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An Outcome Evaluation of Police Safety Orders

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Executive summary

On 1 July 2010, Police Safety Orders (PSOs) were introduced as a new tool for Police in dealing with family violence. They enable frontline officers to take immediate action to protect victims of family violence when there is insufficient evidence for an arrest. PSOs are instant orders that require the primary aggressor (Bound Person) to leave the residence and not return or contact the victim(s) (Person/s At Risk) for a prescribed period of time (maximum duration five days).

The evaluation assessed the extent to which PSOs achieve their intended short- and longer-term outcomes with specific reference to the following four evaluation objectives:

- **Objective 1:** To use available data to gauge the extent to which the use of PSOs increase the immediate safety of the victim/children
- **Objective 2:** To investigate whether the use of PSOs achieves the compliance of the Bound Person¹
- **Objective 3:** To investigate the likelihood of whether the use of PSOs contributes to a reduction in re-victimisation
- **Objective 4:** To identify any unintended outcomes arising as a result of issuing/serving PSOs.

Objective 1: To use available data to gauge the extent to which the use of PSOs increases the immediate safety of the victim/children.

Overall there was very strong support for PSOs increasing the immediate safety of Persons At Risk. Findings were also positive in relation to PSOs providing a safe environment for Persons At Risk to consider accessing support. Whilst it would be unrealistic to expect all those protected by a PSO to take up the offer of support, PSOs appeared to be effective in providing the *opportunity* for this to occur - providing the PSO was issued for a sufficient duration. The FVIARS process was found to be effective as a means of checking on the progress of referrals (rather than initiating PSO-related referrals).

Objective 2: To investigate whether the use of PSOs achieves the compliance of the Bound Person.

Between July 2010, when PSOs came into operation, and December 2012, there were 1195 recorded breaches of PSOs by 1073 individuals. This equates to recorded breaches in 6% of all PSOs issued. In approximately 1% of PSO occurrences, an offence was recorded against the Bound Person while the PSO was still in force.

The data from Persons At Risk and other stakeholders suggests that recorded PSO breaches are an underestimation of the actual number of breaches. Evidence from all parties suggested it was not uncommon for Persons At Risk not to report PSO breaches to Police, either due to fear of negative consequences from the Bound Person, the consequences of the involvement of authorities such as CYF, or because they did not want the Bound Person removed in the first place.

¹ 'Compliance' in relation to PSOs primarily refers to whether the Bound Person 'complies' with the order (i.e. leaves the property and does not return to the property whilst the PSO is in force). In this sense non-compliance equates to a 'breach' of a PSO.

The main factors seen by Police as increasing the likelihood of breaches occurring were a Person At Risk who wanted the Bound Person to return, or a Bound Person who lacked suitable alternative accommodation.

The ability of Police to detect breaches was limited by resourcing constraints and/or direction on the monitoring of PSO compliance. Frontline officers' varied understanding of how to deal with breaches was also suggested as contributing to reduced levels of recording.

Objective 3: To investigate whether the use of PSOs contributes to a reduction in re-victimisation.

Overall, the longer-term outcome of a reduction in re-victimisation was less evident than the shorter-term outcomes. Police were more optimistic than refuge staff about the ability of PSOs to achieve longer-term outcomes, such as reducing re-victimisation, ensuring Persons At Risk and their children received appropriate support, encouraging Persons At Risk to contact Police for assistance in the future, and providing the Bound Person with an opportunity to receive help to stop their violence.

The least positively rated longer-term outcome from both groups was that PSOs provided the opportunity for Bound Persons to get help to stop being violent. Several Māori providers felt strongly that it was important to work holistically, which included working with the Bound Person as well as the Person At Risk, for longer-term changes to be occur.

The majority of Persons At Risk (21 of 27) felt the PSO had had a positive impact on the Bound Person's subsequent behaviour, noting that Bound Persons had calmed down and were quieter. However, five, of the Persons At Risk reported that the Bound Person remained angry with them for calling the Police (these women were no longer in a relationship with the Bound Person).

Objective 4: To identify any unintended outcomes as a result of the issuing/serving of PSOs

A number of possible unintended consequences of PSOs were highlighted:

- **Hardship to Persons At Risk:** While not a common occurrence, it was noted in some cases that PSOs could lead to problems for Persons At Risk. These included the Bound Person no longer being available to share childcare responsibilities, reducing the financial resources available to the Person At Risk, and transport problems if the Bound Person took the only available family vehicle.
- **Hardship to children:** It was noted that children sometimes missed out on promised family activities, emotionally missed the Bound Person, and sometimes did not understand why that person was not at home. However, most Persons At Risk were not aware of any negative effects of the PSO on their children.
- **A reluctance of Persons At Risk to call Police again if required in the future:** Three-quarters of refuge staff thought this could happen 'sometimes', mainly due to fear of CYF becoming involved. However, there was no evidence of this being an issue among the Persons At Risk who were interviewed.
- **PSO aggravates Bound Persons:** This did not seem to be the norm, but was reported as happening occasionally, and was a particular concern of Māori and Pacific providers. Service providers were concerned this then acted as a barrier to the Persons At Risk calling the Police again if necessary in the future.

- **PSOs sometimes issued in contradiction to Police policy:** Issuing a PSO when an arrest was warranted was identified as a potential issue in the formative evaluation and re-emerged in the current evaluation. The current evaluation suggests this was not a common occurrence. However, it found that investigations and file preparation could have been improved in a third of cases reviewed, making a full assessment of this issue difficult. All efforts should be taken to support staff in making the right decisions in often challenging circumstances.

Opportunities for improvement

The majority of evidence collected through this evaluation suggested PSOs have been effective in meeting their short-term objectives, particularly in ensuring the immediate safety of victims and their children, and providing the opportunity for Persons At Risk to consider and seek support. Three areas were identified where improvements would promote the effectiveness of PSOs, as well as addressing concerns of some stakeholders over unintended consequences.

- Improve the monitoring, recording process, and level of consequences of breaches
- Maximise the opportunity to support both parties
- Improve frontline practice to ensure consistency in the issuing of PSOs and recording of family violence investigations.

These three areas are much the same as those highlighted in the earlier formative evaluation. It therefore appears that greater efforts are required if progress is to be made.

PSOs represent a valuable new addition in the response options available to Police when dealing with family violence. In relevant family violence callouts Police are now using a PSO to ensure the immediate safety of victims. PSOs achieve this by enforcing a temporary but immediate separation of the two parties, something that previously had been difficult to achieve. This period of separation makes it easier for support agencies to safely contact victims and offer support. As with all new initiatives there is still room to maximise the short- and particularly long-term positive outcomes resulting from PSOs, but they continue to be well received by Police, most support agencies and, most importantly, by the victims of family violence.

1 Introduction

Police Safety Orders (PSOs) were introduced in July 2010 as an element of the Domestic Violence Amendment Act [2009], providing New Zealand Police with new powers to take direct action to protect victims of family violence when there is insufficient evidence for an arrest. This followed the introduction of similar orders in other jurisdictions, including Australia.

There is a high prevalence of family violence in New Zealand. In 2012, the New Zealand Police recorded just under 90,000 investigations involving family violence, with over 100,000 children and young people present or involved.² PSOs represent a significant development in policy and practice relating to addressing family violence, supporting the general objective of early intervention and protection for victims of family violence.

PSOs are intended for use where an investigation of family violence fails to establish sufficient evidence of an offence, but there are reasonable grounds to believe that such an order is necessary to ensure the immediate safety of one or more of the members of the household.³ They are immediate orders that require the Bound Person to leave the premises and not return or contact the Person(s) at Risk for a prescribed period (maximum duration five days). PSOs can be issued by a qualified constable (or a constable authorised by a qualified constable) under s124B of the Domestic Violence Amendment Act [2009].

Considering the shift in policy and practice that PSOs represent, and the importance of their intended outcomes, a formative evaluation of PSOs was commissioned in 2011.⁴ This evaluation found that, overall, PSOs have been well received by both Police and the community, and were generally being executed as intended. It was also concluded that PSOs usefully complemented the range of responses available to Police when dealing with family violence. However, some barriers to their effective deployment were noted and, accordingly, areas where improvements could be made to enhance the efficacy of this tool.

In parallel to the PSO formative evaluation, New Zealand Police's Family Violence Unit (FVU) has reviewed and planned amendments to the Police family violence response and processes. The implementation of subsequent family violence changes and the associated training has enabled the progression of improvements identified in the PSO formative evaluation.

Need for an outcome evaluation

As part of the planning for the introduction of PSOs, the New Zealand Police Policy Group requested an evaluation of the effectiveness of the orders. The purpose of the outcome

2 New Zealand Family Violence Clearinghouse (2013). Data Summary: Violence Against Women. *Data Summary 2 (June 2013)*. Accessed 1/8/13 from http://www.nzfvc.org.nz/sites/nzfvc.org.nz/files/DS2-Violence-Against-Women-2013_0.pdf

3 The definition of family violence used in the family violence policy and procedures guidance includes intimate partner violence, violence towards children or parents, teen dating/violence, elder abuse, domestic or close relationships.

4 Kingi, V. Roguski, M. and Mossman, S.E. (2011). Police Safety Orders Formative Evaluation Summary Report (<http://www.Police.govt.nz/sites/default/files/resources/evaluation/Police-safety-orders-formative-evaluation-2011.pdf>). Wellington: New Zealand Police.

evaluation was to inform policy and practice surrounding the use of the orders, and to determine their effectiveness.

1.1 Short and long-term outcomes of PSOs

The overall aim of the outcome evaluation was to assess the extent to which PSOs achieve their intended short- and longer-term outcomes. These are:

Short-term outcomes

- ensure the immediate safety of the victim and any children by removing the perpetrator of the violence from the premises
- provide a period of time, within a safe environment, for the victim to consider seeking appropriate support to ensure his or her safety
- increase victims' levels of confidence in the Police
- increase the level of recognition by the Bound Person as to the consequences of their violence.

Longer-term outcomes

- a decrease in the escalation of violence, and subsequent reduction in the seriousness of violent offending
- reduction in family violence victimisation
- an increased level of awareness of, and intolerance to, family violence, leading to earlier intervention.

The evaluation also sought to identify any unintended outcomes or processes that may arise from PSOs. A list of potential unintended consequences included the following possibilities:

- being served with a PSO aggravates the person being violent, such that violence escalates
- as consent from the Person At Risk is not required in issuing a PSO, the victim may feel disempowered, resulting in them being less likely to call the Police in future
- issuing a PSO causes hardship to the Person At Risk and/or their children
- serving a PSO displaces violence, leading to an increase in violence in public places
- Police officers issue PSOs in situations where an arrest should instead be made
- Police officers issue PSOs to the victim of the violence instead of the perpetrator, due to uncertainty about who the primary aggressor is
- Police officers are resistant to issuing PSOs, resulting in an increase in the number of family violence related investigations recoded to a non-family violence code.

1.2 Methodology

A mixed-methods approach was adopted that utilised a combination of qualitative interviews with Persons At Risk, administrative data analysis (New Zealand Police and Ministry of Justice), a review of Family Violence Interagency Response System (FVIARS) case notes, a review of 400 PSO case files where violence was indicated, and online surveys and/or

interviews with key stakeholders. This ensured consideration of a range of perspectives and enabled data to be triangulated to enhance rigour, reliability and enable stronger conclusions to be made.

1.2.1 Evaluation objectives

The following four evaluation objectives, identified by New Zealand Police, underpinned the outcome evaluation. These objectives were largely based on the short- and longer-term intended outcomes of PSOs (as listed above):

- **Objective 1:** To use available data to gauge the extent to which the use of PSOs increase the immediate safety of the victim/children
- **Objective 2:** To investigate whether the use of PSOs achieves the compliance of the Bound Person⁵
- **Objective 3:** To investigate whether the use of PSOs contributes to a reduction in re-victimisation
- **Objective 4:** To identify any unintended outcomes arising as a result of issuing/serving PSOs.

In addition to these objectives, a number of specific questions were identified to guide the evaluation. These sub-questions appear in Table A1 of Appendix A listed under their associated objective, together with key information sources used to address each question.

The outcome evaluation also provided the opportunity to update key PSO-related monitoring data, and follow up on issues emerging from the earlier formative evaluation.⁶

1.2.2 Qualitative interviews with Persons At Risk

A key source of information for this evaluation was the qualitative interviews with Persons At Risk, who were a primary source of data for all four of the evaluation objectives. Many of the key intended outcomes from PSOs could only be assessed through talking with those who had experience of them.

Participant selection and characteristics

The researchers undertook to interview 30 Persons At Risk from the greater Wellington area who had experienced a situation in which a PSO was issued during late 2012/early 2013,⁷ and who met the following criteria :

- were 16 years of age or older

5 'Compliance' in relation to PSOs, primarily refers to whether the Bound Person 'complies' with the order (i.e. leaves the property and does not return to the property whilst the PSO is in force). In this sense non-compliance equates to a 'breach' of a PSO.

6 Kingi, V. Roguski, M. and Mossman, E. (2011). Police Safety Orders Formative Evaluation Summary Report. September 2011. Wellington: New Zealand Police.

7 Consideration was given to interviewing in three different geographical locations around New Zealand. However, the greater Wellington area was selected as it was able to provide a mix of urban and rural sites, and areas of different ethnic make-up, whilst minimising the cost of fieldwork. It was also the best option to secure the maximum number of interviews, providing more flexible timeframes for recruitment and interviewing.

- had experienced intimate partner violence (IPV) or family violence (FV)
- had no current court action relating to the PSO
- were seen to be at very low risk of re-victimisation for participating in the interview
- any other reason affecting suitability (e.g. serious mental health issues, gang affiliation, long and complex history of IPV).

New Zealand Police personnel arranged the initial recruitment of Persons At Risk, as first contact with potential participants was sensitive due to privacy concerns. However, this process progressed slowly; the main problem was the difficulty in contacting people by phone, rather than individuals declining to participate. However, Police, with the aid of Women's Refuge in one area, eventually made contact with 31 Persons At Risk who were willing to be contacted by the researchers. Their phone numbers were passed to the evaluator, who then contacted them to inform them about the PSO evaluation, and invite them to take part.

Interviews were subsequently undertaken with 27 out of the 31 Persons At Risk who had agreed to be contacted (18 from the Hutt Valley, seven from Porirua/Kapiti and two from Masterton). All those spoken to agreed to take part in the evaluation. The evaluators were unable to make contact with four Persons At Risk, due to problems with the phone numbers provided.⁸

Table A2 in appendix B provides a breakdown of the characteristics of the Persons At Risk who were interviewed. The characteristics of those interviewed were in the main similar to those of all Persons At Risk recorded by Police nationally (see Section 2.3). Key characteristics of those interviewed included:

- predominantly female (23 or 85%).
- approximately half of female Persons At Risk were Māori (10) or New Zealand European (11). All male Persons At Risk identified as NZ European.
- nine Persons At Risk reported that they were currently employed (seven women and two men), 12 Persons At Risk (all women) were beneficiaries (including those on the domestic purposes or sickness benefit), three women were students, one was a homemaker, and the remaining two men were retired.

Almost 60% of Persons At Risk (16 out of 27) had dependent children living with them, and one was pregnant with her sixth child at the time that the PSO was issued. Thus, the interview group had a total of 39 children between them. With respect to these children:

- ages ranged from six months to 13 years of age, with slightly less than half (18 or 46%) under the age of five
- 25 were boys and 14 were girls
- in 15 out of 16 of the PSO occurrences children were present in the house when the violence happened

8 Three cellphone numbers continually went directly to voicemail, and another was no longer a valid number.

- in 13 of the 16 PSO occurrences where the Persons At Risk had children, the Bound Person was the birth parent (one was the child's mother, the remainder were fathers) of one or more of the children involved.⁹

The nature of the relationship between the interviewed Persons At Risk and 'their' Bound Person at the time that the PSO was issued were as follows:

- the majority (21 or 78%) were intimate partners; for 16, at the time of the PSO the Bound Person was a current partner, and for five the Bound Person was an ex-partner
- around a quarter were intra-familial relationships (six or 22%), one involving siblings, and for five the Bound Person was an adult child.

Only two Bound Persons were female, one was the current partner of one of the male Persons At Risk and another was the daughter of one of the female Persons At Risk.

Characteristics of the PSO occurrence

Interviewees were asked to describe the details of the family violence event that had led to the call to Police. Characteristics were as follows:

- verbal arguments (18 out of 27) that were perceived at the time as in danger of escalating, and sometimes included the destruction of property
- in a few cases there was both verbal and physical violence (n=6), or intimidation/direct threat of physical violence (n=3)
- alcohol was involved in just under half of the occurrences. These were evenly divided into family violence events where both parties had been drinking, or only the Bound Person had been drinking (n=6 of each)
- in the majority of cases (22 or 81%) it was the Person At Risk themselves who made initial contact with the Police, usually by phone (slightly more than the 55% of all Persons At Risk reported in Table 2.6). In three cases (involving two women and one man) Persons At Risk went into the local Police Station to report the occurrence. Others who reported the event to Police included a parent, a 13 year old child, a flatmate, some neighbours, and the Bound Person himself.
- the most common length of time for which PSOs were issued was five days (41% or 11), followed by one day (26% or seven). Similar numbers of PSOs were issued for two and three days (four and five PSOs respectively).

Interviews

Interviews with Persons At Risk were undertaken during June and July 2013. The length of time between the issuing of the PSO and the Person At Risk interview varied from two to six months. Interviews were semi-structured using an interview guide, developed from the evaluation objectives and in consultation with the Evaluation Advisory Group (see Appendix C).

Topics covered included:

- the circumstances in which the PSO was issued

9 That is 21 out of the 39 children.

- information, referrals, and support offered to Persons At Risk (if any)
- events after the PSO was issued
- the perceived impact of the PSO on Persons At Risk and their child(ren)
- the impact of the PSO on the Bound Person
- the views of Persons At Risk on the benefits and disadvantages of PSOs.

Approximately three quarters of the interviews were conducted face-to-face (20 out of 27), the remaining seven took place over the phone. Interviews took between 15 and 40 minutes and were digitally recorded where Persons At Risk were agreeable to this. Interviewees were given a \$50 acknowledgement for participation and, after the interview, were asked if they wished to receive a summary of the review findings.

Ethics and confidentiality

Potential interview participants had been informed of the purposes of the evaluation prior to the interviews. They were told about the aims of the evaluation, that participation was voluntary, and that they could refuse to answer questions or withdraw from the evaluation at any time. They were informed about what participation would involve and about confidentiality, including who would have access to their information. They were told that they would not be able to be identified in any subsequent evaluation reports. For those interviewed face-to-face, at the beginning of the interview participants read an information sheet and indicated their consent to be interviewed by signing a consent form. For those interviewed over the phone, a completed interview was taken as consent.

The provisions of the Privacy Act 1993 with respect to confidentiality and methods of obtaining, storing and destroying information were adhered to in this evaluation.

1.2.3 Analysis of administrative data

A quantitative analysis of available PSO-related administrative data enabled some outcomes to be assessed as well as providing the opportunity to update earlier monitoring data collected for the formative evaluation (see Section 2 of this report).

The administrative data was the primary source of information in relation to the following questions and research objectives:

- the impact of PSOs on applying for Protection Orders (Objective 1)
- number and characteristics of those breaching PSOs (Objective 2)
- offending histories of Bound Persons, including what stage in the history of Police involvement the PSO was issued, and how many repeat PSOs have been issued (Objective 2).

Administrative data was sourced from the New Zealand Police and the Ministry of Justice, which included the following:

- New Zealand Police provided data on PSOs issued, served, and breached, including characteristics of the PSO event and of those served and protected by the PSO. Criminal history data of all those served with a PSO was also provided.

- Ministry of Justice provided data on court outcomes following breaches of PSOs, and trend data on Protection Orders issued through District and Family Courts, pre- and post- PSO implementation.

1.2.4 Review of Family Violence Interagency Response System (FVIARS) case notes

A key intended outcome of PSOs is to increase the support accessed and received by the Person At Risk following the issuing of a PSO (Objective 1). Qualitative data on this outcome was collected through the interviews with Persons At Risk. However, to quantitatively assess the extent to which this happened (i.e. in what proportion of PSO cases), it was necessary to review and analyse outcomes and following actions from a complete sample of PSOs.

It was proposed that case notes from FVIARS meetings be considered to ascertain whether they would provide information on post-PSO referrals and the delivery of support services. However, FVIARS meetings are run differently around the country, as is the way information from meetings is recorded.¹⁰ A Police Area that had a systematic process for recording outcomes resulting from FVIARS meetings was examined in this evaluation. This enabled a review of a complete sample of PSO occurrences, but limited the ability to generalise findings to other areas.

The review consisted of an online manual examination of all 89 PSOs served in one North Island Police Area over a six month period (1 July to 31 December 2012). All PSO occurrences were located in the National Intelligence Application (NIA), and their associated 'Family Violence Intervention Outcomes' were examined to determine if the case had been reviewed at a FVIARS meeting and what the recorded outcomes were (e.g. referral to a support service, participation in a support programme, or support in applying for a Protection Order).

1.2.5 Online surveys and/or interviews with key stakeholders

Another component of the evaluation was a survey of key stakeholders; these included two groups:

- Police in specialist and supervisory family violence roles (Family Violence co-ordinators, Family Violence supervisors, Family Safety Team supervisors and other Family Violence area/district/national supervisors)
- Community-based services that support Persons At Risk, including members of the National Collective of Independent Women's Refuges, and Māori and Pacific Island health and social service providers.

The survey methodology enabled more of a nationwide perspective on perceived PSO outcomes compared to the localised views gained through the sample of Persons At Risk. Views of these groups had relevance for all four objectives and were useful to consider and compare to those from other sources (e.g. administrative data, FVIARS case notes, and Persons At Risk interviews).

10 New Zealand Police is already aware of this variability and are currently developing policy to create a more standardised approach.

Survey instrument

Two surveys were developed, one for each main stakeholder group. Survey questions were based on the key evaluation objectives, but also included additional items to follow up on issues identified in the formative evaluation. A number of core questions were included in both surveys to enable comparison of views across the two groups. However, there were also questions unique to each type of stakeholder, to ensure views relevant to each group were surveyed (See Appendix D). Both surveys were anonymous, and had a mix of closed and open-ended questions. The Police survey consisted of 27 questions, and the community agencies survey had 20.

Administration and response rates

The Police survey was loaded onto the New Zealand Police Te Puna online survey software and sent to all Police around New Zealand with supervisory family violence roles (n=75). Of these, 44 were returned, representing a 59% response rate.

With assistance from national office staff of the National Collective of Independent Women's Refuges (NCIWR), an email was sent out to the 39 affiliated Women's Refuges located around New Zealand. The email included a link to an online survey and an attachment of a PDF version of the survey that could be printed out, completed by hand, and returned by post. The email also contained an information sheet explaining the purpose of the evaluation and conditions of participation (i.e. voluntary, anonymous, and with confidentiality assured). The first email was followed up by two reminder emails from NCIWR national office and a phone call by the evaluators to ensure everyone who wanted to complete a survey had had the chance to do so. Responses from 20 Women's Refuges were received, which equates to a 51% response rate. Of the 20 who replied, 12, or 60%, indicated they had 'a lot' of experience supporting Persons At Risk who had been protected by a PSO with the remaining eight, or 40%, indicating they had 'quite a bit' of experience. Six, or 30%, described the location of their agency as being in a major urban location, 13, or 65%, said it was in a provincial town, and one was rural.¹¹

Surveying of Māori and Pacific Island community health and social service providers initially focused on lead agencies connected with the Whānau Ora Collectives. However, surveying this group proved less successful. Despite several attempts, appropriate authorisation from Te Puni Kōkiri to obtain contact details of Whānau Ora lead agencies was not achieved. As an alternative method, a member of the Evaluation Advisory Group offered to facilitate the sending out of 21 invitations to agencies that were part of one of the South Island Collectives. Personal networks of the evaluators also enabled agencies of North Island Whānau Ora Collectives to be invited, as well as a Pacific Island provider. In total, five online surveys were received and five phone interviews conducted (the method was based on the preference of the provider). All agencies provided health and social services to men, women and children. Each had a special interest in family violence prevention and was familiar with PSOs. The number of surveys was insufficient to conduct comparative analysis against views of the other stakeholders; however, this data provided valuable insights and, combined with the interview data, has been introduced as appropriate throughout the report.

11 Some of the NCIWR provide dedicated Kaupapa Māori services whilst others provide mainstream services; however, the anonymous nature of the survey meant it was not possible to know which type of agency had participated in the survey.

1.2.6 File review of PSOs issued when violence present

Finally, a comprehensive review of 400 files, where a PSO was issued but the officer involved had indicated violence was present, was conducted to determine if these cases were in line with Police policy. This analysis was an additional component to the initial evaluation framework and was required to assist in the interpretation of findings that emerged during the course of the evaluation.

The review considered a number of possible scenarios that could explain the co-occurrence of a PSO and an indication that violence was used:

- The violence used was a recording error and in fact, there had been no violence used.
- The violence used was not inflicted by the Bound Person against the Person At Risk (e.g. the violence used was against the Bound Person or it was self-harm inflicted by either party to themselves – accidental or otherwise).
- There was violence used against the Person At Risk but there was insufficient evidence to proceed with an arrest or charge.
- Violence was used against the Person At Risk but other factors meant an arrest or charge was unlikely to be in the Public Interest according to the Solicitor General's Prosecution Guidelines (1 July 2013).
- Violence was used against the Person At Risk and there appeared to be sufficient evidence to make an arrest or charge but the Police officer issued a PSO (not in line with Police policy).

Files were reviewed by a team of four that included two family violence specialists, a retired prosecutor and a retired senior detective. A coding template was developed by an independent researcher to guide the reviewers. All coded results were double-checked and entered for analysis by this researcher. A Senior Prosecutor also checked and offered their professional opinion on a sub-sample of 30 files coded by the review team.

Information contained in each file varied considerably; a file could include the Family Violence Investigation Report, the attending officer's notebook entries, relevant family violence alerts and histories, criminal histories, copies of any written statements, transcripts of 111 calls, any photographs taken of injuries or property damage and, where applicable, medical reports.

1.2.7 Limitations

As noted earlier, the mixed method, multi-component approach adopted by the evaluation ensured the consideration of a range of perspectives, allowed data to be triangulated to enhance rigour and reliability, and enabled stronger conclusions to be made. However, it is important to recognise limitations associated with each component of the evaluation. In particular:

- findings from the Person At Risk interviews are not generalisable to all Persons At Risk due to the self-select and non-representative nature of the sample (representing only the Greater Wellington area). Hence, it is important findings are considered against more representative sources, such as the administrative data

- The validity of administrative data is limited by the accuracy and thoroughness of those entering the data
- There is considerable variability in the way FVIARS meetings are run and outcomes recorded across different Police Areas. This means findings from a review of PSO cases in one area cannot be generalised to other areas. Results must be considered against more representative data collected from the online survey and administrative data
- The key limitation of survey data is that responses are only representative of those who replied. It is unknown if the views of those who replied vary from those who did not. This is of particular relevance to the Māori and Pacific Island community agencies, where just 10 were able to be included. However, response rates of between 51% and 64% for the other groups of survey participants were quite acceptable for this type of survey. The outcomes reported from this data source are based on perceptions of those surveyed as opposed to outcomes based on behavioural data.

1.2.8 Notes on data presented

- In the main, percentages reported in tables and graphs have been rounded to the nearest whole integer. One decimal place is used for percentages of less than one or where it was felt necessary to assist in comparisons. For survey data those who did not respond to a question, or responded with 'Don't know' are excluded from the base number when calculating percentages.
- The PSO statistics provided by New Zealand Police are counted by occurrence date from 1 July 2010 to 31 December 2012, and count PSOs issued, served, and breached.
- These counts are not comparable with New Zealand Police official crime statistics.
- 'Person at Risk' and person 'Bound by Order' are not always identifiable from PSO records. Sometimes this is because the subsequent recording of offences changes the information. Where this occurs, substitution has happened using victim and offender information, where possible.

1.3 Structure of this report

This report has been divided into seven main sections. Section 2 presents descriptive information on PSOs, largely updating and expanding on monitoring data presented in the formative evaluation. Sections 3 to 6 present findings in relation to each of the main evaluation objectives. Section 7 discusses improvements suggested. Section 8 brings these findings together with a summary and conclusion.

2 Characteristics of PSOs issued

Prior to considering the outcomes achieved from the introduction of PSOs it is important to present updated descriptive information on their use. The formative evaluation collated data for the first six months of their operation. At the time of writing this report, PSOs had been available to front-line officers for over two years, and so it is timely to update key characteristics. This section of the report presents data on PSOs issued between 1 July 2010 and 31 December 2012 including:¹²

- total number and type of PSOs that have been issued, including the number issued each month, and in each Police District
- the number of PSOs served, the duration for which PSOs were served, and time of day and day of week they were most frequently used
- the characteristics of the family violence events where a PSO was issued.

