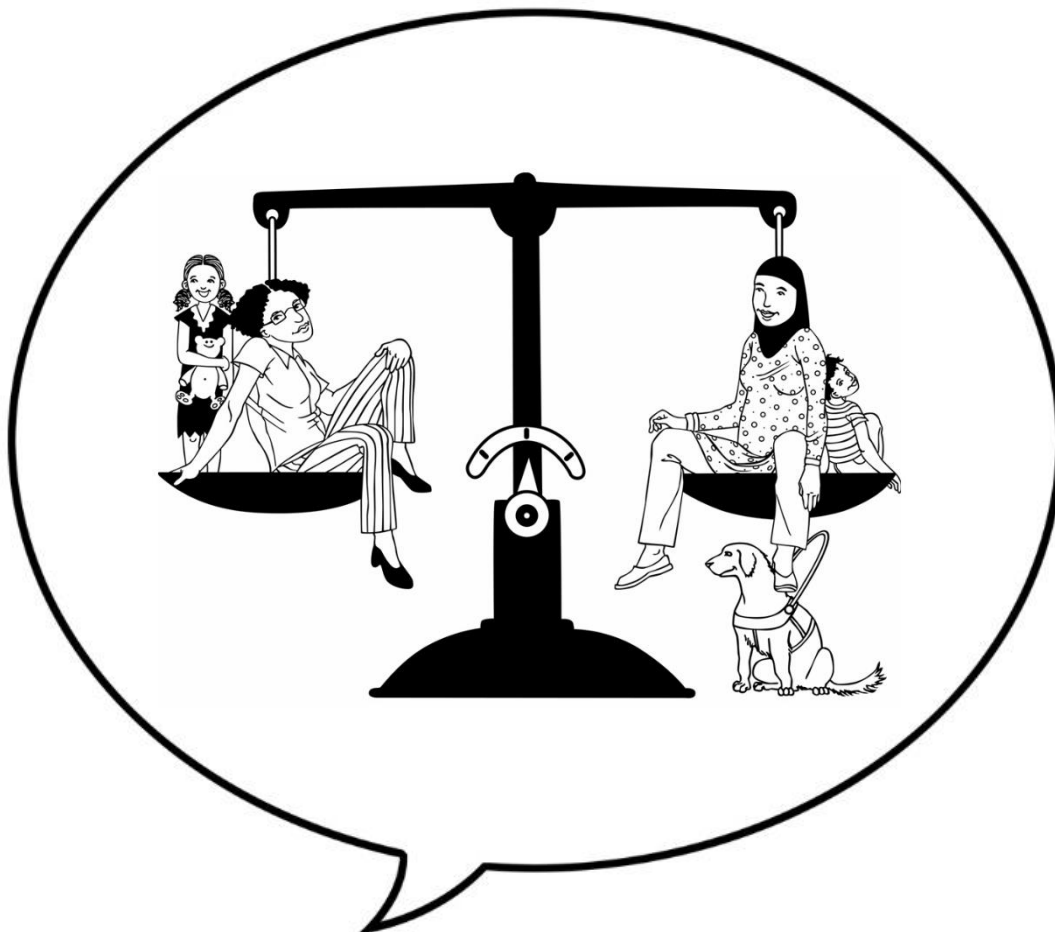
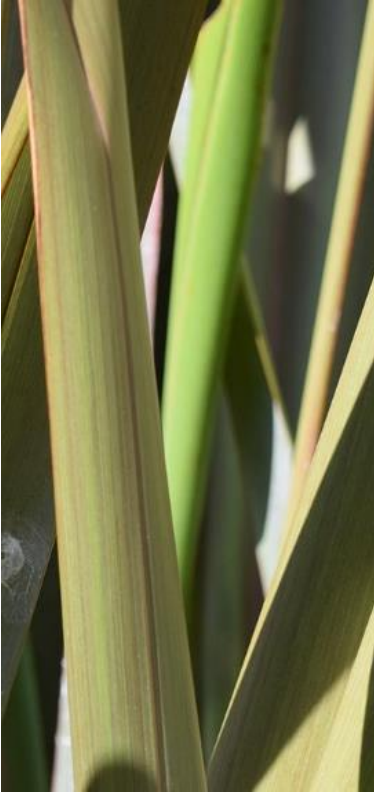


Easy Read

Have your say: The 2014 family justice system changes



**Independent Panel looking into the 2014 family
justice system changes**



Unuhia te rito o te harakeke,
kei hea te kōmako e kō?

Whakatairangitia

Ui mai ki ahau,

Rere ki uta, rere ki tai

Ui mai ki ahau

He aha te mea nui o te Ao?

Māku e kī atu

He tangata, he tangata, he tangata.

If you remove the central shoot of the flax
bush

Where will the bellbird find rest?

If you were to ask me

What is the most important thing in the world?

I would reply

It is people, it is people, it is people.



This is a Māori saying written by Meri Ngaroto.



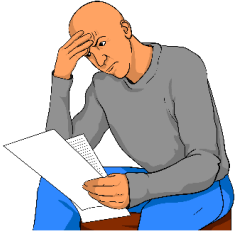
It means that people:

- are the most important thing
- need support to grow.

Meri Ngaroto was a rangatira of the Te Aupōuri iwi.

