

IN CONFIDENCE – as at 27 March 2020

Terms of Reference for interim Te Rōpū

This document is a Terms of Reference approved by Cabinet following Ministerial consultation, and consultation with the Chair of Te Rōpū.

The [Lead Minister] will consult with Cabinet on any substantive proposed change to the Terms of Reference, and these Terms of Reference may be reviewed and amended by Cabinet.

Scope

The Government is committed to substantially reducing family violence, sexual violence and violence within whānau.

There is overwhelming evidence that a sustained, integrated response is required to achieve this goal, and that new ways of working across government and with whānau Māori and communities are needed to deliver this integrated response.

The Government is working with service providers, experts, communities and the wider public to develop a national strategy and action plan reflecting the aspirations of all New Zealanders, and guiding practical steps towards this goal.

Purpose

Te Rōpū will work in partnership with the Crown, Ministers and the dedicated agent to deliver these shared goals, underpinned by the Treaty of Waitangi and the Crown's obligations to uphold mana motuhake.

Cabinet is establishing an interim Te Rōpū to give effect to this partnership in the initial stages of the development of a national strategy and action plan. The interim Te Rōpū will also contribute to the development of a more enduring set of arrangements to formalise this partnership.

Role of Te Rōpū

The role of Te Rōpū is to provide an enduring mechanism to:

- Establish a partnership between Māori and the Crown (and especially for wāhine Māori) to transform the whole-of-government response to family violence, sexual violence and violence within whānau.
- Facilitate Māori views on what and how the Crown needs to operate in order to be able to create the change Māori want to see for Māori and to work with the Crown to give effect to such change.
- Ensure Māori express their own views on what works for Māori and their right to determine their own development (reflecting mana motuhake and rangatiratanga).
- Monitor and report on the Crown's performance.

Te Rōpū will report directly to the [Lead Minister], and will be supported by a secretariat provided through the Joint Venture Business Unit.

Functions of Te Rōpū

- Work in partnership with the Crown on setting the strategy, priorities, specific actions and resourcing levels needed to reduce family violence, sexual violence and violence within whānau: facilitating solutions by Māori for Māori.

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- Work with the dedicated agent on the development of a national strategy and action plan. Interim Te Rōpū will provide advice to the Family Violence Sexual Violence Ministerial Group on the final Strategy before this is presented to Cabinet.
- Work with the dedicated agent to advise on outcomes and performance measures for the strategy and action plan, monitor progress (of government and the nation) against these outcomes and measures, and report to Parliament and the public on this performance.
- Work with and advise the dedicated agent on the whole-of-government response, and ensuring that Māori approaches and whānau-centred thinking and solutions, strength-based Mātauranga Māori including te reo and philosophies are adopted and applied across the work programme.
- Advise the government on the effectiveness of the whole-of-government response to family violence, sexual violence and violence within whānau, and the performance of the dedicated agent.
- Engage with and report back to iwi, hapū and whānau.
- Work with the dedicated agent to advise on the nature, form and functions for the enduring Te Rōpū Māori.

Membership

Te Rōpū will draw from community, rangatahi and whānau representation, as well as national and sector appointments. Membership of Te Rōpū needs to reflect a range of Māori experts and providers in the family violence and sexual violence sector, and victims, perpetrators and children affected by violence.

Te Rōpū will also be able to invite and commission additional expertise to support the group, where this is required.

Members of Te Rōpū must:

- Be of Māori descent, grounded in kaupapa Māori expertise and philosophies for supporting whānau to address family violence, sexual violence and violence within whānau.
- Provide a representative cross-section of whānau, hapū, and iwi across regions, and urban Māori authorities.
- Reflect the voices of victims, perpetrators and children affected by violence within whānau.
- Include rangatahi representation and significant representation of wāhine Māori with expertise in family violence or in sexual violence.
- Have relationships with whānau, hapū and iwi (or a line of sight back to whānau), and a track record of taking action.

Appointment

Members of Te Rōpū are appointed by the [Lead Minister] in consultation with the Minister for Māori Development. Te Rōpū shall consist of no more than 10 members, including the Chair. Members shall be appointed for a period determined by the [Lead Minister].

The [Lead Minister] may remove a member of Te Rōpū by issuing a written notice stating the date from which the removal of the member is effective. The Minister must consult the Minister for Māori Development, and may choose to consult with the Chair, before removing a member of Te Rōpū.

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The Chair may be removed from Te Rōpū by the [Lead Minister] in consultation with the Minister for Māori Development, by issuing a written notice stating the date from which the removal of the Chair is effective.

Any member of Te Rōpū may tender their resignation at any time by way of letter addressed to the [Lead Minister].

Members are expected to act in good faith, with integrity and with reasonable care in performing their duties on behalf of Te Rōpū.

Protocol

Member of Te Rōpū are committed to developing a relationship that:

- Allows for discussion and ensures that decisions are made collectively
- Uses good faith and mutual respect
- Is based on trust and mutual honesty
- Acknowledges and respects the different values, perspectives, roles and functions of the participants
- Is based on the equal participation of all members
- Ensures all discussions are confidential.

Members seek within Te Rōpū to create an environment that:

- Expects free and frank discussion and the equal participation of all members
- Acknowledges that all ideas have merit, and that members can agree to disagree
- Acknowledges the contribution of all members, and respects each member's status
- Promotes open communication
- Ensures no surprises
- Ensures decisions are made and owned collectively
- Focuses on issues.

Members are committed to influencing change within their own communities and with the people and communities to which they have connections. Members are also committed to driving change in government's response to violence within whānau directly, and through working with the dedicated agent.

Quorum will be attendance of more than fifty per cent of the members.

Confidentiality

The public has a right to be informed about issues being considered by Te Rōpū. Te Rōpū should have procedures in place for the release of information and to process requests for information. In deciding whether to release or withhold information, Te Rōpū must comply with the provisions of the Official Information Act 1982 and Privacy Act 1993.

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At no time should members individually divulge details of matters discussed or decided by Te Rōpū to persons who are not members of Te Rōpū. Disclosure of Te Rōpū business to anyone outside of Te Rōpū must be on the decision of Te Rōpū or, between meetings, at the discretion of the Chair.

Only the Chair is authorised to comment on the affairs and decisions of Te Rōpū and, where appropriate, the Chair will advise the Lead Minister in advance.

Members have the right to comment to the media on any matter in their professional capacity, as long as they do not attribute the comment to Te Rōpū or imply they are speaking on behalf of Te Rōpū. If a member is forewarned of being asked to comment to the media, they should advise Te Rōpū accordingly. If a Te Rōpū member is not forewarned, they should advise the Chairperson immediately after making comment to the media.

Conflict of interest

Members are required to declare any actual or perceived conflict of interest to the full Te Rōpū. Te Rōpū will then determine whether or not the interest represents a conflict and, if so, what action will be taken.

A register of declaration of conflicts of interests will be maintained by the Secretariat and reviewed as an agenda item at each meeting.