2.1 Number and type of PSOs issued

There are two stages to administering a PSO. First, a decision must be made to **issue** a PSO. This requires the completion of enquiries to identify possible offences, risk assessments, and obtaining appropriate authorisation. Once issued, the order does not come into effect until it has been physically **served** to the Bound Person (and Person At Risk). This requires the PSO, and its effects and consequences if breached, to be fully explained to both the Bound Person and Person At Risk. The PSO must be served within 48 hours of being issued. There are occasions when the Bound Person cannot be located within this period, in which case the PSO expires. As a result there will always be more PSOs *issued* than are *served*.

Between 1 July 2010 and 31 December 2012 19,470 PSOs were issued. According to Police records, 378 of these were issued on the direction of the court (these would be issued in response to a breach of a PSO initially issued by Police officers, see Section 4, Table 4.1).¹³

Table 2.1 Total number of PSOs issued (1 July 2010 to 31 Dec 2012)

	n	%
Issued by New Zealand Police	19,092	98%
Issued on direction of the court (following a breach of a PSO)	378	2%
Total	19,470	100%

Of all PSOs issued (n=19,470), there were 683 cases (4%) recorded as 'Wanted for Service of PSO' (i.e. the intended Bound Person could not be located to serve the PSO).

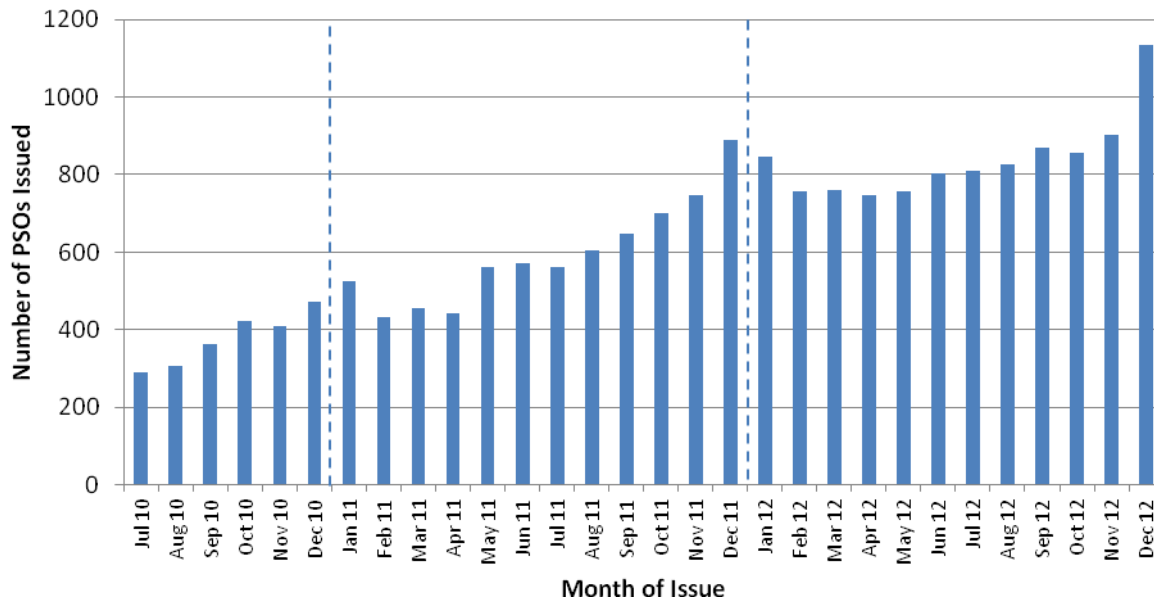
Of the 19,470 PSOs issued, in 85% of cases individuals had been issued with just one PSO in this two and half year period. However, 10% of Bound Persons had had two PSOs issued

12 Administrative data was supplied in March 2013, which meant analysis was based on a two and half year period to 31 December 2012.

13 Ministry of Justice data for the same period indicates 409 PSOs were issued on direction of the court.

against them and 4% had been issued with three or more.¹⁴ Figure 2.1 presents the number of PSOs issued each month over the 2.5 years of their implementation.

Figure 2.1: PSOs issued per month (n=19,470)



As illustrated in Figure 2.1, there is an increasing trend in the number of PSOs being issued over time. For example, the monthly average in 2010 was 377 per month, which went up to 594 in 2011, and increased to 839 per month in 2012. This steady increase most likely reflects Police officers' increasing awareness of PSOs as a response option to family violence, although it may also partly indicate recent increases in reported family violence. One way to explore this increasing usage trend is to look at the number of PSOs issued as a proportion of all family violence investigations recorded.

PSOs are just one type of response to family violence; other responses include arrests, warnings, or referrals to interagency response. Family Violence Reports (FVRs or Pol1310) are a good indicator of the total number of family violence investigations recorded.¹⁵ Figure 2.2 presents the number of PSOs issued as a proportion of all family violence investigations attended. Higher numbers of PSOs issued in December/January likely reflect the normal seasonal peak for family violence investigations.

Data in Figure 2.2 suggests PSOs are being increasingly used by frontline officers when they are dealing with family violence, as might be expected with a new response option. For example, in the first six months, PSOs were used in 4-6% of family violence investigations; however, by the end of 2012 their use was up to 14%.

¹⁴ This will include those individuals re-issued with a court ordered PSO following a breach of PSO.

¹⁵ A FVR or POL 1310 is required to be completed in all family violence investigations. Prior to July 2012 they were referred to as Family Violence Investigation Reports (FVIR).

Figure 2.2: PSOs as a proportion of family violence investigations

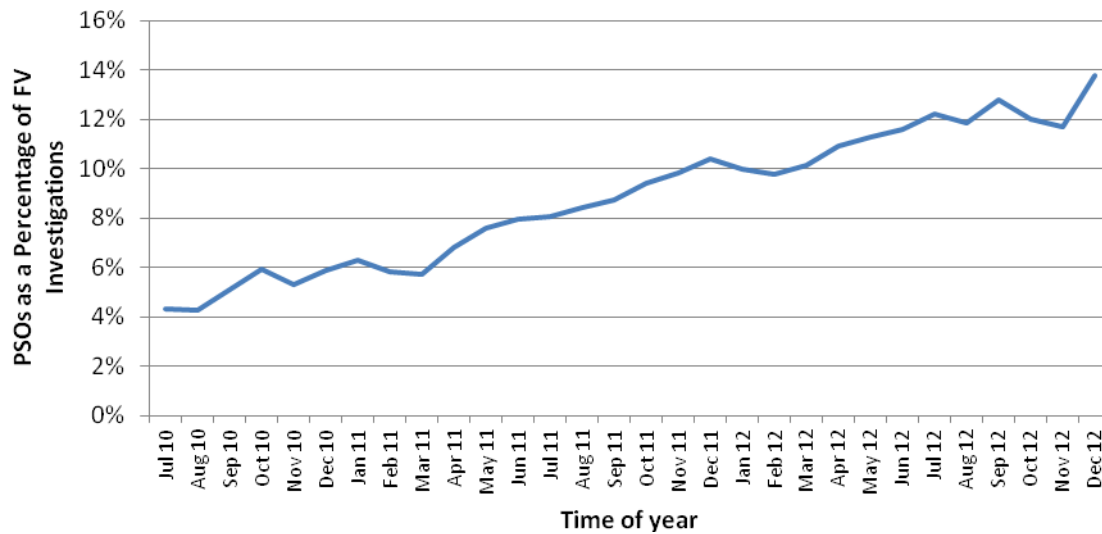
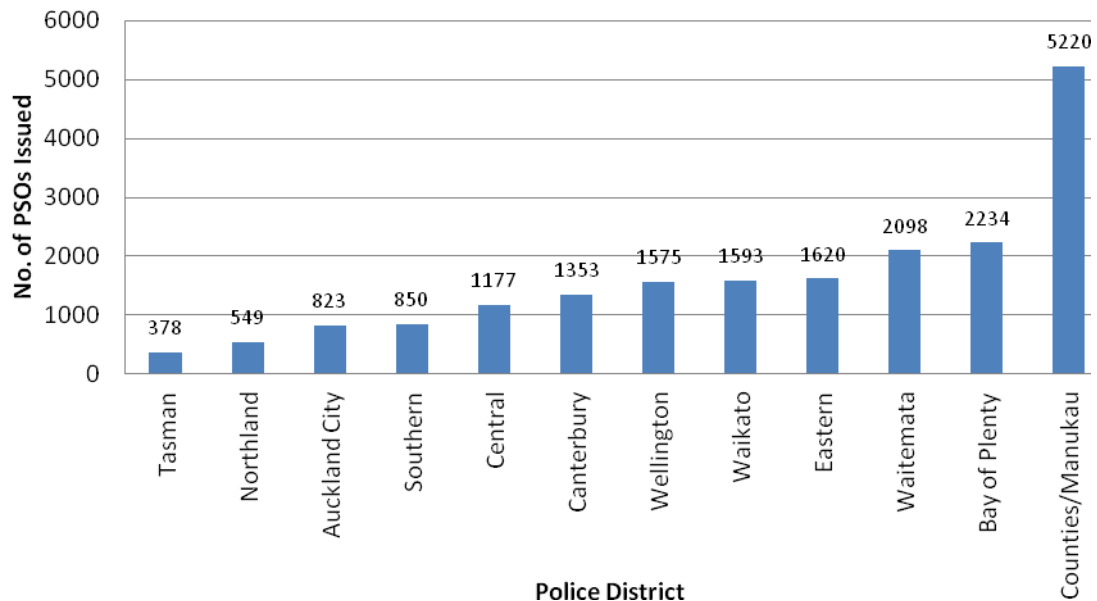


Figure 2.3 presents the number of PSOs being issued in each district. Across the 12 Police Districts, Counties Manukau staff issued the largest number of PSOs (n=5220), with over twice as many as other districts. Tasman issued the smallest number (n=378).

Figure 2.3: Number of PSOs per district (n=19470)



The number of PSOs issued will depend on a variety of factors, including the incidence of family violence investigations and the population base of the various centres. Figures 2.4 and 2.5 respectively plot the number of PSOs issued per district as a ratio of the number of family violence investigations recorded (FVRs), and per 10,000 of population.

Figure 2.4: Number of PSOs issued in each district as a percentage of all family violence investigations recorded

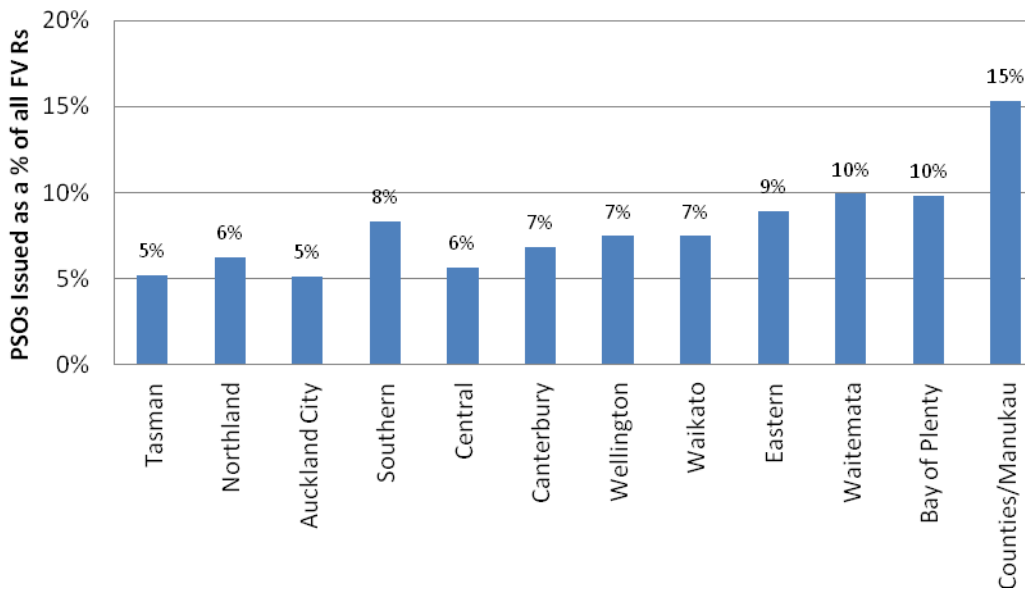
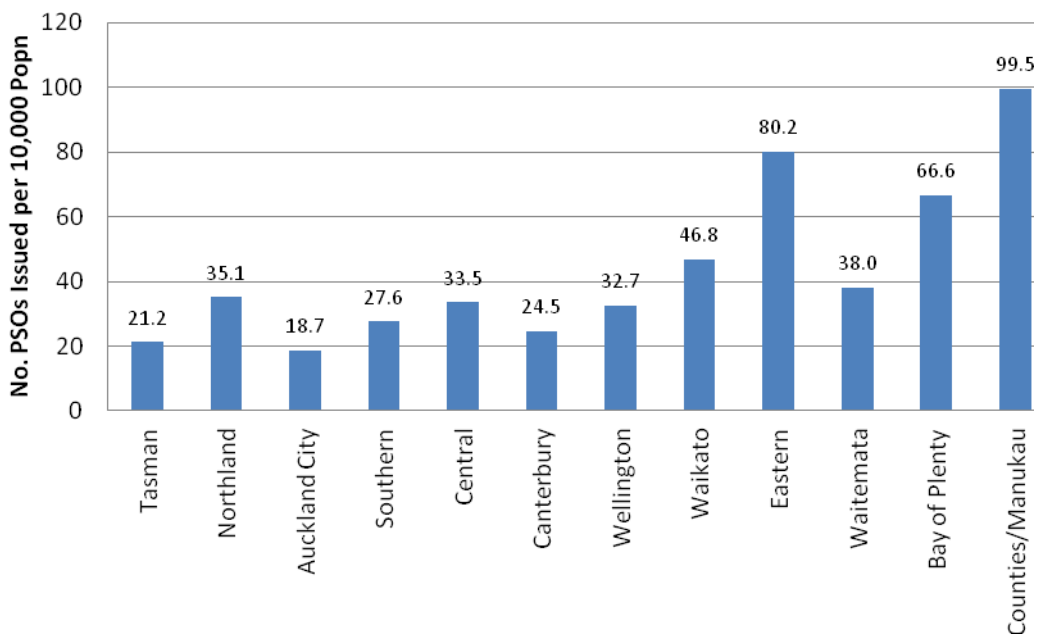


Figure 2.5: Number of PSOs issued in each district per 10,000 of population



These graphs show similar rankings to those of the total number of PSOs issued per district (Figure 2.3), suggesting even when other factors are taken into account there is variation in use of PSOs across the Police Districts. It is unclear why this variation occurs. In Figure 2.4 it can be seen that Counties Manukau, Bay of Plenty, and Waitematā had the highest rates of issuing PSOs relative to the number of family violence investigations attended in these districts, although for Counties Manukau the higher rate was less marked than in Figure 2.3. In Figure 2.5, Counties Manukau also issued the most PSOs relative to the District's population. However, Eastern emerged as issuing a relatively higher number of PSOs relative to the population in this District, while Waitematā issued relatively fewer PSOs per 10,000 population.

2.2 Characteristics of PSOs

2.2.1 When PSOs are being used

PSO data were analysed according to the day of the week the PSO had been issued. Figure 2.6 shows the issuing of PSOs was spread across all seven days of the week, but with Saturday and Sunday being the most common days (36% of all PSOs were issued on these two days).

Figure 2.6: Day PSO was issued (n=19,092)¹

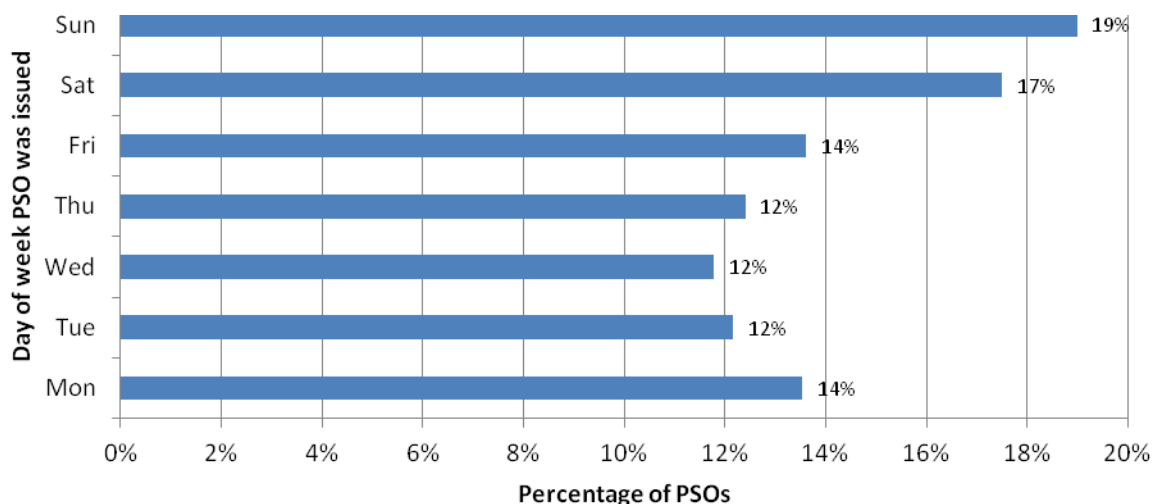


Figure notes:

- 1 This figure relates only to those PSOs issued by Police and excludes the 378 PSOs that were recorded as being issued on direction of the court. Percentages have been rounded to whole numbers, although bars are based on data to one decimal place.

2.2.2 Duration for which PSOs are served

When issuing a PSO, the officer must decide on the duration of the order, which can be a maximum of five days. The PSO comes into force immediately after it has been served. The duration of the PSO has a bearing on one of the objectives of PSOs: to provide a period of time to allow consideration of whether and how to seek appropriate support. If issued for a short period this limits the opportunity for help-seeking to occur. Figure 2.7 presents details of the duration for which PSOs were served.¹⁶ The most common periods, in order of frequency, were five days, two days, and one day; the least common was 12 hours or less. These durations are similar to those found in the formative evaluation, although those issued for five days has increased from 22% to 27%.

¹⁶ The duration of the PSO served was determined by calculating the time period between when they were served and when they were recorded as having expired. The time periods recorded were not discrete days but the number of days, hours, and minutes. Periods were rounded to the nearest day (i.e. periods of over 2.5 days and less than 3.5 days were recorded as being 3 days).

Figure 2.7: Duration of PSO served (n=17,467)¹

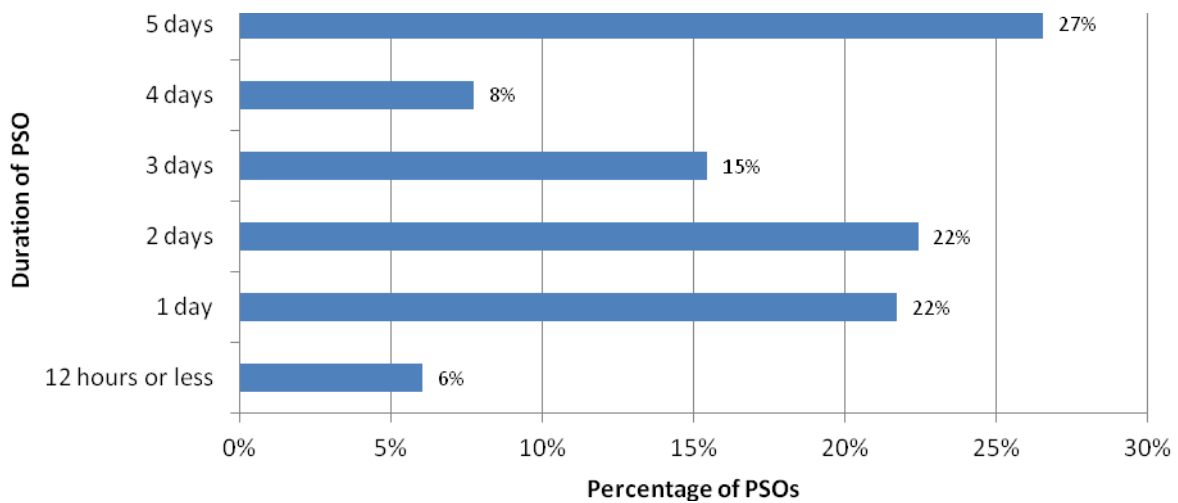


Figure notes:

- 1 Data on the duration of PSOs was only available for n=17,467 served PSOs. Time marker data required for this analysis comes from a separate database from the total numbers served and there was no time marker information available for 942 records, which are not included in this data. There were 683 PSOs issued but not served, which are not included in this figure. 378 PSOs were issued on direction of the Court (see Table 2.1), these are also not included in this data.

2.3 Characteristics of the family violence event where a PSO was issued

The circumstances associated with the issuing of a PSO are of obvious importance to the understanding of how PSOs are being used. Descriptive information related to the event and those involved was made available from three sources:

- demographic information routinely recorded in NIA, extracted for the Bound Person and primary Person At Risk¹⁷
- the Family Violence Report (FVR) associated with the PSOs issued.¹⁸ A FVR is required to be completed whenever an officer investigates family violence, including investigations where a PSO is issued. This information is stored in a standalone Family Violence database
- criminal history data of Bound Persons served with a PSO, based on all occurrences recorded in NIA. Note: occurrence data is based on apprehensions, with the outcome of the occurrence unknown (e.g. whether the final outcome involved a charge, conviction, etc).

These three sources of information are used to summarise demographic characteristics of the Bound Person and protected person, criminal history of the Bound Person,

17 The PSO form identifies one person as the 'Person At Risk', but has space to list the names of children who are also protected by the order.

18 FVRs were also referred to as the Pol1310s, and prior to July 2012 were known as Family Violence Investigation Reports (FVIR).

family/relationship details, descriptive information related to initial reporting of the family violence event, and details of the event itself.

2.3.1 Demographic characteristics of the bound and protected person

Table 2.2 presents basic demographic information related to the Bound Person and Person At Risk for all PSOs issued (n=19,470). Data is based on the person associated with each PSO. However, if the same person was associated with more than one PSO, they are counted for each one issued.

The majority of Bound Persons were male (85%). 42% were Māori, and 33% NZ European. The most common age group was 21 to 30 years (35% of all Bound Persons). The Domestic Violence Amendment Act 2009 (s125d) indicates that a Bound Person must not be a child (i.e. 16 years or under), yet there were 71 Bound Persons recorded as being 16 years of age or under. Further investigation may be warranted to understand the circumstances where this may arise and the relationship between the Person At Risk and Bound Person. However, preliminary investigations suggested the most likely explanation was recording errors related to the Bound Person's date of birth.

The majority of Persons At Risk were female (81%). 41% were Māori, and 35% European. The most frequent age group was the same as that of the Bound Persons, 21 to 30 years (34% of all Persons At Risk). In 2% of cases (n=360) the *primary* Person At Risk was recorded as a child (16 years or under).

Table 2.2 Characteristics of bound and protected persons of PSOs issued^{1,2}

	Bound person (n=19,470)		Person at risk (n=19,470)	
	n	%	n	%
Gender				
Male	16,540	85%	2,947	15%
Female	2,726	14%	15,832	81%
Unknown/unidentifiable	204	1%	691	4%
Ethnicity				
Māori	8,271	42%	7,939	41%
NZ European	6,345	33%	6,724	35%
Pacific	3,011	15%	2,419	12%
Indian	803	4%	740	4%
Asian	385	2%	450	2%
Other	330	2%	316	2%
Unspecified	325	2%	882	5%
Age				
0 to 9 years	12	0.1%	33	0.2%
10 to 13 years	-	-	43	0.2%
14 to 16 years	59	0.3%	284	1%
17 to 20 years	1,998	10%	1,851	10%
21 to 30 years	6,893	35%	6,653	34%
31 to 40 years	5,323	27%	4,788	25%
41 to 50 years	3,530	18%	3,265	17%
51 to 60 years	1,145	6%	1,357	7%
61 to 70 years	236	1%	385	2%
71 years or older	36	0.2%	132	1%
Unspecified	238	1%	679	3%
Total	19,470	100%	19,470	100%

Table notes:

- 1 Data is based on the person associated with each PSO, but if the same person had been issued with two PSOs they would be counted twice.
- 2 'Person at Risk' and person 'Bound by Order' are not always identifiable from PSO records. Sometimes this is because subsequent recording of offences changes the information. Where this happens, imputation was used, substituting victim and offender information where possible.

Table 2.3 presents the demographic characteristics of the PSO Bound Persons in parallel with the characteristics of individuals apprehended for an offence as a result of a family violence investigation over the same period. This allows a comparison of any differences in the demographics of those being issued with a PSO compared to those involved in more serious events where there was evidence of an offence occurring. Slightly more apprehensions for offences as a result of a family violence investigation were of females (19%), compared to PSOs issued to females (14%), while ethnicity appears similar across

the two groups. The table shows there is very little difference when comparing the gender and ethnicity of Bound Persons and those apprehended for family violence.

Table 2.3 Characteristics of PSO Bound Persons compared to those for apprehensions for offences as a result of family violence investigations (July to Dec 2012)

	Bound persons (n=19,470)		Apprehensions for offences as a result of family violence investigations ¹ (n=118,584)	
	N	%	n	%
Gender				
Male	16,540	85%	95,485	81%
Female	2726	14%	23,078	19%
Unknown	204	1%	21	-
Ethnicity				
Māori	8,271	42%	53,126	45%
NZ European	6,345	33%	43,983	37%
Pacific	3,011	15%	14,651	12%
Indian	803	4%	3,112	3%
Asian	385	2%	1,721	1%
Other	330	2%	1,991	2%
Unspecified	325	2%	-	-
Total	19,470	100%	118,584¹	100%

Table notes:

- 1 Apprehensions for offences as a result of family violence investigations statistics are counted in these data by date of clearance from 1 July 2010 to 31 December 2012, so are not comparable with official statistics. It is possible for multiple offenders to be apprehended for a single offence, and for a single offender to be apprehended multiple times for different offences. Therefore apprehension counts do not equate to offence counts, nor do counts of individual offenders. These data are drawn from a provisional database which is continuously updated.

2.3.2 Criminal history characteristics of Bound Persons

The family violence offending history of Bound Persons was also examined, with specific regard to the stage in an offender's family violence history that the PSOs typically get issued (i.e. to first time offenders or more serious repeat family violence offenders). It is important to note that an individual's criminal history should not influence the decision to issue a PSO. The officer must base their decision on the current circumstances of the family violence investigation, considering the following factors, as listed in section 124B of the Domestic Violence Amendment Act [2009]:

- whether or not there is sufficient evidence to arrest an offender, and if not
- if the PSO is needed to ensure the safety of the Person At Risk
- the welfare of any children, and

- the hardship that may be caused if the order is issued.

The family violence criminal histories of a sample of Bound Persons, who had been served with a PSO between January and June 2012, were analysed.¹⁹ Particular reference was given to the number of offences as a result of a family violence investigation, and family violence occurrences in the previous six months, and those in the seven years leading up to the PSO.²⁰ This data was analysed with assistance from the Lifetime Offender Seriousness Tool (LOST), a Microsoft Excel-based tool that provides an automated process for summarising an individual's offending history.

Table 2.4 Criminal history characteristics of Bound Persons served with a PSO between January and June 2012.

Time period prior to the PSO	Family violence occurrences (1Ds)		Offences as a result of a family violence investigation ¹	
	n	%	n	%
Previous six months				
No records	2,675	65%	2,612	64%
1 record	902	22%	1,076	26%
2 to 4 records	479	12%	363	9%
More than 5 records	35	1%	40	1%
Previous 7 years				
No records	1,603	39%	1,679	41%
1 record	918	22%	727	18%
2 to 4 records	1,053	26%	878	21%
More than 5 records	517	13%	807	20%
Total	4,091 ²	100%	4,091	100%

Table Notes:

- Offences as a result of a family violence investigation include all offences recorded against the offender at the occurrence. There can be several offences recorded against an offender in one occurrence and those counted include those directly related to the family violence event (e.g. male assaults female), as well as any other offences unrelated to the family violence investigation recorded against the offender at this time, as these are also flagged family violence (e.g. possessing drugs, fraud or traffic offences).
- Data is based on the person associated with each PSO, but if the same person had been issued with two PSOs they would be counted twice.

19 This criminal history data needs to be interpreted with caution as analysis could only examine offending occurring on complete days, whereas PSOs can be issued for part days. There were also a few cases where the dates when the PSO was served did not match with occurrence criminal history data. This can occur due to recording errors or when occurrence details are subsequently updated. Manual reviewing of data was carried out where possible to minimise suspected counting errors.

20 Criminal history data was based on all occurrences flagged as 'Family Violence', where the occurrence role was 'Offender'. The offence code '3857-Fails to comply with a PSO' was excluded as this is not actually an offence despite being a four digit code usually associated with offences, and was more reliably captured by the Police incident code '6S - Breach of a PSO'.

In the six month period between January and June 2012, 3813 individuals had been served with a total of 4091 PSOs issued (241 individuals were served with more than one PSO).²¹ Data in Table 2.4 shows the criminal history of those associated with these PSOs in the six months prior to the issuing of a PSO and in the seven years prior.

