



Pacific Prevention of Domestic Violence Programme (PPDVP)

BRIEFING NOTE

“Domestic Violence” and “Family Violence”

Outline

The purpose of the paper is to inform the Pacific Prevention of Domestic Violence Programme (PPDVP) Management Team and to develop an understanding to assist any subsequent decision making or recommendations on the potential development of the PPDVP, or any subsequent similar programmes.

This paper compares “Domestic Violence” and “Family Violence.” It draws on the similarities and the differences in the two terms. The paper provides background to the initial design of the PPDVP as a “domestic violence” programme and discusses some of the progressions that have occurred over the life of the PPDVP, as well as developments and changes in the approaches to police management of both “domestic violence” and “family violence.”

The terms used are generally those in practice in Australasia and particularly those used by New Zealand Police.

What is Family Violence?

Family violence is violence against a person by any other person with whom that person is, or has been, in a domestic relationship.¹

The term 'family violence' includes violence which is physical, sexual, and psychological, and includes property damage, intimidation, or threats of violence.

The term 'family' includes such people as parents, children, extended family members and whānau, and other people involved in family, domestic or close personal relationships.

Examples of such relationships include partners, caregivers, boarders, and flatmates. The statutory definition does not usually include neighbours, although it may do in some circumstances, for instance where neighbours are related or have a close personal relationship.

Family Violence includes violence against a person who is in a “Domestic Relationship”

What is a Domestic Relationship?²

A person is in a domestic relationship with another person if the person:

- is a partner of the other person

¹ NZ Police Family Violence Policy 2010

² s4 Domestic Violence Act 1995

- is a family member of the other person
- ordinarily shares a household with the other person, or
- has a close personal relationship with the other person.

What is Domestic Violence?

While there are many common phrases used in the various definitions or policy papers, there is no one definition that is common to all attempts to describe domestic violence within the context of policing.

The PPDVP Programme Design Document (PDD) uses and refers to the definitions above, but it does not define Domestic Violence. While the PDD discusses the Programme Focus and considers family violence and a domestic relationship, the PDD does not extend this, and it does not define Domestic Violence.

The PPDVP PDD records

*While a significant component of the country level programmes will involve development of effective partnerships between the Police and other relevant government agencies, NGOs, churches and communities (and may include some direct support for these agencies/NGOs where necessary), the primary focus of the programme will be on increasing the commitment and capacity of Pacific Police to respond effectively to domestic violence.*³

The various training materials and curriculum developed by the PPDVP have developed a practical description of domestic violence which is used in all training delivery undertaken by the PPDVP or by staff who are trained as trainers.

*Domestic violence means violence against a person by any other person with whom that person is, or has been, in a "domestic relationship"*⁴

The Pacific Regional Policing Initiative (PRPI) developed a series of teaching workbooks for use by the police in Pacific Islands Forum countries. PRPI Workbook Three deals with offences against the person and has a chapter on Family Violence.⁵ However, neither Family Violence nor Domestic Violence is defined. The cause, effect and outcomes of violent family situations is described and discussed, but without definitions.

The International Association of Chiefs of Police (IACP) National Law Enforcement Policy Centre provides a further angle on describing domestic violence, but does not attempt to define a "domestic relationship."⁶

Family/household member: persons who fit into one of the following categories:

- Are legally married to one another;
- Were formerly married to one another;
- Are related by blood;

³ PPDVP PDD pp 25

⁴ PPDVP Basic Curriculum slide 12 - What is domestic violence?

⁵ PRPI Workbook Three pp 42

⁶ IACP NLEPC Volume 1, Section 16 1996

- Are related by marriage;
- Have a child in common;
- Are living together, who have lived together, or who have a dating relationship; or
- Are specified as such by state law.

Domestic violence: where a family or household member commits or attempts to commit the following types of offenses against another:

- Bodily injury or threat of imminent bodily injury;
- Sexual battery;
- Physical restraint;
- A property crime directed at the victim;
- Violation of a court protection order or similar court injunction; or
- Death.

