

### **Oranga Tamariki webinar series**

#### **Hui-a-whānau – 22 February**

We had a good turnout of members for the webinar on hui-a-whānau on 22 February. For those of you who missed attending the webinar, it is available in the [members' area](#) of the FLS website, together with issues discussed in the Q&A part of the session.

#### **The role of Whakarongo Mai – 16 March – 2.30 to 4.00pm – 1.5 CPD hours**

A reminder that the final webinar session on the role of Whakarongo Mai will take place on 16 March at 2.30 to 4.00pm. These webinars are free of charge for FLS members. If you would like to attend this webinar please click [here](#) to register. Two days before the webinar, those who have registered will be sent a link to join via zoom and following the webinar you will be sent a CPD verification and any additional information that has been discussed. We hope you are able to join this session.

#### **Reminder – cross examination of psychologists in the Family Court**

Just a reminder that all FLS members and non-members are invited to attend the seminars on cross examination of psychologists in the Family Court.

Judge Tim Black, Shane Robinson and Kevin Garner will present the seminars on the fundamentals of cross examining an expert, how to prepare for and conduct the cross examination of psychologists and tips to get the best out of cross examination.

The seminars will be held on:

**Wellington District Court** (Jury room) – 5.00pm – Wednesday 24 February

**Porirua District Court** (Family Courtroom) – 5.00pm – Friday 26 February – **RSVP by 24 February**

**Hutt Valley District Court** (Courtroom 2) – 5.00pm to 6.30pm, Tuesday 23 March – **RSVP by 19 March**

**Cost:** FLS members – free of charge; Non-members - \$40

Click [here](#) to RSVP and pay to attend the seminar most convenient for you. Materials will be sent to those who have registered. Click [here](#) for a CPD verification form.

### **Scan (review) of the Auckland registry**

Many Auckland FLS members will be aware of the recent “scan” (review) of the Auckland registry by the Ministry of Justice. Thank you again to those who volunteered to be interviewed by the Ministry for this review. From that review came 70 [recommendations](#) for change to how the Auckland registry will operate. The recommendations will take some time to implement.

Myself, deputy chair, Susie Houghton, Auckland based executive member, Andrew Finnie and our manager, Kath Moran, will be meeting Chris King, Regional Manager Northern, Courts and Tribunals Regional Service Delivery, Ministry of Justice on a monthly basis to receive updates on the implementation of these changes. We will send you updates on these changes as information comes to hand.

### **Paternity – legal aid**

Hopefully you are aware of the [updated guidance](#) Legal Aid Services (LAS) has provided to its grants’ officers in respect of legal aid application for paternity matters. The FLS has worked hard on your behalf to ensure a change to how these applications are considered for funding by LAS. We encourage members who are applying on behalf of clients for grants of legal aid to provide as much information as possible to LAS advising of the summary of events to date that have led to the dispute. We are hoping that the updated guidance will enable more applications of legal aid for paternity disputes to be approved.

### **Oranga Tamariki – changes to the policy on permanent care for children and young**

## people

Oranga Tamariki has made changes to the policy on permanent care for children and young people.

The policy will now be called '*Ensuring a safe, stable, and loving home for tamariki in care*'. It will guide decisions about how and when children and young people transition from care within the custody of Oranga Tamariki, into stable and permanent care. [Click here](#) for the policy, associated guidance and resources.

### What the changes mean

The changes help ensure that OT's obligations to tamariki and whānau Māori under section 7AA of the Oranga Tamariki Act are clear for practitioners. The changes will also help ensure that children, young people, and their family and whānau are fully engaged in decision-making from the earliest opportunity and throughout the process.

- The policy is now clearer that non-whānau permanent care is an exception and can only occur where no safe family, whānau, hapū, iwi or family group alternatives which meet the child's needs are available.
- The policy reinforces that, if children and young people are unable to go home, we must strive to achieve permanent care that meets their needs from within their family, whānau, hapū, iwi or family group.
- OT will continue to ensure that comprehensive assessment, planning and engagement informs all permanent care decisions. In addition, in order to ensure close oversight, the amended policy now explicitly states that site manager approval is required for all non-whānau permanent care arrangements for children and young people. This decision also requires practice leader and regional litigation manager consultation.
- In the case of tamariki or rangatahi Māori, a non-whānau permanent care decision can only be made after working alongside iwi, mana whenua, or Māori organisations, as appropriate.

These changes do not alter OT's commitment to, first and foremost, work proactively with children and young people, their whānau, hapū, iwi or family group, and those that support them, to prevent the need for them to come into care in the first place.

## **Existing stable situations**

For children and young people who are already living in stable situations with non-whānau caregivers, where there is an existing commitment or agreement to support permanent care with that caregiver, OT will look to maintain that stability unless there is a significant change of circumstances for the child or their caregiver. In all cases, OT will work closely with the child, their family, whānau, hapū, iwi and family group, and the caregiver, to agree arrangements to maintain and strengthen connections. Specifically, OT will focus on supporting an ongoing relationship between the child and their whānau, hapū, iwi, and family group, including supporting whānau to exercise their whanaungatanga responsibilities.

## **Change to legal practice**

Alongside changes to the policy, OT have updated letters, guidance and templates for caregivers applying for permanency orders. Lawyers for OT will no longer file applications for special guardianship orders on behalf of caregivers. To assist counsel for caregivers who choose to make applications for special guardianship, guidance and templates, including a draft special guardianship order template, is available from the Oranga Tamariki [Practice Centre](#). These resources include expectations relating to the appropriate use of special guardianship applications in the context of section 7AA and the purposes and principles of the Act, as well as outlining when OT will support (and fund) special guardianship applications.

## **Questions**

If you have any questions about the policy, please direct these to the Regional Litigation Managers whose contact details can be found [here](#).

## **Oranga Tamariki – fact sheet for parties**

Oranga Tamariki, with collaboration with the FLS has developed a [fact sheet](#) that family lawyers can use to give to clients. We hope this will be a useful resource.

## **Collaborative law training – Queenstown – registrations now open – 19 and 20 March**

Increasingly, families are looking to the collaborative process to work through their family law issues. This multi-disciplinary dispute resolution process offers clients a

more respectful and dignified way to resolve issues in ways that are meaningful to them. It gives professionals a way to work with clients in a more engaged and enjoyable manner. Collaborative practice makes for happier days in the office! Collaborative Resolution New Zealand is running its next training in collaborative practice in Queenstown on **19 and 20 March**. Spaces are limited so register early to avoid disappointment. To register, visit: <http://bit.ly/CRNZQTTraining2021>. For more information about the training, please contact [Dannielle@familylawresults.co.nz](mailto:Dannielle@familylawresults.co.nz).

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