

Don't Let Children and Families Be Disadvantaged

STOP Harmful Changes To The Family Court

On 27 November 2012, the Minister of Justice introduced the Family Court Proceedings Reform Bill to Parliament. It has been referred to the Justice and Electoral Committee for public submissions.

The Bill makes the following changes to proceedings involving the care of children:

- **All parties to a dispute over children must use the Family Dispute Resolution Service with fees of \$897.** In most cases it is currently free to access the Family Court and its counselling services. This will all change if the Bill becomes law on 1 October 2013. If people cannot afford the new fees (or do not qualify for the limited grounds for a subsidy of the fee or exemption) or they do not use an approved family dispute resolution provider, their case cannot be heard by a Family Court judge.
- **Lawyer for children appointments will be limited.** If evident child safety issues are not raised, it will be unlikely that the Court will appoint a lawyer to act for the child. Children's concerns will be overlooked and they will effectively be silenced in decisions relating to them.
- **People will have limited rights to have lawyers act for them.** People will no longer have the choice to have a lawyer act for them unless proceedings are started with an urgent application or a Judge directs a Court hearing. Legal Aid will not be available in those other cases and Court staff cannot advise people on matters of law.

Many people will not be able to complete Court documents or represent themselves without legal assistance for a variety of reasons, including: stress, intimidation, language barriers, health, and confidence issues. Access to lawyers will be denied for most disputes over children even where there is domestic violence, sexual abuse, and drug/alcohol issues.

These changes will have a significant impact on families, children and vulnerable people in family disputes. If families are denied access to justice then children will continue to be caught in the middle of their parents' conflict. The overall welfare of children will be affected.

The Government needs to address these concerns as the Bill passes through the legislative process.

Stop the Government making these harmful changes to the Family Court

Prepare written submissions to Parliament by 13 February 2013.
Visit www.parliament.nz and follow the Select Committee Link.

For more information on how to make a submission,
visit www.childrenneedavoice.com and sign the petition there.