

Family Violence Death Review Committee



Activities Report: July 2014 to June 2015



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Contents

Chair's update	2
Outcomes and recommendations made in the Family Violence Death Review Committee's Fourth Annual Report	4
Outcomes and recommendations made in the Family Violence Death Review Committee's Third Annual Report	10
Family Violence Death Review Committee Activities, 1 July 2014–30 June 2015	13
Community workshops	13
CYF regional practice supervisors workshops	13
New Zealand Police	13
Department of Corrections	13
Committee conference presentations	14
Committee membership on national groups	14
Published papers	14



Chair's update

The Family Violence Death Review Committee (the Committee) is delighted to welcome three new committee members. These members bring a wealth of family violence expertise from a diverse range of professional backgrounds and the Committee will benefit greatly from their fresh perspectives. These members replace Dr Barry Taylor (who previously left to support other aspects of the Health Quality & Safety Commission's mortality review programme), Ngaroma (Mala) Grant and Fia Turner

(whose terms of appointment expired in December 2014). We wish to express our appreciation and gratitude to these former members for their invaluable service to the Committee. Mala deserves particular mention as our longest serving member; her warmth and wisdom will be greatly missed.

Our first new appointment, Pamela Jensen, has extensive family law experience, with a particular specialty in family violence matters (both child abuse and neglect (CAN) and intimate partner violence (IPV)). She represents children as Lawyer for Child and is a specialist Family Dispute Resolution Mediator. Having also practised as defence Counsel, her current focus in the criminal jurisdiction is as a Restorative Justice Facilitator, accredited by the Ministry of Justice (MoJ) to facilitate family violence and sexual violence matters. Other relevant experience includes providing legal advice and advocacy to the Office of the Children's Commissioner.

Our second new member is Dr Fiona Cram, who has tribal affiliations to Ngāti Pāhauwera on the east coast of Aotearoa. Fiona has a background in social and developmental psychology. She has 25 years' experience in research and evaluation in the fields of Corrections and Justice, with a specific interest in the impacts of IPV on women and their children. She has been involved in the evaluation assessment of both community and government directed responses to Māori IPV and has an in-depth understanding of the determinants of Māori health and wellbeing. An over-riding theme in Fiona's work is kaupapa Māori (by Māori, for Māori).

Our final new appointment is Professor Jane Koziol-McLain. Her research in the Centre for Interdisciplinary Trauma Research and School of Health Care Practice, AUT (where she is currently located) focuses on improving the health system response to violence against women and children. Jane was awarded the Nursing Network on Violence Against Women International Award for Excellence in Research in 2003 and inducted into the Johns Hopkins Society of Scholars in 2003. Her work documenting district health boards' progress in developing a system response to women and children at risk of family violence contributed to the Ministry of Health's violence intervention programme in 2007.

As noted in earlier reports, our regional death review process is fully operational and our review panels across the country continue to produce powerful insights into the operation of the New Zealand family violence system. Meanwhile, our tier one data system is close to completion and we look forward to a time when we do not have to build quantitative data from scratch for each report.

The Committee will release its next substantive report in December 2015. Our work has three current areas of focus. The first is the bigger systemic changes needed to develop an integrated family violence system. The second is the improvement of practice responses to family violence across the family violence workforce. Family violence work is complex and there is a need for well-informed, integrated and multifaceted responses in each instance that reflect an assumption of responsibility for victim safety by the multi-agency system. The third is the practice responses of three key groups of professionals: child protection practitioners, judges and mental health and substance abuse practitioners.

In this interim report we provide an update on the progress made on recommendations from our fourth and third reports, followed by a list our activities since the fourth report.

We have been fortunate to receive multiple requests to present relevant information to different professional bodies and groups. We have also been invited to have input into a number of key government and agency work programmes on family violence – sitting as committee and board members, and providing feedback and information on key pieces of work, including progressing our recommendations.

We feel very keenly the responsibility and privilege of the information that has been entrusted to us and the faith placed in us from so many quarters. It is particularly gratifying to note the progress made on our recommendations by key agencies and bodies, which demonstrates the importance placed by these agencies on addressing family violence.

Finally, thanks must go to all the agencies and individuals whose tireless (and largely voluntary) work supports the work of the Committee. Special thanks must always go to our secretariat at the Health Quality & Safety Commission and, in particular, to the dedication and brilliance of our Lead Coordinator, Rachel Smith.