Six months prior

Around two-thirds of Bound Persons had no recorded family violence occurrences in the six months prior to receiving a PSO (1Ds or offences as a result of a family violence investigation). Around one in 10 had two or more 1Ds or offences as a result of a family violence investigation recorded against them in this period, and just 1% had five or more family violence related occurrences. The greatest number of 1Ds for any individual was nine and the greatest number of prior offences as a result of a family violence investigation for one individual was 13 in five separate occurrences. Of the 1479 prior offences as a result of a family violence investigation, 455 were classified as violent offences (31% of family violence offending in the previous six months, associated with 11% of all Bound Persons). The seriousness of the prior offending in this period ranged from 0.4 (3569-Other Misc Disorder Offences) to 3951 (2653-Male Rapes Female Over 16) with an average of 63.4 across all offences.²²

Previous seven years

From the lower half of Table 2.4, it can be seen that in the previous seven years, around 40% of Bound Persons had no prior family violence history recorded against them (domestic incidents (1Ds) or offences as a result of a family violence investigation). However, 13% had more than five prior 1Ds and 20% had over five offences as a result of a family violence investigation recorded against them in this period. 42 offences was the greatest number of 1Ds recorded against any individual. While the greatest number of offences as a result of a family violence investigation against any Bound Person was 41 offences occurring in 18 separate occurrences in the previous seven years. Of the 2412 prior offences as a result of a family violence investigation, 1868 were classified as violent offences (77% of prior offences, associated with 59% of all Bound Persons). The seriousness of prior offending ranged from 0.4 (3569-Other Misc Disorder Offences) to 12045 (1113-Murders (manually)), with an average of 160.7 across all offences.²³

In summary, PSOs appear to be issued more often to those without a current family violence-related criminal history (i.e. family violence occurrences in the previous six months). However, there are certainly many occasions when individuals with extensive family violence histories are issued with PSOs.

21 PSO occurrence IDs were extracted from the database that records time marker information (start and end dates for PSOs). This data does not match perfectly with all recorded occurrences of PSOs issued in this six month period (n=4406).

22 Seriousness of offending is based on the 2010 Ministry of Justice Seriousness Scale. The seriousness score assigned to each offence is the average number of days of imprisonment imposed for all offenders convicted of that offence between 2006 and 2010, where the average is taken over both imprisoned and non-imprisoned offenders. Equivalent ratings of seriousness are calculated for non-imprisonable offences based on length of community service or size of fine.

23 As above.

2.3.3 Details of the relationship between the Bound Person and Person At Risk

More specific details related to the family violence event, and parties involved, came from the FVR. FVR information was extracted for occurrences of PSOs issued between July 2010 and June 2012. Unfortunately the FVR form changed in July 2012 and family violence investigation details for PSOs issued after this date were not available. What is presented below in Table 2.5 is FVR data for 13,800 PSOs issued prior to July 2012.²⁴

Table 2.5 FVR information: family/relationship details (prior to July 2012; n=13,800)

	n	%
Relationship between victim and alleged offender	9,258	67%
Married/partner	1,366	10%
Child/Parent	923	7%
Previous relationship	864	6%
Separated/divorced	844	6%
Other family member	193	1%
Other	352	2.6%
Unknown/Missing		
Existing protection order		
No	12,170	88%
Yes	452	3%
Missing	1,178	9%
Age groups usually living with victim (one or more)¹		
0 to 16 years	7,582	55%
17 to 64 years	12,724	92%
Over 64 years	229	2%
Total	13,800	100%

Table Notes:

1 Numbers do not add up to 13,800 as Persons At Risk could be living with one or more of each age group.

FVR information presented in Table 2.5 indicates that most PSOs were issued in cases where the Bound Person and Persons At Risk were, at the time, either married or in an intimate relationship (67%). A further 13% had previously been in an intimate relationship. There were just 10% of cases where the relationship was of a parent and a child, and 6% involving another family member. Nine out of 10 Persons At Risk were reported as living with someone aged 17 to 65 years. In 7582 or 55% of cases there was one or more dependent child(ren) living with the Person At Risk (i.e. one or more persons aged 16 years or under).

²⁴ FVR data was collected for and recorded in 99% of cases where a PSO was issued by Police officers. However, just 12% of PSOs issued by the court (following a breach of a PSO) had FVR information available. Note, not all fields in the FVR are mandatory, so records don't always add up to 13,800.

A Protection Order was recorded as existing in 3% of cases. This is of interest as breach of a Protection Order is an offence that should be dealt with by an arrest not a PSO. However, there are two possible explanations for why the current investigation might not have been a breach of Protection Order: (i) the Protection Order may not relate to the current relationship/household, and (ii) it is not an offence if the victim has permitted the individual issued with the Protection Order to return to the victim's premises.

2.3.4 Initial reporting of the family violence event

Table 2.6 shows who the family violence event was reported by, the reported cause of the event, and what initial support was provided to the Person At Risk.

Table 2.6 Information on the initial report of family violence (prior to July 2012; n=13,800)

	n	%
Reported by		
Victim	7,595	55%
Family member	1,943	14%
Neighbour	1,394	10%
Other (unspecified)	2,545	18%
Missing information	323	2%
Reported cause of event		
Threat /verbal abuse	5,391	39%
Physical violence	3,169	23%
Access/custody dispute	260	2%
Court order	43	0.3%
Other unspecified	4,614	33%
Missing information	323	2%
Initial support provided to victim by		
Family/friends	5,772	42%
Women's Refuge	1,305	9%
Victim Support	1,270	9%
Other agency	652	5%
Other unspecified	1,165	8%
None	3,312	24%
Missing	324	2%
Total	13,800	100%

In just over half of all PSO cases, the event was reported by the victim/Person At Risk (55%) and most commonly in response to verbal abuse or threats (39%). However, physical violence was noted to have been a factor in 23% of the cases. Initial support was most commonly provided by friends and family (48%), and an equal number of Persons At Risk

were supported by Women's Refuge or Victim Support (9% each). Around a quarter had no initial support recorded.

2.3.5 Further details of the family violence event

Table 2.7 shows further information related to the family violence event. Firearms were recorded as being present and/or removed in under 2% of cases, and other weapons were indicated in a further 2% of cases. Violence to the person was recorded as being used in 29% of cases and threatened in a further 9% of cases. Physical injury to the victim was recorded in 10% of cases, with nearly 1% of cases noted as requiring either medical assistance or hospitalisation.

Table 2.7 Further details of the family violence occurrence (prior to July 2012; n=13,800)

	n	%
Firearms present		
Yes	63	0.5%
Removed	94	1%
Violence to person		
None	7,666	56%
Used	3,986	29%
Threatened	1,262	9%
Missing	886	6%
Physical injury to victim		
None	9,717	70%
Minor bruising	848	6%
Cuts	473	3%
Hospital	61	0.4%
Medical assistance required	55	0.4%
Serious bruising	33	0.2%
Not applicable ¹	2,290	17%
Missing	323	2%
Total	13,800	100%

Table notes:

- 1 Examination of free text event details suggested that it is likely that 'not applicable' was also used to indicate no injury.

These recorded levels of physical violence and injury are the same as those found in the first six months of PSO implementation (and detailed in an earlier formative evaluation),²⁵ providing no indication of PSOs being used more frequently in serious cases of family violence. However, the use of violence and the presence of physical injury again raised

25 Kingi, V. Roguski, M. and Mossman, E. (2011). Police Safety Orders Formative Evaluation Summary Report. September 2011. Wellington: New Zealand Police.

questions about whether there was sufficient evidence of an offence occurring, in which case an arrest would have been warranted.

To better understand the circumstances associated with these occurrences (violence used and PSO issued), an in-depth file review of a random sample of 400 such cases was carried out.²⁶ Files were reviewed based on the New Zealand Solicitor General's Prosecution Guidelines (2010) which have been developed to assist New Zealand Police and others in their decision making relating to proceeding with a prosecution.

The file review found that in over 90% of reviewed cases, violence had been used by the Bound Person against the Person At Risk. However, a very small number of files (10 or 2.5%) were identified where an arrest was warranted and where a prosecution had not already occurred.²⁷ Thus the review found that in the majority of cases assessed, the issuance of PSO when violence was recorded was still in line with Police policy. It is important to note that the review could only assess the evidence that was on file. Another finding of the review was that in around a third of cases there was room to improve the quality of investigations and/or file preparation.

This exercise demonstrated the challenge of assessing evidential sufficiency of alleged offences as a result of a family violence investigation for frontline officers attending these occurrences. This results from the often complex dynamics of family violence occurrences, where it is common that violence has been alleged by both parties against each other but often with neither wanting to make a formal statement; where there may be intoxication of one or more parties; and, more often than not, where there is no independent witness to verify conflicting versions of events.

2.4 Summary

This section has presented descriptive information on the number, type, and characteristics of PSOs issued, together with details of the family violence events where PSOs were issued. Analysis of PSO-related administrative data revealed that PSOs have been increasingly used by frontline officers in the two and half years since their introduction. However, the characteristics of the PSOs issued and of those who have been served with, and protected by, PSOs have remained stable over this period. Key findings were as follows:

- Between 1 July 2010 and 31 December 2012, 19,470 PSOs were issued.
- In 4% of cases, the Bound Person could not be located to serve the PSO before it expired.

26 Files were reviewed by a team of four that included two family violence specialists, a retired prosecutor and a retired senior detective. All results were double checked and entered for analysis by an independent researcher. A currently practising senior prosecutor also checked and offered their professional opinion on a sub-sample of 30 files coded by the review team.

27 Two-thirds of files (262 or 66%) were judged to have insufficient evidence on file for the Bound Person to be arrested and prosecuted. In a quarter (91 or 23%) the level of evidence was considered marginal, i.e. there was some corroborating evidence but it was judged unlikely to convince a jury or Judge beyond reasonable doubt (e.g. evidence was conflicting or unreliable). For 32 or 8% of files there appeared to be clear evidence to proceed with a prosecution. However, only half of these were also considered likely to be in the public interest (n=15 or 4%) and of these five had actually been prosecuted.

- The number of PSOs issued by frontline officers is increasing over time. Towards the end of 2012 PSOs were being used in 14% of all family violence investigations recorded by Police.
- There is variation in the use of PSOs across Police Districts. Counties Manukau, Bay of Plenty and Waitematā had the highest rates of issuing PSOs relative to the number of family violence investigations recorded in these districts.
- PSOs were issued regularly across all seven days of the week, but with Saturday and Sunday being the most common days. The most common duration a PSO was issued for was five days, followed closely by two days and one day. The duration of the PSO has particular implications in relation to a Person At Risk considering accessing support. This is important because the longer the duration of the PSO, the greater the opportunity for Persons At Risk to be offered and to take up support within a safe environment.
- The majority of Bound Persons were male (85%). 42% were Māori, and 33% NZ European. The most common age group was 21 to 30 years (35% of all Bound Persons). The majority of Persons At Risk were female (81%). 41% were Māori, and 35% European. The most frequent age group was the same as that of the Bound Persons, 21 to 30 years (34% of all Persons At Risk).
- PSOs were issued more often to those without a recent family violence-related criminal history (i.e. family violence occurrences in the previous six months). However, there were occasions when individuals with extensive family violence histories were issued with PSOs.
- Most PSOs were issued in cases where the Bound Person and Person At Risk were currently either married or in an intimate relationship (67%). A further 13% had previously been in an intimate relationship. There were just 10% of cases where the relationship was that of a parent and a child, and only 6% involving another family member.
- Violence against the Person At Risk was recorded in 29% of cases and threatened in a further 9% of cases. The family violence event was recorded as involving physical injury to the victim in 10% of cases, with nearly 1% of cases noted as requiring either medical assistance or hospitalisation. Despite this finding, subsequent analysis of a sub-set of this data suggested PSOs were issued in line with Police family violence policy and procedures in the majority of these cases. Furthermore, the recorded levels of use of physical violence and injury are the same as rates recorded in the first six months of implementation, providing no indication of PSOs being used more frequently in more serious cases of family violence.

3 Short-term outcomes for Persons At Risk

This section of the report presents results that relate to the first evaluation objective:

Objective 1: To use available data to gauge the extent to which the use of PSOs increases the immediate safety of the victim/children

For the purposes of the evaluation, ‘immediate safety’ includes at the time of the investigation and while the PSO is in force.

This section also discusses:

- Person’s At Risk feelings of safety after the PSO expired
- the ability of PSOs to provide space to seek support
- referral mechanisms used following a PSO
- the effectiveness of FVIARS in providing support to Persons At Risk
- types of support received
- barriers to support
- the impact of PSOs on the number of Protection Orders sought.

Longer-term impacts are considered in Section 5 of the report.

3.1 Impact of PSOs on the immediate safety of Persons At Risk

While the intention of a PSO is to increase the safety of those protected by it, there were initial concerns raised by some stakeholders that some Bound Persons might become angered by an order, thereby increasing the risk of violence. The primary source of data for assessing this outcome was the interviews with the Persons At Risk themselves, although stakeholders were also asked for their views on whether they were aware of instances where this had occurred.

3.1.1 Safety improved

Of the 27 Persons At Risk interviewed, a majority (19 of 27) said that they had felt safer as a result of the PSO being served. The following quotes are illustrative.

I phoned the Police because I was feeling unsafe - PSO made me feel safer. (Person At Risk, FV)

Once he was removed, I felt good I knew he wouldn’t be in contact – I felt safe. (Person At Risk, IPV)

I felt protected straight away - I have so much support and power against the bad things. It made me understand the rights I have – I’d felt confused, I’d lost hope. (Person At Risk, IPV)

The Police made me aware I could always get back in touch with them and again they offered Victim Support if I needed it. (Person At Risk, IPV)

Difference made by the PSO

Persons At Risk also described the difference the PSO had made. Most Persons At Risk (24 of 27) felt the PSO had de-escalated the tension of the situation. Once the Bound Person had left they had time apart, which allowed things to settle down. One woman reflected that the Police were always helpful in such situations – their presence ‘calms things down’. Other typical comments were:

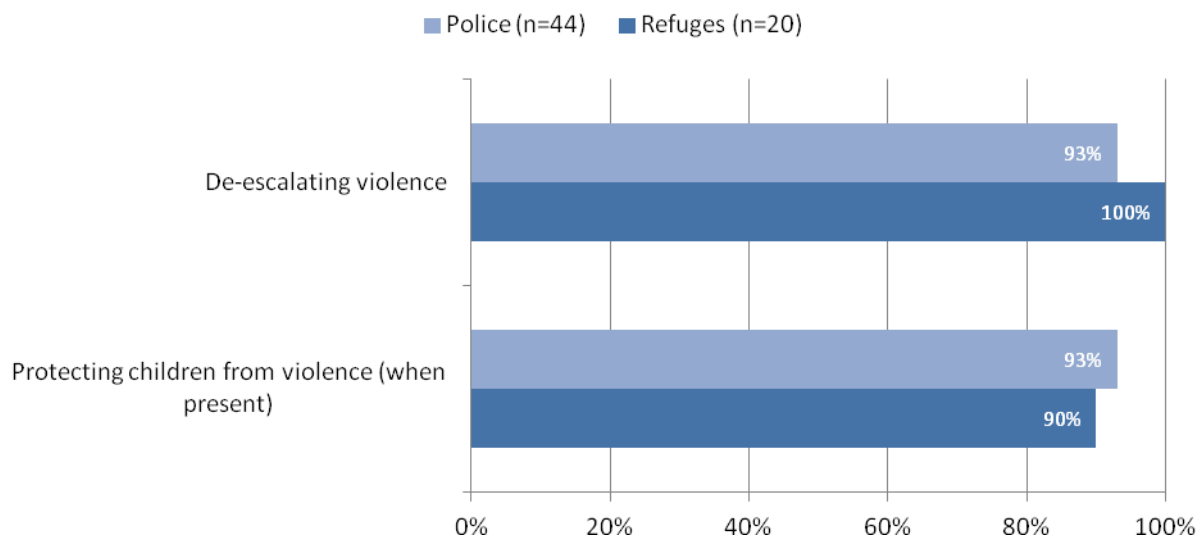
It was good, it gave us both time to think, not being able to contact each other. (Person At Risk, IPV)

Actually good because he'd had the time to cool down, come back when he was nice, and speak properly. (Person At Risk, IPV)

Yes it was quite good, the next day we were both apologetic. (Person At Risk, FV)

Police (n=44) and refuge staff (n=20) who were surveyed, were also asked their views about how well PSOs were able to increase the immediate safety of Persons At Risk. Percentages of those who ‘agreed’ or ‘strongly agreed’ appear in Figure 3.1.²⁸

Figure 3.1: Impact of PSOs on safety of victim and children according to Police and refuge staff



Responses were very positive, mirroring the views of the Persons At Risk themselves. All refuge staff and 93% of Police agreed that PSOs were effective in de-escalating violence, with a similarly high proportion reporting they were effective at protecting any children who were present (90% and 93% respectively).

Whilst refuge staff recognised similar positive benefits to Police, particularly in respect of the immediate effectiveness, they tended to have an increased focus on how PSOs made things easier for Persons At Risk:

²⁸ Percentages are based on those who made a rating and exclude those who responded with ‘Don’t know’.

PSOs allow the victim and children to remain in their house following DV incidents thus creating less stress and trauma for them. PSOs allow quicker action to remove abusers from the scene, whereas in the past a victim had to apply for a Protection Order to get the same result, which was time consuming, costly and stressful. Instant action, time for victim to seek help. (Refuge staff)

It offers immediate protection at the event. Regardless of what the victim goes on to do after the event at least at that very point in time they have some form of protection. The officers attending have de-escalated the tension for that moment but once they leave it would very often re-ignite. In our line of work we fully support PSOs and the use of them to protect the victims of domestic violence. (Refuge staff)

While stakeholder and Person At Risk comments strongly suggested that the PSO had a positive role in calming the situation (by separating the Person At Risk and Bound Person), as well as subsequently, some caution must be taken to avoid over-interpreting these findings. In her seminal text, Walker²⁹ articulated a cycle of violence that is still considered to explain some domestic violence relationships; in particular, it is used to explain why victims of intimate partner violence stay in an abusive relationship. The theory argues there are three phases to an abusive relationship:

- A 'tension-building' phase, where the perpetrator of abuse is irritable and uncommunicative and mild abuse begins. Victims often report they are walking on eggshells at this point
- A 'crisis' phase, where the perpetrator is totally abusive – this is usually where violence occurs and Police intervention may occur
- A 'honeymoon' phase, where the perpetrator apologises and displays regret – usually this will include promises of change and that the abuse will not happen again.

The cycle is not restricted to a particular timeframe and may occur in the period of a day or years, depending on the individual relationship. This cycle may also explain the change in the Bound Person's post-event behaviour that is noted by the Persons At Risk. In relationships that follow the cyclical model above, the PSO may have simply pushed the relationship from the crisis phase to the honeymoon phase and thus, while alleviating the violence in the short-term may not, in isolation, end the cycle of violence itself. Whilst the evaluation could not elicit whether the cycle of violence was occurring in the relationships of those interviewed, it is important to consider the cycle as an alternative explanation for post-event observations when discussing the impact that PSOs can have on the safety of Persons At Risk.

The benefit of an additional response option

A strong theme amongst Police responses was the value of having PSOs as an additional tool in responding to family violence. In particular, a number of Police staff claimed that PSOs enabled officers to ensure immediate safety by enforcing that the two parties temporarily separate, something that was previously difficult to achieve:

The separation of the two parties is key. Even if the victim cannot agree to it. If Police read the situation correctly they can minimise the immediate danger well. (Police)

29 Walker, L. (1979) 'The Battered Woman', New York: Harper & Row.

In the past we would try and negotiate for the aggressor to stay elsewhere, this can now be a direction. (Police)

Where a victim won't engage, Police can enforce a separation to ensure the victim's safety and for FVT/agencies to get uninterrupted access to help/offer solutions. (Police)

The benefits of the PSO as an additional option was also raised in the interviews with Persons At Risk. One of the women in this group talked about the advantages of PSOs, and how her experiences in the past had been very different, illustrating that PSOs are filling a previous gap in Police's ability to respond to family violence.

Yep [I felt safer] because in the past they never had those and my ex-husband would break into my house and do the worst. That was over eight years ago. I married him and then spent the rest of the time running from him ... I had to move 12 times in one year - the PSO made me feel a lot safer. (Person At Risk, IPV)

This section has shown the positive short-term benefits that PSOs have made in domestic violence events attended by Police. Persons At Risk, Police and refuge staff all noted the impact a PSO can have on the immediate safety of Persons At Risk and their children. Furthermore, this option was seen as filling a gap in Police responses, and in resolving tensions and violence, both at the time of the event and subsequent to it. However, caution must be taken in interpreting the potential impact of the PSO on this environment, and the impact of PSOs should be tempered with other potential explanations for changes in the Bound Person's behaviour, including the cycle of violence. Nevertheless, it is clear from the evaluation that many Persons At Risk and stakeholders held the view that PSOs had an immediate impact on the safety of the Person At Risk and their children.

3.1.2 Safety not improved

Not all participants in the evaluation felt that the immediate safety of Persons At Risk was improved by PSOs. Two women said the only peace of mind they had was when the Bound Person was in custody:

I only felt safe because he was still in custody - I don't believe it would have mattered to him whether I had a PSO. (Person At Risk, IPV)

Three Persons At Risk who did not think that the PSO had improved things talked about the Bound Person breaching the PSO. One woman said that she did not really feel safe because the Bound Person had contacted her during the period that the PSO was in force. This emphasises the importance of enforcing the conditions of the PSO if they are to meet their objective of helping victims be and feel safer. Another Person At Risk felt that she had not been fully informed about the PSO and what had happened as a result (i.e. whether or not the Bound Person had been served with the order).

Not really - it wasn't explained to me properly. I felt like it [the event] wasn't important enough to the Police. I wasn't given any information. (Person At Risk, IPV)

Such statements demonstrate the importance of explaining the PSO to both the Bound Person and Person At Risk (as required in the policy), to ensure they understand and know their rights and obligations.

Finally, five Persons At Risk said that they had not felt unsafe to begin with. They had just wanted the Bound Person removed to de-escalate the situation, and to send a message that the behaviour was unacceptable. It is unclear from the data if there was a perceived (by Police) risk to the safety of these Persons At Risk; however, officers at the scene clearly had enough concern to issue a PSO.

The majority of Māori and Pacific Island providers also did not think that PSOs increased the immediate safety of Persons At Risk. However, from comments provided, it appeared concerns of ineffectiveness centred on PSOs being used instead of an arrest, or where the safety of the Person At Risk was compromised through the Bound Person later breaching the order and re-victimising the Person At Risk. These two concerns are dealt with later in the report in Section 6.5.

3.2 Satisfaction with Police response

Persons At Risk were asked a series of questions about what happened following the arrival of Police staff. When asked what they wanted the Police to do on first arriving, all said they wanted them to stop the situation from escalating, and to assist in getting things to settle down. Approximately three quarters (20 out of 27) of Persons At Risk specifically said that they wanted the Bound Person to be removed. One man said he wanted his stepson to be cautioned but not arrested. A woman said she did not know what to expect when she called the Police. She commented:

I didn't know how they could help. I was scared he would harm me - I had taken the car key, he had been drinking and was making the children cry.
(Person At Risk, IPV)

All except two (25 out of 27) of the Persons At Risk felt that the Police had done the right thing in issuing a PSO. One woman said that they had given her the option of the length of the PSO - three, seven or 14 days.³⁰ She appreciated having this choice. In the other two cases, where physical violence had been used, the Persons At Risk felt that the Bound Person should have been charged (the circumstances of these cases are discussed in more detail in Section 6.6).

The majority (20 of 27) of Persons At Risk valued the PSO for providing time out or a cooling down period for all concerned. Persons At Risk detailed the various ways in which the PSO had defused the situation and given them 'time out'. For example, they talked about being able to think more clearly and weigh up their options, being 'able to breathe', not having to worry about the Bound Person coming back, and things getting back to normal over the duration of the PSO.

3.3 Feelings of safety after the PSO expired

The 27 Persons At Risk who were interviewed were asked to describe what happened after the PSO expired, how safe they felt, and their views on the impact of the PSO on the behaviour of the Bound Person. Persons At Risk reported that, almost always, things settled

30 The maximum length of a PSO is 5 days; it is unclear if the Person At Risk had recalled the length of time incorrectly or if the officer had given her incorrect options.

down after the PSO expired and were for the most part better.³¹ The following comments are typical of what they said.

We're back together but more settled. The PSO was the low point of our relationship...we're trying to build from there. (Person At Risk, IPV)

He came home, we spoke about the situation, the outcome and our future, what was to happen. Things have been a lot better since he went to Auckland for three months - and got some qualifications. (Person At Risk, IPV)

A woman who had a Protection Order said that even though she felt safer, she still took precautions by locking the doors and windows. She said she also felt anxious and afraid at night. The Police were still calling round to check on this woman and her children, and she really appreciated this, as well as the support and help from Women's Refuge. Two women said that they were no longer living with the Bound Person. One had a Protection Order and said that she and her husband were 'working on issues' but that he had not come home yet. One of the other women with a Protection Order reported that the Bound Person was in prison, while in another case the Bound Person had not been back since. Another woman with a Protection Order said that she felt safe and supported by the Police and Women's Refuge, but that her husband was 'still angry'.

He was angry, especially about the Protection Order. His brother phoned and said he is coming home, unlock the door - I had been keeping doors locked while he was away. He came back, then was served with the Protection Order ... they couldn't really reach him earlier, he got it the morning he came back. (Person At Risk, IPV).

3.4 Space to seek support

An intended short-term outcome of PSOs is to 'provide a period of time within a safe environment for the victim to consider seeking appropriate support to ensure his or her safety'. This support is seen as integral in achieving the longer-term outcomes of PSOs, such as reduced re-victimisation.

3.4.1 Referral mechanism

In order for a support agency to contact a Person At Risk and offer support they must first receive a referral. This can happen at the time of the occurrence, where the attending officer issuing the PSO phones the support agency, or shortly after, when the officer returns to the station. Alternatively the Family Violence Coordinator may make the referral when they receive the FVR report filed by the attending officer. And in some cases support agencies become aware of the PSO at a FVIARS meeting.³² Police and refuge staff were asked, from

31 This could also be explained by Walker's (1979) cycle of violence as discussed in section 3.1.1.

32 FVIARS is a multi-agency intervention set up to review cases of family violence reported to the New Zealand Police. FVIARS meetings are held regularly (usually weekly) across Police districts (and some areas) throughout New Zealand.

their experience, how referrals were 'most commonly' made, and results are presented in Table 3.1.

Table 3.1 How referral information is given to support agencies

Referral mechanism	Police (n=44)		Refuge staff (n=20)	
	n	%	n	%
The Family Violence Co-ordinator makes a referral sometime later when they receive the PSO/FVR file	20	45%	8	40%
The information is provided at the FVIARS meeting	10	23%	3	15%
Person issuing the PSO phones/faxes the Support Agency	10	23%	3	15%
Other	3	7%	5	20%
No response	1	2%	1	5%

Table Notes:

- 1 Other included emailing or scanning the referral, or where a mixture of options were used and/or varied depending on circumstances of the event.

Both groups agreed that the most common route for a support agency to be notified was via the Family Violence co-ordinator sometime after the PSO had been issued and once they had received the FVR (POL 1310) report. The next most common referral mechanism was either the attending officer phoning or faxing the support agency or through the FVIARS meeting.

In regards to the timing of the referral, around 39% of Police survey responses indicated that a referral is made on the same day as the PSO (either at the scene/address (9%) or from the station but before the end of the shift (30%)). In around 50% of the responses, the timing varied, determined mainly by when the Family Violence Coordinator received the file and their preferred method of making a referral (this could be the same day or sometime later). Family Violence Co-ordinators tend to work Monday to Friday, so a PSO issued on a Friday night may not reach the Family Violence Co-ordinator until Monday morning. However, PSOs issued on weekdays are more likely to have referrals sent through the same day or the next day. Some Police (n=5) elaborated on this issue, describing strict policies that ensured referrals were made daily:

Information is sent to Refuge every working day. At weekends staff contact Refuge direct. (Police)

These are processed daily by our team for our area and emailed by 10.30am. (Police)

Other Police described how the timing and method of referral varied according to the circumstances:

Depends...[the referral happens] via the FVIARS interagency meeting, or the Family Violence coordinator contacts the agency directly if urgent. (Police)

For critical cases the attending officer will contact crisis intervention, such as Victim Support or Refuge. (Police)

About three of the options could have been used i.e. attending Police phone refuge. FVC then makes referral via copy of FVR which is e-mailed to them. Follow up then occurs at FVIARS. (Police)

This variability in method was supported by comments from refuge staff:

Sometimes high risk cases are phoned through in addition to receiving the FVR file, usually the next working day. (Refuge staff)

A concern raised by refuge staff was that receiving referrals through the FVIARS meeting could result in delays, depending on the timing of the meeting. As one refuge staff member expressed it:

...that can take weeks or sometimes months! (Refuge staff)

Best estimates from the survey suggest the FVIARS meeting is the referral mechanism in 15-23% of cases. The longer the referral takes to arrive, the greater the chance the PSO has expired. This is discussed further in the next section.

