

WORKING WITH GANGS....a policy paper

Please Note: This paper is intended to inform a policy development conversation between the Trustees of Male Survivors Aotearoa (MSA) and the leadership of its various Member Organisations (MMO) that provide intentional peer support and other support services to male survivors of sexual violence across New Zealand.

EXECUTIVE SUMMARY

SURVIVOR FOCUS

- Our shared purpose and agreed operating principles (values) make it clear that we are strongly focussed on 'enabling the wellbeing of male survivors of sexual abuse';
- We acknowledge that the challenging circumstances of many male survivors are often related to their experience of sexual violence and other trauma they may have suffered in their lives;
- The principles of peer support expect a hope and recovery focus that accommodates different world views, is non-judgemental and accepts the right of survivors to determine their own pathway in moving towards recovery;
- In applying these principles, we accept that our intention to help all male survivors should not be limited by, and often has to accommodate, other factors (e.g. addiction and other health issues, violence and other trauma, homelessness, unemployment and poverty etc.) that impact their lives

RISK MANAGEMENT

- The provision of peer support services to gang-members can occur in two ways – participation by individual gang members in normal MMO-based peer support services or participation as a group within MSO-hosted peer support services delivered within a gang-based community environment. It is the latter option – the hosting of peer support services within a gang-based community – that presents significant reputational and operational risks that would be difficult to fully mitigate.
- The risk analysis identifies five key areas of risk with peer support services hosted within a gang-based environment and suggests recommended mitigation strategies:
 - ? **VERY HIGH:** Public perception of MSA using public funds to support gang activities;
 - ? **HIGH:** Possibility that the exercise is viewed as a gang PR exercise;
 - ? **HIGH:** Potential for services to be corrupted by on-going gang activities;
 - ? **HIGH:** Potential for peer support to identify other support service requirements that cannot be delivered;
 - ? **HIGH:** Effectiveness and safety concerns for MMO peer-workers operating within a gang environment.
- These risks may be more easily mitigated, though probably not eliminated, if the peer support services are hosted within an MSA/MSO controlled environment and involves the individual participation of (qualifying) gang-members rather than a gang-based group of survivors.
- Where the above service approach is contemplated the MMO has a responsibility to demonstrate that it has the capacity and capability to manage the risks effectively and in a way that does not result in negative impacts on other survivor services due to resource requirements of other factors.

CONCLUSIONS

- It seems logical to conclude as follows:
 - In principle MSA peer support services should be available to any male survivor who complies with MSA policies irrespective of their particular circumstances;

- The engagement risks presented by working with survivors who are members of gangs are substantial and cannot be easily mitigated even where the survivors are qualified to participate as individuals within an MMO-hosted service;
- The limited resources available to most MMO's mean that they are unlikely to have the necessary capability and capacity to manage the engagement risks effectively – in which case they should not engage;
- MMO's that choose to engage on an individual level with gang-members should be able to assure their organisational governance that risks can be effectively managed and that the management effort will not negatively impact service provision to other survivors.

In summary MSA would not recommend that an MMO becomes engaged in providing peer support service to active gang members except where this can be provided to individuals within an MMO-hosted environment and where it can be demonstrated that engagement does not disadvantage other survivors and/or expose MSA or the MMO to significant reputational and operational risks that cannot be effectively mitigated

CONTEXT

Working with Offenders

Acknowledging the fact that gangs are typically involved in criminal activities that often include sexual and other forms of violence, it is pertinent to consider MSA's policy of Working with Offenders.

The purpose of Male Survivors Aoteroa (MSA), which is shared by our member organisations (MMO), is **"enabling the wellbeing of males affected by sexual violence"**. In principle this shared purpose embraces a commitment to support all male survivors without discrimination, which is why under certain conditions MSA sanctions working with male survivors who may have an overlapping (non-current) history of offending i.e. perpetrating sexual violence on others (refer MSA Policy: Working with Offenders).

We generally **do not work with survivors who are currently involved in any form of perpetration of sexual violence**. It remains our policy to refer these people to service providers who specialise in working with perpetrators.

However, we may work with survivors who exhibit other forms of violent behaviour (e.g. perpetrators of domestic violence, prison inmates with a history of violence etc.) especially where we consider that such behaviours can be mediated by addressing their survivor issues – enabling and supporting their recovery from the experience of sexual violence.

