

# House of Representatives

## Supplementary Order Paper

Wednesday, 5 July 2017

### Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Bill

#### *Proposed amendments*

Marama Fox, in Committee, to move the following amendments:

#### *Clause 6*

In *clause 6*, *new section 4(1)*, replace *paragraph (e)* (page 16, lines 1 to 4):

- (e) ensuring that, where children and young persons require care under the Act,—
  - (i) they have—
    - (A) a safe, stable, and loving home from the earliest opportunity; and
    - (B) support to meet their needs; and
  - (ii) families, whānau, hapū, iwi, and family groups are assisted to facilitate, as appropriate, the return of the child to their whānau:

#### *Clause 13*

In *clause 13*, *new section 13(2)(e)(i)*, replace “; and” (page 28, line 18) with “; or”.

In *clause 13*, *new section 13(2)*, replace *paragraph (h)* (page 28, lines 36 to 41) with:

- (h) if a child or young person is removed in circumstances described in **paragraph (g)**,—
  - (i) the child or young person should, wherever that is possible and consistent with the child’s or young person’s best interests, be returned to those members of the child’s or young person’s family, whānau, hapū, iwi, or

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- family group who are the child’s or young person’s usual caregivers; and
- (ii) the child’s or young person’s family, whānau, hapū, iwi, or family group must be provided any assistance necessary to facilitate the return of the child under **subparagraph (i)**:

### **Explanatory note**

This Supplementary Order Paper amends *new section 4(1)(e)* in *clause 6* and *new section 13(2)* in *clause 13* in the Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Bill to provide that assistance and support, where needed, must be provided in order to facilitate, as appropriate, the return of the child to their whānau.

We also consider that, in *new section 13(2)(e)*, *subparagraph (i)* should end with “or” instead of “and”. The use of “and” means that *subparagraphs (i) and (ii)* need to be read together, when, in fact, they are alternatives.