3.4.2 Effectiveness of FVIARS process to ensure appropriate support for Persons At Risk

A specific question addressed by the evaluation was 'how effective is the FVIARS process in ensuring appropriate support is provided to Persons At Risk?'

FVIARS is a multi-agency intervention set up to review cases of family violence reported to Police. FVIARS meetings have been held regularly (usually weekly) across Police Districts (and some Areas) throughout New Zealand since 2006. Meetings are attended by representatives from Police and key agencies, such as Child Youth and Family, and NCIWR.³³ At each meeting, participants review new cases of family violence as reported to Police,³⁴ and recommend responses. FVIARS review is seen as an important component of the PSO intervention model in ensuring that Persons At Risk receive the support they need.

Perceived role and value of FVIARS process for PSOs

Three-quarters of the refuge staff surveyed rated the FVIARS process 'effective' or 'very effective'. However, comments made suggested the value of the process was in following up and checking on progress, rather than initiating PSO-related referrals. Staff described how support for the Persons At Risk is usually undertaken before reaching the FVIARS process, with most PSOs having expired by the time they are reviewed at a FVIARS meeting.

33 Where a NCIWR representative is not available, a representative from another community agency, such as Victim Support, will attend. Other relevant community agency groups may also attend.

34 Based on information recorded in the POL1310 (or formerly the PolFVIR), this includes all cases where a PSO has been issued.

Women's Refuge will usually have already engaged with the victim prior to the FVIARS meeting, but this is a good opportunity for other support services to come on board. (Refuge staff)

It [referral] needs to be an immediate call to us from the issuing officer, otherwise often time has run out. It's too late by the time it gets to the FVIARS meeting. (Refuge staff)

However, the opportunity to monitor engagement and provide accountability of action was valued by refuge staff as illustrated in the comment below:

We take on a bit of a role like a consumer watchdog at the table and often question the appropriateness of actions i.e. why is a PSO issued when an offence has occurred, why was a PSO not issued, why was the PSO issued against this party, should it not have been the other? It is done as a team at the table and is designed to have the best possible outcome for [the] victim. It is not intended as a slanging match at Police officers. (Refuge staff)

Comments from Police suggested they also viewed the FVIARS process as effective in ensuring Persons At Risk get the support and help they need.

[FVIARS is] very effective. We ensure that the right support and assistance is offered in each case. (Police)

However, comments from several Police respondents noted that the effectiveness of the FVIARS process was limited by difficulties in contacting the Persons At Risk, limited resources, and by the willingness of the Persons At Risk to engage.

The FVIARS process is reasonably successful however the lack of resources means that support does not go to every person at risk. (Police)

Proportion of PSOs being reviewed at FVIARS

The frequency, format, representation, and record keeping at FVIARS meetings varies across Police Districts.³⁵ This was evident in responses to the Police survey. According to surveyed Police family violence specialists, the experience of the majority of respondents (81%) was that between 90-100% of all PSOs would be reviewed at a FVIARS meeting. However, four respondents (10%) indicated that less than 50% of PSOs were actually reviewed at these meetings. A comment explaining this (which was supported by observations) indicated that case volumes impacted on the number of PSOs that were able to be reviewed at FVIARS meetings. On occasions when there was a large volume of cases (common in larger urban centres), the most high risk cases were given priority (i.e. events involving offences) and not all PSOs are therefore reviewed.

FVIARS case review

To examine the FVIARS process in further detail, a sample of PSO cases reviewed at the FVIARS meetings of one North Island Police Area were analysed. This review consisted of a manual analysis of the 89 PSOs served in this area between 1 July and 31 December 2012. Each occurrence ID associated with a PSO was located in NIA, and a note made of whether the case was reviewed at a FVIARS meeting and, if so, what the recorded outcomes were.

35 New Zealand Police is currently working on the implementation of a nationally consistent approach to delivery and record keeping.

Of the 89 PSOs served across this Police Area, 45 (or 50%) were recorded as being reviewed at a FVIARS meeting. Of the 45 PSOs that were reviewed, 11, or 24%, were followed up at a second FVIARS, and three at a third meeting. Three cases were observed where the PSO was on the FVIARS agenda to be reviewed but case notes indicated it wasn't discussed. And in two cases it was noted the PSO had been reviewed but 'no further action was required'.

Types of outcomes resulting from the FVIARS meeting included making referrals to agencies for further follow-up, discussing programme options and making referrals, or just discussing the case and providing status updates. Below, a breakdown of the type of action/follow-ups initiated is provided. It should be noted that these are based on brief records kept by the Family Violence Coordinator of one Police Area. However, they do provide a picture of the range of actions and outcomes that can occur.

In 31 cases, **Women's Refuge** action/information was noted.³⁶ This included: Women's Refuge advising they had made contact; or that the Person At Risk would not comply or engage with their service; or that they had tried but were unable to make contact with the Person At Risk; and cases where they had not yet made contact with the Person At Risk but were going to.

In 13 cases, **CYF** action/information was noted. This included: making a CYF notification; or noting that a case was already open; and/or interventions discussed.³⁷

In nine cases, **Police** action was noted. This included: needing to provide a phone number to Women's Refuge; resending a CYF notification; carrying out spot checks; checking the status of Protection Orders; reviewing the status of offences by Bound Persons; and informing another area of a case, as information suggested the Person At Risk had moved there.

In four cases, **Probation Services** action was noted. This included: discussing conditions of parole/bail; to add a non-association order in the Bound Person's conditions; and providing a status update.

3.5 Type of support available

The range and types of support offered to Persons At Risk was elaborated by both groups of stakeholders surveyed. Police were asked, in their experience, 'What type of support do Persons At Risk typically receive?' Responses varied from naming specific agencies providing support services, listing the type of support those services offered, to describing the method in which support was accessed (e.g. notifications or referrals through the FVIARS process).³⁸

Listed agencies known to provide support varied depending on the event characteristics (e.g. severity, type of family violence) and included both NGO and Government agencies. Most commonly mentioned were Women's Refuge and also Police-related support, either in

36 In four cases where no specific reference to Refuge was made, the Family Violence type was intra familial, not IPV.

37 In this context a 'CYF notification' referred to making a record on file that a PSO had occurred and children were present, but did not necessarily mean action would be taken.

38 Types of support discussed were in relevance to family violence victims more generally, not specific to PSO occurrences.

the form of advice on safety and Protection Orders at the event, through follow-up cold calls or phone calls by a Police family violence specialist, or through referrals resulting from the FVIARS process.

NGO agencies noted in addition to Women's Refuge included Victim Support (if the Person At Risk was male), Shine, Jigsaw, Abuse Intervention Networks, and Iwi Social Services. Government agencies mentioned in addition to Police included CYF (if children were present), Corrections (if the Bound Person was on parole/community sentence) and Work and Income. The types of support offered were extensive and included:

- accommodation support (including emergency accommodation, and assistance in finding longer-term housing)
- individual and home safety planning, and risk assessment
- advice (including positive parenting, budgeting, and legal)
- advocacy (to support work with government agencies, such as Work and Income and Housing New Zealand, and other services, such as lawyers or medical professionals)
- counselling (including alcohol and drug abuse) and/or educational programmes on living without violence, relationship skills, and programmes for children
- food parcels
- relocation support.

A typical response to a domestic violence event described by one Police respondent was as follows:

[A] contact phone call from Refuge is always made and a letter is sent if no contact can be made by phone. CYF record on their database and act upon the referral in accordance with their policies. Other agencies engage with clients that are referred to them. A range of counselling and other support services, like access to lawyers, housing support with WINZ is made available by agencies - if the client CHOOSES [capitals repeated] to engage with them. (Police)

The emphasis by the Police respondent on 'chooses' in this quote highlights the key point that uptake of support is dependent on a client's willingness to engage. This concept was also stressed by refuge staff, who noted that the type of support Persons At Risk received was also dependent on their need and receptiveness:³⁹

We talk to them about ours and other agencies' services and offer ongoing support. If they choose to engage with us they set the pace of our relationship and we encourage at all times that women make positive changes towards ending violence in their lives. (Refuge staff)

3.6 Accessing support services

Overall Police and refuge staff thought PSOs were effective in providing Persons At Risk with the opportunity to access support (81% and 83% respectively). Around three-quarters of Police surveyed believed that Persons At Risk would 'often' or 'always' receive information

39 This is discussed in more detail in section 3.7.

about support services, and that most Persons At Risk (75% or more) would go on to receive some sort of support. This was supported by refuge staff, who also largely agreed that PSOs provided the Person At Risk with the space to seek help from support services: two-thirds noted this happened 'always', and one-third 'sometimes'.

Person At Risk's views on accessing support

Around two-thirds of Persons At Risk recalled receiving information and/or support; this was slightly less than anticipated by stakeholders. However, those that did receive support appeared very appreciative. Persons At Risk were asked about types of support offered at the time of the PSO.

Just under half the Persons At Risk (13 of 27) recalled Police had offered them support at the time of the event. The types of support referred to included: phoning a support agency on their behalf;⁴⁰ calling an ambulance; providing information about getting Protection Orders; asking them if they were alright; telling them they could call if they needed to, and; phoning or visiting to check on them. One woman said that the Police had offered her advice about her situation, but that she had felt supported just by them responding to her phone call.

I felt supported because they were there. Then they just said that this is the second incident so you need to think hard about what the future holds because they had obviously seen a lot of this thing in worse circumstances. (Person At Risk, IPV)

Of the nine Persons At Risk who recalled Police making contact with a support agency on their behalf, only one said this occurred at the time of the event, before the Police had left her home. She assumed it was Women's Refuge who had been contacted because she received a phone call from them not long after the Police had left; for others contact with support agencies occurred sometime shortly after the PSO had been issued.

Persons At Risk were also asked whether they were offered and/or received help while the PSO was in force: 17 Persons At Risk had received support. However, three of these persons were not contacted until the PSO had expired, leaving 14 Persons At Risk.⁴¹ Seven Persons At Risk had accepted the support offered, while a further 7 of the 14 contacted by a support agency declined the support offered as they either 'didn't need it', it was too difficult practically to make use of, or they were involved with other services.⁴² Nevertheless, all said that the information was useful, and that simply knowing there was support if they needed it was helpful. Finally, 10 of the 27 Persons At Risk said that they had not received or been offered any support.

Of the 14 women who had been contacted during the period that the PSO was in force, 10 women had been phoned by Women's Refuge and had been informed of available services

40 Support agencies referred to were Women's Refuge and Victim Support, and contact appeared to have been made shortly after the event.

41 One woman said she was contacted two weeks after the PSO had expired; another said it was six weeks before she was contacted; and a third woman said it was eight weeks before she received a phone call. None of these women could remember which support agency (Victim Support or Women's Refuge) had contacted them.

42 These included services for individual counselling, services for pain management, mental health services for the Bound Person, and DHB child mental health services.

and help (counselling, women's groups, and services for children). Another three women said that they had been contacted by an agency but were unsure which one.⁴³ One of these 14 women was already involved with a refuge as a result of a PSO issued late in 2012, and her and her children were just about to start group work.

The experiences of the Persons At Risk who received services were generally positive. For example, three women talked about the Police coming back at regular intervals to check on them, and how much they appreciated this. One woman had stayed at Women's Refuge on two separate occasions, and had appreciated how the Police got her in there at short notice to ensure that she was safe. The Police had also processed a Protection Order for her. Another woman appreciated how Women's Refuge arranged for a lawyer to come to her house with them to expedite a Protection Order; and one woman who had been resistant to counselling said:

Women's Refuge offered me counselling. They said, 'Come in if you want to talk to someone'. I just thought that it is a hassle - trying to get lawyers, going to court. But I went to counselling, was able to let out a lot of anger - the lady was pretty onto it. It was awkward at first but really good. (Person At Risk, IPV)

Furthermore, accessing support was seen as positive, regardless of whether the agency contacted the Person At Risk, or the Person At risk made contact. For example, one woman, who initiated contact independently with both Victim Support and Women's Refuge, described her experience, thus:

I initiated the call with Women's Refuge because I didn't know anything about the different orders out there. They were good but I had a stand down period of about 5 weeks before I attended the women's group - and I found that invaluable, I couldn't speak more highly about the programme. I also did counselling through a women's centre. (Person At Risk, IPV)

This same woman had also utilised Victim Support services and said she could not speak too highly of the agency, in terms of the assistance they provided.

[They] were absolutely fantastic. They'd just ring me up and were just amazing, nothing was too much. I had really felt like I was on my own ... I didn't want to tell my parents and have still told them very little. (Person At Risk, IPV)

Whilst the evaluation found that Persons At Risk who had accessed support generally had positive experiences, it also identifies areas for improvement in maximising opportunities for individuals to engage with support services.

3.7 Barriers to support

Police and refuge staff identified similar barriers to Persons At Risk in accessing support – including reluctance to accept support, difficulties contacting Persons At Risk, and the

43 It was not unusual for Persons At Risk to confuse Victim Support and Women's Refuge.

untimely receipt of referrals by support staff. However, their emphasis on these issues varied slightly. These are discussed in further detail below.

Police views

For Police, the most commonly suggested barrier to receiving support was a **reluctance on the part of Persons At Risk** to make changes (25 or 57%). The following comment is typical:

The Person At Risk themselves has to want assistance for it to be provided. There are several high risk clients in my area who you could wallpaper their house in the support services information they have been provided over the years. If they don't want to engage then no matter how much is offered it will not be effective. Counselling and other support services are often thwarted by the client's reluctance to seek help, advice, and [the] assistance of others with their family violence. (Police)

A number of explanations were offered for why Persons At Risk are often reluctant to accept help, including fear of retribution from their abuser, risk of losing their source of income, lack of trust of agencies, pressure from other family members, and their own minimisation of risk.

The next most common barrier suggested by Police was **difficulty contacting the Person At Risk** (n=7). In particular, if there was no phone number or if the one given was incorrect, it was not possible for agencies like Women's Refuge to make contact, as their policy is not to make home visits.

Other barriers noted by Police included:

- lack of resources for agencies to provide support, particularly in rural areas
- problems with the referral process, such as inappropriate referrals or referrals not made in a timely manner, and PSOs being of too short a duration
- insufficient priority given to PSO cases either due to perceived lack of seriousness or volume of cases
- costs associated with Protection Orders
- highly transient lifestyles.

Refuge views

The main barrier, identified by (60% of) refuge staff, to Persons At Risk accessing support or assistance was related to **timing**, i.e. delays in receiving notifications, and the duration of the PSO being insufficient. As highlighted earlier, it is difficult for refuge staff to contact a Person At Risk to offer support if they did not receive the referral either immediately or very soon after the PSO is issued; and this is particularly critical when the PSO is of brief duration.

If we have not been contacted by Police immediately, often the PSO has run out by the time we get notified to contact [the] victim. (Refuge staff)

Another perceived barrier, echoing an issue noted by Police, was the importance attached to **Persons At Risk wanting help and being in a position to engage**.

Psychological reasons for the victim [not wanting help include] being fearful of repercussions from [the] perpetrator, [being] disempowered, [and] not [being] ready to leave [the] relationship. (Refuge staff)

Difficulty contacting the Person at Risk was also noted by refuge staff.

Not being able to make contact with [the] victim due to no phone, not answering phone, [or] not replying to us. (Refuge staff)

[It's difficult] when the Police have not contacted the agency at the time the PSO was issued, especially when the victim's cellphone or phone line is not available. (Refuge staff)

Other perceived barriers to Persons At Risk receiving support included:

- not wanting to be isolated from friends and other social supports
- lack of encouragement from whānau
- lack of resources for translation services if English was a second language for Persons At Risk
- Persons At Risk being too traumatised and not ready to engage
- incomplete information sent by Police.

Māori provider views

Lack of resources to provide support was clearly identified as a barrier by one Māori provider (echoing the views of four Police respondents):

Apart from Police intervention there is limited resource to 'wrap around' the individual, the 'victim', children and whānau. As I said, there needs to be funding to go alongside the PSO to enable the preventative work to be done - with whānau and the perpetrator...If not resourced there is little you can do. (Māori Provider)

Other barriers noted by Māori providers were also similar to those identified by Police and refuge staff, for example:

TIME! It really depends on the time when it was made, how soon the support services get the PSO, and how long they take to respond and fully engage with the persons at risk. Phone numbers having all correct and up to date numbers and also another physical address as they move around a lot and for some reasons people lose their phones or have a few cell phones, or just switch sim cards...a matter of a line of communication. (Māori Provider)

Collectively, the three stakeholder groups identified a variety of barriers that Persons At Risk (and Bound Persons) face in accessing support. Whilst there was some variation in emphasis, the views of stakeholders included consistent themes across all three groups. In particular, the need for the individual to want to engage, the timeliness of referrals to support agencies, and the capacity of the support agencies to be available were all highlighted. These barriers can have an impact on the Person at Risk's safety and the longer-term outcomes facilitated by PSOs. Addressing these barriers will improve the likelihood of PSOs succeeding in achieving their short- and longer-term goals.

3.8 Impact of PSOs on the number of Protection Orders sought

As already noted, PSOs are intended to provide a period of time within a safe environment for the victim to consider seeking appropriate support. A positive outcome of PSOs would be if the Person At Risk used this time, and the support on offer, to consider and apply for a Protection Order against the Bound Person. This would provide a longer lasting means of protection for the Person At Risk. As indicated in Section 3.5, advice and support in this regard is frequently offered by refuge staff and Police.

A Protection Order can contain a range of non-contact and non-violence conditions to promote victims' and their children's safety. Unlike PSOs, breaching the conditions of a Protection Order is an arrestable offence. Victims of domestic violence can apply, through the Family Court, for a Protection Order.⁴⁴ Furthermore, since July 2010, the Domestic Violence Amendment Act 2009 makes provisions for District Court Judges to also issue Temporary Protection Orders in response to a breach of a PSO, or final Protection Orders as part of sentencing of an offender for offence as a result of a family violence investigation. Figure 3.2 plots the number of Protection Orders applied for from 2005, relative to the number of PSOs issued and the number of Dwelling Assaults (as a proxy indicator of the change in levels of recorded family violence). Temporary Protection Orders following breach of a PSO are discussed in Section 4.1.1; this current section focuses on Protection Orders sought through the Family Court following the issuing of a PSO.

3.8.1 Number of Protection Orders sought

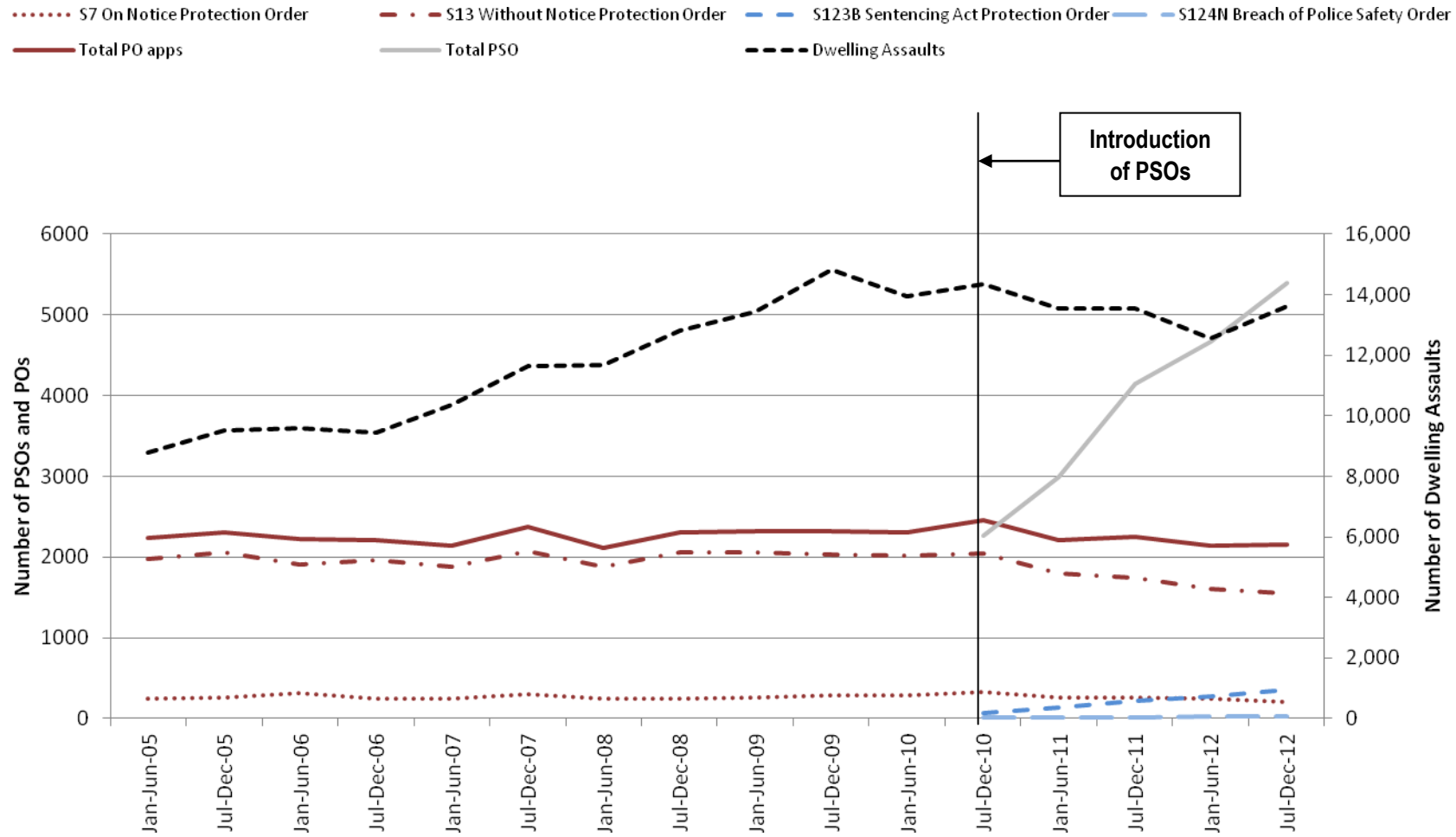
Several sources of data were collated in an attempt to answer the question of whether PSOs had an impact on the number of Protection Orders sought, all of which unfortunately had limitations.

Data presented in Figure 3.2 shows a slight drop in the total number of Protection Order applications (Family Court applications and District Court issued) following the introduction of PSOs, with the greatest decline being Family Court s13 'without notice' Temporary Protection Orders. Rather than PSOs resulting in a decrease in Protection Orders, a more likely explanation for this downward trend is that the number of recorded Dwelling Assaults also declined over this period. The increase in numbers of s123B Protection Orders issued as part of sentencing may explain the apparent decline in Family Court s13 applications. The District Court issued Protection Orders may have saved victims making an often costly application through the Family Court.⁴⁵

44 A 'without notice' application for a Protection Order can be filed in the Family Court, and the Judge may issue a Temporary Protection Order without the respondent first being informed that the application has been filed. However, if the Judge deems that there is insufficient evidence of immediate danger, he/she may direct that the application be dealt with as if it had been filed 'on notice'. These are applications where the respondent is informed of the application before any order is made, and can defend the matter. Where a Temporary Protection Order is issued, it will transition to become a Final Protection Order after three months unless the respondent successfully defends the order.

45 There are often legal costs associated with applying for a Protection Order unless the victim qualifies for legal aid.

Figure 3.2: Applications for Protection Orders (2005 to 2012)



The data presented in Figure 3.2 show trends in the applications for Protection Orders, pre- and post- PSO implementation. To understand these trends in greater detail, data from Persons At Risk interviews, stakeholder surveys and Police records of court orders are now considered.

Stakeholder surveys

Police and refuge staff were asked to estimate what proportion of PSOs resulted in a Protection Order being applied for by the Person At Risk.⁴⁶ Of the 34 who felt able to provide an estimate 28 (82%) thought up to a quarter of PSOs resulted in a Protection Order being applied for; a smaller number (5 or 15%) estimated it was more like a quarter to a half of PSOs. One respondent was not aware of any Protection Orders being applied for following a PSO.

Most refuge staff (17 or 85%) said that in their experience PSOs 'sometimes' or 'always' provided Persons At Risk with 'space to apply' for a Protection Order. However, three refuge staff said the PSO was not long enough to enable Persons At Risk to make this decision. Their reasons are considered in Section 3.8.2 below along with other barriers to applying for a Protection Order

Police records of court orders

As noted in Section 1.2.3, consideration was given to extracting various administrative data to try and more precisely capture the proportion of PSO occurrences that result in a Protection Order. However, difficulties in linking New Zealand Police and Ministry of Justice data resulted in the decision to analyse Police data of Court Order notifications. All PSO occurrences between 1 July and 31 December 2012 were examined to investigate what proportion appeared to be associated with a Court Order notice of a Temporary Protection Order in the 31 days following the PSO.

During this six month period, 5160 PSOs were served on 4683 individuals, and 195 notifications of Protection Orders were recorded (4% of Bound Persons).⁴⁷ Unfortunately, it was difficult from the Police records to determine how many of these were a result of District Court sentencing and how many involved the Person At Risk seeking a Protection Order through the Family Court.⁴⁸ It is also not clear how consistent this process of recording Protection Orders is, and there was some speculation from Police sources that the 195 notifications of Protection Orders was likely to be an undercount due to the manual process involved.

The manual review of six months of FVIARS data in one Police Area reported (see Section 3.4.2), also revealed that four or 4% of the 89 PSOs served resulted in a Temporary Protection Order.

46 One in five Police respondents (n=9) said they were not in a position to estimate.

47 PSO occurrence IDs were extracted from the database that records time marker information (start and end dates for PSOs) and was only possible for offenders with a NIA Person ID recorded. Hence, this data set does not match perfectly with all recorded occurrences of PSOs served in this six month period (n=5243).

48 Data in Figure 3.2 suggests the Protection Orders resulting from sentencing are infrequent (s123B Sentencing Act Protection Orders). Details in the narrative indicated at least 92 were most likely Temporary Protection Orders sought by the Person At Risk through the Family Court.

In short, while it is clear that in some cases PSOs can result in the Person At Risk applying for a Protection Order, available data does not allow an accurate assessment of the proportion of PSOs where this occurs. Best estimates would be anywhere between 4% and 15% of PSOs served.

3.8.2 Barriers to applying for Protection Orders

Considering relatively few Protection Orders appear to be sought, it is important to consider what the barriers to applying for one are for Persons At Risk.

There was considerable overlap in the barriers noted by stakeholders to those already described in Section 3.7 under barriers to accessing support generally. Most of the barriers listed related to Protection Orders more generally, rather than being specific to cases where a PSO was involved. In particular:

- Persons At Risk not wanting to apply for one
- prohibitive cost
- lack of knowledge
- application process being too difficult
- problems accessing a lawyer
- perceived reluctance on the part of District Court Judges
- lack of support to apply.

However, refuge staff did raise an issue that was specific to PSOs: that the **duration of the PSO was too short** (n=14):

Here five days is rarely long enough to get a lawyer's appointment, so if they don't have someone to help them do a self-application they don't have the time to get an order in place before the PSO runs out. (Refuge staff)

Orders are being issued for 2-3 days, this is not enough time for a woman to seek support, find a lawyer, and address the multitude of other issues she has to face at that time. (Refuge staff)

Whilst it is, of course, still possible to apply for a Protection Order after the PSO has expired, one of the aims of the PSO is to assist those Persons At Risk who want to pursue a Protection Order to do this safely while the Bound Person is not around.

3.9 Summary

This section reviewed available evidence of the extent to which PSOs increase the immediate safety of the victim and, where present, their children. Overall there was very strong support for PSOs being able to increase the immediate safety of Persons At Risk.

Immediate safety

- The majority of the 27 Persons At Risk interviewed said that they had felt safer as a result of the PSO being served and almost all of the Persons At Risk felt that the Police had 'done the right thing' in issuing a PSO. However, in a few cases the Persons At Risk thought the Bound Person should have been charged. Furthermore, the majority of

Persons At Risk valued the PSO for providing time out or a cooling down period for all concerned.

Police and refuge staff also considered PSOs to be effective in keeping Persons At Risk and their children safe through de-escalating the violence. PSOs enabled Police to temporarily enforce the separation of the two parties, something that previously was often not possible. However, Māori and Pacific Island providers had mixed views on this issue, with six out of 10 either unsure or of the belief that PSOs did not increase immediate safety.

Space to seek support

- The majority of Police and refuge staff felt PSOs were effective in providing Persons At Risk with the space to consider and seek support.
- Just under two-thirds of interviewed Persons At Risk recalled receiving information and/or support as a result of the PSO occurrence.
- The most common types of support received were provided by Women's Refuge and Victim Support, and Police-related support in the form of advice on safety and Protection Orders. This was either received at the event or, in some cases, through follow-up cold calls or phone calls by Police family violence specialists or referrals from the FVIARS process.
- The range of support services offered to Persons At Risk included advice/assistance on Protection Orders and other court orders; emergency accommodation; risk assessments; individual and home safety planning; community support; counselling and/or educational programmes on living without violence, and relationship skills; alcohol and drug abuse counselling; positive parenting advice; budgeting advice; food parcels; housing assistance; and access to lawyers.
- A common barrier to Persons At Risk seeking support, observed by Police and refuge staff, was Persons At Risk not wanting or feeling unable to make changes, and hence not being interested in support. Reasons cited for this reluctance included fear of repercussions/retribution from the Bound Person, not wanting to risk losing their source of income, lack of trust of agencies, and pressure from other family members not to take action.
- Other significant barriers noted included difficulties contacting Persons At Risk to offer support, and support agencies receiving referrals only after the PSO had expired. This was particularly difficult for PSOs served for less than five days.