Associate Professor Julia Tolmie

Chair, Family Violence Death Review Committee

June 2015

Outcomes and recommendations made in the Family Violence Death Review Committee's Fourth Annual Report¹

RECOMMENDATION	Lead or lead agency	2014 response	Status	Commentary from lead agency			
The Committee recommends the following:							
 1. The Campaign for Action on Family Violence deepens and extends its focus to encourage safe and effective interventions by friends, family/whānau, neighbours and workmates by: addressing the normalising and minimising of family violence educating the public about coercive control and IPV lethality indicators emphasising the importance of contacting services when lethality risk factors are disclosed. 	Ministry of Social Development (MSD)	Supported action		The It's not OK campaign has recently been extended to focus on educating the public about identifying the danger signs of IPV. This extended new focus involves working with champions (all of whom have lost a family member due to IPV), who discuss their experiences and the danger signs they missed. The Committee has received a draft project plan for the extended campaign focus and will participate in its development. The normalisation of family violence continues to be addressed through the It's not OK campaign, particularly through the locally led community campaign work. An evaluation report on campaign work from seven communities is currently being finalised.			

Family Violence Death Review Committee. 2014. Fourth Annual Report: January 2013 to December 2013. Wellington: Health Quality & Safety Commission.

RECOMMENDATION	Lead or lead agency	2014 response	Status	Commentary from lead agency
 2. With respect to offenders, New Zealand Police National Headquarters considers: how it identifies and manages family violence offenders who are recorded on the National Intelligence Application (NIA) system as having abused multiple partners and/or step/children, because this is an indication of an established pattern of offending. improving officers' risk management decision-making and prevention capabilities. The Committee's suggestions include: the development of a graded flagging system on NIA for flagging family violence (CAN and IPV) offenders who have abused multiple victims, including offenders who have multiple protection orders against them developing an attempted IPV homicide alert on NIA with specified criteria, which would be generated when someone has attempted to kill or seriously harm an (ex-) partner supplementing and adapting the current suite of police risk assessment tools so that IPV lethality assessment and repeat offending histories contribute to the risk analyses of (ex-) partners and step-/children proactively managing identified repeat offenders through a multi-agency highrisk case management and safety planning process identifying harmful patterns of relating in bail applications and risk management analyses for court. 	New Zealand Police	Supported action		The Police Family Violence Change Programme (PFVCP) is currently working on strengthening its NIA system to better identify serial offenders, repeat victims and attempted homicides. The PFVCP brings together expertise from the Police Data Quality Steering Group, National Family Violence team, Information and Communications Technology and the Statistics Group, to collaborate and address the changes needed for family violence recording processes. This work aims to ensure police family violence recording processes: record and differentiate between offenders and victims; address recording of multi-victim offenders; and establish an automated system that alerts police of offenders issued with a third protection order. New Zealand Police believes proactive management of family violence repeat offenders should be considered across the social and justice sectors. New Zealand Police has lead roles in the Multi-Agency Response System (MARS) and Intensive Case Management (ICM) cross-government projects. These projects could be used to explore multi-agency management of repeat offenders. New Zealand Police has initiated a stocktake of district practices and initiatives used for managing individuals with three or more protection orders against them. Alongside the MARS and ICM projects, Police has also been involved with the Victim Safety Alarm project and other projects in the MoJ-led Stronger Response to Family Violence and MSD-led Achieving Intergenerational Change for Family Violence work programmes. These projects will help to ensure repeat victims and their children are proactively supported by a multi-agency high-risk case management and safety planning process. The PFVCP is currently reviewing all police risk assessment tools for family violence. The Ontario Domestic Abuse Risk Assessment (ODARA) tool has been used to assess IPV since 2012. Currently the ODARA has been independently evaluated and the findings of this work will inform police decision-making around supplementing this tool with additional IPV lethali