The IACP "Model Policy Concepts and Issues Guidance Note" goes some way towards a definition, but stops short of an actual definition:

"domestic violence" occurs where a family or household member commits or attempts to commit the following types of offenses against another:

- Bodily injury or fear of imminent bodily injury;
- Sexual assault;
- Interference with freedom of movement;
- A property crime directed at the victim;
- Violation of a court order; or
- Criminal trespass.

Australasian Police Family Violence Policy 2008⁷

The Australasian Police Commissioners group brings together the Commissioners of the eight Australian States and Territories as well the Commissioner of the New Zealand Police. The Australasian Police Commissioners considered their response to family violence and commissioned an extensive research programme and the development of their strategy on family violence which they adopted in 2008.

The Police Commissioners' policy on family violence leads with

“The Australasian Police Commissioners will not tolerate family violence and are committed to protecting all victims. Family violence is a serious crime that damages our community at all levels. Perpetrators of family violence are accountable at law for their actions.”

The Police Commissioners noted in this statement

Whilst it is recognised that some jurisdictions use the term ‘family violence’ and others use the term ‘domestic violence’, for the purpose of this document, the term ‘family violence’ will be used so as to encapsulate all forms of violence across all types of relationships.

⁷ Copy at www.ppdvp.org.nz/resources

The Australasian Police Family Violence Policy 2008 is the template for the responses by all of the jurisdictions. The NZ Police Family Violence Policy of 2010 is based on this foundation.

Why is the PPDVP a “Domestic Violence” programme, rather than a “Family Violence” Programme?

The original design and scope of the PPDVP considered this issue. The initial concept had been towards a “Family Violence” programme however the in country needs analysis, and the subsequent considerations around available resources and potential design of a programme to meet the identified needs, concluded that the “domestic violence” definition was sufficiently wide to meet the needs. The Management Team considered this variation in May 2006 and limited the original scope and the design process to make the objective achievable in taking a pragmatic view and settled on the “domestic violence” in agreeing on the scope of the Programme.

Developments in the Pacific towards domestic and family violence

The PPDVP developed a regional approach to how the 21 Police services in the region respond to domestic violence. The basis on which the activities are based is the agreed “domestic violence” terminology. This means that the wider aspects of family violence, such as sexual abuse, are recognised but not specifically addressed in the overall design and delivery.

This is however not a “blinkered approach” by the PPDVP which has always recognised and understood the wider dimensions of family violence. While the PPDVP approach is around domestic violence, the activities of the DV teams in each country are driven by their local needs and requirements to respond to the direction of their police supervisors.

There are many instances of the DV teams dealing with serious sexual crimes; child abuse; and in some cases elder abuse. A particular concern, and one which is evident in many countries, are instances of school teachers using grossly excessive force to discipline children. This has led to a number of investigations by the police, and generally led by a DV unit. Police staff working in the DV teams may not have the breadth of skills that would allow for a comprehensive approach in many of these cases, but they have little choice in taking them on as they are often the only available resource. This is indicative of the overall shortage of skilled and specialist resources in many of the police services, rather than a gap in the skill sets designed to meet the specific needs of domestic violence cases.

The actual delivery of assistance to each country which is a member of the Pacific Islands Chiefs of Police (PICP) and therefore a member of the PPDVP, varies according to the needs of each country, and the agreed level of response and support provided by the PPDVP.

The PPDVP operates at three levels of support to the PICP members.

1. Participating countries - The highest tier is a “participating country” where direct support through a NZ Police mentor is provided to deliver up to 8 weeks of direct in country support each year. The participating countries are Cook Islands, Samoa, Tonga, Kiribati and Vanuatu (who joined this level in 2008).

Issued 14/12/2010 7:17 a.m.