Our Working with Offenders policy also embraces the MSA Code of Ethics and therefore the principles of **"beneficence (doing good) and non-maleficence (avoiding harm)"**, which implies that we should only work with offenders in a way that promotes good outcomes and avoids harmful outcomes.

In other words we have an obligation to our colleagues, our survivor community, other key stakeholders and society at large to ensure that any work we do with offenders is focussed on enabling a recovery pathway that does not in any way support, sanction, sustain, or increase their offender behaviour. We should be able to demonstrate that **our interventions have the potential to reduce or mitigate these harmful behaviours**.

Putting Survivors First

In considering any opportunity to work with survivors who are members of gangs¹ we need to consider carefully that our interventions are not only **purposeful and ethical** in their intent but that they have real potential **to produce positive and not harmful outcomes**. The probability for beneficence needs to outweigh the probability for maleficence.

In considering our purpose, we share a commitment to 'enable the wellbeing of all males affected by sexual violence' and our kaupapa is to do that in a way where we work with survivors to enable and support the recovery pathway that they have chosen. That kaupapa is central to what we do and is not bounded by the other challenges that survivors may be dealing with.

In fact, it accepts that there are many other dimensions of a survivor's life that need to be recognised in evolving a pathway forward towards recovery.

Fundamental to the intentional peer support philosophy that underpins the work we do are the concepts of acceptance of **different world views** and a **non-judgemental** approach to enabling survivors to **self-determine** their own recovery journey.

So, while we may be confident about our purpose in engaging with gang-based survivors we must also be confident in the potential for the manner of our interventions to enable and/or at least influence 'good' outcomes. One way of thinking about this is to acknowledge our core values² that obligate us to focus on and prioritise the needs of the survivor – our client.

¹ Loosely defined as groups of people (typically males) who operate most often as a cult engaged in various forms of organised crime to the detriment of communities and society at large

² *Always 'on purpose': putting male survivors first and always seeking ways to improve their wellbeing.*

Thus, we can argue that we have an obligation to help all survivors however we can, irrespective of their circumstances, provided our intentions are purposeful and in accordance with our values; our actions are ethical, aligned with the kaupapa of intentional peer support; and our interventions are not harmful to other survivors, our colleagues or the community we serve.

So, it seems we should be open to working with members of a gang community. The next question is how we should work with survivors in a manner that addresses the key risks of engagement.

Working with Gangs

For the purpose of this discussion **a gang is loosely defined as a group of people (typically males) who operate as a social group or camaraderie engaged in various group-based activities most often including illegal activity that is to the detriment of their host communities and society at large.**

In this context **working with gangs** means providing peer support services to male survivors who are members of gangs and choose to participate in services that are either:

- hosted by an MMO within their own environment (MMO-hosted); and/or
- facilitated by an MMO peer-worker within a gang-based environment (gang-hosted)

Given that the **MMO-hosted services** must comply with MSA policies then, provided survivors who are gang members are eligible to participate (comply with the relevant policies), then MMO’s are free to make their own decisions about how they choose to support these survivors.

However, opportunities to facilitate **gang-hosted services** present additional risks and concerns and it is this service opportunity that is the focus of this discussion paper.

RISK MANAGEMENT

Risk Analysis

Whenever this topic has been raised in discussion, the risks of engagement are often presented as the primary reasons for resisting engagement. Thus, it is important to identify the risks and consider how they could be managed and/or positively mitigated.

This risk analysis focusses on the **proposal to provide gang-based peer support services** – i.e. services provided within the gang community environment as distinct from gang members participating in services hosted within an MSA/MSO controlled environment.

RISK	ASSESSMENT	MITIGATION
1. That we are perceived to be investing public funds in enabling and/or supporting gang members to conduct their criminal business	Probable Severe VERY HIGH	Obtain an engagement agreement that makes the intention clear; sets outcome expectations and establishes the ‘rules of engagement’
		Establish purpose-based and ethical service protocols that embrace IPS and boundary our engagement
		Gain policy and protocol support from our funders and any kaupapa services that may be engaged or able to inform our approach
		Make our engagement ‘carefully’ public – positive stories that make it clear why and how and non-endorsement of gang activities
		Pilot the engagement as a learning collaborative with one gang community and closely monitor the activities and outcomes to QA our approach
2. That the invitation to provide gang peer	Probable Major	Obtain an engagement agreement that makes the intention clear; sets outcome expectations and establishes the ‘rules of engagement’