Effectiveness of FVIARS process

- The majority of Police and refuge staff viewed the FVIARS process as effective. However, its main value was seen to be as a means of checking on the progress of referrals (rather than initiating PSO-related referrals). Most PSOs would have expired by the time they were reviewed at FVIARS meetings.
- Reports from Police around the country suggested the majority of PSOs were reviewed at FVIARS meetings. However, in areas with a large volume of cases or where resources were limited, not all PSO cases were reviewed, with priority given to those considered most high risk.
- The types of outcomes resulting from a FVIARS review included making referrals to agencies for further follow-up, problem solving ways to make contact with victims, discussing programme options and making new referrals or just discussing the case and

providing status updates. Some cases were reviewed again at subsequent FVIARS meetings.

Impact of PSOs on the number of Protection Orders sought

- It was clear that in some cases PSOs can result in Persons At Risk applying for a Protection Order. However, available data did not allow an accurate assessment of the proportion of PSOs where this occurs. Best estimates suggested that Protection Orders were sought in only a minority of cases where PSOs were issued.

4 Compliance of the Bound Person

This section of the report presents data that relates to the second evaluation objective:

Objective 2: To investigate whether the use of PSOs achieves the compliance of the Bound Person

This section answers the following questions:

- How well do Bound Persons comply with the conditions of the order during the time the PSO is in place?
- How common is it for breaches of PSOs to go unreported, and why?
- What are the main reasons Bound Persons breach PSOs?
- What are the characteristics of those who breach PSOs, compared to those who don't?

Court outcomes following recorded breaches are also presented.⁴⁹

4.1 How well do Bound Persons comply with conditions of the PSO?

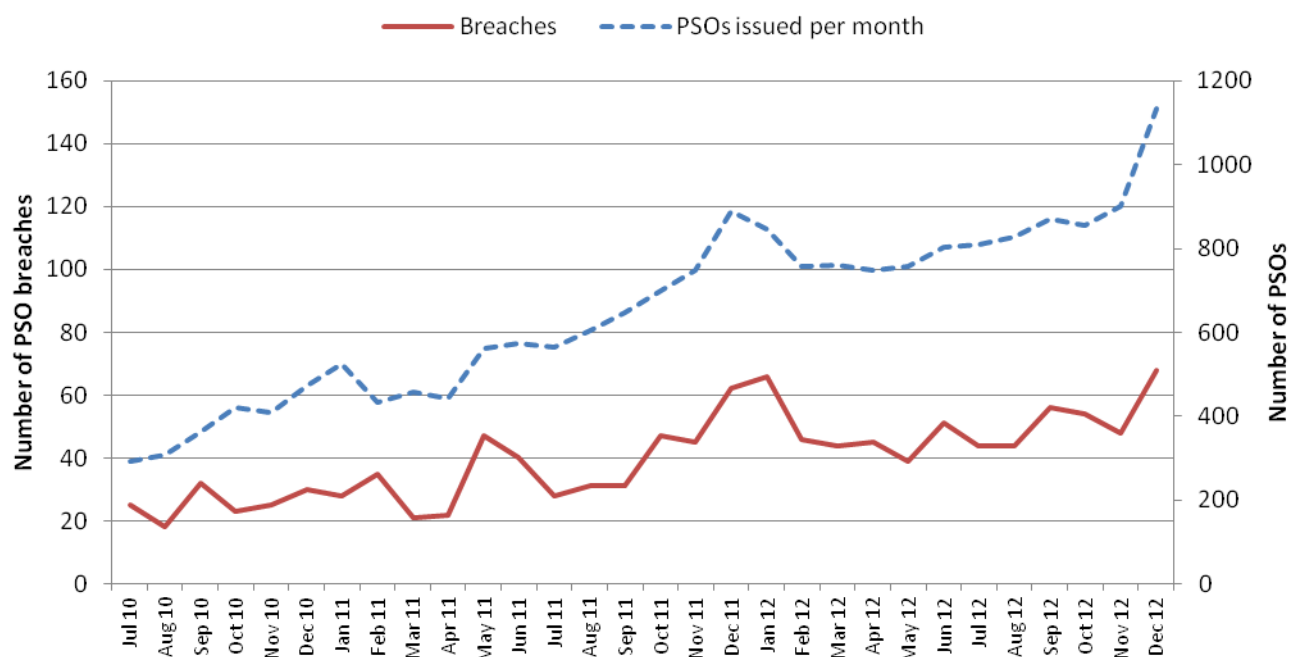
4.1.1 Number of reported PSO breaches

A total of 1195 breaches of PSOs, by 1073 individuals, have been recorded in the two and half years since PSOs have been in operation. This represents a recorded breach in 6% of all PSOs issued. Of these 1073 individuals, 980 had one breach recorded against them, 81 had two, 10 had three, and another two individuals had four and five breaches recorded against them.

The number of breaches recorded per month is illustrated in Figure 4.1. This graph shows a fluctuating, but overall upward trend in the number of breaches recorded (solid line), following the overall upward trend in the number of PSOs issued (dotted line). The number of breaches, as a percentage of all PSOs issued, peaked early on in their implementation, at 9% (July and September 2010), but has since settled to a more consistent 5-6% in 2012.

There are no set guidelines or policy on following up PSOs to check if the Bound Person is complying with the order. Limited Police resources mean most breaches are detected following a complaint from the Person At Risk, and, as will be seen in Section 4.2, many breaches appear to go unreported. As such, it is likely the number of recorded breaches in Figure 4.1 is an undercount of all instances where the Bound Person failed to comply with an order.

49 The patterns of offending of Bound Persons before and after the issuing of a PSO, as reported by the Person At Risk, was listed in Table A1 under this objective, but is considered in the next section of the report.

Figure 4.1: Number of PSOs breached (July 2010 to December 2012)

Court outcomes following a recorded breach

When a Bound Person is found to have breached a PSO they are required to appear before a District Court Judge, who can either issue another PSO or Temporary Protection Order, or discharge the case with no action taken. Ministry of Justice data on court outcomes related to breaches of PSOs is instructive in regard to the outcome of such court hearings. A total 1057 breaches of PSOs were brought before the courts between 1 July 2010 and 31 December 2012. This is 88% of the 1195 breaches recorded by New Zealand Police.⁵⁰ Of these 1057 breaches, 97% came to court following the arrest of the defendant by a Police officer, and 3% arrived at court following a court summons.

Table 4.1 shows the outcomes of the court hearings associated with these breaches. A Temporary Protection Order was issued in 11% of cases, and a new PSO issued in 39% of cases. However, in half of all breaches the case was discharged.

Table 4.1 Final outcome from court hearings for a breach of PSO (1 July to 31 December 2012; n=1056)

	n	%
Temporary Protection Order	119	11%
New Police Safety Order	409	39%
Discharged	528	50%
Total	1056 ¹	100

Table Notes:

1 One complaint for breach of PSOs was still awaiting an outcome

50 There are a number of reasons why breaches recorded by New Zealand Police may not make it to court; for example, there may be insufficient evidence collected of the breach occurring, or the PSO may have expired at the time the reported breach occurred.

In the cases where a new PSO was issued by the court, the most common duration was either four or five days, accounting for 69% of PSOs issued on the direction of the court.

4.1.2 Offending during the PSO

A key objective of a PSO is to increase the safety of Persons At Risk whilst the PSO is in effect, by removing the Bound Person from the address of the Person At Risk. This objective is compromised when the Bound Person breaches the conditions of the PSO and returns to the address which, as reported above, occurs in at least 6% of cases. However, these breaches may or may not result in family violence investigations. To explore this further, Police records were examined to investigate the extent of recorded family violence occurring during the period of the PSO.⁵¹

A six month sample of PSOs served from January to June 2012 was investigated for any recorded apprehensions for offences as a result of family violence investigations or offending that occurred during the period of the PSO.⁵²

In the selected six month period there were 4091 PSOs issued to 3813 individuals (241 individuals were served with more than one PSO).⁵³ Across these 4091 PSOs, 74 offences as a result of a family violence investigation were recorded against 46 individuals, in 46 separate occurrences (1% of PSOs served).

Table A3 in Appendix E lists the most serious offence that was recorded against each individual, based on the Ministry of Justice Seriousness Scale.⁵⁴ For 20 individuals the most serious offence was coded as a 'violent offence', and for 12 individuals it was a 'drug and antisocial offence'. The seriousness of the offending ranged from 1.1 (3545-Insulting language) to 363.7 (1426-Injures with intent to injure (manually)). The most common offences were '1543-Male Assaults Female (manually)' and '3853-Contravenes Protection Order', with five each of these offences occurring across the 46 individuals. There were also 40 records of domestic disputes recorded (1Ds) during the PSO period, these persons are different to the 46 discussed above.

51 This data needs to be interpreted with caution as analysis could only examine offending occurring on complete days, whereas PSOs can be issued for part days. There were also a few cases where the dates when the PSO was served did not match with occurrence criminal history data. This can occur due to recording errors or where occurrence details were subsequently changed. Manual reviewing of data was carried out where possible to minimise potential counting errors.

52 This was all apprehensions recorded as 'Offences' and flagged as 'Family Violence' where the occurrence role was 'Offender'. The offence code '3857-Fail to comply with a PSO' was excluded as this is not actually an offence and was more reliably captured by the incident code 6S 'Breach of a PSO'.

53 PSO occurrence IDs were extracted from the database that records time marker information (start and end dates for PSOs). This data does not match perfectly with all recorded PSOs in this six month period (n=4406).

54 Seriousness of offending is based on the 2010 Ministry of Justice Seriousness Scale. The seriousness score assigned to each offence is the average number of days of imprisonment imposed for all offenders convicted of that offence between 2006 and 2010, where the average is taken over both imprisoned and non-imprisoned offenders. Equivalent ratings of seriousness are calculated for non-imprisonable based on length of community service or size of fine.

4.2 Frequency of unreported breaches

Refuge staff were asked how common it was in their experience for Bound Persons to breach the PSO. Experiences varied, but most (10 or 50%) said it happens 'sometimes', four or 20% said it happened 'often' or 'all the time', while six or 30% said it was 'rare'. However, nearly half of the staff thought it was rare that Persons At Risk would report a breach, with a further 42% saying that Persons At Risk only reported breaches 'sometimes'. Several Police family violence specialists shared the view that it was common for breaches to go unreported.

As noted by one respondent:

I believe that an extremely high percentage of Bound Persons return to the address and breach the PSO [but] these are just not reported to Police. The likelihood of the Bound Person returning to the address gets higher and higher the longer the PSO is for. (Police)

Refuge staff offered a number of explanations for why some Persons At Risk do not report breaches. The most common was **fear** (7 out of 20), either of the Bound Person or of authorities such as CYF.

[The] Victim may choose not to report, may be fearful and intimidated, coerced by [the] perpetrator not to report. (Refuge staff)

Yes this happens and the victim is too scared to contact the Police again both because of the multi-faceted threats from him and the guilt that they feel from his threats and manipulations. (Refuge staff)

The responsibility to report breaches of PSO is in the victim's hands and she may not be in a position to notify Police if the Bound Person re-enters the home before the PSO has expired. This is OK if she has chosen to have him there, but she may be intimidated and powerless to take action. (Refuge staff)

Women are afraid of reporting as they think CYF will become involved and take their children away from them. (Refuge staff)

A further four staff noted that this often happened when the Person At Risk **didn't want the PSO in the first place** or because they felt guilty:

PSO is sometimes breached especially when neither party thought it necessary at the time of the incident or during the cooling down period. (Refuge staff)

Women feel guilty for getting partners/husbands in trouble [and are] scared of consequences later. (Refuge staff)

Another two staff commented on the Person At Risk wanting the Bound Person to return for practical reasons, such as because they **needed support with child care**:

There are a couple of times where the women have needed the offenders to carry out their parenting role; i.e. they look after the child while mum works or they are the one that takes the child to school as mum starts work at 7am, or similar reasons. (Refuge staff)

Other explanations offered included Persons At Risk not having sufficient information about the PSO.

4.3 Reasons Bound Persons breach PSOs

Person At Risk interviews

In a majority of cases (22 out of 27 Persons At Risk interviewed) the Bound Person complied with the conditions of the PSO. Only five Persons At Risk said that the Bound Person breached the order. The most common form of breach was for the Bound Person to contact the Person At Risk by either phoning or texting (four out of five breaches). However, in one case the Bound Person confronted his ex-partner at her place of work shortly after he had been released, after spending time in a Police cell to sober up. In four of the five breaches, the Bound Person was volatile and unpredictable.

The Police were informed of the breach in three of the five cases. In the first case where the breach was reported, the Person At Risk had been contacted by the Bound Person by phone and the Person At Risk reported this to both Telecom and the Police, who advised her to keep a record of the phone calls. No further action appeared to have been taken. In the remaining two cases, the Bound Persons were arrested following the breaches. In one situation, the Police were present at the Person At Risk's house when the breach occurred (the Bound Person phoned). The other case was where the Bound Person turned up at the Person At Risk's place of work. However, one of these women said that if the Police had not been there at the time she did not think she would have reported the breach. She explained:

To be honest, if the Police hadn't been here when he was ringing me I don't know if I would have had the guts to ring them back. I think it was all fate that they were here when he rang and in the back of my mind I think if they hadn't arrested him he could have come back here and done some damage because I don't know what mental state he was in. I think I would have been worried that they thought I was just being a nuisance. (Person At Risk, IPV)

Both of the arrested Bound Persons were charged and required to appear in court. In one case, a second PSO of a longer duration was issued, and in the other, the Bound Person was remanded in custody and subsequently sentenced to a term of imprisonment, although mainly as a result of further charges being laid.

Of those Persons At Risk who had experienced breaches, three agreed that a cooling down period had been useful, and that things usually became more settled while the PSO was in force. However, one woman said that there had not been a cooling down period, as the Bound Person breached the PSO within a very short time, and was still continuing with his threatening behaviour from within prison.⁵⁵

Of the two unreported breaches, the first was when the Bound Person contacted the Person At Risk by phone and the Person At Risk did not think reporting the breach was worth it. In the second case, the Person At Risk had wanted to have her partner back home before the PSO expired. She explained:

He came back; we'd had a phone conversation and were all right. [The Police] must have known that because he was on home detention and the

55 One woman did not express an opinion.

monitor would have gone off - things just got over heated and we needed time out. (Person At Risk, IPV)

Police were asked for their views on what factors increased the likelihood of Bound Persons breaching the PSO. Figure 4.2 shows the proportion who 'agreed' or 'strongly agreed' that the following factors increased the likelihood of the Bound Person breaching.⁵⁶

Figure 4.2: Factors influencing the likelihood of Bound Persons breaching

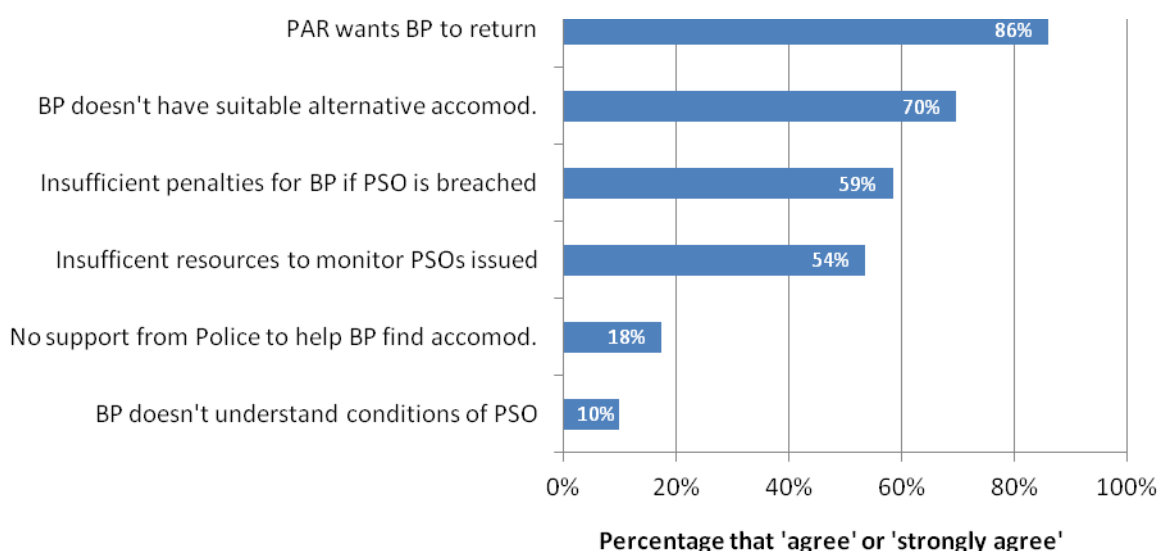


Figure Notes:

1 PAR stands for Person At Risk; BP stands for Bound Person

The factor seen by most Police respondents (86%) as increasing the likelihood of a breach was the Person At Risk wanting the Bound Person to return, echoing comments made by refuge staff on why breaches go unreported.

The next most common reported factor was that the Bound Person didn't have suitable accommodation (70% of respondents). Persons At Risk who were interviewed were asked their views on whether having somewhere suitable to stay helped the Bound Person comply with the order; a majority thought it did. However, details provided by Persons At Risk on where the Bound Person stayed suggested that the actual location was not a big factor, with breaches occurring across a number of different alternative accommodation options for the Bound Person.

Additional comments offered by Police survey respondents on why Bound Persons might breach PSOs, focused on two issues – resourcing constraints affecting the ability of Police to monitor compliance, and confusion on the part of Police about how to deal with breaches. In relation to the first issue, two respondents called for clear direction on monitoring compliance:

Ensuring policies are in place to direct staff to conduct compliance checks [will lead to better monitoring]. (Police)

⁵⁶ Percentages are based on those who made a rating and exclude those who responded with 'Don't know'.

Very little direction; we need a national formal process ... I think we should be calling on our victims in the days after the issuing of the order, similar to bail checks, just calling to see if there are any issues. Has there been a breach? (Police)

Three respondents noted that the current process only enabled them to follow-up if they received a complaint from the victim or an agency:

I don't believe we police this, we respond to a complaint of a breach only. (Police)

Not notified by victims of breaches. Our agencies notify us if they do a home visit and the male is at home, which is good. As part of weekend duties for Family Violence staff, they complete home visits to ensure compliance of PSO and arrest if necessary. (Police)

A lot of bound people return to the address before the expiry but Police are not told so we can't enforce. (Police)

A rural location was seen to exacerbate the problem:

[The] problem where I work is lack of resource, rural isolation, no ability to check or follow up, with very little community capacity [to do follow up work]...it is pot luck. (Police)

In relation to the second issue, comments below suggest some degree of misunderstanding among Police on how to deal with a breach.

It is a confusing process and staff get very confused by it. (Police)

Officers do not fully understand what action to take when a breach has occurred and how long they can take to locate the offender. (Police)

The prosecution process is more complicated in entering the information and should be made easier. It is not recognised as an offence to the same extent as breaching a Protection Order. (Police)

4.4 Characteristics of the Bound Person and Person At Risk where PSOs are recorded as being breached

Table 4.2 presents demographic characteristics of the 1073 Bound Persons associated with the 1195 PSO breaches in comparison to those of the Bound Persons who had no recorded breach against them (n=14,851).

Table 4.2 Demographics of Bound Persons where PSOs issued were reported breached compared to those where no breaches were reported (July 2010-December 2012)

	Breaches (n=1073)		No breaches (n=14851)	
	n	%	n	%
Gender				
Male	948	88%	12548	85%
Female	124	11%	2280	15%
Unspecified	1	0.1%	23	0.2%
Ethnicity				
Māori	479	45%	6157	42%
NZ European	403	38%	4964	33%
Pacific	134	13%	2402	16%
Indian	35	3%	643	4%
Asian	16	2%	338	2%
Other	5	0.5%	191	1%
Unspecified	1	0.1%	156	1%
Age				
[Under 16 years]	[1]	0.1%	[69]	0.5%
17 to 20 years	102	10%	1595	11%
21 to 30 years	374	35%	5243	35%
31 to 40 years	305	29%	4043	27%
41 to 50 years	218	20%	2725	18%
51 to 60 years	61	6%	940	6%
61 to 70 years	11	1%	199	1%
71 years or older	1	0.1%	34	0.2%
Unspecified	-	-	3	0.01%
Total	1073 ¹	100%	14851 ¹	100%

Table Notes:

- 1 These figures total to less than 19,470 (the total number of PSOs issued) due to a number of Bound Persons receiving more than one PSO.

Males were slightly more likely to have a reported breach of the conditions of the PSO, as were Māori and NZ European Bound Persons, compared to Pacific Bound Persons.⁵⁷ There were no significant differences in the age of those who had reported breaches compared to those who had not.

Table 4.3 presents some further characteristics and reveals that Bound Persons who were reported to have breached were far more likely to have been issued with PSOs previously. 58% of those who were reported to have breached had one or more previous PSOs, compared to just 12% of those who did not breach.⁵⁸

Relationship type revealed little differences other than recorded breaches being slightly more likely to occur where the Person At Risk and Bound Person were in a previous relationship.⁵⁹

Table 4.3 Characteristics of Bound Persons where PSOs issued were reported breached compared to those where no breaches were reported (July 2010-December 2012)

	Breaches (n=1073)		No breaches (n=14851)	
	n	%	n	%
Number of PSO Issued				
1	459	43%	13061	88%
2	360	34%	1441	10%
3-5	236	22%	346	2%
6 or more	18	2%	3	0.02%
Total	1073 ²	100%	14851 ²	100%
Relationship type¹				
Married/partner	430	65%	7237	67%
Child/Parent	55	8%	1122	10%
Previous relationship	61	9%	692	6%
Separated/divorced	39	6%	663	6%
Other family member	32	5%	684	6%
Other	10	2%	152	1%
Unknown/Missing	37	6%	220	2%
	664 ^{1,2}	100%	10770 ^{1,2}	100%

Table notes:

1 These figures total to less than 19,470 (the total number of PSOs issued) due to a number of Bound Persons receiving more than one PSO.

2 Relationship details were only available for PSOs issued prior to July 2012, this totalled 664 Bound Persons who breached and 10770 who did not.

57 Z tests on proportions determined these differences to be statistically significant ($p < 0.05$).

58 An independent t-test comparing the average number of previous PSOs issued revealed this to be a statistically significant difference ($t = 21.3$, $p < 0.001$). Bound Persons who breached had an average of 2.0 previous PSOs issued, compared to just 1.1 for those who did not.

59 A Z-test on proportions determined this differences to be statistically significant ($p < 0.05$).

A final analysis compared the family violence criminal history of a sample of Bound Persons, based on 3813 Bound Persons issued with a PSO from 1 January to 30 June 2012, and where sufficient criminal history data was available. Results, presented in Table 4.4, show that Bound Persons with a reported breach against them, were more likely to have a criminal history that involved family violence than those who did not have a breach reported against them.

Those who had a breach of a PSO reported against them had, on average, a higher number of previous domestic disputes (2.0 compared to 1.1) and offences as a result of a family violence investigation (2.7 compared to 1.7) compared to those that did not have a breach reported against them.⁶⁰ However, there was no difference observed in the seriousness of prior offending.

Table 4.4 Criminal history of Bound Persons where PSOs issued were reported breached compared to those where no breaches were reported (January-June 2012)

	Breaches (n=252)		No breaches (n=3561)	
	n	%	n	%
No. of domestic disputes in previous 7 years				
0	115	46%	2008	56%
1	36	14%	672	19%
2	26	10%	344	10%
2-5	45	18%	375	11%
6 or more	30	12%	162	5%
No. of offences as a result of a family violence investigation in previous 7 years				
0	114	45%	2046	57%
1	37	15%	512	14%
2	24	10%	260	7%
2-5	32	13%	411	11%
6 or more	45	18%	332	9%
Total	252	100%	3561	100%

4.5 Particular groups PSOs are less effective with

⁶⁰ Independent t-tests comparing the average number of previous 1Ds and offences as a result of a family violence investigation, revealed these to be statistically significant differences ($t=4.6$, $p<0.001$ and $t=3.5$, $p<0.01$ respectively). Bound Persons who breached had an average of 2.0 previous PSOs issued, compared to just 1.1 for those who did not.

Police and refuge staff were asked their views on particular groups or characteristics of individuals that make PSOs less appropriate or effective (e.g. demographics, type of violence, particular characteristics of the victim or perpetrator). These stakeholders identified similar groups, as follows:

- **Repeat family violence offenders** who have a history of offences and breaches were seen as less likely to comply with PSOs or other legal orders (Police, n=6; Refuge staff, n=4)

Entrenched family violence offenders AND those who have extensive records of breaching every other order (e.g. Bail; Community Work, Protection Orders, Driving While Disqualified, Parole etc.). [These types] don't comply with PSOs either and it is naive to think they will. (Police)

- **Those whose level of violence/abuse is extreme** were also seen as unlikely to comply with a PSO, and less likely to have any of their breaches reported by the Person At Risk (Refuge staff, n=1).

For the extreme abuser, the victim will probably be too terrified [to report a breach]. (Refuge staff)

- Those Persons At Risk or Bound Persons with **poor ability to understand** (and/or comply with) conditions of a PSO, either due to language difficulties,⁶¹ mental health issues, or chronic intoxication/A&D dependency (Police, n=4; Refuge staff, n=5).

[In the case of people with] limited English, the Bound Person and/or victim do not fully understand the PSO. (Refuge staff)

[In] relationships where both parties have heavy alcohol dependency, generally breaches will not be reported. (Police)

- **Persons At Risk in a rural/isolated location**, may not report breaches due to slower response times and feelings of isolation, making PSOs less effective. (Police, n=2; Refuge staff, n=2)

Rural settings make it difficult as women feel vulnerable and the time it takes for officers to return does not make it attractive to the women to call to report a breach. (Refuge staff)

- **Persons At Risk who minimise the violence**, believing the situation to be less serious than it might be, may choose not to report breaches of the PSO believing the situation does not require intervention. (Refuge staff, n=1).

Where a Person At Risk minimises the situation...they [PSOs] aren't, probably, as effective. (Refuge staff)

No groups who participated in the evaluation (Police, refuge staff, Māori providers, or Pacific Island providers) identified PSOs as being inappropriate or ineffective with individual ethnic groups (other than migrant refugees with poor English, as mentioned above).

⁶¹ This was identified in the formative evaluation as a barrier to the effectiveness of PSOs. It was suggested that PSO-related material be translated to other languages, that interview rooms should have speaker phones installed to ease communication between Police and the non-English speaking individual and Language Line (a translation service).

4.6 Summary

This section considered the extent to which Bound Persons comply with the conditions of the PSO, and the characteristics of those who have breached PSOs. It also explored the likelihood and reasons for why some breaches are not reported to Police. Key findings were:

- Between July 2010 (when PSOs came into operation) and December 2012, there were 1195 recorded breaches of PSOs by 1073 individuals. This equates to recorded breaches in 6% of all PSOs issued. In approximately 1% of PSO occurrences, an offence as a result of a family violence investigation was recorded against the Bound Person whilst the PSO was still in force.
- 93 individuals had two or more recorded PSO breaches, with five being the greatest number recorded against one individual.
- In reported cases, males were slightly more likely to breach a PSO than females, as were Māori and NZ European Bound Persons. In contrast, Pacific Bound Persons were less likely to have PSO breaches reported against them. Those who were reported to breach were also more likely to have been issued with multiple PSOs, and to have had a higher number of previous family violence occurrences.
- The outcome from the court hearings of these breaches was the issuing of a Temporary Protection Order in 11% of cases, and a new PSO issued in 39% of cases. However, in half of all breaches the case was discharged with no further action.
- Reports from Persons At Risk and other stakeholders suggest recorded PSO breaches are an underestimation of the actual number of breaches. Evidence from all parties suggests it is not uncommon for Persons At Risk not to report PSO breaches to Police. Reasons for this include fear of negative consequences from the Bound Person, the consequences of the involvement of authorities such as CYF, or because they did not want the Bound Person removed in the first place.
- The main factors seen by Police as increasing the likelihood of breaches occurring were a Person At Risk who wanted the Bound Person to return, or a Bound Person who lacked suitable alternative accommodation.
- Improved monitoring and detection of non-compliance re-emerged from the formative evaluation as an area identified as requiring improvement. The ability of Police to detect breaches was limited by resourcing constraints and/or direction on the monitoring of PSO compliance.

5 Longer-term outcomes

This section of the report presents results relating to the third evaluation objective:

Objective 3: To investigate the likelihood of whether the use of PSOs contributes to a reduction in re-victimisation

A PSO can have a number of intermediary roles in achieving a reduction in longer-term re-victimisation, such as:

- giving the Person At Risk an opportunity to access social services or apply for a Protection Order
- providing information to the Person At Risk and Bound Person on help available to them
- giving the message that there is a problem in the relationship that is serious enough to warrant an intervention by Police, where previously offenders may have received a warning or lesser outcome.

