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SUBMISSION ON FAMILIES COMMISSION BILL

Introduction

The Child Poverty Action Group (CPAG) appreciates that a Families Commission will have the potential to bring the concerns of families to the attention of both the government and the general public. As poverty is currently a major concern for many families, we hope the Commission will have a particular focus on this problem.

We hope the Commission will:

- enable new and relevant quality research into families and their needs
- promote ways for families to best help their children's development
- promote ways for communities and society as a whole to best help families in this endeavour
- be allowed to make recommendations and suggestions to the government on any policy which affects families – recommendations which the government considers seriously and takes into account when making decisions.
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The Commission must have effective channels of communication with academic researchers, the voluntary/ non-profit social service sector and the government. CPAG is willing to support the Commission in these objectives.

However, we would be concerned if the present government used the formation of a Families Commission as an excuse not to address the pressing real needs of children and their families. The commission is no substitute for practical help for the three out of every ten children in this country who are living in poverty.

Specific recommendations

7 (2) "That function does not include acting as an advocate for the interests of a particular family or particular families in connection with a particular case or issue"

CPAG supports the general advocacy role of the Families Commission and the fact it will not act for particular families. The reason for this support is that we expect the Families Commission to concentrate on systemic and structural injustices.

Given that the Families Commission has a larger budget than either the Human Rights Commission or Office of the Commissioner for Children - both of which act in individual cases - we expect the Families Commission to be able to carry a larger general advocacy workload than either of those bodies.

8 (b) i “the importance of stable family relationships (including those between parties to a marriage or a de facto relationship)”

Given the Families Commission is to “have regard to the kinds, structures and diversity of families and family groups” (section 10), and many types of families are created only after the break-up of a partnership, CPAG is concerned that the importance of stable marriage/ de facto marriage relationships is being over-emphasised in the Bill.

While stability in a relationship is desirable, there are other factors which also have to be considered, such as the partners’ mental health. Promoting the importance of one factor over others could lead to partners trying to make their relationship “stable” at any cost, which is not desirable. Undue emphasis on stable partnerships could also cause stress to those who have already suffered broken partnerships, and could be seen as the Families Commission favouring one kind of family over another.

CPAG suggests an alternative clause: “the importance of stable family relationships (including those between a parent and his or her child[ren])”.

8 (b) (iii) the rights and responsibilities of parents

CPAG would like to include a fourth clause (iv): “the rights of children”. Children have dealings with family members other than their parents and are an important part of families in their own right. This needs to be acknowledged by the Bill and publicised in the public arena.

CPAG would also like to include a fifth clause, relating to honouring the value of families to society as a whole. It is important that the general public is continually made aware of:

- the essential role all families have in bringing up children
- why it is important for society and the state to support every kind of family in this role.

In past years, the role of caregiver has been trivialised and, in the case of solo parents relying on state welfare, marginalised, leading to stigma. Reversing this public mindset definitely fits into the proposed category of “matters relating to the interests of families”.

8 (d) To consider, and to report and make recommendations on, any matter (for example a proposed government policy) relating to families that is referred to it by any Minister of the Crown

CPAG would like to see the Families Commission having an overall view of all proposed government policy, not just on individual matters referred by individual Ministers. We would also like the Families Commission to have the autonomy to consider any policy or matter that it sees fit – ie worthy of comment and pertaining in some way to families.

Our particular concern is for the alleviation of child poverty in New Zealand. We would like to know that economic as well as social policies were considered by a body concerned with their impact on families.

We also suggest that there be some provision in the Bill to ensure the government takes the recommendations of the Families Commission seriously. There is no point in creating a body which governments in years to come are not legally obliged to listen to.

8 (e) to stimulate and promote research into any matter relating to the interests of families

CPAG welcomes the opportunity the Families Commission will have to disseminate research about families. However, we would like safeguards in place to ensure that the Families Commission does not encourage the duplication of any already finished or on-going research.

10 (2) In this section, a Family Group means a family group (for example, an extended family)

- (a) whose members have biological relationships or legal relationships to one another; or***
- (b) whose members have significant psychological attachments to one another; or***
- (c) that is a whanau or other culturally recognised family group***

This definition does not yet go far enough. For example, a de facto step-parent may not have significant psychological ties to their partner's children, but they can still consider themselves part of the same "family group". Admittedly, people in this situation might be considered a "culturally recognised family group", but it would be useful to specifically include de facto stepfamilies and any other family groups not obviously included in the general definition, to reduce confusion.

11 b and 12 (1) c ...the Commission must maintain mechanisms...to ensure that there are at all times readily accessible to it the views of the Pacific Island peoples of New Zealand.

CPAG would like additional clauses inserted specifying the views of the Asian peoples of New Zealand. Not only is the Asian population of New Zealand numerically significant enough to warrant such insertions, its members, like Pacific Island people, often face unusual family challenges. For example, one or more members of the family, usually the breadwinner(s), may be living overseas.

16 (1) The Commission consists of at least 3 commissioners, but not more than 7 commissioners

CPAG questions the necessity of allowing for so many commissioners, and prohibiting having only one or two, given that the Human Rights Commission and the Children's Commission have but one commissioner each. It may be better to spend the Families Commission budget more directly on its ultimate responsibilities.

20 (A) The appointment and removal of commissioners...

CPAG joins Action for Children and Youth Aotearoa in wanting provision in legislation to ensure that the Commission's membership includes individuals with:

- Specific knowledge of indigenous families (as part of the Bill's commitment to upholding the Treaty of Waitangi).
- Specific knowledge of the rights of children and young people.

And CPAG joins Caritas in wanting to see a transparent process for the appointment of Commissioners. In particular we would like to see a nomination process included so that groups in the community can put forward names for consideration.

CPAG would like the opportunity to make an oral submission on the Bill.