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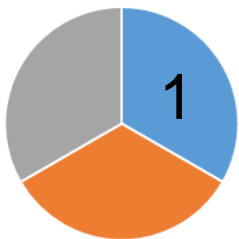


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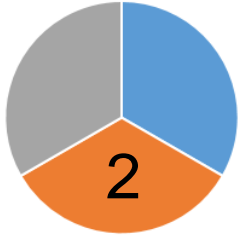
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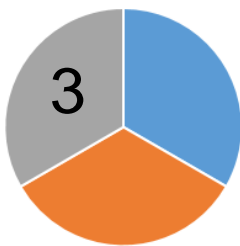
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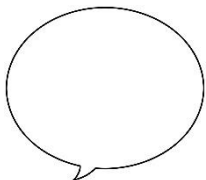
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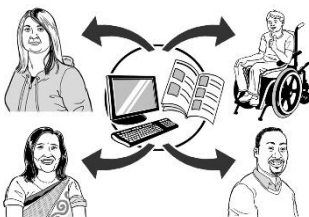


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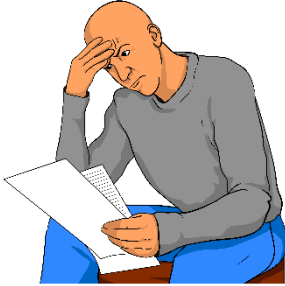


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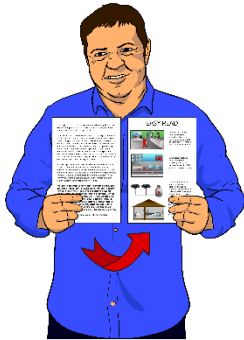


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Before you start



This is a long document.



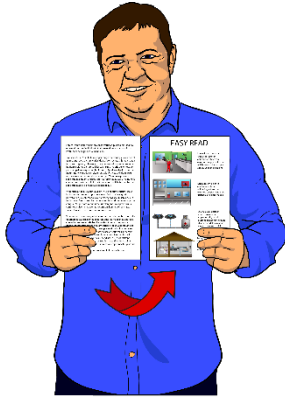
While it is written in Easy Read it can be hard for some people to read a document this long.



Some things you can do to make it easier are:

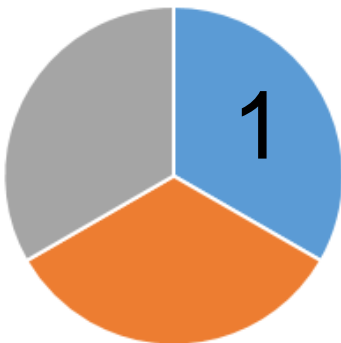
- read it a few pages at a time
- have someone help you to understand it.

How to use this book

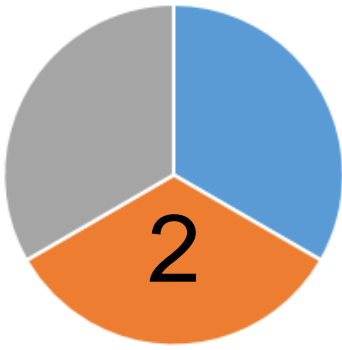


This is the **Easy Read** version of the **Have your say: The 2014 family justice system changes**.

It is made up of 3 main parts.

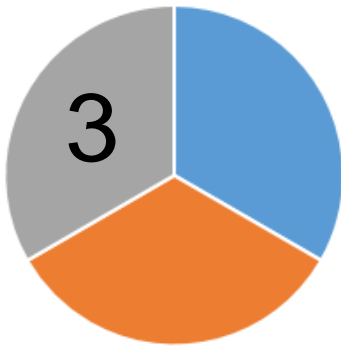


Part 1 is about the main changes that happened in the family justice system in 2014.



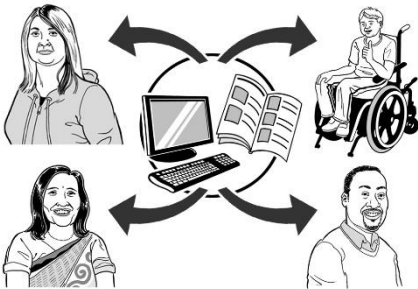
Part 2:

- tells you about what happens to your information
- asks you what you think about the 2014 changes to the family justice system.



Part 3:

- asks you questions about you
- tells you the different ways you can send your feedback about what you think about the family justice system to us.

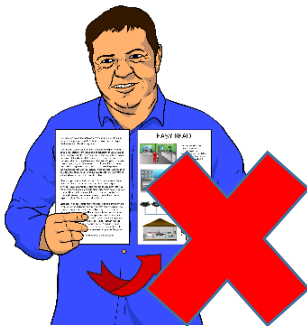


This is the Easy Read version of **Have your say: The 2014 family justice changes.**



If you would like to read the whole document you can use this website:

<https://www.justice.govt.nz/justice-sector-policy/key-initiatives/family-court-rewrite/>



This will **not** be written in Easy Read.

You might need support to read this document.

What is the Independent Panel?



This is a **public consultation** document.

A **public consultation** means talking and meeting with people to find out what they think about something.



This document has been made by the **Independent Panel**.

The **Independent Panel** is a group of 3 people.

The Independent Panel knows a lot about the family justice system.

This document was written by:

- Rosslyn Noonan (Chair)
- Chris Dellabarca
- La-Verne King.



A letter to you from the Independent Panel



Children / tamariki are our most important treasure.



Family / whānau protect children like the flax bush protects the bellbird when it needs a safe place to rest.



Family / whānau need to:

- protect children
- support children
- support children to be themselves.





The Independent Panel is looking into the 2014 changes to New Zealand's **family justice system**.



The **family justice system** helps parents and families to work out the best way to care for their children when parents are not together anymore.

It includes:

- services that help people
- the Family Court.

Big changes were made to the family justice system in 2014.



The changes were made to help support parents when they decide to not be together anymore.

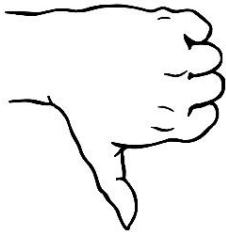


The changes supported parents to make an agreement about how their child or children will be cared for.