PPDVP Project - NZ Police

180 Molesworth Street, Wellington, New Zealand, PO Box 3017.
Phone 64-4-470 7373,

2. Linked Countries - A second tier of countries form the “linked countries” which receive some mentor support but at a reduced level. The “linked countries” are Niue, Tuvalu, Niue, Tokelau and the Solomon Islands. However the Royal Solomon Islands Police Force support is unique as it has a full time domestic violence adviser through the RAMSI Participating Police Force model, where a suitable NZ Police member works directly with the RSIPF on a full time basis.
3. The third tier comprises the other PICP members who receive advice and support on an occasional basis. All PICP members participate in regional activities.

Prior to the commencement of the PPDVP in 2006 some of the participating and linked countries had an existing capacity or activity to address domestic violence in their own particular way. Some of these were sexual offences orientated with an aspect of domestic violence, such as the Kiribati Family and Sexual Offences Unit (FASO) and the Solomon Islands Police Sexual Violence Unit.

The original or existing structures and new structures have evolved and grown during the period of the PPDVP.

Original activity	Evolved activity	Comments
Kiribati Family and Sexual Offences Unit (FASO)	Domestic Violence and Sexual Offences Unit (DVSO)	Unit originally dealt with sexual crimes and has extended to domestic violence, and now places DV as the priority offence type.
Cook Islands Police DV coordinator	Role transferred from Community Policing Role to CID, and subsequently morphs to a mix of both.	DV coordinator role extended to CIB with responsibility for oversight of offence reporting and case management. Community Policing DV officer appointed from 1 July 2010.
Solomon Islands Police Sexual Violence Unit (SVU)	Initially a separate SVU and a DVU, which has extended to a combined Sexual Offences and Domestic Violence Unit	Both DV and Sexual Offences brought together under one command from 1 January 2010, and further consolidated and resourced by 1 July 2010.
Vanuatu Police Force Sexual Offences Unit	Combined Domestic Violence and Sexual Offences Unit	VPF unit was predominantly focused on sexual crimes but has extended its role to DV and now formally encompassed both types of offending from February 2010.
Guam Crimes Against the Person Unit	Combined DV and Sexual Offences Unit	A comprehensive response model which incorporates a victims support unit

Other units which had an original domestic violence focus have emerged or are emerging as a combined unit.

Issued 14/12/2010 7:17 a.m.

PPDVP Project - NZ Police

180 Molesworth Street, Wellington, New Zealand, PO Box 3017.
Phone 64-4-470 7373,

Original activity	Evolved activity	Comments
Samoa Police Domestic Violence Unit	Domestic Violence and Sexual Offences Unit (DVSO) including offences against school children by person in authority.	Police Commissioner has stated his desire to see DV staff developed to be capable of dealing with all offences related to the family, including serious sexual crimes and domestic violence related homicides
Tonga Police DVU	Occasional instances of sexual violence offending dealt with by DVU	Police Commander has identified the need for a Sexual Offences and Domestic Violence Unit under one command within the new Criminal Investigation Branch Offences Against the Person Unit, to take effect in 2010.
Royal Papua New Guinea Police Constabulary Sexual Crimes Unit	Initially merged but is evolving as a mix of both combined and specific units depending on the location.	UNDP activities and others are working with RPNGC to rationalize and prioritize all offences committed against women towards one combined response.

There is no one single model or approach that is preferred, or a template, as each country has specific needs, opportunities or constraints which drive their own design and roles.

Other pacific police activities which drive or impact on processes

Forensic Victim Management Model - The Pacific Regional Policing Initiative (PRPI) commenced a programme to up skill medical and police staff in dealing with victims, with an emphasis on the identification and management of forensic evidence to support the crime investigation. The AFP Pacific Police Development Programme (AFP PPDP) has continued this activity in association with the PPDVP. In August 2010 the AFP proposed that this activity might be better placed under the auspices of the PPDVP in the future.