The ability to reduce re-victimisation is dependent on external factors that are outside the control of both Police and PSOs. While PSOs give both parties an opportunity to seek help, they do not necessitate that this happens, and thus, as seen in this evaluation, either parties' lack of desire to access help can be a significant barrier to the provision of services and the achievement of longer-term outcomes.

Police (n=44) and refuge staff (n=20) were asked their views on the effectiveness of PSOs in achieving a reduction in re-victimisation, along with a number of other shorter-term outcomes (discussed in Section 3). Generally Police appeared more positive than refuge staff about the extent to which PSOs achieved longer-term outcomes. However, both groups were less convinced about the effectiveness of PSOs to achieve longer-term outcomes compared to their impact on shorter-term ones.

Three-quarters of Police and half of refuge staff surveyed thought that a PSO encouraged the Person At Risk to call Police in the future. Additionally, 66% of Police and 59% of refuge staff thought that PSOs were effective in ensuring that there was appropriate support and/or protection in place for children. However, lower numbers of Police (51%) and approximately the same number of refuge staff (60%) thought that PSOs were effective in ensuring the Person At Risk received the support/assistance they needed.

Just under two-thirds (58%) of Police and a third (33%) of refuge staff surveyed rated PSOs as effective in reducing re-victimisation. The lower numbers for this longer-term outcome likely reflect the primarily short-term goal of the PSO, together with an awareness of wider issues that impact on longer-term re-victimisation. This is illustrated in the following quote from one Police respondent:

I think that when an incident occurs - Police attend and address the situation as they see fit, prevent escalation or reoccurrence via PSOs. However, then, when the person at risk is no longer at risk, they don't seem to care any further. The danger has gone for them immediately. Same scenario when someone is locked up for an offence, she is glad [the] danger is over, however once the dust settles then all is usually back to normal and normal behaviour continues until the next time. (Police)

Similarly a refuge staff observed:

PSOs, in our view, are short-term interventions that enable women at risk to have time to consider their options and access appropriate support. [We're] unsure of long-term consequences at this time. Perhaps these long-term questions could be addressed by monitoring recidivist offenders of PSOs. (Refuge staff)

Comments from refuge staff reiterated the importance of the Persons At Risk and/or Bound Persons wanting to make changes, if long-term positive outcomes were to occur. However, one refuge staff member believed that PSOs could at least assist by validating the concerns of the Person At Risk, which, in turn, can give them the confidence to make significant changes:

A long-term outcome however is that the victim feels validated and that goes some way towards empowering them to make change and address their situation and relationship issues. (Refuge staff)

5.1 Impact of the length of a PSO on Persons At Risk

A recurring theme from both groups of stakeholders, particularly refuge staff, was that PSOs were of too brief duration to enable Persons At Risk to consider and access support, particularly if legal assistance was required to apply for a Protection Order (see Sections 3.7 and 3.8.2).

Refuge staff consistently brought up the need for longer PSOs to enable agency support:

The time frame mostly is not long enough ... a PSO issued for anything under 48 hours is completely ineffective as this doesn't give any time for the person at risk to get the support they may need ... that is, a lawyer appointment for applying for orders etc. especially if this is issued on a Thursday, Friday or over the weekend. (Refuge staff)

The maximum time should be 10 days to allow the person at risk to get legal assistance ... Anything under 48 hours should only be issued if they are using the PSO for parties to sober up or come off drugs and alcohol. (Refuge staff)

One Women's Refuge reported collecting statistics that indicated they could be more effective at engaging with Persons At Risk if they were notified prior to the expiry of the PSO.

A preference for longer PSOs, with the belief that even five days was too short, emerged as a strong theme in the survey responses of staff from Women's Refuges.

A HUGE barrier is that the timeframe of up to 5 days is FAR TOO BRIEF, a period of a month would really make a difference. (emphasis in original) (Refuge staff)

Persons At Risk were asked their views on the length of the PSO. None indicated they thought the PSOs were too long, and four agreed with stakeholder views that the duration was too short. This included two women who had sought Temporary Protection Orders:

Would be better if longer - all of a sudden, things happen, he got more angry, his family got involved. I'm getting blamed - it would have been good to have more time to talk to a lawyer. (Person At Risk, IPV).

Although, in general, Persons At Risk felt that PSOs were long enough for them to get help or support if they needed it, two women raised that this may not always be the case. They noted that if women had children and no transport, it might be difficult for someone to organise help or assistance within the maximum PSO period of five days. This was reinforced by comments made by two Persons At Risk, one of whom had a disability:

I've got children and haven't got a car. I couldn't get [to Women's Refuge]. A lady came here first then I caught the bus over for counselling. (Person At Risk, IPV)

Yes, they only go for three to five days and for people like myself that can't just get up and go somewhere it would be nice if you had an extra week; even for ladies who have children. And usually you've got to make an appointment to see your lawyer. (Person At Risk, IPV)

The length of the PSO is important in terms of ensuring that Persons At Risk, who wish to seek help, have the time to do so. The most common length of a PSO issued during the period evaluated (1 July 2010 to 31 December 2012) was five days (27%), followed by one and two days (both 22%). The variation in duration may reflect the broad types of situations that frontline officers are attending, or an inconsistency in practice across Police Districts (or a combination of issues). However, given the PSO's role in creating time to seek support, as a tool for attempting to reduce re-victimisation, this area would benefit from further investigation.

5.2 Impact of the PSO on Bound Persons' behaviour

More than three-quarters of Persons At Risk (21 out of 27) felt that the PSO had had a positive impact on the Bound Person's behaviour. The following quotes are illustrative:

It was fine - he respected that it had to happen and respected my choice. He said he wanted to text me and say sorry but had had to wait until the PSO expired. (Person At Risk, IPV)

It calmed him down made him think, put a message across that I'm not going to accept that behaviour. (Person At Risk, IPV)

Five of the six Persons At Risk who did not report a positive impact said that the Bound Person was angry with them for calling the Police, and argued that they had done nothing wrong. The sixth said that the Bound Person had tried to manipulate the situation to his advantage by trying to rekindle their relationship after the PSO had expired. None of these women were currently in a relationship with the Bound Person.

One of the intended outcomes of PSOs is 'an increase in the level of recognition by the Bound Person as to the consequences of that violence'. Police had a more positive view than refuge staff about the extent to which PSOs sent the message that violence was 'not okay'; 65% of Police agreed with this view, compared to just 26% of refuge staff.

Persons At Risk were asked their views on whether or not they thought that the PSO gave a message to the Bound Person that family violence was not alright. Again, more than three quarters (21 out of 27) agreed that it had. Those who elaborated said that it gave everyone 'time out' and a period 'to think' and 'sent a clear message' to the Bound Person about their behaviour by giving consequences for it. The following quotes are typical of the comments made:

It did definitely [send a message]. As soon as it was issued to him he realised that he had to buck up his ideas if he wanted to see the children. (Person At Risk, IPV)

Yes, he knows that I won't tolerate him talking to me like that anymore. He needs to get out or I'll do something about it. (Person At Risk, IPV)

Yes I do, being issued straight away - in the past, there was nothing like that. It made it real 'snap out of it or go to jail'. (Person At Risk, IPV)

One woman in this group recalled that, although it 'was a really hard thing to do to someone you love', she was glad she had done it, and that her partner felt that he had deserved it.

However, some Persons At Risk interviewed did not think the PSO had had a meaningful impact on the Bound Person. One woman was unsure whether the Bound Person had 'got the message' about his behaviour from the PSO as he was still refusing to take responsibility for his behaviour, accusing her of assaulting him.

He would not have breached the PSO but I don't know if it would have made him think about his behaviour. (Person At Risk, IPV)

Another woman said that it was not so much the PSO that had made her partner aware that his behaviour was not acceptable, but more the response of the rest of his family, and his embarrassment over that. Additionally, four women felt that PSOs had little chance of sending the Bound Person a message about their unacceptable behaviour because of entrenched problems with Bound Persons, including a denial of the seriousness of the offending.

5.3 Support for Bound Persons

The least frequently endorsed longer-term outcome from Police and refuge staff was that PSOs provided the opportunity for Bound Persons to get help to stop being violent. However, this outcome was viewed as being integral in achieving a reduction in re-victimisation. The existence of a need to offer an intervention to both parties was a view shared by several of the Māori providers. This is perhaps understandable as unlike Women's Refuge who mainly work with women and their children, Māori providers work with all members of a family. In their view it was important to work holistically in order for longer-term changes to occur:

PSOs are an intervention, a pattern interrupt, hopefully to stop things escalating. So the perpetrator is removed from the situation, may calm down. This might work with some but for others, in reality, nothing changes, the problem if it is ongoing or recurring doesn't get addressed. ... We would like the opportunity to work with the individual [perpetrator] and with whānau – to either reach a good space / reconciliation or a managed exit from the relationship. Whānau and tamariki need this, need a managed resolution even if it is an exit from the relationship. (Māori provider)

There is not enough support for the Bound Persons so more funding needs to be put into supporting those services to further extend themselves from their court mandated programmes to be accessible to Bound Persons at the initial point of crisis. (Māori provider)

Another Māori provider felt it was unfair to put the responsibility on the Persons At Risk to 'make all the changes':

The expectation is put onto the victim to 'fix' it all and get herself and the children sorted ... there is no expectation put on the offender to help sort it out. (Māori provider)

The positive impact that support for Bound Persons can have was reported by some respondents in the Christchurch area. Christchurch has a pilot project operating where every Bound Person is contacted by Stopping Violence Services, and offered free support at the same time the Person At Risk is contacted. Police from this area were very positive about the project and one noted that there was a 53% uptake in services by Bound Persons. One commented:

Christchurch's PSO project has made a marked difference already in that the Bound Persons are taking up the offer of a listening-ear, safety planning for themselves, and considering/starting programmes. Early days, but this really is the red card/early intervention moment. (Police)

For the first time BOTH parties are offered intervention. The unexpected consequence has been that the women are engaging better with Refuge because they see that the men are also getting help. Uptake from the men may end up being a higher percentage than women. (Police)

5.4 Summary

While Section 3 presented evidence of the short-term outcomes of PSOs, this section considered their impact on longer-term outcomes, including whether there was any reduction in re-victimisation as a result of the PSOs. Overall, longer-term outcomes of PSOs were less evident than the shorter-term outcomes. This is likely for two reasons: first, PSOs are primarily a short-term tool, which seek to provide access to longer-term change initiatives (involving a variety of agencies); and, second, PSOs are a relatively new initiative to Police and their long-term impact is not yet clear. Key findings of this section are:

- Police were more positive than refuge staff about the ability of PSOs to achieve longer-term outcomes, such as reducing re-victimisation, ensuring Persons At Risk and their children received appropriate support, encouraging Persons At Risk to contact Police for assistance in the future, and providing the Bound Person with the opportunity to receive stopping violence help. However, both groups were more convinced about the effectiveness of PSOs to achieve shorter-term outcomes (e.g. de-escalating violence, protecting children from violence) compared to their longer-term impact.
- The majority of Persons At Risk (21 of 27) felt the PSO had a positive impact on the Bound Person's subsequent behaviour, noting that Bound Persons were calmer and quieter. These Persons At Risk felt the PSO had been effective in giving the Bound Person the message that family violence 'is not alright'. However, five of the Persons At Risk reported that Bound Persons remained angry with them for calling the Police (these women were no longer in a relationship with the Bound Person).
- The least positively rated longer-term outcome from both groups was that PSOs provided the opportunity for Bound Persons to get help to stop being violent. However, the views of Police from the Canterbury area differed. This was the result of a stopping violence intervention in Canterbury that is offered to all Bound Persons. Police family violence specialists from this area were enthusiastic about the role of PSOs in achieving longer-term reductions in re-victimisation, noting a positive impact and good uptake (53% uptake in services by Bound Persons). Several Māori providers shared this view and felt

strongly that it was important to work holistically, which included working with the Bound Person as well as the Person At Risk, for longer-term changes to be occur.

6 Unintended outcomes

This section presents results relating to the fourth evaluation objective:

Objective 4: To identify any unintended outcomes as a result of issuing/serving of PSOs

6.1 Hardship to Persons At Risk and/or children

According to section 124B.2d of the Domestic Violence Amendment Act 2009, when considering whether to issue a PSO the officer must have regard to ‘the hardship that may be caused if the order is issued’. Views from stakeholders indicated they were aware that PSOs, at least in some situations, caused hardship to Persons At Risk and/or their children. Refuge staff were more likely to state this (65%) than were Police (32%).⁶² Police and refuge staff identified similar types of potential hardship, discussed below.

- **Disruption to childcare arrangements** (Police, n=12; Refuge, n=2). With the Bound Person removed, the Person At Risk is left to take care of children. This can create difficulties. For example, in one noted case, the Person At Risk was hospitalised, but the Bound Person couldn’t take care of children without breaching the PSO.
- **Financial issues** (Police, n=8; Refuge, n=4). This issue resulted from the main breadwinner being out of the home, or in some cases spending ‘family’ money on accommodation or other needs related to the PSO.
- **Transport problems** (Police, n=6; Refuge, n=2). In instances where the Bound Person has the only means of transport within the family, this can cause difficulties for Persons At Risk getting children to school, doing shopping, or getting to work.
- **Other hardships for children/household** included cancelled family activities; managing a home business; added care-giving responsibilities for older family members; and isolation for migrant Persons At Risk, where the Bound Person is their only family in New Zealand.

While noting a number of possible hardships, some respondents (Police and refuge staff) questioned focusing primarily on these without **balancing them against the significant positive benefits** of PSOs (i.e. the victim being safer and better off as a result of the order).

Person At Risk’s views on the impact of PSOs on their children

A majority of Persons At Risk (16 out of 27) had dependent children living with them; one was pregnant with her sixth child at the time that the PSO was issued. In all except one (15 out of 16) of the events, children were present in the house when the violence occurred. These Persons At Risk were asked about the effects of the PSO on their children. The majority said having the PSO had little negative, or even a positive effect on the children. Five out of the 16 felt that it had had no effect, as the children were too young to understand, and in one case the children had not been in the house at the time of the event. Others

⁶² This is the percentage who reported that PSOs result in hardship for the Person At Risk and/or their children either ‘sometimes’, ‘often’ or ‘all the time’. Those who responded with ‘don’t know’ are excluded from the base number when calculating percentages.

talked about children being frightened but not unsafe, not too distressed, or asleep so unaware of what was happening.

Those who thought the PSO had a positive effect discussed the children wanting the Bound Person to leave the residence. One woman said that her children had been angry and had told their father to go away; another said that the children were glad to see their uncle go. A woman with three children (where the Bound Person was her ex-partner and not the children's birth father) said the children were relieved by the departure of the Bound Person:

I think they viewed it as a good thing because they weren't having to worry for that two days about him coming back. (Person At Risk, IPV)

The only negative effect of the PSO on children, raised by four Persons At Risk, was that they often missed their father, and sometimes did not understand why he had gone. For example, one woman commented:

I'm not really sure [of the effect] ... they were devastated because dad had been taken out of the house and said 'Is daddy alright? Is daddy in jail?' - that sort of scenario. And I tried to say, 'Daddy's alright he's just talking with the Police and then he's going to stay with [their aunt]'. (Person At Risk, IPV)

The children were still concerned about their father even though he had been yelling abuse at their mother while he was leaving the house. Some women would tell their children that dad was having 'time out' and would come home when he was 'behaving'. This was a concept that younger children could understand. As one Person At Risk explained:

'Daddy's just got to go and calm down'. And the four year old knows when he's not good he goes into his bedroom to have time out and when he can be nice he comes out. So he knows daddy's got to go and come back when he's nice. (Person At Risk, IPV)

6.2 Victim doesn't call the Police again

PSOs can be issued without the consent of the Person At Risk and, as noted in Section 4.2, Persons At Risk do not always want the Bound Person removed. Hence, a possible consequence is that Persons At Risk may choose not to call Police in the future even if concerned for their safety, in order to avoid the Bound Person being removed. A stated objective of PSOs is that they will 'increase a victim's level of confidence in the Police'. An important indication of this outcome is that Persons At Risk are more willing to call the Police again in the future. There were no specific comments from stakeholders or Persons At Risk in relation to victims not calling the Police again, but around half of Police and refuge staff felt this could occur at least sometimes. This was a concern raised by one Police respondent:

PSOs can cause a disruption to family life, and I'm unsure if the person at risk would call us next time because they know the disruption it causes. (Police)

However, overall 78% of Police thought PSOs did encourage Persons At Risk to re-contact the Police in the future, while 50% of refuge staff were of this opinion. Whether the consequences of PSOs, such as the disruption caused, discourage Persons At Risk from calling the Police, is discussed in Section 6.4; that section focuses on whether Police handling of PSOs has been shown to increase the confidence of Persons At Risk in Police.

Eleven Persons At Risk reported that the event where the PSO was issued was the first time they had called the Police about the Bound Person's behaviour. Over half (16 out of 27) of Persons At Risk said that the Police had been called in the past about the Bound Person's behaviour.

None of the Persons At Risk interviewed had called the Police about the Bound Person's behaviour since the PSO had expired. However, **all those interviewed said they would call the Police again if there was any more violence.**

Importance of Police attitude to the violence

An issue of importance to some Persons At Risk was Police behaviour in relation to the family violence event. One Person At Risk commented on the positive experience she had had with Police and the importance of reporting family violence to Police. In particular, she appreciated how seriously the Police took family violence.

Yes absolutely [I'd call the Police again] - they didn't make me feel that it wasn't important – part of me thought they would be blasé - it made me realise how serious domestic violence has become to the Police. (Person At Risk, IPV)

Another Person At Risk reflected:

You need to do this properly instead of getting family involved, and things turning out worse. (Person At Risk, IPV)

One woman, although agreeing that she would phone the Police again if she needed to, said that this would depend on how serious the violence was. In contrast to the person giving the previous quote, she had felt that the Police who responded to her call did not consider the violence particularly serious.

Child, Youth and Family referrals

A greater concern of refuge staff, in respect to the likelihood of Persons At Risk reporting future instances of family violence, were cases of Persons At Risk with children who did not want CYF to become involved. This was also identified as a possible concern in the formative evaluation. CYF notifications are standard practice for all Family Violence Investigation Reports, where children live at the address, regardless of whether a PSO is issued. Therefore, the issue of CYF notifications is not specific to the issuing of PSOs.

Three-quarters of refuge staff reported that in their experience fear of CYF involvement at least 'sometimes' resulted in Persons At Risk not calling Police again on subsequent occasions (seven out of 20 thought this happened 'sometimes', six 'often', and two 'all the time'). This was also noted by some Māori providers:

... the other common consequence is that victims (women) especially Māori wahine do not call the Police due to fear of having their children removed. This has either come up prior, they are aware of it through a relative, or friend, or the Bound Person has actually used that to manipulate his way through continuing to keep her in the abusive relationship. (Māori Provider)

When asked, none of the Persons At Risk who were interviewed said that they had been contacted by CYF in relation to the current PSO. However, one of the women who had had a previous PSO issued recalled that at that time:

I got a letter saying that [CYF] had been advised that there had been a PSO and that the children were involved. So I phoned but they were all away on holiday and I left a message and I emailed them to say I was in touch with Women's Refuge and going to a women's course and receiving individual coaunselling and also said that I was going to be arranging counselling through refuge – I never heard any more. (Person At Risk, IPV)

Another strong concern raised by some refuge staff and Māori providers was that victims can be too frightened to call the Police again because the Bound Person would become angry with them over being issued with a PSO. This is considered further in Section 6.5.

6.3 Confidence in Police

Most Persons At Risk (24 out of 27) were happy with the way the Police responded to the situation: 'they were very good', 'I was impressed', 'they just got in and took him', 'they talked to us both separately', 'they came back to check on us for two to three night'. Three women said that having the Police make the choice to physically remove the Bound Person had made it easier for them; one commented:

They made it easier, because it's the Police ... you can't argue with them.
(Person At Risk, IPV)

Of the three who thought things could have been managed better, one talked about the length of time it had taken for the Police to respond to the call (45 minutes, apparently due to a change of shift), another said that she felt the Police 'thought it wasn't important enough', and the third said the Police had not phoned Victim Support for her.

Persons At Risk were asked how their confidence in the Police had changed following the PSO. A majority (20 out of 27) replied positively, that their confidence in Police had increased. Seven of this number said that they had always had confidence in the Police. However, another remarked:

Actually yes, the PSO would be their saving grace because I haven't got much faith in them at all. I had a Protection Order out against my ex and that was useless; the Police just said you need to leave him. (Person At Risk, IPV)

Seven Persons At Risk said that, in general, they did not have confidence in the Police and that this had not changed. They talked about depleted Police numbers in some areas, the time it took Police to respond when called, and variability in the quality of the response, with some Police officers reportedly being more helpful than others.

6.4 Issued to the wrong person

The dynamics of family violence are complex, and identifying the primary aggressor is not always an easy task. Nearly 40% of Police and 63% of refuge staff reported the belief that, at least 'sometimes' a PSO was issued to the wrong person. Examples were provided by both groups; the example below illustrates both the complexity of some situations as well as the potentially serious consequences if the wrong person is issued with the PSO:

There have been occasions when a woman, who is a victim of domestic violence, has been served with a PSO and separated from her children who are left with the

perpetrator of violence in the home. This has been because the female victim has lashed out at the abusive partner or more often because the female victim appeared to Police as the most 'unstable' due to being emotionally upset; in these instances Police acknowledged the male party was the perpetrator of domestic violence but made the decision the male perpetrator was the party most suitable to leave the children with. This has had far reaching consequences for the victim of violence, who has been served with the PSO, and her children. The victim has been denied access to her children by the perpetrator until she can go through the Family Court, which can take months. Although usually responsible for day to day care of children she has been denied access to her children and the Family Court has made the assumption that the Police decision on PSO is the valid one not just for duration of PSO but until the matter can be finalised in court. (Refuge staff)

In another scenario, Police and Māori providers raised concerns about times when the decision of who was issued with the PSO was merely based on what was most readily enforceable. For example:

Having a PSO issued to the non-aggressive party because they have friends/family with whom they can stay. (Police)

In one case the Person At Risk was issued the PSO, as it was seen as easier to remove her – [but] she now has a PSO on her name. (Police)

Sometimes it is easier to issue the PSO to the victim, [to] use it for an excuse to get her off the property and to safety. (Māori Provider)

6.5 Being issued with a PSO aggravates the Bound Person

Views differed between the two groups of stakeholders as to whether PSOs inflamed the aggressor's anger. Only 15% of Police were aware of occasions where the Bound Person's anger was aggravated by the issuing of the PSO, whilst three-quarters of refuge staff reported observing such reactions, as did most of the Māori and Pacific Island providers.

A normal reaction to a PSO [for] a Bound Person is anger, and if it is a person who has been violent, [and] abusive towards the victim, the act of a Police Officer issuing a PSO only further escalates the Bound Person's anger - and the victim's fear. If no support is given it becomes a very volatile and dangerous situation where the victim does not access the resources needed and finds alternative safety away from the known place. (Māori Provider)

Five out of the 27 Persons At Risk interviewed recalled the Bound Person being angry with them for calling Police. And both refuge staff and Māori providers gave examples where a Bound Person's anger acted as barrier to a victim calling the Police on subsequent occasions:

[The] perpetrator has returned to the house after Police departed and abused the victim again. This has created fear for the victim and reluctance to phone Police again. (Refuge staff)

[The] women and children are being re-victimised (in some cases within 48 hours, but often a few weeks later). The consequences are minimal, negligible for perpetrators who are not held accountable for their actions/violence. Women lose confidence in the system. (Māori provider)

One refuge staff member also noted that it is not just the Bound Person who is further angered by the PSO; the example below describes how the Person At Risk can be further victimised by other family members.

The way in which the Police at the time have handled the situation, appears to influence the perception of the parties involved. An example was other family members felt that the abuser was hard done by and so became the new aggressor towards the victim. (Refuge staff)

6.6 PSOs issued in contradiction to Police policy

At the time PSOs were introduced, stakeholders raised concerns that they may be used in ways that are in contradiction with the Police Family Violence policy. In particular, were concerns about Police issuing a PSO when there is no real concern for the safety of parties involved, but perhaps to resolve a dispute and to avoid further call outs; or alternatively, issuing a PSO when there is sufficient evidence of an offence, and an arrest should be made. These issues are discussed separately below.

PSOs issued when no concern for safety

It was difficult to get a clear sense from the current evaluation as to whether PSOs were being issued when there was little basis for concern over the safety of parties involved. 34 (79% of) Police respondents reported this 'never' or 'rarely' happened. However, five of the 27 Persons at Risk who were interviewed said that, from their perspective, they had no real concerns at the time for their personal safety or that of their children.

PSOs sometimes issued when an arrest should have been made

An issue flagged in the formative evaluation as requiring close attention was the potential for frontline officers to issue a PSO when an arrest for an offence as a result of a family violence investigation may have been warranted. Family Violence Policy and Procedures Guidelines (2013, v18) state that:

If there is sufficient evidence of an offence, suspects responsible for family violence related offences or breaches of Protection Orders should, except in exceptional circumstances, be arrested.

And that:

No formal complaint is required from the victim for you to arrest or file charges. However, their response and wishes should be listened to and noted. Explain the reason if Police actions are not consistent with their wishes. Many victims experience further violence and Police should act in a way that will encourage future reporting of occurrences.

Hence officers are obliged to arrest an offender if there is sufficient evidence of an offence occurring, regardless of the victim's wishes. However, the victim's statement is often a key piece of evidence, and so if the victim is unwilling to give a statement, or intoxicated at the time of the occurrence, establishing an offence may not be possible.

Frontline officers are required to make on the spot decisions about the most appropriate course of action, in typically highly-charged situations. These decisions include:

- whether criminal proceedings should be commenced
- what charge/s should be filed, and if they are, that a reasonable prospect of conviction exists
- having sufficient confidence that a Judge or jury would likely be satisfied, beyond reasonable doubt, that the defendant has committed a criminal offence.

To support good decision-making and ensure appropriate use of PSOs by frontline staff, they need appropriate levels of family violence training, good supervision and clear guidelines and policies.

The file review referenced in Sections 1.2.6 and 2.3.5 found a very small number of cases (2.5%) where a PSO was issued despite there appearing to be sufficient evidence for arrest, and with prosecution likely to be deemed to be in the public interest. This suggests that the majority of cases reviewed were in line with Police policy, based on the file content. However, the review also found that in one-third of the cases examined, there was room to improve either the investigation or the file preparation, meaning some additional cases may have warranted arrest, but that the extent to which this was the case could not be determined by the file review.

Despite only a small number of cases being found in the file review where a prosecution (rather than PSO) may have been warranted, over a third of Police (37%) surveyed reported that at least 'sometimes' a PSO was issued when an arrest should have been made; and only 7% reported that this 'never happened.'

Interviews with the 27 Persons At Risk found six cases where there had been physical violence, and a further three where there had been intimidation or direct threats of physical violence. In two cases, Persons At Risk felt that the Bound Person should have been charged. The reason they recalled Police giving for not doing so was that there was no firm evidence, and that it came down to the word of one party against the other. Both of these situations involved alcohol consumption. In one, both parties had been drinking, whereas in the other only the Bound Person had been drinking. One of the women elaborated:

They said there were no witnesses and it was too contradictory - he was saying one thing and I was saying another. And I get where they're coming from but when my ex-husband used to do that sort of stuff to me they'd just arrest him straight away - I think it might have been because we'd both been drinking but I'd only had three glasses - tops. (Person At Risk, IPV)

However, the other woman was annoyed that she was not given the choice, and the decision was made for her.