RECOMMENDATION	Lead or lead agency	2014 response	Status	Commentary from lead agency
 With respect to victims, New Zealand Police National Headquarters considers: how the concepts of the primary victim and the predominant aggressor are addressed in current police IPV policy, training and operation practice tools the level of understanding of these concepts by frontline officers building on the NIA's Victimisation History Scorecard to systematically flag chronic IPV victimisation by the same offender and re-victimisation by multiple offenders, without any time limitation how identified repeat victims and their children are proactively supported by a multi-agency high-risk case management and safety planning process how identified patterns of victimisation inform bail applications and safety planning analyses for court including education on the following in police family violence training: cumulative patterns of harm the impact that chronic trauma and re-victimisation has on abuse survivors the need to consider these forms of trauma when deciding what forms of safety planning and support are offered. With respect to children, New Zealand Police National Headquarters: ensures that the police family violence policy explicitly states that where a child is named on a protection order (or where the police become aware that a child is protected by that order), a copy of this order must be attached to the child's record develop a consistent process to implement this policy change. 	New Zealand Police	Supported action		Concepts of primary victim and predominant aggressor are being considered by the Manager Family Violence. These concepts have been incorporated into an 'Enhanced Police Safety Order' training package for all sergeants and will be delivered from June 2015. This training will also help police officers identify the roles of primary victim and predominant aggressor at incidents of family violence. The Royal New Zealand Police College is also currently piloting a revised initial training programme, which has a greater emphasis on family violence and victims in both policy and operations training. Other police policy and training tools will be updated further to reflect the discussion outcomes of the PFVCP. The PFVCP is currently assessing the victim-focused 'graduated response model' and the linked victim history scorecard for its suitability for family violence victims. The scorecard captures repeat victimisation with 12 months. The PFVCP is considering removing this time limit and building on the scorecard. New Zealand Police has been working with the Chief District Court Judge on how Police can provide better information to support the judiciary and assist with improved bail decisions based on offender histories and intelligence reports. A draft family violence judicial summary report has been developed and the final version is underway. This reporting template will provide basic information to the judiciary on: times, dates, numbers of previous family violence occurrences and protections order issues and breaches. Following internal and external consultation of the final report, a pilot will commence in September 2015. New Zealand Police data recording policy has been updated. It now requires all children who are named in protection orders to be recorded on the NIA file with an information alert. The notional Family Violence team will need to do a spot audit to ensure the updated policy has been adopted in practice. The policy chapter on protection orders will be updated in 2015 to reflect these changes.

RECOMMENDATION	Lead or lead agency	2014 response	Status	Commentary from lead agency
3. All child survivors of a fatal family violence homicide should be considered to be vulnerable children and therefore should have access to assessment and support services as outlined in the Children's Action Plan.	MSD	Supported action		Where child survivors of a fatal family violence homicide are involved with CYF and a referral for a family group conference has been made, their health and educational needs would have been assessed using the Gateway and similar assessment tools.
These children should have a comprehensive assessment of their needs (health, safety, well-being and educational) and appropriate follow-up. This will be facilitated by Child, Youth and Family (CYF) or the newly emerging Children's Teams. All of these vulnerable children				MSD has signalled willingness to work with the Committee's advisors to provide a more detailed analysis of the assessments that have occurred for children and young people who survived a family violence homicide during the period 1 January–31 December 2014.
and their family/whānau should continue to receive support from the appropriate service until a clear pathway for their ongoing care is established and the children have been shown to be making good progress in their physical and mental health, and in their educational progress in their new care situation.				Children's Teams are operating in four areas in New Zealand (Rotorua, Whangarei, Horowhenua/Otaki and Marlborough) and Hamilton is due to commence operation in late 2015. The National Children's Director is committed to working with the Committee as they develop their Family Violence Death Aftercare Protocol. This will help identify how the Children's Teams can best address the needs of children surviving a family violence event.
4. The Committee establishes a working group to develop a national Family Violence Death Aftercare Protocol. The protocol will focus on clarifying the roles and responsibilities of each organisation – and the process to be followed – to ensure safe and holistic care pathways are developed for both child and adult survivors of fatal family violence.	The Committee			The Committee is working with partner agencies, including New Zealand Police and CYF, to develop a Family Violence Death Aftercare Protocol. This is due to be completed by December 2015.
 The Government considers an amendment of the Crimes Act to include non-fatal strangulation as a separate crime under part 8 of the Crimes Act 1961. 	Law Commission	Supported action		The Minister of Justice has requested the Law Commission to commence a review of the creation of a separate crime of non-fatal strangulation.

