

Submission to the Law Commission on the Review of the Property (Relationships) Act 1976

February 2018

Introduction & background to Barnardos

1. Barnardos is Aotearoa New Zealand's largest and leading children's charity. We have been working with children in Aotearoa for over 50 years and we are here for all children. Our vision which we are working to make a reality is "An Aotearoa new Zealand where every child shines bright". We believe that no matter where or what circumstances a child is born into, they have the potential to shine bright and we all have a role in supporting them to reach their full potential.
2. As well as advocating for the rights and well-being of all children in Aotearoa, Barnardos delivers services for children and their families and whanau every day around New Zealand across two operational arms: Barnardos Child and Family Services, and Barnardos Early Learning. This submission is informed by the experiences of children and their families who we work with, and by the insights that Barnardos has by virtue of working closely with thousands of children and their families on a daily basis, throughout the country. This includes work with and for children and families in the most difficult situations in New Zealand.
3. Kotahitanga/Unity is one of Barnardos' five Guiding Principles. We are committed to working collaboratively and openly in order to make a genuine difference for children. One of the things that families tell us that they like most about Barnardos is that we stay for the long haul and we do not give up even when things get tough.¹ We take the same approach when we are working with organisations and systems, to help improve them to support children and their rights and well-being. We do what is right, we do what is needed, we do what works. It is in this spirit that Barnardos make this submission.

Summary of Barnardos' submission

4. Barnardos supports and commends the Law Commission's strong focus on children's interests as part of the Review of the Property (Relationships) Act 1976. Barnardos' submission focuses on engaging with Part I of the Law Commission's Issues Paper / Part 9 of the Consultation Paper. Rather than responding to all of the sub-questions the Law Commission raises in those

¹ Barnardos Child and Family Services Client Satisfaction Survey Results, 2015.

parts of its respective papers, Barnardos' submission puts forward its responses on the questions that it is best placed to provide submissions on. These are based on Barnardos' insights from our operational practice and experience working with diverse children and families throughout Aotearoa.²

5. Barnardos also contributed to the Law Commission's consultation meeting as part of the Review of the PRA in Wellington on 21 November 2017.
6. By way of summary, there are five key points to our submission:
 - a) Children's interests have an important role under the Property (Relationships) Act 1976 (PRA). However, currently the PRA does not recognise and protect children's interests adequately, and children's interests – although impacted by decisions and processes under the law – often remain invisible as a result.
 - b) The PRA should take a more child-centred approach, so that children are increasingly placed at the centre of decision-making impacting on them, so that their best interests and lifetime outcomes are appropriately considered and protected in decision-making.
 - c) To achieve submission (b) above, the PRA should be reformed to elevate children's best interests to a primary consideration in proceedings under the PRA. Some further practical steps should be taken to ensure children's interests are given greater focus in PRA proceedings, including a greater use of specific Court orders for the benefit of children.
 - d) The PRA should more strongly reflect the principle of child participation as established by the United Nations Convention on the Rights of the Child (CRC),³ so that children are able to participate in matters affecting them under the law.
 - e) Generally, care must be taken to ensure that any future changes to the PRA to make it more child-centred are consistent with the general principles and specific provisions of the CRC, and other relevant domestic legislation, so that there is consistency across New Zealand's body of legislation impacting on children's interests.

The impact of family separation on children

7. In the work we do every day around Aotearoa New Zealand with children and their families, Barnardos sees up close the impact of family separation and in particular the wide-ranging and significant impacts this can have on children. External independent research indicates that across the Western world, although the majority of children do not suffer adverse outcomes resulting from parental separation, children who experience parental

² We note that the diversity of family forms, structures and household living arrangements is continuing to grow in Aotearoa New Zealand, as evidenced by the Growing Up in New Zealand study. See Morton, S.M.B., Grant, C.C., Berry, S.D., Walker, C.G., Corkin, M., Ly, K., de Castro, T.G., Atatoa Carr, P.E., Bandara, D.K., Mohal, J., Bird, A., Underwood, L., Fa'alili-Fidow, J., 2017. Growing Up in New Zealand: A longitudinal study of New Zealand children and their families. *Now We Are Four: Describing the preschool years*. Auckland: Growing Up in New Zealand, p.38ff.

³ UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations Treaty Series, vol. 1577, p. 3.

separation are on average at twice the risk of adverse outcomes.⁴ Barnardos sees reflected in practice many of the issues traversed by the Law Commission in its very helpful Study Paper, *Relationships and Families in Contemporary New Zealand / He Hononga Tangata, He Hononga Whānau i Aotearoa o Nāianeī* (October 2017). These include the impacts of changing patterns of relationship and family formation, the impacts of relationship separation on children and families (including re-partnering and stepfamilies), wider patterns of change in the family and household, and the impact of families' financial well-being and household resilience.

8. We note the Law Commission's observation at page 30 of its *Study Paper* that "Other than official statistics on remarriages, little is known about re-partnering and stepfamilies in New Zealand." We agree that despite some research existing on the impact of parental separation on children, a specific focus on the impact of re-partnering is a gap in research and understanding. We do note, however, a recent finding of the *Growing Up in New Zealand* study, that among the study cohort, the greatest changes in household structure for children between two and four years old were families changing to a single parent household (with no other adults) from other household structure types, and families changing from parents living with extended family to other household structure types.⁵ In addition, Barnardos is able to make a few observations in this regard based on anecdotal evidence observed through the work we do in our Child and Family social services space. These observations, along with references to relevant research, are outlined below.
9. Often Barnardos works to support children whose parents have separated who then go on to re-partner, but then separate from those new partners. Obviously separation can occur for a multitude of reasons, but sometimes it is the case that the separation from new partners can occur for the same reasons the child's parents separated. This can lead to the child not only seeing a pattern of relationship breakdown, but can also lead to feelings of significant and in some cases ongoing confusion and a sense of loss.
10. We also see the impact that parental separation and subsequent re-partnering can have on children in terms of the wider social dislocation and isolation it can cause. This is linked with high mobility and relocation, which can be a common experience for children who experience parental separation. For example, when children are forced to move homes in order to live with a primary caregiver following parental separation, this may be the first of a number of moves between homes over a period of time, if the primary caregiver later re-partners (either once or repeatedly). This geographic movement for a child can in some situations mean that the child also loses important connections to peer groups, for example, if the child has to move schools, and away from peer and community support networks if the child moves to a new neighbourhood. Parental separation may well also

⁴ See for e.g., J. Pryor, *Separation from children's perspectives: Recent research and some food for thought*, Presentation for the Auckland Family Courts Association Conference, April 2006, available online. Also see in general: P. Parkinson, J. Cashmore and J. Single, 'Adolescent's views on the fairness of parenting and financial arrangements after separation', *Family Court Review* 43(3) (2005) 429-444.

⁵ Morton et al, *Growing Up in New Zealand: A longitudinal study of New Zealand children and their families. Now We Are Four: Describing the preschool years*. Auckland: Growing Up in New Zealand, p.39.

have impacts on a child's ongoing connection and relationship with their non-primary caregiver.

11. Among other things, these realities can have implications for a child's sense of identity, belonging and social connectedness, and emotional well-being. A recent study of children in New Zealand experiencing relocation⁶ highlights children's perspectives in this regard. A number of children mentioned the impact that relocation as a result of parental separation had on their feelings related to their social connectedness to peer groups, communities and family:

"I was really upset. ... Mum said, 'Well, we're moving to [city]' and I just burst into tears. I thought, 'Oh no! I'm going to miss all my friends and stuff. I want to stay here.' And she calmed me down and stuff... I got really upset. I cried cos I said, 'Oh, I'm going to miss all my friends'... I was really sad."

- Libby, 9 years old⁷

"I was like, 'Oh no, not another move.' I was a bit nervous. But I'm getting used to the whole moving thing now.... And then I found out that we weren't taking our dog and I was a bit sad."

- Leah, 11 years old, experienced multiple relocations⁸

"It stuffs you up big time. It sucks so much. ... and like it hurts your family so bad."

- Hamish, 14 years old⁹

"It was really hard for me moving schools. I didn't actually know what was going on. Didn't know much people. Here, I know lots of people and it's like a totally different world."

