 2005).

Emotional abuse:

- › blaming a person for all of the problems in the relationship
- › constantly comparing the victim with others to undermine self-esteem and self-worth
- › sporadic sulking, withdrawing all interest and engagement (such as periods of silence)
- › emotional blackmail.

Verbal abuse: actual or threatened, in private or in public (including through electronic means):

- › designed to humiliate, degrade, demean, intimidate, or subjugate
- › threat of physical violence
- › swearing and verbal attacks that focus on intelligence, sexuality, body image and capacity.

Economic abuse: actual or threatened, including:

- › deprivation of basic necessities
- › seizure of income or assets
- › withholding or controlling, against a person's will, their access to money, food, clothes and personal items such as car keys or phone
- › unreasonable denial of the means necessary for participation in social life
- › control of money or financial resources/information, including:
  - preventing access to bank accounts
  - providing an inadequate 'allowance'
  - not allowing the victim to seek or hold employment
  - using all wages earned by the victim for household expenses.

Social abuse: actual or threatened, through forced isolation from family or friends:

- › control of all social activity
- › deprivation of liberty
- › deliberate creation of unreasonable dependence
- › systematic isolation from family and friends through techniques such as ongoing rudeness to family and friends to alienate them
- › instigating and controlling the move to a location where a person has no established social circle or employment opportunities
- › forbidding or physically preventing a person from leaving the home and meeting people.

Property damage: actual or threatened, including:

- › damage to an individual's personal or shared property
- › damage to the property of children, friends and/or parents
- › violence towards pets.

Harassment or stalking: actual or threatened, such as:

- › constant phone calls/texting to a workplace or home
- › repeated visits to a workplace or home
- › bullying
- › monitoring and surveillance
- › cyber-stalking.

Spiritual abuse: actual or threatened, denial and/or misuse of religious beliefs or practices to:

- › force victims into subordinate roles
- › misuse of religious or spiritual traditions to justify physical violence or other forms of abuse.

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