RECOMMENDATION	Lead or lead agency	2014 response	Status	Commentary from lead agency
Onsiders modifying the test for self-defence set out in section 48 of the Crimes Act 1961 so that it is more readily accessible to homicide defendants who are primary victims of family violence considers the introduction of a partial defence that can be utilised by primary victims of family violence who are not acting in self-defence at the time they retaliate in response to the abuse they have experienced convene an advisory group of experts (on the defence of primary victims who kill the predominant aggressor) to inform its deliberations.	Law Commission	Supported action		The Minister of Justice has requested the Law Commission to commence a review of changes to the law of self-defence, and the introduction of a partial defence, for victims of family violence who are facing homicide charges.
7. The judiciary, with the approval and strong recommendation of the Heads of Bench, in association with the Institute of Judicial Studies, implement family violence (IPV and CAN) education and training, as well as establishing a mechanism for refresher training.	Institute of Judicial Studies (IJS)	Supported action		 The IJS agreed to develop judicial education curriculum elements on domestic and sexual violence. The IJS Board approved the following activities: A domestic and sexual violence working group was established to progress development of effective judicial education options. The three-day District Court Judges Triennial Conference on 13 May 2015 was used to begin delivering the education. The conference programme was solely dedicated to domestic and sexual violence The IJS Director and Board Chair will evaluate the topics included in the conference for developing further IJS education and training programmes. The IJS Director is arranging a post-conference working group meeting to consider feedback from the training included in the conference. This will inform an education plan for judges. Domestic and sexual violence is the main priority for the 2016 judicial education calendar.

RECOMMENDATION	Lead or lead agency	2014 response	Status	Commentary from lead agency
 8. The Ministry of Justice, in partnership with New Zealand Police, strengthen the criminal and appellate courts' ability to respond effectively to family violence charges by facilitating the provision of comprehensive information to judges to aid safe and robust decision-making. This includes provision of: criminal conviction histories, which clearly identify family violence offending, as well as who the victim(s) are – one intimate partner or multiple, and/or related children IPV risk information (regarding assault and lethality) and risk management analyses information on bail applications that documents family violence offending histories and identifies harmful patterns of relating, including the number of protection orders against the defendant. 	MoJ New Zealand Police	Supported action		The Minister of Justice has recently taken recommendations on sharing domestic violence case information between court jurisdictions to Cabinet. Cabinet decisions will reduce legislative barriers for court judges wishing to access criminal conviction histories and case information. Projects under the MoJ Stronger Response to Family Violence ² work programme aim to improve the way IPV risk is assessed and managed. These include development of a risk management framework and test case management improvements for high-risk victims. New Zealand Police is working in partnership with the MoJ and judiciary to develop family violence judicial summary report templates, due to be piloted in September 2015. The templates will provide information for bail applications on family violence offending histories and the number of protection orders against the defendant. The ODARA evaluation will also inform the PFVCP's decision-making on how identified patterns of victimisation inform bail applications and safety analyses for court.
Status legend:	Completed	Unde	rway but	not yet completed No action taken

² Office of the Minister of Justice. Cabinet paper: A stronger response to domestic violence. URL: http://www.justice.govt.nz/publications/global-publications/f/family-violence-cross-government-package/documents/a-stronger-response-to-domestic-violence (accessed June 2015).

Outcomes and recommendations made in the Family Violence Death Review Committee's *Third Annual Report*³

RECOMMENDATION	or lead agency	2014 response	Status	Commentary from lead agency	
In order to improve the agency collaboration to prevent family violence deaths in New Zealand, the Committee recommends that the Taskforce for Action on Violence within Families:					
a. In partnership with the responsible	MoJ			The MoJ and New Zealand Police	

a	In partnership with the responsible agencies, develops a nationally consistent high-risk case management process.	MoJ	Supported action	The MoJ and New Zealand Police will begin testing a high risk-case management process later this year in at least two demonstration sites. No planned rollout for a national approach for high-risk case management will occur until agencies are confident the model is effective and does not pose safety risks.
b	Considers funding the development of national Family Violence Interagency Response System (FVIARS) training, for all professionals involved with FVIARS and all multi-agency high-risk case management processes.	MoJ	Supported action	The family violence workforce is one of the areas being considered by the cross-government family violence and sexual violence work programme. The MoJ is working in partnership with New Zealand Police, who is leading the operational multi-agency response work. The FVIARS process is one of the multi-agency responses being considered as part of this programme of work.
C.	Along with lead agencies for the Delivering Better Public Services: Reducing Crime and Re-offending Result Action Plan, ⁴ uses the New Zealand Family Violence Clearinghouse principles for effective interagency collaboration to inform the development of a highrisk case management process and to strengthen the FVIARS processes.	MoJ	Supported action	Please see 1a.