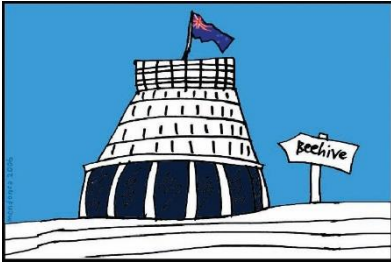


The 2014 changes were:

- good for some people



- bad for some people.



The Minister of Justice asked the Independent Panel to talk to people who have been affected by the changes made to the family justice system in 2014.



He asked us to report back to him about what we found.

What we will do to find out how the changes have affected people and families

First we need to find out who has used the family justice system.



Then we need to find out what these people think about the 2014 changes.



We would like to hear from you if you **have used** the family justice system.

We want to understand how these changes have affected you.



We want to know if the 2014 changes made things better for children when their parents stop being together.





We will also be looking very closely at what effect the changes had on:

- Māori children / tamariki

and

- young people / rangatahi.



We will be talking to people in 2018.

We will hold meetings around the country with:



- individuals: 1 person



- groups of people.

We will **not** be able to meet with everyone.



We have made this document to give everyone the chance to take part.

We have questions about the 2014 changes to the family justice system that we would like you to:



- think about
- answer.



Your answers will help the Independent Panel understand if the 2014 changes helped people or **not**.



We will think about what people have said when we make our report for the Minister of Justice.



We want to hear back from you by **9 November 2018**.



Our report will be ready for the Minister of Justice by the end of **May 2019**.



Thank you for:

- reading this document
- answering our questions about the family justice system



We know that answering some of our questions will be a hard thing to do.

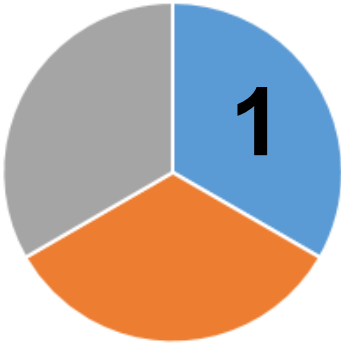


Giving us feedback on the family justice system is important.



This is because it will help make the family justice system better for children.

Part 1



This part of the document tells you about the main changes that happened in the family justice system in 2014.

Important information about the 2014 changes



Here we will tell you some things about the changes made to the **family justice system** in 2014.



These changed the services and **processes** that supported parents to get to a decision about:

- the best way to care for their children after they separate
- how each parent has contact with their children after they separate.



Processes are the steps you take to get something done.



Other people who care for a child or children can also use the family justice system.



The other people include:

- grandparents



- other whānau members

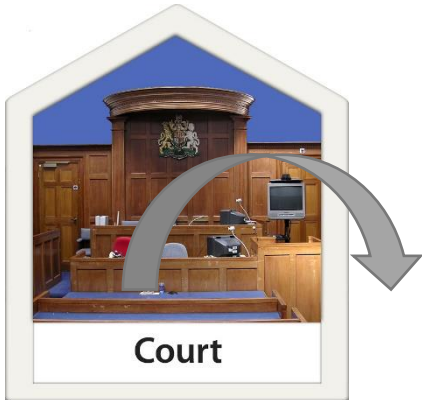
- **guardians.**



A **guardian** is a person who is not the parent of a child.

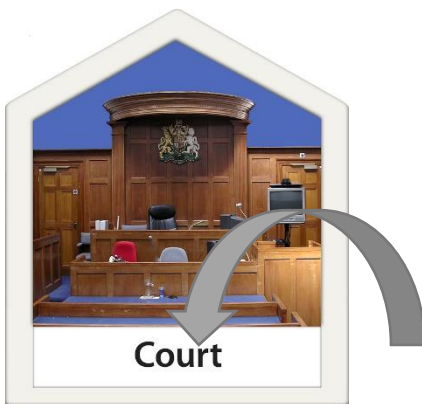
They are in charge of looking after a child.

The 2014 changes are in 3 main areas:



1. **Out of court processes**

Out of court means things that do not happen inside a courtroom.



2. **In court processes**

In court processes means things that happen inside a courtroom.



3. **The role of professionals**

This is about people working in the family justice system like lawyers.

Important changes



The Independent Panel have made a list of what we think are the most important changes made in 2014.



We made this list by:

- reading lots of information about the family justice system



- talking to lots of people about the family justice system.



The Independent Panel think the most important changes are:

- the start of the **Family Dispute Resolution service**

Find out more about what this is on page 34.



- the way an **application** is made in the Family Court

Find out more about this on page 55.



An **application** is when you ask the court to do something.

For example if you ask the court to make a decision about the care of your children.

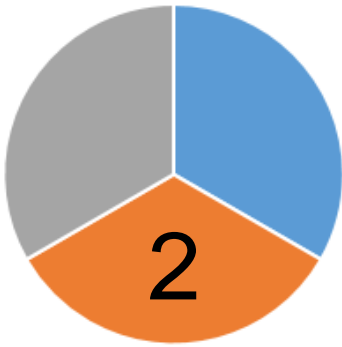
- not using lawyers in the early stages of **non urgent** cases.

Non-urgent means that something does not have to be done quickly.



The Independent Panel thinks that by looking closely at these 3 main changes we can help people the most in future.

Part 2



This part of the document is about:

- what happens to the information you give us
- finding out what you think about the main changes to the family justice system.



We do this by:

- telling you about each change
- asking you questions about each change.