- Sally, 9 years old¹⁰

"I was quite upset. I felt really betrayed. Not sure how I felt really. I was quite angry but now I look at it, it's kind of for the better that my Dad moved because we never got along. Like before he left he kind of always got really angry at me. ... So life is definitely a lot more happier and pleasant. So it's kind

⁶ M. Gollop, M. Henaghan and N. Taylor, *Relocation Following Parental Separation: The Welfare and Best Interests of Children*, Research Report, Centre for Research on Children and Families, Faculty of Law, University of Otago, June 2010, available online: <http://www.otago.ac.nz/cic/otago630000.pdf>

⁷ *Ibid.*, p.102.

⁸ *Ibid.*, p.103.

⁹ *Ibid.*, p.104.

¹⁰ *Ibid.*, p.10.

of worked out for the better, in this situation anyway. ... It was pretty rough for the first year or two, but yeah, it worked out alright. Like we're fine now."

- Kara, 17 years old¹¹

"I'd probably say you just get used to it. It might be hard in the beginning but you'll get used to it. You'll be able to see your parents hopefully."

- Laura, 14 years old¹²

"Just leaving Dad I think and friends. Just leaving everything behind, everything you'd sort of known. [Saying goodbye to] all the family, pretty tough."

- Jacob, 16 years old¹³

"I was a bit sad because I was going to leave my Dad and lots of my friends down there. ... I had my grandparents, my Dad, my cousins and my aunties there."

- Sean, 11 years old¹⁴

12. Being forced to move out of the family home as a result of parental separation can also have other impacts on children, given the significant role a family home can play in a child's life. The family home can be a place of safety and sanctuary for a child, and may be associated with the formation and preservation of the child's identity, as well as being a physical place of safety and belonging. Although difficult to quantify, the potential impact of having to move from the family home as a result of parental separation can be significant on a child. This should not be underestimated or forgotten when decisions are made under the PRA.
13. In addition to the above observations, a number of specific practical implications can arise for children when parents separate, either formally or informally. These are highlighted throughout this submission, along with suggestions for how these can be addressed from a child-centred perspective, through reform of the PRA.

The PRA should take a more child-centred approach

14. Barnardos is of the view that the PRA does not currently take an approach which is adequately child-centred. Children's best interests are not consistently treated as a high priority under the PRA. In practice this can and does have a negative impact on children. The law requires reform so that it

¹¹ *Ibid.*, p.105

¹² *Ibid.*, p.104

¹³ *Ibid.*, p.108

¹⁴ *Ibid.*, p.109

works better for children, who through no fault of their own are often caught up in and significantly impacted by processes and decision-making under the PRA.

15. Therefore, Barnardos advocates for reform of the PRA so that in legislating to achieve the policy end of just division of property at the end of a relationship, the law takes a more child-centred approach. After all, decisions which are made under the PRA that affect children can and do in many instances have a lifetime impact on the lives of individual children. This lifetime impact on children is a very important point to remember when considering reform of the PRA.
16. Barnardos submits that the PRA should be more explicit about the principle upon which a child-centred approach will be codified under the PRA, and that this principle should then flow through the legislation and shape its implementation in practice. This includes the process of resolving situations under the PRA – when children are involved, the process should be undertaken in such a way as to minimise, rather than add to, the stress on children.

Elevating the child's best interests to a primary consideration under the PRA

17. Barnardos agrees with the Law Commission's preliminary preferred option in this regard as outlined at paragraphs 29.7 and 29.11 of Part I of its *Issues Paper*. We submit that elevating the child's best interests to be a primary consideration under the PRA and implementing the principle of the best interests of the child as established under the CRC¹⁵ will have a positive protective effect on children where decisions taken under the PRA will affect children. Given the purpose and objective of the PRA, Barnardos believes that elevating the child's best interests to be a primary consideration strikes the appropriate balance, to ensure that children's best interests are treated with the level of attention they deserve and require in situations when relationships end and they are affected.
18. Barnardos sees elevating the child's best interests to a primary consideration under the PRA as workable in practice so that in balancing competing interests, the Court will be required to give greater weight to children's interests than it is currently required to. Barnardos advocates for explicit articulation in the PRA of the principle of the child's best interests being treated as a primary consideration in all proceedings under the PRA affecting children. As part of such a best interests of the child consideration, matters concerning the child's physical and mental health, education and general well-being should be among the factors considered in all instances.
19. We would also like to see a requirement built into the legislation that the Court should, in individual decisions and judgments, state clearly the balancing process that has been undertaken; the weight which has been attached to the child's best interests and how this affects their various rights under the CRC; and the practical steps which can be taken consistent with

¹⁵ Art. 3(1), CRC: In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

the Court's decision to give effect to the child's best interests in their day-to-day life.