They said 'did he do anything to you?' and I said, 'In a few days you will see all the bruises around my arms because I bruise easily.' But because they didn't have anything to sight they said that 'this is the best we can do', and gave him the safety order for five days. I wasn't given a choice ... that did annoy me. I was a bit disappointed that they didn't press charges. I just assumed that they would. (Person At Risk, IPV)

This issue also emerged as a concern of several of the Māori and Pacific providers, for example:

There have been occasions when the Police issue a PSO instead of arresting the perpetrator when it is clear that violence has occurred and who the perpetrator is. (Māori provider)

[The] perpetrator broke into the house, she ran down the street, sprayed with flammable accelerant. Neighbours ring the Police. Police take them both back to her house (he is not named on the tenancy agreement). You could smell the accelerant on her. He is on record for having burnt her possessions a couple of weeks previous. A PSO [is] issued. Not charged with breach of Protection Order (and on PD for the previous charge). So we rang [Police station] – no record of the previous incident; Ring [another Police station], not answering. So based on breach of Protection Order, his previous charge and spraying her with a flammable material (and a history of similar incidents); and that he broke into the house – he should have been charged. (Pacific Island provider)

In relation to this latter quote, regardless of other factors, an offender who breaches a Protection Order would normally be charged. This Pacific provider suggested that one of the reasons officers might opt to issue a PSO was due to confusion over what constitutes 'sufficient' evidence:

So because greater levels of evidence [are] required (to charge) and Police don't appear to be clear about what constitutes required evidence – they just issue a PSO. (Pacific Island provider)

Providers who had observed instances where offenders were not charged when it appeared they should have been, reported that it made their work harder. In their view these aggressors (usually men) were not being held to account for their violence, which then made it more difficult to engage with them on family violence interventions. These providers perceived that not arresting 'diminishes the seriousness of the violence' which reinforced the perpetrator's position of 'power', and resulted in women and children being further re-victimised:

[The] cycle of violence [is] perpetuated. Perpetrators are learning that [it] is okay to do violence. Women and children are being re-victimised. (Māori provider)

It [the PSO] stops the immediate violence, [and] de-escalates the situation. But sets up a chain of events - no or minimal consequences for the perpetrator - who can continue to be violent. (Māori provider)

6.7 Other unintended consequences

Other unintended consequences listed by one or more respondents included:

- privacy issues, where the families of Bound Persons are made aware of the violence: 'often you drop a person off at a family address and it can create awareness within the wider family of the issues going on'.⁶³
- the Person At Risk doesn't take additional action to protect themselves as they think the PSO is the final outcome: 'At risk persons see this as the consequence in full for the

63 Increasing awareness of family violence among family and friends can be seen as a positive or negative outcome.

actions' or 'the Person At Risk doesn't pursue a Protection Order due to their misunderstanding that a PSO is a Protection Order'

- inappropriately putting responsibility on Persons At Risk to report breaches, rather than monitoring compliance.

The responsibility to report breaches of the PSO is in the victim's hands and she may not be in a position to notify Police if the Bound Person re-enters the home before the PSO has expired. This is OK if she has chosen to have him there, but she may be intimidated, and powerless to take action. (Refuge staff)

6.8 Summary

This section considered evidence of possible unintended consequences that may be occurring following the introduction of PSOs. While a number of unintended consequences were identified, it is important that these are considered against the immediate safety the PSOs can provide for Persons At Risk. The main findings of this section were as follows:

- **Hardship to Persons At Risk:** While not necessarily a common occurrence, it was noted that in some cases PSOs could lead to problems for Persons At Risk. These included the Bound Person no longer being available to share childcare responsibilities, reducing the financial resources available to the Person At Risk, and transport problems if the Bound Person took the only available family vehicle.
- **Hardship to children:** It was noted that children sometimes missed out on promised family activities, emotionally missed the Bound Person, and sometimes did not understand why they were gone. Some Persons At Risk talked of their children being frightened or anxious at the time the PSO was issued. However, most Persons At Risk were not aware of any negative effects of the PSO on their children, suggesting this is not seen to be a significant outcome of PSOs by those who experience them.
- **The reluctance of Persons at Risk to call Police again if required in future:** Three-quarters of refuge staff thought this could happen 'sometimes'. However, there was little evidence of this being an issue among the Persons At Risk who were interviewed.
- **Issued to the wrong person:** Again, while not necessarily a common occurrence, there were some perceptions that the complex nature of family violence could lead to a PSO being issued to the wrong person in some instances. However, of greater concern were observations about the issuing of PSOs based on what was easiest or most practical to enforce.
- **PSO aggravates Bound Persons:** Aggravation of the Bound Person as a result of the PSO did not seem to be the norm, but was reported as happening occasionally, and was a particular concern of Māori and Pacific Island providers, as well as refuges. Service providers were concerned this then acted as a barrier to the Person At Risk calling the Police again, if necessary in the future.
- **PSOs issued inappropriately:** Issuing a PSO when an arrest was appropriate was identified as an issue in the formative evaluation and re-emerged in the current evaluation as a potential unintended consequence. Evidence from a file review of 400 cases suggests this is not a common occurrence, but was nevertheless raised as a significant concern by support agencies, particularly Māori providers. Of concern was the fact that any such outcome could potentially increase the likelihood of re-victimisation, thereby working against the intended purpose of PSOs. All efforts should be taken to

support frontline staff in making the right decisions in typically challenging circumstances.

7 Areas for improvement and progress made

7.1 Areas for improvement

Stakeholders and Persons At Risk were invited to comment on what, if anything, needed to change to make PSOs more effective. The three groups (Police, refuge staff, and Persons At Risk) raised a number of issues, which are reported below. Table 7.1 summarises the most commonly raised areas for improvement by stakeholder groups.

Table 7.1 Suggestions for improving PSOs

Area for improvement	Identified by		
	Persons At Risk (n=27)	Police (n=44)	Women's Refuge (n=20)
Increase length of PSOs	4	-	6 or 30%
Increase severity of consequences for breaches	-	12 or 27%	3 or 15%
Greater monitoring of breaches	-	3 or 7%	2 or 20%
Support agencies to receive notification of PSOs more quickly		1 or 2%	4 or 20%
Better identification of primary aggressor	-	2 or 5%	2 or 10%

Increasing the length of PSOs

Consistent with comments made throughout this report, top of the list for refuge staff, and supported by four Persons At Risk, was making the maximum duration of PSOs longer and/or the option of having them extended:

Maybe the time in which it can apply should be increased, from 3 to 5 days to 7 to 10 days. (Refuge staff)

The maximum time should be 10 days to allow the person at risk to get legal assistance. Anything under 48 hours should only be issued if they are using the PSO for parties to sober up or come off drugs or alcohol. (Refuge staff)

Longer time-frames, and the ability to extend if needed. (Refuge staff)

Greater monitoring of breaches

There were strong calls from both Police and refuge staff for better monitoring of PSOs, and to increase the severity of penalties for breaches. Suggestions included making a PSO breach an offence, which would also make processing the occurrence easier, and/or automatic court-issued Protection Orders as a consequence.

The resources to enforce them...at the moment they are rarely enforced, and [so] often breached. The victim does not call back unless there are issues so it acts more like a good behaviour bond for the period of the PSO. (Police)

Breach of a PSO should be an offence. This would also ensure streamlining of processes and reduce complexity of the processes. (Police)

It would be great if Police had the resources to do random visits to the house of the Person At Risk to make sure the Bound Person hasn't returned. (Refuge staff)

One Police respondent noted that monitoring could also be used to ensure appropriate supports had been put in place:

[You could say] 'Just calling to see if there are any issues, has there been a breach?' Calling on victims and ensuring they are not being breached, also ensuring support is urgently received while [the] offender is still bound by order. (Police)

Support agencies to receive notification of PSOs more quickly

Speeding up the time taken to notify support staff of the existence of a PSO was seen as a way to increase the efficiency of PSOs.

Receiving the notification in a timely manner - if a victim is emotionally upset it enables us to be more effective in our role as D[omestic] V[iolence] advocates. (Refuge staff)

Better identification of the primary aggressor by Police

Better identification of the primary aggressor by Police, to ensure the PSO is always issued to the right person regardless of practical considerations, such as childcare arrangements, was raised by both Police and refuge staff in the surveys as still being an area that required attention.

Other areas for improvement

Additional to the above-noted areas for improvement, the stakeholders and Persons At Risk raised a number of other issues (that were not raised in the formative evaluation). These were:

- **Mandatory immediate notification to support agencies** at the time of the investigation to ensure they have time to make contact with the Person At Risk or Bound Person while the PSO is in force (Police, n=1)
- **More support/referrals for Bound Persons** to a stopping violence intervention service, so that the problem could be addressed directly with the individual, not just through the victim (Police, n=2; Refuge staff, n=1)

The Bound Person should [be required] to seek some form of professional support - even if just one session. (Refuge staff)

More funding for the Bound Person by way of temporary housing and follow up programmes by agencies. (Police)

- **More frequent use of PSOs** (Police, n=2)

PSOs are an excellent tool. Some attending staff utilise them very effectively, while others are reluctant to issue them. My opinion is that staff do not issue enough PSOs. (Police)

- **Streamlining the processes for recording breaches** to enable faster, consistent recording (Police, n=2)
- **Increasing the visibility of PSOs on the FVR** by visibly stamping the front of the file (Refuge staff, n=1)
- **Better direction on how long to issue a PSO** for, to improve consistency of practice (Police, n=1)
- **Making Protection Orders free for Persons At Risk** to bring down the barriers to taking further steps where necessary (Police, n=1)
- **A small pocket guide for Persons At Risk and Bound Persons** instead of the larger A4 sheet currently given (Police, n=1)
- **Training for COMMs Inspectors** to ensure rural frontline staff (who don't have ready access to a local NCO) can receive appropriate support (Police, n=1)
- **Removing the need to get authorisation** to issue a PSO, to speed up the process and encourage staff to use PSOs more frequently (Police, n=1)
- **Making young people, aged 17 and under**, who are in an intimate partner relationship, eligible to receive a PSO (Police, n=1)

There needs to be the ability to serve a PSO on young people under 17 who are in an intimate partner relationship. (Police)

- **Taking more time and care with how PSOs are explained** to the Bound Person, particularly those who were intoxicated. (Persons At Risk, n=2)

7.2 Progress on issues identified in the formative evaluation

As noted earlier, the formative evaluation⁶⁴ of PSOs examined their first six months of operation. This formative evaluation concluded that PSOs had been well received by all interested parties and were generally being executed as intended. However, a number of areas for improvement were identified, listed in Table 7.2. This table also presents an indication, based on the evidence of the current evaluation, as to whether there has been progress made and/or whether more attention is required.

Table 7.2 Progress on issues identified in the formative evaluation

64 Kingi, V. Roguski, M. and Mossman, S.E. (2011). Police Safety Orders Formative Evaluation Summary Report (<http://www.Police.govt.nz/sites/default/files/resources/evaluation/Police-safety-orders-formative-evaluation-2011.pdf>). Wellington: New Zealand Police.

7 Areas for improvement

Issue identified in the formative evaluation	Progress ²	More attention needed ²
Inefficient administrative processes - recording of breaches	✖	✓
Inefficient administrative processes – other ¹	✓	✖
Staff needing more training	✓	✓
Risk assessment needs to be completed onsite	✓✓	✓
Issuing of PSOs in contradiction with Police policy	?	✓
Better understanding and policing of breaches of PSOs	✖	✓✓
Insufficient information provided to Persons At Risk and Bound Persons	✓✓	✓
Timely referrals for support	✓	✓✓

Table Notes:

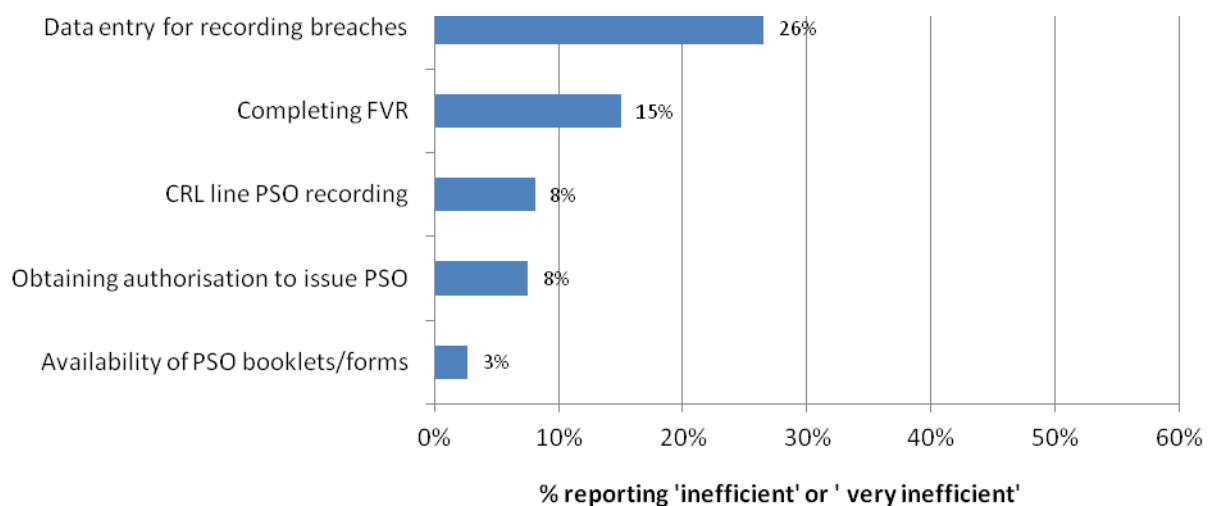
- 1 See Figure 7.1 for a list of the other administrative processes that respondents were asked about
- 2 In the progress column, a '✖' represents a negative finding, indicating that progress has not been made, and a '✓' represents a positive finding, indicating that there has been progress made. A double tick represents significant progress. However, in the second column, a '✖' is a positive finding, meaning no more attention is needed, and a '✓' represents a negative finding, meaning more attention is needed. A double tick means significant additional attention is needed.

Many of the topics listed in Table 7.2 are consistent with those identified in Table 7.1 (and therefore related to the current evaluation). Within the areas requiring more attention, a number stand out as requiring significant further attention, including: breaches of PSOs (i.e. monitoring, consequences and recording); ensuring timely referrals/PSO notifications to support agencies, and; improving frontline practice so there is clear recording of how the decision to issue a PSO was made. Some of the identified improvement needs would require policy/legislation changes, while others are training issues.

Administrative processes

In both the formative and current evaluation, Police respondents were asked to rate the efficiency of a number of administrative processes associated with the issuing and serving of PSOs. Figure 7.1 presents the summation of these ratings for the current evaluation.

Figure 7.1: Ratings of PSO-related administrative processes



For the purposes of highlighting progress made in these areas, comparisons of the results of the formative and current evaluations are made. These are discussed below.

Data entry for recording breaches

Overall, only a minority of respondents to the current evaluation ranked any of these processes as inefficient. Data entry for recording breaches was the process most frequently ranked as inefficient (26%). This is the same proportion identified in the formative evaluation, suggesting it remains an area for improvement.⁶⁵

Completing the Family Violence Report

The formative evaluation found completing the Family Violence Investigation Report (FVR) a lengthy and inefficient process. Since then a new report has been developed. Completing the new FVR (POL 1310) was reported as inefficient by just 15% of survey respondents. When asked how the new forms compared, just over half of survey respondents (57%) reported that the new set of family violence forms were easier to complete, 18% said they made no difference, and 21% said they were more difficult. Completion of the Ontario Domestic Assault Risk Assessment (ODARA), a new risk assessment instrument used when an assault occurs, was seen by some as taking more time, but overall recognised as getting better results.

Obtaining authorisation to issue a PSO

Very few of the Police surveyed said this was an issue; however, one Police officer did suggest that frontline staff made a number of decisions in the course of other duties that were of a similar level of seriousness to the decision to issue a PSO, and that did not require a supervisor's approval. As such, for consistency, they questioned the need for supervisor approval to issue a PSO.

There are a number of very big decisions that frontline staff can make without supervisors' permission...these decisions can involve arrest and the deprivation of liberty, yet the process of issuing a PSO is afforded special consideration and needs a supervisor's permission. This seems unnecessary. (Police)

Other administrative processes

As highlighted in Figure 7.1, there was little concern over other administrative processes, including the availability of PSO booklets, and the use of the crime reporting line (the final two problem areas identified in the formative evaluation).

However, Police were also given the option of writing in any other administrative processes they felt needed to be improved. This option raised three issues that were not raised in the formative evaluation:

- Staff raised that PSOs may be double counted if the File Management Centre created a new case number rather than using the Crime Reporting Line created case number
- Staff also suggested that sometimes there were two to three day delays in the FVR being entered, which meant updates on NIA couldn't be completed. There was also

65 In the formative evaluation and the current evaluation, 26% of survey respondents reported experiencing this as efficient or very efficient.

comment made by one Police staff member that suggested PSO recording was being impacted by frontline staff submitting incomplete FVRs to file management staff:

PSO occurrences are very rarely completed due to frontline staff not providing or only partially providing the full FVR to the FMC for data entry. (Police)

- Finally, one Police staff member said there is a need to publish a process map to help streamline the administrative process, and provide more information on recording 'Court Issued' PSOs to improve the recording of PSOs:

There appears to be no process for the issue of a Court-ordered PSO. A national standard is needed. (Police)

Staff training

In the formative evaluation, just under half of Family Violence Coordinators felt refresher training on PSOs was needed. In the current evaluation, a slightly different question asked respondents if they felt the PSO training provided to frontline Police was sufficient. Only a quarter replied 'no', with three-quarters replying either 'definitely yes' or 'probably yes'. However, there were a number of comments from Police in relation to required improvements to current training, which included:

- refresher training (if done through Te Puna), including new questions
- the importance of follow-up training at the local level e.g. at line-ups, and/or supervisors going over mistakes
- developing resources, such as an aide memoire, to include information on responding to, and recording of, breaches, completing prosecution files, appropriate issuing of PSOs, and frequently asked questions
- more broad-based family violence training so that staff understand the wider family violence context. It was suggested this incorporated material on when to issue PSOs for recruits, COMMs inspectors, and frontline staff:

Thorough training for COMMs Inspectors to make good decisions re issuing PSOs, especially to support rural staff who don't have ready access to a local NCO. (Police)

One respondent stated that better family violence training would improve the Police response, and that the current training was leading to some poor investigations and some officers opting for quick solutions.

PSO training was only part of the whole of policing approach to family violence offending, staff still struggle to understand the dynamics within an event, do not investigate properly and look for quick answers to issues rather than look for ways to prevent further calls or assess risk. (Police)

Any such situation is in contradiction to NZ Police's overall operating strategy of Prevention First, which expects staff attending family violence events to consider what actions they can take to prevent future calls for service from the family.⁶⁶

Finally, and in agreement with the above-noted comment, three refuge staff also expressed the view that Police could benefit from more training and a wider training perspective on

66 For example, see Bush, M. (2011) 'Prevention First: Here to stay,' *Ten One*, issue 345, May 2011, Wellington: NZ Police

family violence, with one offering to participate in such training to provide information on how a Women's Refuge operates.

When applied appropriately, they [PSOs] can be effective. The level of understanding around domestic violence and what action the Police should take varies across its members - therefore ongoing training to increase knowledge with frontline staff would benefit how PSOs are used. (Refuge staff)

Our agency is more than happy to be part of meeting with the Police to train them on what we do and don't do. (Refuge staff)

Completing risk assessments

Family Violence Policy and Procedures state that Family Violence risk assessment information should be completed prior to issuing a PSO. The formative evaluation identified that just half of frontline officers surveyed were adhering to this guideline (36% most commonly completing the risk assessment at the address, and 14% at the station, prior to issuing the PSO).

The current evaluation repeated this question to those in specialist and supervisory family violence roles. Based on their observations and/or experience it appeared that the proportion completing the Family Violence risk assessment information prior to issuing the PSO had increased slightly, to 63%, with an apparent shift towards more officers completing the assessments at the address (48% at the address and 15% at the station, prior to issuing the PSO).

A further 15% described 'other' circumstances, such as limited resources and time pressure, impacting on when and where the risk assessment is completed:

We are a small station and sometimes the sole officer is dealing with the offender and cannot gather all of the relevant information from the Person At Risk. (Police)

[There's a] time factor and multiple incidents attending sometimes inhibit staff from completing the FVR in a timely manner. (Police)

Staff do not in my opinion complete the risk assessment forms with the victim. They at times appear to make it up out in NIA. Any question needing a victim view is usually linked to an 'I don't know'. (Police)

Issuing in contradiction to Police policy

As noted in Section 6.6 there are still some concerns that PSOs are being issued in inappropriate circumstances: either when there is no real concern for the safety of the Person At Risk, or where an arrest may have been warranted. On the first issue, the evaluation did not find evidence of PSOs being issued when there was no real concern for safety. On the second issue, a file review of 400 cases found that issuing a PSO when an arrest was warranted only occurred in 2.5% of the sample. However, it also noted that in around a third of the cases, there was room to improve either the investigation undertaken, or the file preparation. In these cases, the question of whether a PSO was the correct course of action, in accordance with Police policy, remained unclear.

Breaching of PSOs

Issues were raised in the formative evaluation over an inadequate monitoring of PSOs and therefore a limited ability to detect breaches. There was also a perceived lack of understanding amongst some Police staff about how to process breaches that were detected. Collectively, these issues were seen to promote a perception of insufficient consequences for offenders who breach. It is difficult to gauge from the current evaluation exactly what progress has been made in this regard; however, it is clear from Section 4 of this report, and elsewhere, that breaches of PSOs, and detection and responses to these breaches, remain areas requiring attention.

Providing sufficient information

Ensuring Persons At Risk and Bound Persons were provided with sufficient information to understand PSOs was an area flagged in the formative evaluation. In the current evaluation very few concerns were raised in relation to this and while it was raised by a minority of stakeholders, it did not come through as a strong theme.

70% of Persons At Risk (19 out of 27) felt that they had been given enough information about the PSO.⁶⁷ Police talked to them at the time of the investigation and sometimes provided a pamphlet. Persons At Risk generally knew the length of the PSO, that the Bound Person could not contact them for this period, and that the Police would refer them on to a support agency – Women's Refuge or Victim Support. They all received a copy of the PSO either the day the event occurred or the next day. Police either delivered these in person or put them in the letterbox of the Person At Risk.

Persons At Risk who did not feel well informed typically said that the order had been explained briefly, or that at the time of the event they could not really take the information in. The following comments are illustrative.

I think I got a piece of paper but I didn't read it. They [the Police] explained briefly but I would have liked more information; it wasn't overly clear.
(Person At Risk, IPV)

There wasn't much time to explain - but I knew he was not allowed to contact me. (Person At Risk, IPV)

One woman recalled that the only information she got was when the Police phoned her the next morning to tell her what had happened after the Police had removed the Bound Person on the night of the event.

The majority of refuge staff felt Persons at Risk either definitely (22%) or probably (61%) received sufficient information, leaving only 17% with concerns. These concerns tended to centre on whether the Person At Risk was able to take in information at the time of a stressful event.

But as they are usually distressed at the time, they probably don't process the info that well. They need very brief and clear info. (Refuge staff)

67 Two of this number had previously been the Person At Risk on earlier PSOs.

This was also a concern raised by one of the Māori providers:

It's often a big step for women to take, and the amount of new information about the PSO and how the information is delivered is often hard to hear, and they are never in a space to read any handouts or resources left with them. (Māori Provider)

In addition to the issue of Persons At Risk receiving information, a quarter of the refuge staff felt their agencies didn't receive sufficient information, although this related more to information sharing rather than educational information. For example:

How do Police assess for issuing PSO? How do they (Police) follow up, and when, after issuing PSO? Who breaches PSO and what action has taken place when this happens? (Refuge staff)

Timely referrals

The formative evaluation raised concerns that support agencies were not receiving timely referrals and/or notifications of PSOs from Police. This re-emerged in the current evaluation as an area still requiring attention, although some progress has been made. In the formative evaluation, it was estimated referral information was provided at the FVIARS meeting in 46% of cases (this is too late as at this point it is most likely after the PSO has expired). In the current evaluation estimates reduced this to approximately 15% of cases. However, it is an area that requires ongoing focus.

We require timely (immediate) notification that a PSO has been served. (Refuge staff)

[What is needed is] for the family violence report to flag on front page that the PSO was issued. (Refuge staff)

7.3 Summary

8 Conclusions

PSOs came into operation in July 2010 and since that time have been increasingly used by frontline officers to protect victims of family violence when there is insufficient evidence to arrest. By the end of 2012, PSOs were being used in 14% of all family violence investigations recorded by Police. As with any new initiative, it is important to assess effectiveness and consider unintended consequences, which was the purpose of this evaluation.

The primary objective of PSOs is to increase the immediate safety of victims, and any children present, by removing the perpetrator of the violence from the residence. There was strong evidence that in most cases PSOs have been effective in achieving this outcome. This was largely seen to be the result of PSOs enabling Police to *enforce* the immediate separation of the two parties, something that had previously been difficult to achieve.

PSOs were also seen by the majority of respondents as being effective in providing Persons At Risk with a safe space to consider and seek support. Best estimates suggest around two-thirds of Persons At Risk receive information and/or support services as a result of PSOs being issued. For a smaller proportion (somewhere between 4% and 15%) the PSO resulted in a more permanent means of protection, with Persons At Risk applying for Protection Orders against the Bound Person.

While PSOs were seen to be effective in providing the *opportunity* to access support, uptake of this support was dependent on a number of factors; in particular if support was to be offered prior to the expiry of the PSO, support services needed to receive immediate, same-day, or at least expedient notification of the PSO, and receive valid contact details for the Person At Risk. These issues were generally relevant, but particularly important for PSOs of only a short duration. Latest estimates found half of all PSOs are issued for two days or less, with just 27% issued for the maximum duration of five days.

The FVIARS process is an important component of the PSO intervention model and was seen by most as an effective means of ensuring that appropriate support was provided to the Person At Risk. However, most PSOs would have expired by the time they were reviewed at FVIARS meetings, which means that its main value was as a means of checking on the progress of referrals (e.g. whether contact had been made, or whether Persons At Risk had engaged), rather than initiating PSO-related referrals.

PSOs were clearly viewed as effective in ensuring the immediate safety of the Person At Risk through the enforced separation of parties. However, keeping the Person At Risk safe for the duration of the PSO requires the Bound Person to comply with the conditions of the order. Breaches were recorded in only 6% of PSOs issued, with evidence of further violence in only 1% of cases. Reports from all sources suggest that the ability of Police to enforce the conditions of the order is an area of weakness. Whilst Police carry out random checking in some cases there is no clear direction, national policy, or sufficient resource to enable this to be done consistently or comprehensively. Increased detection of breaches would arguably result in more court issued Temporary Protection Orders as a result of the court appearance, and at no cost to Persons At Risk. A concern voiced from some support service providers, particularly Māori and Pacific agencies, was that perpetrators breaching PSOs were not held properly to account (or for their violence in general). As a result, the cycle of violence would be perpetuated, placing victims and their children at an ongoing risk. They argued that this

undermined the key purpose of PSOs, and particularly their ability to deliver the messages about family violence not being 'OK'.

There were mixed views on the longer-term outcomes of PSOs. The majority of Persons At Risk had observed positive changes in the Bound Person's behaviour following the PSO, with many noting that Bound Persons became calmer and less agitated. They felt the PSOs had been effective in giving the Bound Person the message that family violence was 'not okay'. However, as stated above, key stakeholders were less convinced, tending to view PSOs as more effective in achieving short-term outcomes only. The intervention logic of long-term change resulting from PSOs has been built on the principle that support services are able to contact, engage with, and offer effective interventions to Persons At Risk prior to the expiry of the PSO as well as subsequently. It is therefore essential, wherever possible, to remove barriers to this contact and engagement occurring.

Currently, PSOs focus on providing the space and time for Persons At Risk to consider and seek support. However, there also appears to be a missed opportunity for achieving longer-term outcomes when PSOs are not used as occasions to offer or mandate interventions to the Bound Persons. Police family violence specialists from Canterbury were enthusiastic about a local 'stopping violence' intervention that is offered to all Bound Persons, noting positive impacts and a good uptake of services. Several Māori providers shared this view, and felt strongly that it was important to work holistically, and with both Persons At Risk and Bound Persons, for long-term changes to occur. This meant working with the Bound Person and the wider whānau as well as the Person At Risk.

A number of possible unintended consequences of PSOs were identified; some, like the potential hardships to Persons At Risk and their children, did not appear widespread; and as some stakeholders pointed out, these impacts needed to be considered against the significant positive outcomes that can result from PSOs. Others, while not necessarily common, require attention to ensure they do not undermine the intended objectives of the PSOs (e.g. issuing PSOs to the wrong person, or issuing PSOs when an arrest is appropriate).

In sum, the majority of evidence collected through this evaluation suggests that PSOs are effective, particularly in ensuring the immediate safety of victims and their children. In most cases, PSOs also provide an opportunity for Persons At Risk to consider and seek support. However, three areas were identified that could further improve the effectiveness of PSOs, and may go some way to addressing the concerns of some stakeholders related to unintended consequences. These three areas are the same as those highlighted in the earlier formative evaluation, hence a more concerted effort appears necessary in order for progress to be realised.

- **Improve the monitoring, recording process, and level of consequence of breaches.** For PSOs to fully achieve their intended objectives, it is important that the Bound Person complies with the conditions of the order, and expects consequences if they do not. This is important for Persons At Risk to feel safe, consider accessing support, have the confidence to call the Police again in the future, and, most importantly, to reduce the risk of re-victimisation. Closer monitoring of those most at risk of breaching PSOs is a priority.
- **Maximise the opportunity for support.** Clearer guidelines on how to decide on the appropriate duration of a PSO are needed to improve consistency across Districts; so too are options for extending the PSO in certain circumstances. Alternatively, there may

be merit in ensuring that, where appropriate, the Person At Risk is assisted to apply for a Protection Order.

Immediate or at least same-day referrals to support agencies will provide these agencies with a better window to contact Persons At Risk (and potentially Bound Persons) when the PSO is still in effect. There appears to have been progress on this issue since the formative evaluation, with fewer Areas using the FVIARS meeting as the primary referral mechanism (currently an estimated 15%, compared to 45% in 2010). However, reports from stakeholders indicate that improvements are still needed. While not always possible, making all efforts to provide support agencies with usable contact details also increases their ability to contact and offer support to Persons At Risk.