Remember to only answer the questions:

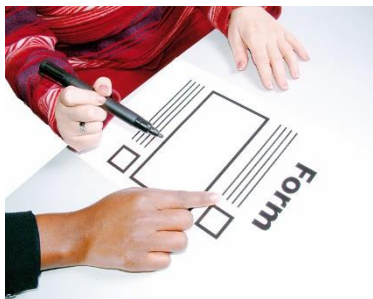
- you know something about
- you want to answer.

Important things you need to know about your submission

What happens to your submission?



Your **submission** is the information you give us about what you think of the family justice system.



Your submission will be used by the Independent Panel to help us write our report to the Minister of Justice.

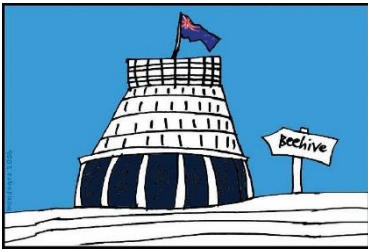


The Independent Panel will only share your submission with the:

- Ministry of Justice.

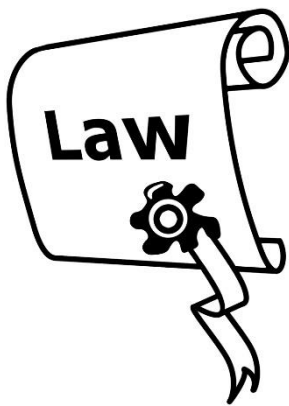


Your submission will become **official information** if you send it to us.

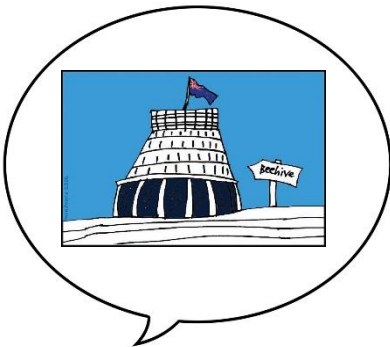


Official information is information that:

- the Government has
- a government agency has.



This means that somebody could ask for a copy of it under the **Official Information Act**.



The **Official Information Act** says that people can ask to see information that the Government or a government agency has.

If somebody asks to **see your information** they will **not** see your:

R.J. SMITH



- name
- email address
- address
- other personal information about you.



It is important you tell us:

- about information in your submission that you **do not** want other people to see
- why you do **not** want this information shared.

Court information



Please **do not**:

- share documents about your Family Court case
- things about your case:

Things like:

- case numbers
- court documents.



This is to protect the privacy of the people involved in your case.



Privacy

Collecting your personal information



The Ministry of Justice will:

- keep your information safe
- only use your personal information to support the Independent Panel to make their report about the 2014 changes to the family justice system.





You can read information about the Ministry of Justice's privacy policy.

Please visit this website below:

https://consultations.justice.govt.nz/privacy_policy



This information is **not** in **Easy Read**.



Information about you

You can ask to see any information the Ministry of Justice has about you.

Out of court changes



Family Dispute Resolution

A **dispute** means an argument or fight between 2 or more people.



Resolution means to work out a problem.

The **Family Dispute Resolution** Service is an out of court process.

1 of the big changes to the family justice system in 2014 was setting up the **Family Dispute Resolution** service.

This is a **mediation** service.



Mediation means to get people together to:

- talk about their problem
- work out the best way to fix the problem.



A mediator works with parents who are separating to help them make the best choices on the:

- right thing for their children
- best thing for their children.



Parents using the family justice system **must** go to Family Dispute Resolution.



Sometimes there is a **very special reason** for parents not to go to Family Dispute Resolution.

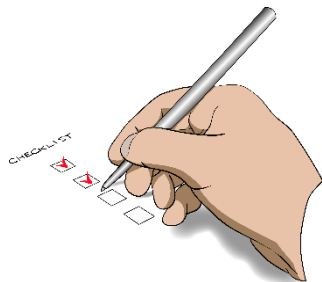


Parents can go to an information meeting that gets them ready for a mediation meeting.



This extra meeting supports parents so that they know what:

- is going to happen
- what they will need to do to get ready for the mediation.





People may **not** do the things they agreed to do at mediation.



The Family Court **cannot** make people do the things they agreed to do in the mediation.

We want to know what you think about Family Dispute Resolution



Answer these questions if you know things about Family Dispute Resolution.

- tick the box next to your answer

or

- write your answer on the line below the question.



Have you taken part in Family Dispute Resolution?

Yes

No

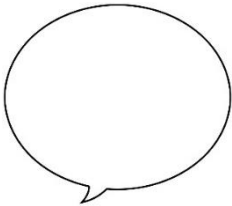


Did you sort out your problems at Family Dispute Resolution?

All of your problems were sorted out

Some of your problems were sorted out

None of your problems were sorted out



Tell us what worked well or did not work when you used Family Dispute Resolution.



Did you go to the extra meeting to get ready for the mediation?

Yes

No

Not sure

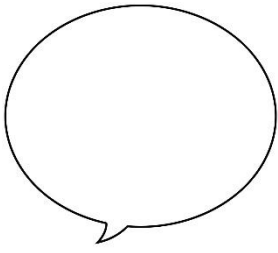


If you went to the extra meeting did you find it helped you?

Yes

No

Not sure



Do you have anything else you want to tell us about Family Dispute Resolution?

For example you could tell us about:

- ways to make it better
- things that made it hard for you.

Parenting Through Separation



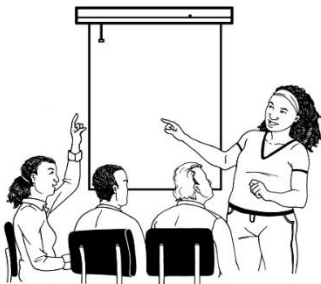
Parenting Through **Separation** is also an out of court process.

