



Petition 2014/151 of Poto Williams

Report of the Justice Committee

February 2018

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Petition 2014/151 of Poto Williams

Recommendation

The Justice Committee has considered Petition 2014/151 of Poto Williams and recommends that the House take note of its report.

Request for a Royal Commission of Inquiry into the New Zealand Family Court

The petition was presented to the House on 18 August 2017. It requests:

That the House note that 1,578 people have supported a petition calling for a Royal Commission of Inquiry into the New Zealand Family Court, and that the House support this call.

We received a written submission from the petitioner.

The New Zealand Family Court

The Family Court was established in 1980 as a division of the District Court. Its establishment resulted from the final recommendations of the Royal Commission on the Courts, chaired by Judge Beattie. The purpose of the Family Court is to respond to the needs of families in New Zealand, and issues involving domestic violence. Where possible, the Family Court aims to help people solve their own problems by way of counselling, conciliation, and mediation.

Unlike other courts, Family Court proceedings are closed to the public to reflect the personal nature of family disputes.

The petitioner's submission

The petitioner's submission was written by the Backbone Collective and is supported by the 1,578 people who signed the petition. It is based on the Backbone Collective's research into domestic violence in New Zealand and the Family Court process. The submission notes New Zealand's high rates of domestic violence, particularly towards women and children.

The submission states that there are "widespread system failures" in the Family Court's treatment of cases where domestic violence has occurred. Specifically, the petitioner is concerned that the Family Court's practices and orders further endanger women and children by requiring them to stay with their abuser. The petitioner considers that a royal commission of inquiry into the Family Court is necessary to independently investigate the Family Court process.

We note that the separation of powers prevents this committee from conducting an inquiry into the Family Court or commenting on any judicial decisions.

Appendix

Committee procedure

The petition was referred to us on 18 August 2017. We met between 30 November 2017 and 1 March 2018 to consider it. We received a written submission from the petitioner.

Committee members

Raymond Huo (Chairperson)

Hon Amy Adams

Ginny Andersen

Chris Bishop

Andrew Falloon

Matt King

Greg O'Connor

Priyanca Radhakrishnan