AFP Pacific Policing Development Programme – The extensive in country needs assessment - "conversations" - undertaken in 2008 and 2009 with all 14 Pacific Island Forum police services, did not bring forward requests for assistance in the management of sexual crimes or crimes against the person, other than the transnational related crimes such as people trafficking. It is unclear if this was driven by the perceived specialist services available from the AFP; a bias created by the interviewers; whether it is evidence of either a lack of priority by the police chiefs of the countries; or the view that these needs were already being addressed by the PPDVP (either perceived or real). It is not possible to extend this interpretation without further specific analysis. There is however a potential shortfall in the delivery of support to the police across the region in the investigation of serious crimes against the person, including offences which are "Family Violence" based.

Issued 14/12/2010 7:17 a.m.

PPDVP Project - NZ Police

180 Molesworth Street, Wellington, New Zealand, PO Box 3017.
Phone 64-4-470 7373,

It is very evident to any skilled observer that these serious crimes against the person are not generally well managed in the majority of Pacific police services. PPDVP experience indicates that only the territories of France and the United States of America (New Caledonia; French Polynesia; Guam and American Samoa) have sufficient skills and capacity to adequately deal with these crime types.

This makes it all the more interesting that the AFP PPDP analysis did not identify this gap.

Other regional activities – The various regional organisations working with at risk groups in the Pacific, and especially women's groups, regularly identify either poor performance; a lack of skills; or ignorance of how to meet the needs of these marginalized groups by the police services. The Regional Rights Resource Team (RRRT), UNIFEM and the Fiji Women's Crisis Centre (FWCC) are all able to provide specific instances and regularly do so through the PPDVP Regional Advisory Committee (RAC) process. They undertake a range of activities to reduce the harm or to improve the response to these crime types.

Non Government Organisations and Government Agencies (including NGO's)

Non Government Organisations (NGO's) do not differentiate between domestic and family violence. Nor do they differentiate between sexual and non-sexual crimes committed in these environments. The differentiation of domestic violence and family violence cases is one imposed by the police services, and is largely as a result of the limited approach taken by the PPDVP.

Most NGO's and agencies expect the police DV units to respond to any and all offences reported to them. The police services receive and respond to these requests and the serious crimes – sexual assault and serious bodily harm – are referred to the Criminal Investigation Branch for attention. Only the Vanuatu and Kiribati units within the participating country model handle all crime types. On the face of it, this appears to be sufficient; however the majority of criminal investigation branches lack either the trained staff to take complaints or to investigate them. The sharing of experience and skills learnt within PPDVP from the domestic violence staff and the criminal investigation staff is occurring, but is far from comprehensive. The desire of the Samoan Police Commissioner to extend the skills of the Samoa DV unit to all crime types serves as a powerful example.

PPDVP works with the UNDP especially with their Asia and Pacific programme to modify the attitudes of men and boys as the perpetrators of crimes against women. The experience with UNDP regionally, and in specific countries like Cambodia and Nepal, demonstrates how effective the models developed and applied by the PPDVP could be in all crime types of offences within the family.

Summary of the situation across the region – the reality

Trained domestic violence unit staff are multi skilled – The members of the various DV units have a range of skills often above those of general police staff, which allow them to effectively deal with domestic violence cases. Many of these skills have been developed directly by PPDVP.

DV units often act as the front line for all complaints – Many DV units act as “complaint and statement takers” and refer the serious sexual or violent crimes to other investigative units.

Issued 14/12/2010 7:17 a.m.

This is most evident in Samoa and Tonga for serious criminal offences and in Vanuatu and Kiribati for sexual crimes. The DV units often have a high proportion of female staff who are empathetic to the needs of the female victims.

Extending DV staff skills to other crime types can be both successful and dangerous – It cannot be safely assumed that a person, who is trained to handle DV cases, can be automatically presumed to be able to deal with serious sexual crimes. They may lack the required understanding of the ingredients of the offence and the evidential and procedural requirements to support a complex case. For instance, a Tonga DV member successfully dealt with a serious rape charge, while another member trained at the same time seriously miss-managed an incest case.

