

26 SEP 2016

Zane Collins
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Dear Mr Collins

Official Information Act 1982 request

I acknowledge your Official Information Act 1982 requests of 29 August 2016, requesting information on judicial decisions.

Your request was for the following:

1. Please outline the best interest of the child in the family court and how judges determine the best interest of the child.
2. Who is monitoring the judge's decisions and direction in the Family Court closed secret hearing rooms? Or are they allowed to abuse NZ citizens and violate their rights?
3. Are any juries involved in complex cases to give fair decisions for NZ families in terms of custody and disputes?

Response to question 1:

Details of the specific principles that have to be taken into consideration are outlined in section 5 of the Care of Children Act 2004. Similarly, the best interests of children are also taken into account in other cases that may be before the court, such as in disputes about relationship property.

Family law can be a particularly complicated area due to the involvement of family relationship breakdowns that are often of a personal and sensitive nature.

Response to question 2:

The Chief District Court Judge, assisted by the Principal Family Court Judge, is responsible for ensuring the orderly and expeditious discharge of the business of District Courts throughout New Zealand. For this reason, specialist judges are appointed to the Family Court in accordance with section 5 of the District Courts Act 1947. The media may be present in certain situations and judgments of interest are published online at: districtcourts.govt.nz

Response to question 3:

Jury trials are not used in the Family Court. Jury trials are predominantly used within the criminal jurisdiction in accordance with part 3 of the Criminal Procedure Act 2011. Accordingly, the provisions set out in the Juries Act 1981 apply to all juries, whether for civil or criminal cases, and whether in the High Court or a District Court.

More information about the Family Court can be found on the following websites:
www.justice.govt.nz/family
www.districtcourts.govt.nz/family-court

If you require any clarification of the information contained in this response please contact Antony Paltridge, Team Leader, Media and External Relations, at media@justice.govt.nz or call (04) 918 8980.

Yours sincerely



PP

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