20. In this respect, we would like to see the Court encouraged to ensure that its judgments are written in a way that is accessible to the individual child, so that they can read and understand the judgment.¹⁶ We see this as being one practical way that children's access to justice can be upheld consistent with their best interests. Judgments of this kind may well be important documents for children to be able to access later in childhood or adulthood, should they seek to understand how decisions were made under the PRA that affected them.
21. We would also like to see Courts, in making decisions under the PRA affecting tamariki Māori, ensuring that they are making decisions which uphold the mana of the child, and which honour and are consistent with the whakapapa, whānau and whanaungatanga of the individual tamariki.

The role of parents in upholding the child's best interests under the PRA

22. Connected to our submission that the best interests of the child should be elevated to a primary consideration and codified as a principle of the PRA, Barnardos submits that the PRA could also reflect the concept that parents have a responsibility to treat the best interests of their child(ren) as "their basic concern", as established under the CRC.¹⁷ Unfortunately, when relationships breakdown and proceedings under the PRA occur, parents do not always discharge this responsibility and in some instances children are – whether intentionally or not – treated in ways that amounts to them being treated as property to be divided or retained. This is clearly inconsistent with the child's human dignity. Although there are practical limitations concerning how the PRA can influence the behaviour and decisions of parents when relationships end, the law can send a strong message to encourage and remind parents engaged in proceedings under the PRA that when children are involved, it is children's best interests that should remain the parents' first and foremost 'basic' concern.
23. In addition and connected to the ideas put forward at paragraph 22 above, Barnardos suggests a further practical way the law could encourage parents to think from their child's perspective in legal proceedings under the PRA. This would be for the Court to direct that parents consider and make submissions to the Court concerning how they think certain property being allocated to one or other parent will impact on their child(ren). The point here is that the parents of the individual children will know them well, and this may prompt parents themselves to think differently about how they

¹⁶ See in general in relation to child-friendly judgments: H. Stalford, K. Hollingsworth, S. Gilmore (eds), *Rewriting Children's Rights Judgments: From Academic Vision to New Practice* (2017), Oxford, Hart Publishing. This study notes the powerful messages judgments can send to children themselves about children's status as rights-holders and the respect the law confers upon them. The study puts forward the proposition that a child-friendly judgment respects the individual child at the heart of the proceedings. The study authors note that child-friendly judgments can e.g. be written as adjuncts to main judgments, specifically tailored to the children involved in the specific case.

¹⁷ Art. 18(1), CRC: States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

separate their property, if they are required to think from their child(ren)'s perspective.

The practical impact of the principle of equal sharing under the PRA on children's interests

24. Barnardos agrees with the position articulated at paragraph 9.25 of the Law Commission's *Consultation Paper* that amending the general rule of equal sharing under the PRA is not necessary, but that the law could take a more child-centred approach. Indeed, Barnardos believes the PRA should take a more child-centred approach across the board, including when it comes to the rule of equal sharing. We are of the view that the active implementation of the best interests of the child as a primary consideration principle discussed earlier in this submission will help in this respect. However, below, we also make some further observations concerning how we see the equal sharing rule is working in practice, insofar as it affects children.
25. Barnardos sees that for many of the families we work with who have experienced a 50:50 split under the PRA, in practice the primary caregiver of the child(ren) ends up financially disadvantaged. This arises most significantly due to the extra housing costs the primary caregiver bears, as well as the associated additional costs they carry in relation to the child(ren). It is our observation from the families we work with who are in such situations that these child-associated costs do not appear to be equalised through Child Support. Therefore, we advocate for the system functioning under and connected to the PRA to take a more holistic and realistic view of the costs associated with the responsibility and role of being the primary caregiver for children following family separation.

Putting property to one side or making PRA orders specifically for the benefit of children

26. Barnardos is of the view that the Court should, in more cases, make orders under the PRA putting property aside for children in more cases. Below, we discuss the key instances we see specific Court orders under the PRA being particularly important for the benefit of children.