Separation means when 2 parents:

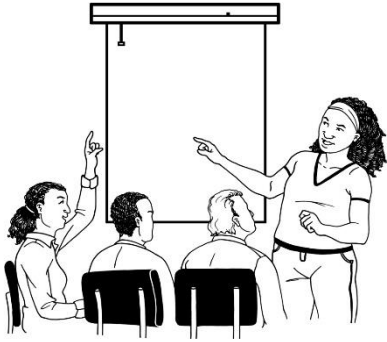
- stop living together
- stop being together
- get divorced: this means stop being married.



Parenting Through Separation is a free course



It helps parents to understand how the separation affects their children



The Parenting Through Separation course talks about things like:

- the experiences of children who have parents who have separated



- how arguments between parents affect children



- how you can help your children when you are separating from your partner.

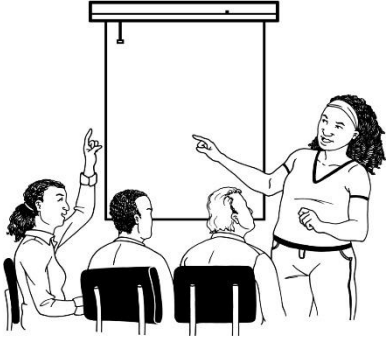


People that can go to the **Parenting Through Separation** courses include:

- parents



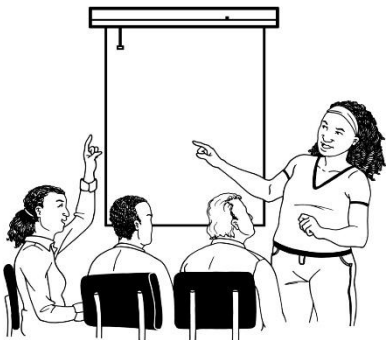
- grandparents who are acting as parents to their grandchildren.



The Parenting Through Separation Courses take 4 hours

You can do it in:

- 1 session of 4 hours
- 2 sessions of 2 hours each.



The changes made to the family justice system in 2014 say that parents have to go to the Parenting Through Separation course:

- before they make an application to the Family Court
- to sort out an argument between parents or guardians of children.



We want to know what you think about Parenting Through Separation

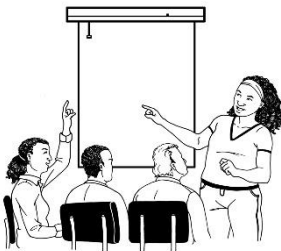


Answer these questions if you know things about Parenting Through Separation.

- tick the box next to your answer

or

- write your answer on the line below the question.



Did you go to a Parenting Through Separation course?

Yes

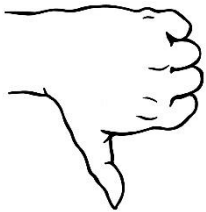
No



Did you find the course helpful?

Yes

No



If your answer was No can you tell us why you did not find it helpful?



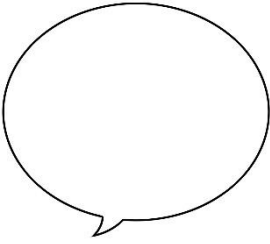
Do you think the Parenting Through Separation could be an online course?

This means that you can do the course on your computer by visiting a website.

Yes

No

Not sure



Do you have anything else you want to tell us about Parenting Through Separation?

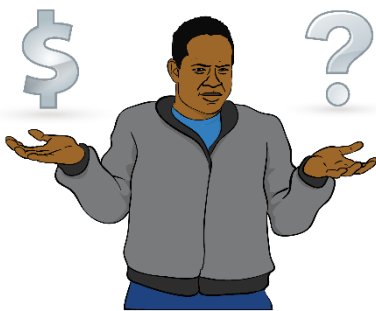
For example you could tell us about:

- ways to make it better for you and your family
- things that made it hard for you.

Family Legal Advice Service



The Family Legal Advice Service is also an out of court process.



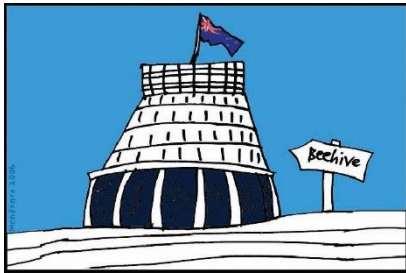
The Family Legal Advice Service was set up:

- for people who do **not** have the money to pay for a **lawyer**
- people who need **legal help** at the start of the family justice process.



You can get legal help from a **lawyer**.

A **lawyer** is somebody who speaks for you or your children when you are in court.



The Government pay for Family Legal Advice Service so that people can get the legal support they need.



A lawyer who works in this service can give 3 to 4 hours of legal support.



They give this legal support in 2 parts:

- give parents advice soon after their separation – this happens before **Family Dispute Resolution**



- support parents to fill out Family Court forms.

This only happens if Family Dispute Resolution **has not** helped to fix the problems.



A Family Legal Advice Service lawyer cannot speak for people in the **first stages** of Family Court cases.

We want to know what you think about the Family Legal Advice Service



Answer these questions if you know things about the Family Legal Advice Service.

- tick the box next to your answer

or

- write your answer on the line below the question.



Did you use the Family Legal Advice Service?

Yes

No

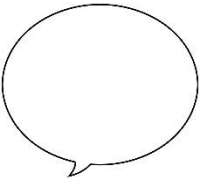


Did you find the Family Legal Advice Service helpful?

Yes

No

Not sure

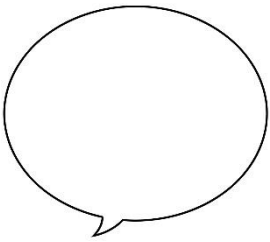


Can you tell us about your answer.