RISK	ASSESSMENT	MITIGATION
support services is perceived to be a PR exercise	HIGH	Make our engagement public – positive PR stories and media coverage – why and how and non-endorsement of gang activities
		Gain policy and protocol support from our funders and any kaupapa services that may be engaged or able to inform our approach
3. That the project fails due to peer support outcomes identifying other service support requirements that cannot be delivered	Possible Major HIGH	Seek service support partnerships that can deliver counselling, social work, addiction support and other support requirements
		Engage other relevant service providers as project partners
4. That the peer support services – one-on-one and peer support groups – become corrupted by other gang-community activities and issues	Possible Major HIGH	Ensure the peer support processes are ‘lead-facilitated’ by appropriately experienced, non-gang, MSA/MMO personnel
		Train a gang-based co-facilitator (who will be acceptable to the gang-community) in IPS to enable and support our engagement
		Establish clear protocols that boundary the peer support engagement, establish clear engagement (one-on one and peer group) processes
		Ensure MSA supervision policy is applied for all peer workers including any gang-based facilitators
		Ensure that the MSA Confidentiality policy is agreed and strictly adhered to
5. That our peer workers would not be acceptable to gang-based survivors, or safe working within, a gang community environment	Possible Major HIGH	Work with the gang-community to co-select peer workers for the engagement
		Build relationships by engaging the “lead” peer worker in the development of the ‘rules of engagement’ as a collaboration with the nominated gang-based facilitator
		Ensure MSA supervision policy is adhered to for all peer workers and appoint a suitably qualified ‘project supervisor’ to meet regularly with both facilitators
		Ensure MSA/MMO peer group processes are well understood by participant survivors and adhered to

Risk Management

The above risk profile confirms that working with survivors within a gang-based environment presents significant risks for both MSA and any MMO involved.

While there are identified mitigation strategies for all of the above risks, it is arguable that these strategies may still not reduce the risks to an acceptable level and therefore do not justify the considerable investment that would be required especially when there is an alternative approach that aligns with our purpose and ambition – the participation of individual gang-member survivors in peer support services hosted within an MSA/MSO controlled environment

It is clear that the substantial risks of working within a gang-based community escalate the risk profile to a level that would be difficult to mitigate and that we are in a better position to manage these risks and still manifest our purpose by offering to provide peer support services to (qualifying) individual gang-member survivors delivered within an MSA/MSO-controlled environment.

It should be noted that this approach assumes that there are individual gang-members participating in normal MMO peer support services and NOT the hosting of an exclusive gang-member peer support group within and MMO environment as this would present similarly unacceptable risks to those experienced in hosting gang-based services.

However, many of the identified risks remain relevant to working with gang members even in an MSA/MSO controlled environment and the following restated Risk Analysis should still be addressed in any plans to work with survivors who are active members of gangs.

RISK	ASSESSMENT	MITIGATION
1. That we are perceived to be investing public funds in enabling and/or supporting gang members to conduct their criminal business	Probable Severe VERY HIGH	Obtain a participation agreement that makes the intention clear; sets outcome expectations and establishes 'rules of engagement' that boundary the engagement of the MMO
		Gain policy and protocol support from our funders and any kaupapa services that may be engaged or able to inform our approach
		Be prepared to respond to media interest with positive stories that make it clear why and how we make our services available and our non-endorsement of gang activities
		Pilot the engagement as a learning collaborative with one gang community and closely monitor the activities and outcomes to QA our approach
2. That the invitation to provide gang peer support services is perceived to be a PR exercise	Possible Major HIGH	Obtain a participation agreement that makes the intention clear; sets outcome expectations and establishes 'rules of engagement' that boundary the engagement of the MMO
		Be prepared to respond to media interest with positive stories that make it clear why and how we make our services available and our non-endorsement of gang activities
		Gain policy and protocol support from our funders and any kaupapa services that may be engaged or able to inform our approach
3. That the project fails due to peer support outcomes identifying other service support requirements that cannot be delivered	Possible Moderate MEDIUM	Utilise existing (internal and/or external) service support referral networks to provide counselling, social work, addiction support and other support requirements
		Engage other relevant service providers as project partners
4. That the peer support services – one-on-one	Possible	Ensure the peer support processes are 'lead-facilitated' by appropriately experienced, non-gang, MSA/MMO personnel