³ Family Violence Death Review Committee. 2013. Third Annual Report: December 2011 to December 2012. Wellington: Health Quality & Safety Commission.

⁴ Ministry of Justice, et al. 2012. Delivering Better Public Services: Reducing Crime and Re-offending Result Action Plan. Wellington: Ministry of Justice.

RECOMMENDATION	Lead or lead agency	2014 response	Status	Commentary from lead agency
2. In order to improve stopping violence programmes to better prevent family violence deaths in New Zealand.				

In order to improve stopping violence programmes to better prevent family violence deaths in New Zealand, the Committee recommends that the Taskforce for Action on Violence within Families:

۷.	the Committee recommends that the Taskforce for Action on Violence within Families:						
a.	Considers the provision of stopping violence programmes, and supports those programmes to be run in accordance with international best practice, which involves having parallel services for victims that focus on victim safety and enable victims' views to be sought as part of the ongoing assessment process.	MoJ	Supported action		When a protection order is issued, the MoJ provides access to safety programmes to protected persons (both adults and children) through the family court. Where a domestic violence-related charge has been laid in the criminal court, or where a protection order application is waiting to be heard, the MoJ provides access to strengthening safety services to adult victims. Non-violence programme providers are expected to contact protected persons and victims and give the protected person an opportunity to provide input on their experience of the violence (where it is safe and appropriate to do so). The MoJ's Domestic Violence Service Provider Code of Practice provides guidance on how victim's views are incorporated into the assessment process.		
b.	With the MoJ Domestic Violence Programmes Approval Panel, includes – as part of the programme accreditation – a service standard that requires programme providers to participate in multi-agency risk management, which includes checking participants' self-reported changes against other agencies' records.	MoJ	Supported action		The MoJ's Domestic Violence Service Provider Code of Practice contains the standards that are used for delivering safe, ethical and effective non-violence and safety programmes. Compliance with the code is required for the approval of service providers and their contracts. Overarching principles included in the code are: 1. the safety of protected people and their children is paramount 2. respondents must be held accountable for their behaviour 3. challenging domestic violence requires a sustained commitment to professional and research-informed practice 4. improving safety and accountability is best achieved through an integrated, systemic response that ensures all agencies work together. Within the code, programme providers and facilitators are expected to develop relationships with other agencies to facilitate the notification of relevant agencies about safety concerns and for making referrals.		

RECOMMENDATION	Lead or lead agency	2014 response	Status	Commentary from lead agency		
c. Considers developing evidence- based risk assessment tools that are properly funded and consistently used by all stopping violence programmes throughout	MoJ	Supported action		Risk assessment tools and a risk assessment checklist are included in the MoJ Domestic Violence Service Provider Code of Practice.		
New Zealand.				The MoJ is currently developing a risk assessment framework that will draw on evidence-based good practice.		
d. Considers the provision and availability of living free from violence programmes, which are developed to address the specific needs and experiences of women who have been abused by partners who are gang members or where there has been gang violence, intergenerational abuse and historical trauma.	MoJ	Supported action		The Domestic Violence Service Provider Code of Practice addresses domestic violence in different contexts, and specifically includes violence against gang women. Providers are expected to tailor a programme response to the individual's cultural and community needs.		
3. In order to improve the treatment of victims in the aftermath of a family violence death, to help reduce intergenerational trauma and family violence morbidity and to prevent patterns of behaviour that are known to contribute to family violence deaths in New Zealand, the Committee recommends that:						
 The National FVIARS Working Group develops a formal multi- agency aftercare process for IPV and CAN deaths. 	CYF	Supported action		This recommendation has now been superseded by the development of the national Family Violence Death Aftercare Protocol by the Committee (see recommendation 4 from the Fourth Annual Report).		
Status legend:	Completed	Unde	rway but	not yet completed No action taken		

Family Violence Death Review Committee Activities, 1 July 2014–30 June 2015

The Committee has contributed to the following workshops, conference presentations, publications and national working and steering groups between 1 July 2014 and 30 June 2015.