What did you use the Family Legal Advice Service for?

For information to help you understand the family justice system

For help with filling out court forms.

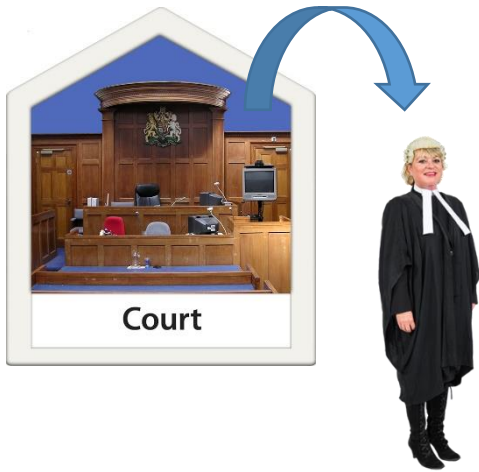


Do you have anything else you want to tell us about the Family Legal Advice Service?

For example, you could tell us about:

- ways to make it better for you and your family
- things that made it hard for you.

In court changes



Removing lawyers from the early stages of the Family Court cases

The changes in 2014 changed how lawyers are used in the Family Court.



Sometimes parents using the Family Court cannot have lawyers speak for them in the first stages of the Family Court process.



This means the parents must speak for themselves.



This happens when their case is **not urgent**.

Urgent is when something needs to be done quickly.

This might be because someone is in danger.



People who speak for themselves can have support people to help them.



Support people can:

- sit in court with them
- take notes
- give advice.

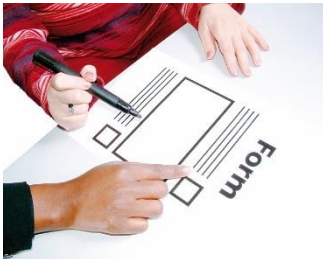


If a person wants to use a lawyer in the early stages they have to pay to do so.



Sometimes parents may be able to use a lawyer in the Family Legal Advice Service for things like:

- giving advice



- helping to fill out court forms.

We want to know what you think about removing lawyers from the early stages of Family Court cases



Answer these questions if you know things about removing lawyers from the early stages of Family Court cases after 2014.

- tick the box next to your answer
- or
- write your answer on the line below the question.

Have you had a Family Court case that was about the care of your children?

Yes

No

Did you speak for yourself in court?

Yes

No



How did you feel speaking up for yourself in court?



Did you want to use a lawyer?

Yes

No

Not sure



Did you get advice through the Family Legal Advice Service?

Yes

No

Not sure



Do you think that lawyers should be able to be used from the start of the Family Court process?

Yes

No

Not sure



Do you have anything else you want to tell us about Removing lawyers from the early stages of Family Court Cases?

For example, you could tell us about:

- ways to make it better for you and your family
- why you think it would be good to have a lawyer in the beginning of a court case.

Changes to how children's safety is assessed



Assessed means to look into something to see if there is a problem.

All children should be safe in their own home.



Some children are **not** safe in their own home.



Family violence is a big problem in New Zealand.

Family violence means when somebody is hurt by another person or people in their family.



The most important thing is that the child is protected from anything or anybody that can hurt them.



There were different ways to deal with someone who was **accused** of hurting a child before the 2014 changes.

If someone **accuses** a person of doing something this means they say that a person has done something.

The person may or may **not** have done the thing that they were **accused** of.



Before 2014 if a parent or guardian is accused of doing something bad the judge had to decide if they thought it had happened or **not**.



If the Judge decided that the parent hurt the child then that parent could only see the child when another person was also there watching.



After the 2014 changes a judge needs to find out if a child is safe at home.



If a judge is worried about the safety of a child in their own home the judge needs to decide what the best thing is for the child.



It is important that a child is protected from all kinds of violence.

We want to know what you think about Changes to how children's safety is assessed



Answer these questions if you know things about how children's safety is assessed.

- tick the box next to your answer

or

- write your answer on the line below the question.



Do you think the way a judge decides if a child is safe is working?

Yes

No

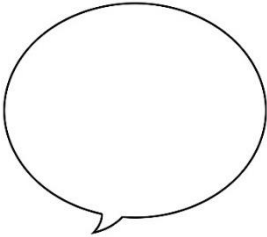
Not sure



Do you think children are being listened to in the family justice system?

Yes

No



Do you have anything else you want to tell us about the changes to how children's safety is assessed?

For example you could tell us about:

- ways to make it better for children
- things that make it hard for children.

Role of people that work in the family justice system



Lawyer for the child

The changes made in 2014 changed when the court can ask a lawyer to speak for a child.



Before 2014 a child could have a lawyer speak for them.



After the changes in 2014 a child can have a lawyer if the court is worried about their:

- safety
- wellbeing.





The changes meant that lawyers can speak for the:

- welfare of the child
- best interests of a child
- child's views.



The lawyer must meet with the child or children and listen to what they have to say.



Sometimes the judge may decide that this is **not** the right thing to do.

We want to know what you think about having a Lawyer for the child



Answer these questions if you know things about having a Lawyer for the child.

- tick the box next to your answer

or

- write your answer on the line below the question.

Do you think a lawyer is the best person to speak for a child?

Yes

No

Not sure



Do you think having a lawyer is the right thing for all children and their families?

Yes

No

Not sure

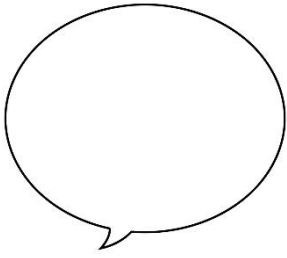


Do you think a lawyer for a child works as well for children with disabilities?

Yes

No

Not sure



Do you have anything else you want to tell us about the Lawyer for a child?