Specific orders about the family home

27. In particular, we think that orders distributing relationship property for the benefit of children are particularly relevant concerning the child's housing situation/where the child lives. Often – but not in all cases – the child's family home will be a place of importance for them and may be a place where they feel a sense of safety, identity and sanctuary. Barnardos would like to see the Court routinely assessing on a case-by-case basis whether making specific orders concerning the child's family home is appropriate, so that the child is able to stay living there.
28. Factors that the Court could helpfully take into consideration in this respect include but are not limited to things such as how long the child has lived in the home, the role that the family home plays in the child's individual life, the implications for the child of having to move from the family home at a specific time in their lives (including how this might impact on their travel to

school and other significant activities such as sports or clubs, and their ability to remain connected to friends and their community networks), and how the child's overall physical and mental health and well-being might be impacted.

29. Barnardos knows from some of the children and families who we work with who have experienced family separation that the children have had to relocate from the family home, but are now struggling with traveling long distances to school. In such situations, this is often because the children's parents/primary caregiver have chosen to keep the children at the same school, because of the consistency and stability it provides in the children's lives at a time of significant change. This also places a significant financial burden associated with travel costs on the primary caregiver. Therefore, another type of order that the Court could consider in relation to the child's family home and the impact of relocation on the child are orders that the child is able to remain in the family home for a certain period of time (for example, until the end of the school year; until the end of the child's schooling).

Specific orders about transport property

30. Another factor that Barnardos believes the Court could more often make specific orders about under the PRA is transport property itself, insofar as it affects child(ren). Children can end up practically disadvantaged in instances where the family car/vehicle goes to the parent who is the non-primary caregiver under a PRA division of relationship property (or in instances of informal separation where the vehicle stays with the non-primary caregiver). Leaving the primary caregiver and children without a vehicle can have significant day-to-day impact on children, such as children missing out on education and activities, visiting family and friends, or having to walk long distances to access public transport and services. Barnardos is currently seeing this as a particular issue impacting separated families and children in South Auckland.

Specific orders about family pets

31. Family pets are another aspect of property that Barnardos believes the Court could very helpfully make specific orders under the PRA for the benefit of children. Children are often closely bonded and attached to family pets. No longer living with or not regularly seeing a family pet following family separation can have negative impacts on a child's well-being. This can in fact manifest itself as another significant loss for a child, in addition to the loss of family life that may have existed before a parental separation. Children can become concerned about the welfare of their pets and can experience grief and trauma resulting from their separation from their pets. For example, as part of Barnardos Supervised Contact Service, from time-to-time and with appropriate assessment, we have permitted family pets to come to supervised contact sessions with children. We have permitted this in instances where children have been severely missing their family pet that they have been separated from, and have significant concern about the pets' ongoing welfare.

Strengthening child participation under the PRA

32. Barnardos submits that children's participation in decisions affecting them needs to be strengthened under the PRA. It is Barnardos' understanding that as the PRA currently operates, individual children are not able or supported to have their views heard in matters affecting them as systematically as should be the case. Research on child relocation in New Zealand (including in situations following parental separation) shows that children themselves are very clear that they want to have a say and be listened to in legal decision-making affecting them.¹⁸

33. Therefore, Barnardos submits that the PRA should be reformed to:

- fulfil Article 12 of the CRC¹⁹ and ensure that children are able to make their views heard in matters affecting them under the PRA (either directly or through a representative);
- ensure that when children do make their views heard in PRA proceedings, these are appropriately taken into consideration in decision-making; and
- ensure that children are able to understand how their views have influenced the decisions made.

34. Barnardos submits that a principle should be included in the PRA requiring children to be given the opportunity to make their views heard in matters affecting them under the PRA. This would not be a requirement of all children, but rather a requirement that children have the opportunity to make their views heard. Such a principle should also require their views to be considered in the Courts' balancing of interests and decision-making. Such a principle would be complementary to and work in tandem with a new best interests of the child as a primary consideration principle.