Consideration is also warranted on how to maximise the opportunity for PSOs to be used to provide intervention and support to the Bound Person. There was little evidence in the evaluation of support services for Bound Persons being offered at the time of serving a PSO or while it was in effect. However, where this did occur, stakeholders reported positive results, with over half of Bound Persons taking up the offer of support.

- **Improving frontline practice to ensure PSOs are issued in accordance with policy.**

Though the evaluation found that the majority of PSOs are issued in accordance with Police policy, room for improvement in consistency of usage exists. The frequency with which PSOs are used by frontline officers varies around the country. Further guidelines on the appropriate level of use appear warranted.

A serious concern of some stakeholders was that PSOs are used when arrest is warranted. However, the case file review documented in this evaluation suggests this is not a common occurrence. Nevertheless, it must be monitored carefully to make sure perpetrators are properly held to account for violence, to enable all support agencies to work effectively with Persons At Risk and Bound Persons, and for there to be ongoing confidence in PSOs.

Finally, there were some suggestions of PSOs being issued to parties based on what was easiest to enforce. Whilst it is recognised that family violence involves complex dynamics, all efforts must be made to identify the primary aggressor and ensure that they are the one issued with the PSO.

In summary, this evaluation finds that PSOs represent a valuable new addition in the response options available to Police when dealing with family violence. Police are now able to enforce a temporary but immediate separation of the two parties, something that previously had been difficult to achieve. This period of separation makes it easier for support agencies to safely contact victims and offer support. As with all new initiatives there is still scope to further maximise the short- and longer-term outcomes resulting from PSOs, but they continue to be well received by Police, most support agencies and most importantly by the victims of family violence.

Appendix A: Evaluation objectives and sources of information

Table A1 Evaluation objectives and sub-questions in relation to information source

EVALUATION QUESTIONS	INFORMATION SOURCE*
Objective 1: To use available data to gauge the extent to which the use of Police Safety Orders increases the immediate safety of the victim/children	
1.1 To what extent does the Person At Risk seek or receive support or assistance while the PSO is in force? Are PSOs providing space for victims to seek assistance? a) Following the issuing of a PSO, what proportion of Persons At Risk apply for a Temporary Protection Order?	<ul style="list-style-type: none"> - Administrative data (NZP criminal history) - FVIARS case files - Person At Risk interviews
b) Following the issuing of a PSO, what proportion of Person At Risks seek or receive other agency support, and what types of support do they receive?	<ul style="list-style-type: none"> - FVIARS case files - Person At Risk interviews - Refuge survey
1.2 What, if any, has been the impact of PSOs on the number of Protection Orders sought?	<ul style="list-style-type: none"> - Administrative data (MOJ) – overall trends - Police / Community Agency surveys
1.3 What is the interface between PSOs and FVIARS?	<ul style="list-style-type: none"> - Police / Community Agency surveys
1.4 Did the victim feel safer as a result of the PSO being served? a) Do victims perceive the Police response of issuing a PSO to be appropriate (i.e. did they think this was the most appropriate response)?	<ul style="list-style-type: none"> - Person At Risk interviews
b) What is the perceived impact of PSOs in family violence situations where children are present?	<ul style="list-style-type: none"> - Person At Risk interviews - Police / Community Agency surveys
c) Are there differences for different groups (e.g. ethnicity, gender, age, type of victim, English as a second language, etc.)? NB: Insufficient numbers of Person At Risk interviews to assess differences between groups.	<ul style="list-style-type: none"> - Police / Community Agency surveys

* Sources in bold are considered the primary sources of information, un-bolded components may provide additional information.

EVALUATION QUESTIONS	SOURCE
Objective 2: To investigate whether the use of Police Safety Orders achieves the compliance of the Bound Person	
2.1 How well do Bound Persons comply with the conditions of the order during the time the PSO is in place (as reported by the Person At Risk)? What, if any, are the differences for different groups (e.g. ethnicity, gender, age, type of victim, English as a second language, etc.)? NB: Insufficient number of Person At Risk interviews to assess differences between groups – but see 2.6 below.	– Person At Risk interviews
2.1 What proportion of PSOs are breached?	– Administrative data (NZ Police PSO database) NB: this is limited to 'recorded breaches'
2.3 What proportion of breaches go unreported and why? NB: Insufficient number of Person At Risk interviews to assess 'proportion' but can explore 'why'	– Person At Risk interviews – Police / Community Agency surveys
2.4 What are the main reasons Bound Persons breach PSOs? What, if any, are the differences between different groups of Bound Persons (e.g. ethnicity, gender, age, type of victim, English as a second language, etc.) in reasons for breach? NB: Insufficient data to assess group differences.	– Person At Risk interviews – Police / Community Agency surveys
2.5 In the view of Persons At Risk, to what extent does the availability of alternative accommodation have a bearing on the compliance of the Bound Person with the PSO?	– Person At Risk interviews
2.6 What are the characteristics of those who breach a PSO compared with those who don't? NB: This requires a sufficient number of recorded breaches across different groups, in 2011 there were a total of 569 breaches recorded.	– Administrative data (NZ Police PSO database). NB: this would be limited to 'recorded breaches'
2.7 What are the patterns of offending of Bound Persons before and after the issuing of a PSO as reported by the Person At Risk)? At what stage in the history of Police involvement is the PSO issued? How many repeat PSOs have been issued?	– Person At Risk interviews – Administrative data (NZ Police PSO database linked with criminal history data)

EVALUATION QUESTIONS	SOURCE
Objective 3: To investigate whether the use of Police Safety Orders contributes to a reduction in re-victimisation	
3.1 What is the impact of issuing a PSO on the likelihood of a victim calling the Police again?	<ul style="list-style-type: none"> – Person At Risk interviews – Community Agency survey
3.2 What is the impact of serving a PSO on repeat family violence? (i.e. is there any change in the pattern of Police attendances at family violence events at the same residence?). NB: time series analysis of Police data was explored but decided inappropriate to pursue due to a number of confounding variables (e.g. variation in uptake of PSOs in different Police Districts, impact of other changes in family violence policy and recording practices (e.g. new FVR and risk assessment procedures).	<ul style="list-style-type: none"> – Person At Risk interviews (perceived impact)
Objective 4: Identify any unintended outcomes as a result of issuing/serving of PSOs	
4.1 What has been the trend in numbers of family violence arrests before and after the introduction of PSOs?	<ul style="list-style-type: none"> – Administrative data (NZ Police trend data) - (Not possible - see note to 3.2 above)
4.2 What, if any, has been the impact of the introduction of PSOs on the policing of breaches of Protection Orders?	<ul style="list-style-type: none"> – Police survey
4.3 Has the issuing of the PSO resulted in hardship for the person at risk and/or their children? If so, in what ways?	<ul style="list-style-type: none"> – Person At Risk interviews – Police / Community Agency surveys
4.4 How does the length of the PSO impact on the person at risk and/or their children?	<ul style="list-style-type: none"> – Person At Risk interviews – Police / Community Agency surveys
4.5 What, if any, are the other unintended consequences of serving a PSO?	<ul style="list-style-type: none"> – Person At Risk interviews – Police / Community Agency surveys

Appendix B: Demographics of Person At Risk interviewed

Table A2 Demographic characteristics of Persons At Risk interviewed

Characteristics	Persons At Risk (n=27)
Gender	
Female	23
Male	4
Ethnicity	
NZ Māori	10
NZ European	15
Pacific Island	1
Chinese	1
Age	
<20	1
20-29	7
30-39	7
40-49	7
50-59	3
60 or over	2
Employment status	
Employed	9
Beneficiary	12
Other ¹	6

Notes:

- ¹ This category includes two men who were retired, three female students, and one woman who was supported by her partner.

Appendix C: Person At Risk interview questions

We would like to ask you about your experiences with Police Safety Orders. This will include asking you about what happened at the time the PSO was issued and what has happened since then, Please remember that you do not have to answer any question you feel uncomfortable with and you can end the interview at any time.

1. When was the PSO was issued and for how long (remember to check whether or not there have been more than one within the last 6 months and intervals between these)?

The circumstances in which PSO was issued:

2. Can you tell me what was happening before the Police were called?

The extent to which PSOs increase the immediate safety of the victim/s children

Now I'd like to ask you about what happened when the Police arrived?

3. What did you want to happen?
4. What do you think of the way Police dealt with your situation? *(Did having them make the choice make it easier for you?)*
5. Do you think Police did the right thing in making a Safety Order? *(Police officers issue PSOs in situations where an arrest should be made check for following factors- was there an assault , did Police officers issue PSOs to the victim of the violence instead of the perpetrator due to confusion about who is the primary aggressor)*
6. Did you feel you were given enough information about the Safety Order?
7. Did the Police offer you support?
8. Did the Police contact a support agency (eg Refuge) before they left?
9. What did the Police do to make sure [the bound person] left?
10. Is there anything you think the Police could have done better?

While the PSO was in force

11. Did you seek or receive support or assistance while the PSO was in force? Y/N
12. If Yes, from whom and what was this? *(probe for formal [agency/lawyer] and informal (family friends) sources of support)*
13. How helpful was the support
14. Did the length of the PSO give you enough time to get the help or assistance you wanted/needed? *(Probe for whether they thought the length too short or too long)*
15. Did you apply for a temporary protection order at this time?
16. Did you feel safer as a result of the PSO being served? *(How safe do you feel anyway)*
17. Did the PSO make things better (de-escalate the situation) or result in things being worse *(making bound person more difficult/angry – led to increased violence)?*

18. Do you have children living with you? Y/N *(If Yes ask ages and gender)*
19. If Yes, how did the Safety Order affect them?(Check if they felt safer as a result of the PSO)
20. Did having the PSO have any positive effects for you and your child(ren)? If so, what?
(eg led to earlier intervention)
21. Did having the PSO have any negative effects for you and your child(ren)? If so, what?
(did you have to leave anyway)

Compliance of the bound person

22. What happened after the Police left?
23. Did (bound person) stay away? Y/N
 - a. If No, did anyone report a breach of the Safety Order to Police? *(If No probe for why not)*
 - b. If a breach was reported to Police, what happened?
 - c. Did cooling down period help?
24. Do you think having somewhere to go helped (Bound Person) to stay away *(ie comply with PSO) (If difficulty in finding accommodation probe)*

PSOs contribution to a reduction in re-victimisation

25. What happened after the Safety Order expired? Did things change for you in any way?
(Probe for whether things the same, better or worse – if Bound Person returned home are they still together etc)
26. How safe did you (and your children) feel after the PSO expired?
27. What impact did having the PSO have on (Bound Person's) behaviour?
28. Had you ever called the Police before the PSO about (Bound Person's) behaviour?
Have you had to call them again since– *(If relevant -How many repeat PSOs have been issued? Or were there other outcomes)*
29. Do you think that the PSO gave a message to (Bound Person) that family violence is not OK?
30. Since having the PSO has your level of confidence in the Police increased?
31. Since having the PSO would you call the Police again if there was any more violence?
(If the PSO was not the desired outcome the victim may be less likely to call the Police in future.)

Views on PSOs

Now I'd like to ask you how you feel in general about PSOs – what are the good things about them and if there is anything that is not good or helpful.

32. Advantages?
33. Disadvantages?

34. Is there anything else you would like to say about Police Safety Orders?

Before we finish, I'd like to ask you a few questions about yourself if you're OK with that.

<p>35. Age</p> <p>< 20 years <input type="checkbox"/></p> <p>20-29 years <input type="checkbox"/></p> <p>30-39 years <input type="checkbox"/></p> <p>40-49 years <input type="checkbox"/></p> <p>50-59 years <input type="checkbox"/></p> <p>60 and over <input type="checkbox"/></p>	<p>36. Ethnicity</p> <p>NZ European <input type="checkbox"/></p> <p>Māori <input type="checkbox"/></p> <p>Samoan <input type="checkbox"/></p> <p>Cook Island Māori <input type="checkbox"/></p> <p>Tongan <input type="checkbox"/></p> <p>Niuean <input type="checkbox"/></p> <p>Chinese <input type="checkbox"/></p> <p>Indian <input type="checkbox"/></p> <p>Other Ethnicity <input type="checkbox"/></p> <p>Please state:</p>
<p>37. Relationship to the perpetrator</p> <p>Intimate partner <input type="checkbox"/></p> <p>Ex partner <input type="checkbox"/></p> <p>Child <input type="checkbox"/></p> <p>Other <input type="checkbox"/></p> <p>Please state:</p>	<p>38. Employment status</p> <p>Employed <input type="checkbox"/></p> <p>Beneficiary <input type="checkbox"/></p> <p>Home duties <input type="checkbox"/></p> <p>Student <input type="checkbox"/></p> <p>Retired <input type="checkbox"/></p>

Appendix D: Survey instruments

Police Safety Orders Survey (Police Family Violence specialists)

Q1. To what extent do you think PSOs are effective or ineffective in achieving the following possible SHORT-TERM outcomes?

	Very ineffective	In-effective	Neither ineffective nor effective	Effective	Very effective	Don't know
De-escalating the violence in cases where there is insufficient evidence for an arrest	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reducing repeat call-outs to the same address on multiple occasions <u>on the same day</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Providing Persons at Risk with the opportunity to access support services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Where children are present, protecting them from the violence.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Helping Bound Person to recognise family violence is not okay	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Keeping Bound Person away from the premises for the duration of the PSO	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Providing Bound Person with information on stopping violence support services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Are you aware of any other short-term outcomes (at the time the PSO is issued/served)? If yes, please describe:

Q2. To what extent do you think PSOs are effective or ineffective in achieving these LONGER-TERM outcomes?

	Very ineffective	In-effective	Neither ineffective nor effective	Effective	Very effective	Don't know
Encouraging the Person at Risk to contact Police in the future	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ensuring the Person at Risk receives support/assistance they need	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Providing the opportunity for Bound Person to receive help to stop violence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reducing repeat call-outs to the same	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Appendix D: Survey Instruments

address <u>over time</u>						
Where children are involved, ensuring appropriate support /protection is in place	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Are you aware of any other long-term outcomes (following the use of PSOs)? If yes, please describe:

Q3. How often do you see the following UNINTENDED consequences of PSOs?

	Never	Rarely	Sometimes	Often	All the time	Don't know
PSOs result in a displacement of violence to public places	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
PSO aggravates the person being violent and the violence escalates	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
PSOs are issued to the wrong person due to difficulties in identifying the primary aggressor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
PSOs are not issued when they should be in order to avoid Family Violence related paperwork	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Victims do not call Police in the future because they do not want the offender to be removed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Individuals are requesting PSOs to 'punish' partners rather than to protect themselves from violence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Are you aware of any other unintended consequences? If yes, please describe:

Q4. In your experience, how often does the following to occur?

	Never	Rarely	Sometimes	Often	All the time	Don't know
PSOs are being issued when an arrest should have been made?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
PSOs are being issued when there are no real concerns the Person at Risk has been or will be a victim of family violence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
PSOs result in hardship for the person at risk and/or their children?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Are aware of hardship occurring as a result of a PSO? If yes, please describe examples:

Q5. PSOs enable Police to take direct action to protect victims of family violence when there is insufficient evidence to make an arrest, when previously they could only issue a warning.

In your view what is(are) the most significant outcome(s) from being able to issue/serve a PSO? Please describe:

Q6. When a PSO is issued, where and when is the Family Violence risk assessments information (e.g.FVR, ODARA, Child Risk Factors, Intimate Partner Vulnerability Factors) MOST commonly collected when a PSO is issued?

- ☐ At the address before the PSO is issued
- ☐ At the station before the PSO is served
- ☐ At the station after the PSO is served and before the end of the shift
- ☐ Other
- ☐ We don't complete an FVR for PSOs

Please explain why this is _____

If you are aware of other times or places when the Family Violence risk assessments information is collected please describe: _____

If staff don't complete an FVR for PSOs, please explain why: _____

Q7. How is the Family Violence risk information used when making a decision to issue a PSO?

Q8. Do the new Family Violence forms make their completion easier?

- ☐ Yes - easier now
- ☐ No – no difference
- ☐ No - more difficult now

Please comment _____

Q9. As far as you know how is the duration of the PSO decided?

- ☐ Don't know / can't answer this
- ☐ Officers tend to always issue for the maximum 5 days
- ☐ Officers choose a short duration otherwise Bound Person likely not to comply
- ☐ Officers select a duration based on the circumstances
- ☐ Other (please describe): _____

Q10. In your view how often does the Person at Risk receive INFORMATION about support or assistance?

- ☐ Never
- ☐ Rarely
- ☐ Sometimes
- ☐ Often
- ☐ All the time
- ☐ Don't know

Q11. What percentage of PSOs issued/served would you estimate result in a Person at Risk actually receiving some sort of support or assistance?

- ☐ None
- ☐ 1 - 25 %
- ☐ 26 – 50%
- ☐ 51 – 75%
- ☐ 76 – 90%
- ☐ 91-99%
- ☐ 100%
- ☐ Don't know

Q12. For those who receive support, what type of support do they typically receive?

Q13. What, if any, are the barriers to Persons at Risk receiving support or assistance?

Q14. When a PSO has been issued, how is referral information MOST COMMONLY provided to a support agency by Police?

- ☐ Person issuing the PSO phones the Support Agency
- ☐ Person issuing the PSO faxes a referral through to the Support Agency
- ☐ The Family Violence Co-coordinator provides appropriate information to the Support Agency when they receive the PSO/FVR file
- ☐ The information is provided at the FVIARS meeting
- ☐ Other (please describe): _____

Q15. When a PSO has been issued, when is referral information MOST COMMONLY provided to a support agency?

- ☐ At the address/scene of the incident
- ☐ At the station after the PSO is served and before the end of the shift
- ☐ Sometime after I, as Family Violence Coordinator, receives the PSO/FVIR file
- ☐ Other (please describe): _____

Q16. For every 100 PSOs issued/served what proportion would you estimate result in a Protection Order being applied for by the Person at Risk?

- ☐ None
- ☐ 1 - 25 %
- ☐ 26 – 50%
- ☐ 51 – 75%

- ☐ 76 – 90%
- ☐ 91-99%
- ☐ 100%
- ☐ Don't know

Q17. What, if any, are the barriers to applying for a Protection Order following a PSO being issued?

Q18. What, if any, has been the impact of PSOs on the policing of breaches of Protection Orders?

Q19a. What percentage of PSOs issued/served would you estimate are reviewed through the FVIARS process?

- ☐ None
- ☐ 1 - 25 %
- ☐ 26 – 50%
- ☐ 51 – 75%
- ☐ 76 – 90%
- ☐ 91-99%
- ☐ 100%
- ☐ Don't know

Q19b. For PSOs that are reviewed, how effective is the FVIARS in ensuring support is provided to Persons at Risk and other appropriate action is taken? Please describe:

Q20. To what extent do you agree or disagree that the following factors increase the likelihood of Bound Persons breaching the PSO?

	Strongly Disagree	Disagree	Neither disagree nor agree	Agree	Strongly Agree	Don't know
Bound Person does not have suitable alternative accommodation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Person at Risk wants Bound Person to return	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Insufficient resources to enable Police to monitor PSOs issued and detect breaches	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Insufficient penalties for Bound Person when PSO is breached	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bound Person doesn't understand	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Appendix D: Survey Instruments

the conditions of the PSO						
Bound Person is not given support by Police to find suitable alternative accommodation	○	○	○	○	○	○

Q21. Are aware of any other problems around the policing of breaches of PSO, please describe:

Q22. Do you think PSO training provided to frontline Police is sufficient?

- ☐ Definitely yes
- ☐ Probably yes
- ☐ No
- ☐ Don't know

Q23. In what ways, if any, do you think the format, content or frequency of training needs to be improved?

Q24. How efficient or inefficient do you think the following PSO-related processes are?

	Very inefficient	Inefficient	Neither inefficient nor efficient	Efficient	Very efficient	Don't know
Completing the FVR and relevant risk assessments (e.g. ODARA)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Obtaining authorization to issue a PSO	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Availability of PSO booklets/forms	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Recording the PSO through the CRL line	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Data entry for recording breaches of PSOs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Are you aware of any ways you think the administrative processes needs to be improved? If yes, please describe:

Q25. Are there any particular groups or characteristics of individuals that make PSOs inappropriate or not effective (e.g. demographics, type of violence, particular characteristics of the victim or perpetrator)? If yes please describe.

Q26. What, if anything, needs to change to make PSOs more effective?

Q26. Any other comments:

Many thanks for your time and feedback!

Police Safety Orders Survey (Community Agencies)

Many thanks for making the time to complete this survey. There are just 20 questions and it should take you no more than 10-15 minutes. Your feedback is crucial to our understanding of how useful PSOs are as a tool in helping to keep victims safe.

You may not be able to answer all the questions and you don't have to answer all of them. Your answers will remain confidential to the research team with all findings aggregated to ensure your answers will remain anonymous, although we may link your comments to the type of agency you represent (ie Women's Refuge, Māori Social Service).

Police Safety Orders (PSO) allow Police officers to take direct action to protect victims of family violence when there is insufficient evidence to make an arrest. The PSO requires the person who represents a threat (Bound Person) to leave the premises for up to five days. They are different from Protection Orders as they are short-term, issued by Police not a Judge, and the consent of the person at risk is not required to issue the order.

Q1. How much experience do you have supporting Persons at Risk (victims) who have been protected by a Police Safety Order?

- ☐ A lot of experience
- ☐ Quite a bit of experience
- ☐ Some experience
- ☐ No experience
- ☐ Don't know

Q1a. From what you know, how effective or ineffective are PSOs in achieving the following possible SHORT-TERM outcomes when issued/served (ie at the time the PSO is issued/served)?

	Very ineffective	Ineffective	Neither ineffective nor effective	Effective	Very effective	Don't know
De-escalating the violence in cases where there is insufficient evidence for an arrest	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Providing Persons at Risk with the opportunity to access support services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Where children are present, protecting them from the violence.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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Helping Bound Person to recognise family violence is not okay	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Keeping Bound Person away from the premises for the duration of the PSO	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Providing Bound Person with information on stopping violence support services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you are aware of any other short-term outcomes (at the time the PSO is issued/served), please describe:

Q2. To what extent do you think PSOs are effective or ineffective in achieving these LONGER-TERM outcomes when they have been used (ie following on from the use of the PSO)?

	Very ineffective	Ineffective	Neither ineffective nor effective	Effective	Very effective	Don't know
Encouraging the Person at Risk to contact Police in the future	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ensuring the Person at Risk receives support/assistance they need	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Providing the opportunity for Bound Person to receive help to stop violence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reducing re-victimization	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Where children are involved, ensuring appropriate support /protection is in place	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you are aware of any other long-term outcomes (following the use of PSOs), please describe:

Q3a. Previous feedback from other support services was able to identify some UNINTENDED consequences resulting from PSOs. From what you know how common are the following unintended consequences?

	Never	Rarely	Sometimes	Often	All the time	Don't know
PSOs result in hardship for the victim	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Where children are involved, PSOs cause them hardship	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
PSO aggravate the person being violent and the violence escalates	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
PSOs are issued to the wrong person due to difficulties in identifying the primary aggressor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Victims do not call Police in the future	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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because they do not want offender to be removed						
Where children are involved, victims do not call the Police in the future because they do not want other agencies like CYF being contacted	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Individuals are requesting PSOs to 'punish' partners rather than to protect themselves from violence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q3b. Can you please describe any examples of hardship created by PSOs for the victim or their children?

Q3c. If you are aware of any other unintended consequences, please describe:

Q4. PSOs enable Police to take direct action to protect victims of family violence when there is insufficient evidence to make an arrest, when previously they could only issue a warning. Please describe what is (are) the **most significant** outcome(s) (if any) from Police now being able to issue/serve PSOs?

Q5. In your experience do PSO provide the Person at Risk (victim) with the space to seek help from support services?

- ☐ Yes
- ☐ Sometimes
- ☐ No
- ☐ Don't know

Q6. If applicable what type of support or assistance do Persons At Risk (victims) receive following on from a PSO?

Q7. What, if any, are the barriers to Persons at Risk (victims) accessing support or assistance after a PSO has been issued?

Q8. In your experience do PSOs provide the Person at Risk (victim) with the space to apply for a Protection Order?

- ☐ Yes
- ☐ Sometimes
- ☐ No
- ☐ Don't know

Q9. What, if any, are the barriers to victims/Persons' At Risk applying for Protection Orders following the issuing of a PSO?

Q10. When do you MOST COMMONLY receive referral information that a PSO has been issued?

- ☐ Phoned through from the address/scene of the incident at the time the PSO is issued
- ☐ From the station sometime after the PSO is served but before the end of the officers shift (e.g. faxed through)
- ☐ Sometime later when the Family Violence Coordinator receives the PSO/FVR file
- ☐ At FVIARS meetings
- ☐ We don't receive any referrals related to PSOs
- ☐ Don't know
- ☐ Other (please describe): _____

Q11. How effective is the FVIARS process in ensuring support is provided to Persons at Risk (victims) and other appropriate action is taken?

- ☐ Very effective
- ☐ Effective
- ☐ Neither effective nor ineffective
- ☐ Ineffective
- ☐ Very ineffective
- ☐ Don't know

Comments:

Q12. In your experience, how often does the Bound Person (perpetrator) breach the PSO?

- ☐ Never
- ☐ Rarely
- ☐ Sometimes
- ☐ Often
- ☐ All the time
- ☐ Don't know

Q13. From what you know, how common is it for the Person At Risk (Victim) to report this to Police?

- ☐ Never
- ☐ Rarely

- ☐ Sometimes
- ☐ Often
- ☐ All the time
- ☐ Don't know

Q14. Are you aware of breaches occurring that are not reported to Police? If yes, please describe why this happens.

Q15. Do you think Persons at Risk (victims) receive sufficient information on PSOs?

- ☐ Definitely yes
- ☐ Probably yes
- ☐ No
- ☐ Don't know

If no, please describe what information they need?

Q16. Do you think YOU receive sufficient information on PSOs?

- ☐ Definitely yes
- ☐ Probably yes
- ☐ No
- ☐ Don't know

If no, please describe what information you need?

Q17. Are there any particular groups or characteristics of individuals that make PSOs inappropriate or not effective (e.g. demographics, type of violence, particular characteristics of the victim or perpetrator)? If yes please describe.

Q18. What, if anything, needs to change to make PSOs more effective?

Q19. Any other comments:

Q20. Which of the following best describes where your agency is located?

- ☐ Major urban area

- ☐ Provincial town
- ☐ Rural area
- ☐ Other, please describe:

Many thanks for the time to complete this survey, for feedback is valuable and much appreciated!

Please return your completed survey by Friday April 26th to:

**Elaine Mossman
522 Ohariu Valley Road
Wellington, 6037**

If you would like us to send you a summary of findings please provide an email or postal address below:

For more information on this evaluation please contact: Elaine Mossman
(e.mossman@clear.net.nz or 04 478 5025)

Appendix E: Most serious offence recorded while a PSO was in place

Offence Code	Offence Description	Seriousness Score	Frequency
1426	INJURES INTENT TO INJURE (MANUALLY)	363.7	1
1533	ASSAULT CHILD(MANUALLY)	87.0	1
1543	MALE ASSAULTS FEMALE (MANUALLY)	58.4	5
1583	COM ASSLT(DOMESTIC)CR ACT (MANUALLY)	22.7	2
1593	COMMON ASSAULT(CRIMES ACT (MANUALLY)	29.7	1
1643	COMMON ASSAULT - DOMESTIC (MANUALLY)	7.9	3
1712	THREATENS TO KILL/DO GBH (OTH WEAPON	189.0	1
1714	THREATENS TO KILL/DO GBH (VERBALLY)	117.9	1
1715	THREATENS TO KILL/DO GBH (STAB/CUT WEAP)	157.7	1
1733	BEHAVE THREATENINGLY (MANUAL)	11.8	2
1734	SPEAKS THREATENINGLY	12.0	2
3511	OBSTRUCT/HINDER POLICE	6.5	1
3514	RESIST POLICE	11.8	2
3531	DISORDERLY BEH (LIKELY TO CAUSE VIOLENCE)	7.4	1
3545	INSULTING LANGUAGE	1.1	1
3561	FIGHTING IN PUBLIC PLACE	1.6	1
3852	CONTRAVENES PROTECTION ORDER - NO FIREARM	51.7	5
3859	OTHER BREACH OF DOMESTIC VIOLENCE ACT	0.2	1
4417	RECEIVES PROPERTY (OVER \$1,000)	158.6	1
4584	TAKE/OBTAIN/USE BANK CRD TO PECUNIARY ADV	244.4	1
5127	WILFUL DAMAGE	9.1	4
6111	WILFUL TRESPASS	9.4	4
6551	OFFENSIVE/DISTURBING USE OF TELEPHONE	9.8	1
6851	UNLAW CARRY/POSSESS F'ARM/RES WPN/EX/AMM	181.0	1
7131	ESCAPE FROM/BREAK INSTIT/LAWFUL CUS	86.3	1
7191	FAILURE TO ANSWER DISTRICT COURT BAIL	12.7	1
Total			46