For example you could tell us about:

- ways to make it better
- things that worry you about having a Lawyer for a child.

Specialist reports



A **specialist** is a person who knows a lot about a subject.

They can also be called **an expert**.



Sometimes a judge may need more information about a child.



The judge can ask for a specialist report.



A specialist report could be written by:

- different types of doctors



- a cultural expert.



The report gives the judge more information to help them make a decision about the best thing to do for a child.



The changes in 2014 changed how a judge could ask for a specialist report.



After the 2014 changes a judge can only ask for a specialist report if:

- the judge needs the information to help them make a decision



- the court case is **not** held up by getting one.



Sometimes a person who is part of a family court case can ask for a different specialist to write the report the judge has asked for.

We want to know what you think about Specialist reports



Answer these questions if you know things about getting a specialist report.

- tick the box next to your answer

or

- write your answer on the line below the question.



Did your child or children get a specialist report?

Yes

No

Not sure



What was the specialist report about?

Psychological: about how someone thinks

Psychiatric: about mental health

Medical: about health

Cultural: about your culture

Not sure

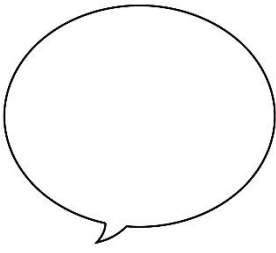


Did you think the specialist report was helpful?

Yes

No

Not sure



Is there anything else you would like to tell us about specialist reports?

Counselling services

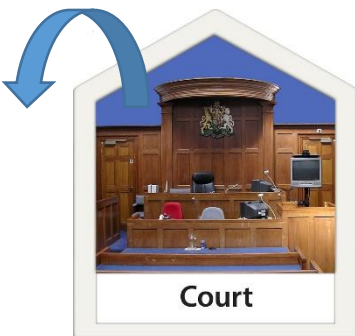


Before the 2014 changes couples having problems in their relationship could:

- have 6 free **counselling** sessions.



Counselling is a way for people to try sort out their problems.



Before 2014 couples could go to these sessions even if their court case had not started.



After the changes in 2014 the court stopped having **free** counselling before court.



The counselling was replaced with **Family Dispute Resolution.**

Go to page 34 to find out about **Family Dispute Resolution** is.



A judge can only order a couple to go to counselling if they are part of:



- a court case about a parenting order



- an argument about who should look after their children when they stop being together



A judge **cannot** tell the parents to go to counselling when the court case has ended.

We want to know what you think about Counselling services



Answer these questions if you know things about Counselling services.

- tick the box next to your answer

or

- write your answer on the line below the question.



Did you go to couple counselling before 2014?

Yes

No

Not sure

Did couple counselling help you?

Yes

No

Not sure

**Have you gone to couple counselling after
March 2014?**

Yes

No

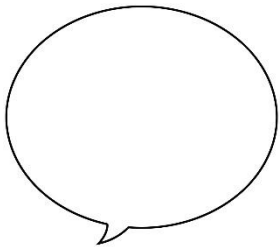
Not sure

Did couple counselling help you if you went after 2014?

Yes

No

Not sure



Is there anything else you want to tell us about the Counselling services?

For example you could tell us about:

- ways to make it better
- things that you think did not work.

Paying some of the court costs



The 2014 changes changed the way court costs were paid.

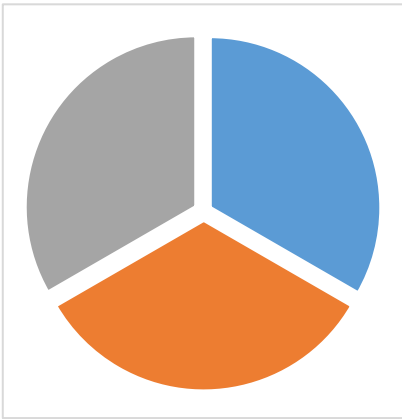
This is called **cost contributions**.



Contribution means giving something to someone.

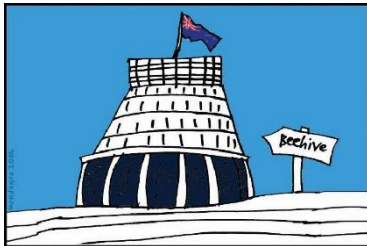
In this document it means giving money to the court to pay for some of the costs of the court case.

This can include the cost of a specialist report or the cost of a lawyer for the child.



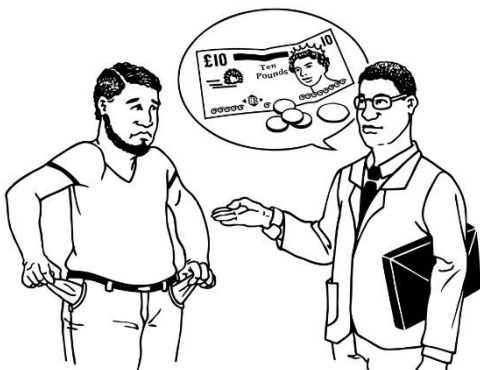
Cost contributions in a court case means:

- you pay 1 third of the court costs
- the other person pays 1 third of the court costs



- the Government pays 1 third of the court costs.

Sometimes a person or people may **not** be asked to pay for their share of the costs because:



- it would make it hard for the family
- they do **not** have much money

We want to know what you think about paying some of the court costs



Answer these questions if you know things about Paying some of the court costs.

- tick the box next to your answer

or

- write your answer on the line below the question.



Do you think people should pay some of the cost of the Family Court case?

Yes

No

Not sure



If you answered NO: why do you think people should not pay some of the costs of the Family Court case?