Community workshops

- 22 August 2014 seminar, Interdisciplinary Trauma Research Centre, AUT University North Shore campus (Assoc Prof Julia Tolmie)
- 26 August 2014 workshop, SAFTINET,⁵ Auckland District Health Board Clinical Education Centre (Rachel Smith, Lead Coordinator)
- 9 June 2015 workshop, Tauranga Moana Abuse Prevention, Mt Maunganui (Rachel Smith, Lead Coordinator)

CYF regional practice supervisors workshops

- 12 November 2014 workshop, central region supervisors forum, Palmerston North (Rachel Smith, Lead Coordinator)
- 13 May 2015 workshop, midlands supervisors regional hui, Rotorua (Rachel Smith, Lead Coordinator)

New Zealand Police

- 22 July 2014 presentation, Canterbury Family Violence Conference, Christchurch police station (Rachel Smith, Lead Coordinator)
- 5 August 2014 workshop, Counties Manukau police station (Rachel Smith, Lead Coordinator)
- 1 October 2014 evening speech, district family violence coordinators workshop, Police College, Papakowhai, Wellington (Rachel Smith, Lead Coordinator)
- 21 November 2014 presentation, advanced child protection course, Police College, Papakowhai, Wellington (Rachel Smith, Lead Coordinator)
- 23 February 2015 presentation, advanced child protection course, Police College, Papakowhai, Wellington (Rachel Smith, Lead Coordinator)

Department of Corrections

 25 November 2014 – workshop, Bay of Plenty Corrections district day, White Ribbon Day event, Mt Manganui (Rachel Smith, Lead Coordinator)

⁵ Safer Auckland Families through Intervention Network

Committee conference presentations

- 19 September 2014 annual national child protection and adult sexual assault conference,
 Police College, Papakowhai, Wellington (Prof Dawn Elder)
- 5-10 October 2014 International Network of Indigenous Health Knowledge and Development and Manitoba NEAHR Conference, Winnipeg, Manitoba, Canada (Prof Denise Wilson and Mala Grant)
- 5-6 November 2014 4th Australasian Conference on Child Death Inquiries and Review, Perth, Australia (Rachel Smith, Lead Coordinator)
- 11 February 2015 Asia-Pacific Conference on Gendered Violence and Violations, University of New South Wales, Sydney, Australia (Assoc Prof Julia Tolmie)
- 29 March –1 April 2015 14th Australasian Conference on Child Abuse and Neglect, Auckland (Prof Dawn Elder)
- 9–11 April 2015 Nursing Network on Violence Against Women International 20th Conference, Atlanta, Georgia (Prof Denise Wilson)
- 7 May 2015 Family Violence, the Restorative Justice and the Law conference, Wellington (Rachel Smith, Lead Coordinator)
- 15 May 2015 Oxford Health Foundation NHS Trust, Visiting Professorial Lecture, Littlemore Hospital, Oxford, UK (Prof Denise Wilson)
- 14 May 2015 Oxford Brookes University, Oxford, UK (Prof Denise Wilson)
- 13-15 May 2015 District Court Judges Triennial Conference, Wellington (Assoc Prof Julia Tolmie)

Committee membership on national groups

- Children's Action Plan Workforce Advisory Group (Assoc Prof Julia Tolmie and Prof Denise Wilson)
- Police Family Violence Change Programme steering group (Rachel Smith, Lead Coordinator)
- Institute of Judicial Studies Board, domestic violence and sexual violence working group (Assoc Prof Julia Tolmie)
- District Court Judges Education Committee (Assoc Prof Julia Tolmie)
- Achieving Intergenerational Change for Family Violence steering group and working group (Karen Osborn, General Manager (Health Quality & Safety Commission) Rachel Smith, Lead Coordinator, respectively)

The Committee has written multiple briefing papers, issues papers and discussion documents to inform these cross-government work programmes.

Published papers

Wilson D, Smith R, Tolmie J, et al. 2015. Becoming better helpers: Rethinking language to move beyond simplistic responses to women experiencing intimate partner violence. *Policy Quarterly* 11(1): 25–31.

Family Violence Death Review Committee



He tao huata e taea te karo