To support the child participation principle, special attention will need to be paid to processes – that is, support structures and procedural mechanisms – that will enable the principles' implementation in practice, such as how:

- children's participation in PRA proceedings is facilitated/how their views are heard, in ways that are age appropriate and that work for the child, and that do not re-traumatise or cause the child undue stress;
- the Court communicates to the child about their role in the proceedings, and why it is important that their views are heard and how they will be taken into consideration; and

¹⁸ Gollop et al, *Relocation Following Parental Separation: The Welfare and Best Interests of Children*, Research Report, Centre for Research on Children and Families, Faculty of Law, University of Otago, June 2010, available online: <http://www.otago.ac.nz/cic/otago630000.pdf> p. 131-134.

¹⁹ Art.12, CRC: 1) States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child. 2) For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

- the Court communicates back to children to follow-up after decisions and orders under the PRA are made, so that children can understand how their views influenced the decisions and orders made.

35. To ensure the adequate implementation of such reform, Barnardos envisages that judges who preside over PRA proceedings will need to be routinely appropriately trained and supported in working with children in the Court. This should help to ensure that judges are adequately equipped with the tools they need to be able to see proceedings from a child's perspective.

Some other practical steps which can be taken to make the PRA more child-centred

36. Barnardos has identified some other mechanisms that we submit would be useful to consider in future reform of the PRA to further safeguard children's interests.

Advice and guidance for families engaged in PRA proceedings

37. Barnardos is of the view that a service providing advice and guidance to families in family separation situations under the PRA would be helpful. Engaging with and understanding the legal regime under the PRA is often difficult for parents at what is already a time of high stress for the family. It would be beneficial to many families if they were able to access free information about how the law works and to understand their rights better, before instructing a lawyer. Such information would helpfully include information about the impact of the law on children and how parents' can safeguard their children's best interests in this context.

The role of mediation and dispute resolution services

38. Beyond information, greater availability of free mediation or dispute resolution services may also be helpful to safeguard children. Sometimes in practice we see that children are used as go-betweens by parents in the negotiating process of settling relationship property division. This can play out in practice by parents asking the child to ask the other parent for specific property. The parents' intention is usually not to hurt the child, but this can be a consequence. A mediated approach to this stage of relationship property division may well help in this regard.

More Court orders for child counselling and support

39. Complementary to the suggestion outlined at paragraph 38 above, Barnardos would like to see the Court more often making orders for children to be supported practically through the provision of counselling or a child-centred support programme. This would mean that children have a formalised opportunity that is provided for them to be able to talk about how separation is affecting them. It would also be valuable for children to be able to develop their ideas with appropriately trained support staff to understand and articulate the things that they need to remain resilient through the separation process and beyond.

PRA proceedings and supervised contact for children

40. Finally, Barnardos submits that greater transparency is needed regarding the formula that the Court uses for granting Court-funded Supervised Contact. Currently, the lack of transparency in this regard is resulting in unpredictable supervised contact arrangements for children, which in some instances can stop abruptly without warning, causing distress to the child and parents. We also submit that better processes are needed to ensure that legally mandated supervised contact fairly reflects the needs of multiple sibling groups, in that the level of supervision needed increases with each child. Taking a holistic approach to considering supervised contact in relation to PRA proceedings and the child's best interests should be encouraged.

Ensuring future PRA reform aligns with the CRC and other domestic legislation

41. At a general level, Barnardos urges that any future reform of the PRA is as aligned as possible with and draws on the general principles and specific relevant provisions of the CRC. This will ensure the PRA is as child-centred as possible.
42. Barnardos observes that at a general level, ongoing efforts are needed to strengthen the child-centredness of New Zealand's laws and policies. This goes beyond reforming the PRA. However, Barnardos urges that in any future reform of the PRA, particular care is taken to ensure that amendments to the PRA are consistent and aligned with other existing child-related laws and laws that impact on children. In this respect, we encourage a holistic view to be taken concerning the kinds of situations that children can face when parents separate and the multitude of impacts that this can and does have on children.
43. It is important that the practical realities of family separation on children remain top-of-mind in any future law reform in this area. Barnardos remains available to contribute to ensuring that these are adequately taken account of, including from the direct perspectives of children who have experienced family separation. We are happy to meet with the Law Commission to follow-up on any of the points raised in this submission or any other issues relating to children's interests under the PRA that we may be able to helpfully contribute on.

Contact details for anything relating to this submission:

Claire Achmad, Manager – Advocacy

claire.achmad@barnardos.org.nz | 027 562 7368