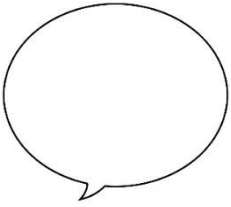


Did you pay some costs in your Family Court case?

Yes

No

Not sure



**Is there anything else you want to tell us
about Paying some of the court costs?**

What was your experience like with the family justice system?



The goal of the family justice system is to help:

- parents
- guardians
- family / whānau.

The family justice system wants everyone to:



- agree to the best way children will be cared for after a separation
- do the best thing for the children.



Doing this will make sure children:



- are safe
- are well cared for



- have somewhere safe to live



- have a safe relationship with their:
 - parents
 - guardians
 - family/whānau



- are connected to their culture.

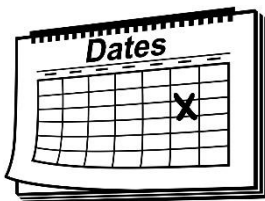
Here are questions about the family justice system we would like you to think about



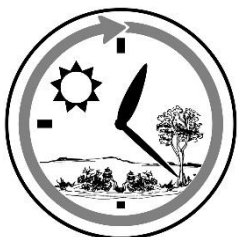
Has your family dispute been sorted out?

Yes

No



How long did it take to sort out?



If it has not been sorted out : how long has your family dispute taken so far?



Was it easy to find information about the family justice services?

Yes

No

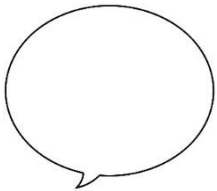
Did you understand the information you were given?

Yes

No

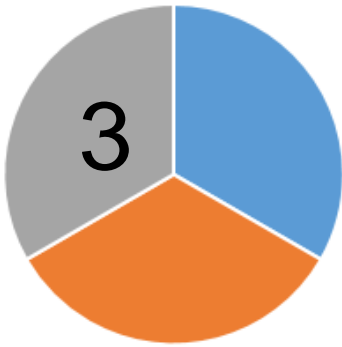


Can you think of any changes that would make it better for children and families using the family justice system?



Is there anything else you would like to say about the family justice system?

Part 3



Part 3 of the document is about:

- finding out information about you
- telling you about the ways you can give us your submission and feedback.

We want to find out about you



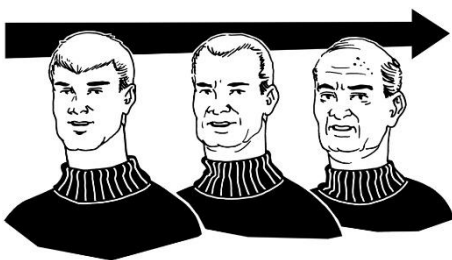
We would like to know some things about you.

You can tell us by answering the questions below.



Only answer the questions **you want** to answer.

What is your name?



How old are you?

What is your gender?



Male

Female

Other



What ethnicity are you?

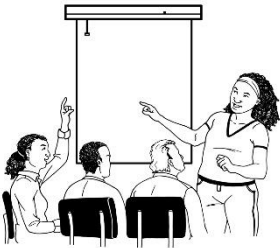


What languages can you speak?



What area do you live in?

What services have you used?



Parenting Through separation



Family Legal Advice service



Family Dispute Resolution



Family Court



Lawyer for the child

a lawyer

What other services have you used?



specialist report writer



counsellor

something else.

How were you related to the child or children in the family dispute?



parent



guardian



grandparent



whānau / family

Other

How to have your say



Thank you for taking the time to read and answer questions about the **2014 changes to the family justice system**.



Your **feedback** is important to us.

Feedback is telling us what you think about the changes to the family justice system.



We want to hear about how the 2014 changes to the family justice system have affected you and your family.



Your feedback will help the Independent Panel to write their report for the Minister.

Ways to give your feedback to us



The Independent Panel wants to hear from you about what you think about the 2014 changes to the family justice system



We need to have your feedback by **9 November 2018.**

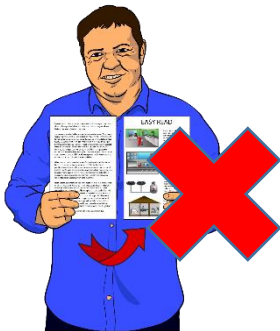
You can give your feedback to us in different ways.



1. You can give feedback online through our **website**.

Use this website address below to fill out a submission form on our website:

<https://consultations.justice.govt.nz>



The online form is **not** in **Easy Read**.



You might need help from a person you trust to help you fill out our online submission form.



2. You can also **email** your feedback to us at:

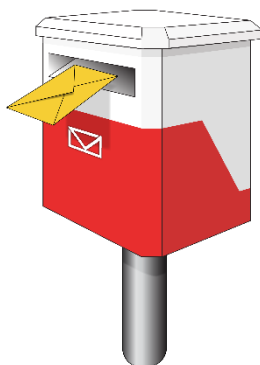
familyjusticereforms@justice.govt.nz



3. You can **mail** us your feedback.



If you would like to mail us your feedback please send it in an envelope to the address below.



Family Justice Reforms

SX10088

Wellington 6011



There is a Te Reo Māori version of this document at this website below:

<https://www.justice.govt.nz/justice-sector-policy/key-initiatives/family-court-rewrite/>



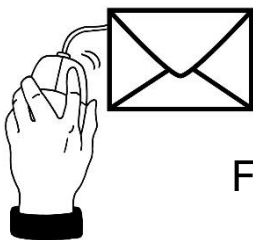
If you have any questions about:

- this document

or



- the Independent Panel and its work



send an email to:

FamilyJusticeReforms@justice.govt.nz



**This information has been translated into Easy Read
by People First New Zealand Inc. Ngā Tāngata Tuatahi**