RISK	ASSESSMENT	MITIGATION
and peer support groups – become corrupted by other gang-community activities and issues	Moderate HIGH	Use NSA peer support guidelines to boundary the peer support engagement and establish clear participation (one-on one and peer group) processes
		Ensure MSA supervision policy is applied for all peer workers
		Ensure that the MSA Confidentiality and Working with Offenders policies are strictly adhered to
5. That our peer workers would not be acceptable to gang-based survivors, or safe working within, a gang community environment	Not Applicable	

ENGAGEMENT NOTES

There are two potential engagement approaches – business as usual or special project.

Business as usual means that individual survivor gang-members access an MMO’s existing peer support services – one-on-one or peer group but in a way that is mindful of the risks of engagement. This approach is already open to an MMO that has the capacity and capability to manage the engagement and mitigate the risks.

However, given the risks associated with engagement with gangs, the suggested way of engagement is to establish a **pilot project** with a nominated gang to provide peer support services within an MMO controlled environment and includes a form of **participation agreement** that addresses the risk analysis by incorporating relevant risk-mitigation strategies. This approach enables more focussed risk management and facilitates the opportunity to learn from any engagement challenges encountered.

Agreement

- Develop a **participation agreement** that clearly establishes the intent of the project; requires compliance with MSA peer support guidelines and relevant policies; defines the participation processes and expected outcomes; and includes appropriate mitigation strategies to address the key risks;
- Present the MSA/IPS peer support framework and the project charter to the target (gang) audience and gain buy-in to the project as a condition of implementation.

People

- Select an appropriate **MSA/MMO experienced IPS facilitator** to lead the project; act as navigator to establish the peer support protocols within the gang community; and be the lead facilitator of the peer support services;
- If possible engage an **IPS trained gang-based survivor** to be the gang liaison person to enable and encourage survivor to access the services and collaborate with resolution of gang-related risks and issues;
- Appoint an appropriately qualified **project supervisor** to meet regularly with the MMO facilitator and the gang liaison person to quality assure the implementation of the participation agreement, monitor outcome expectations and facilitate resolution of any issues.

Processes

- All peer support processes (one-on-one and peer-group) are to be compliant with MSA policies and guidelines;
- All gang-based participants to be screened by the MMO-facilitator through a peer-support one-on-one session to:
 - ensure compliance with the MSA Working with Offenders policy;
 - facilitate the identification of relevant support requirements; and
 - facilitate access to services including access to peer support groups

CONCLUSIONS

- Our obligation to enable and support the recovery of male survivors should not be constrained by their circumstances unless those circumstances breach MSA policies (e.g. Working with Offenders). However, where survivors are active members of a gang, their circumstances can present significant risks to an MMO offering peer support services.
- Managing the risk of engagement with gang-members will be more achievable (effective) where the gang-based survivors are treated as individuals and are afforded screened access to existing peer support services hosted within an MMO environment.
- The risks associated with an MMO hosting services within a gang-based environment are arguably unmanageable and/or would require a level of management investment that cannot be justified given there is an alternative service approach.
- Electing to provide qualifying individual gang members with peer support services hosted within an MMO environment may still present significant reputational and operational risks. Managing those risks effectively will challenge the capability and capacity of smaller or less mature MMO's and the management effort required from any MMO should consider the cost benefit of diverting limited resources from normal service operations.
- It seems logical to conclude as follows:
 - In principle MSA peer support services should be available to any male survivor who complies with MSA policies irrespective of their particular circumstances;
 - The engagement risks presented by working with survivors who are members of gangs are substantial and cannot be easily mitigated even where the survivors are qualified to participate as individuals within an MMO-hosted service;
 - The limited resources available to most MMO's mean that they are unlikely to have the necessary capability and capacity to manage the engagement risks effectively – in which case they should not engage;
 - MMO's that choose to engage on an individual level with gang-members should be able to assure their organisational governance that risks can be effectively managed and that the management effort will not negatively impact service provision to other survivors.

In summary MSA would not recommend that an MMO becomes engaged in providing peer support service to active gang members except where this can be provided to individuals within an MMO-hosted environment and where it can be demonstrated that engagement does not disadvantage other survivors and/or expose MSA or the MMO to significant reputational and operational risks that cannot be effectively mitigated