PPDVP mentors are multi skilled – The current PPDVP mentors are multi skilled and have demonstrated that they can provide advice on all types of violent criminal offending, ranging from homicide right through to the lowest levels of violent crime. They are especially aware of the risks of attempting to be “all things to all people” and they regularly seek additional support, using the Technical Assistance Fund on occasions.

Specialist trainers deployed - PPDVP (either directly or with the overall NZ Police ISG response) has provided specialist skills in training officers skilled in child abuse and family violence (Kiribati); sexual crime investigator (Kiribati); prosecutor training (Samoa); child education and youth offending (Tuvalu) and community interaction skills and victimology of sexual and domestic violence offences (Cook Islands.) In each case the specialist has worked with the PPDVP activity or drawn on or from the skills sets created by PPDVP.

Inter country study tours - Pacific police members who have undertaken study tours have often worked across the domestic and family violence, or sexual violence, margins. Examples include a specialist PNG police investigator working with NZ Police in Auckland; the Kiribati DVSO coordinator studying all types of crime types in Vanuatu; and a senior Tuvalu police women studying police responses to all forms of violent crime in Samoa.

PEACE interviewing skills are effective – The NZ Police PEACE[®] interviewing skills package has been implemented in the Cook Islands Police by the PPDVP and the NZ Police. Anecdotal evidence indicates that these skills have been successfully applied in a variety of ways from victim interviews; interviews with witnesses; and offender interviews. The skills are also evident in how staff prepare for and respond to human resource / staff selection process, both as interviewing panel members as well as applicants. The changes are noticeable both from those within the police service as well as from those working alongside, such as the Courts and the NGO.

Benefits and Risks

The gradual transition of DV units towards a combined domestic violence and sexual crimes role is a natural progression and one which demonstrates the increasing level of skills and confidence. However, the basic skills provided to a domestic violence officer are far from sufficient to equip them to effectively deal with a serious sexual crime. This is a specific process that takes some years to achieve, although some short term and immediate gains can be made along the way.

Issued 14/12/2010 7:17 a.m.

PPDVP Project - NZ Police

180 Molesworth Street, Wellington, New Zealand, PO Box 3017.
Phone 64-4-470 7373,

Benefits include:

- Greater emphasis on dealing with the root causes of family violence
- Recognition of the reality on the ground as the process evolves
- Greater synergy with the work of the NGO's
- More effective investigation process
- Meeting the strategic needs of the police chiefs who have sought an extension of roles

Risks include:

- Project creep for the PPDVP which may adversely impact on the overall success (which was originally the deciding factor in 2006)
- Sexual crimes workload may swamp the police services and in turn harm the benefits now being felt
- PPDVP existing mentors may not have generic suitable skill sets for a wider role

Considerations & Recommendations

1. The current emphasis of the PPDVP on domestic violence should be maintained until 30 June 2011.
2. The combined roles of some pacific islands police Domestic Violence and Sexual Offences unit should be supported on a case by case basis, where this does not adversely impact on the original DV aims of the PPDVP.
3. The PPDVP End of Programme Evaluation should take into account and examine in detail the wider role that might be appropriate as a subsequent or further activity.
4. The earlier analysis by the AFP PPDP in 2008 around sexual crimes and capacity or capability development should be specifically considered in the above Terms of Reference.
5. Note that the ongoing PPDVP Baseline Review updates in four participating countries may further inform this overall discussion.
6. Note that the NZ Police PEACE[®] interview skills programme has the potential to significantly enhance and extend pacific islands police skills in dealing with victims and offenders, and the quality of investigative files and police prosecutions.

Prepared by PPDVP Programme Implementation Team,
September 2010

Issued 14/12/2010 7:17 a.m.

PPDVP Project - NZ Police

180 Molesworth Street, Wellington, New Zealand, PO Box 3017.
Phone 64-4-470 7373,