

4 June 2026

Yasir Shaikh
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Our ref: OIA 132501

Tēnā koe Yasir

Official Information Act request: Lawyer for Child

Thank you for your email of 11 May 2026 to the Ministry of Justice (the Ministry), requesting information, under the Official Information Act 1982 (the Act), about policies on culturally and religiously appropriate Lawyer for Child (LFC) appointments and their role in the Family Court.

Your request, which has been renumbered for ease of reference, and my responses are set out below.

*1. Does the Ministry of Justice or Family Court have any policy, guideline, practice note, or procedure for appointing a **Lawyer for Child (Independent Children's Lawyer) that considers the child's cultural, religious, ethnic, or faith background (particularly Muslim or Islamic faith)?*

2. If such policies or guidelines exist, please provide copies or the relevant sections, especially those relating to:

a. Appointing or matching a Lawyer for Child who has cultural or religious competency relevant to the child's background.

In response to parts 1 and 2a, please refer to the [Family Court Practice Note LFC: Selection, Appointment and Other Matters](#) (the Practice Note). The Practice Note was issued by the Principal Family Court Judge and outlines the process for appointment of LFC in any specific case and has reference to factors considered when matching a lawyer's skills and/or competence to the specific case requirements, which can include the child's cultural or religious background. As this information is publicly available, these parts of your request are refused under section 18(d) of the Act.

2. If such policies or guidelines exist, please provide copies or the relevant sections, especially those relating to:

b. Creating or using panels of lawyers experienced in working with Muslim families or faith-based migrant communities.

*3. Please provide any available ****aggregated statistical information**** (no individual names) on:*

b. Any existing training programmes or specialist panels for culturally and religiously appropriate representation.

In response to parts 2b and 3b, there are no specialist panels of LFC based on specific cultural or faith backgrounds or experience. LFC are appointed in accordance with the Practice Note, which provides for appointment from the general LFC list rather than from any culturally or religiously defined panel. This part of your request is refused under section 18(e) of the Act, as the information requested does not exist.

In addition to part 3b, you have also asked about training programmes. Training for LFC is provided through independent professional bodies, such as the New Zealand Law Society and the Law Association, rather than through the Ministry. The Ministry is unable to transfer this part of your request to those organisations, as they are not agencies subject to the Act. Therefore, I am refusing this part of your request under section 18(g)(i) of the Act, as the information requested is not held by the Ministry and there are no grounds for believing it is held by another agency subject to the Act.

*3. Please provide any available ****aggregated statistical information**** (no individual names) on:*

a. The frequency with which Lawyers for Child from a Muslim or similar cultural/faith background are appointed in cases involving Muslim children.

In response to part 3a, the Ministry does not collect or record information on the religious or cultural background of LFC, or on the religious background of children involved in cases. As a result, the Ministry is unable to identify how frequently LFC from particular religious or cultural backgrounds are appointed, or how often LFC are appointed in cases involving a Muslim child. Therefore, I am refusing this part of your request under section 18(g)(i) of the Act, as the information requested is not held by the Ministry and there are no grounds for believing it is held by another agency subject to the Act.

*4. In light of section 5(f) of the Care of Children Act 2004 (which requires a child's identity, including religious denomination and practice, to be preserved and strengthened), are Lawyers for Child ****expected**** to provide the Court and Judge with basic information, analysis, or guidelines about the child's faith, religious identity, and cultural needs, and how these affect the child's welfare and best interests?*

5. What policies, guidelines, or procedures apply if a Lawyer for Child:

- a. Fails to support or address the child's religious or cultural identity;*
- b. Omits, downplays, or hides relevant information about the child's faith; or*
- c. Makes recommendations that go against the preservation and strengthening of the child's religious identity?*

In response to parts 4 and 5, the role of LFC is prescribed by section 9B of the Family Court Act 1980. The Family Law Section of the New Zealand Law Society has also issued Best Practice Guidelines for LFC, which establish expected standards of practice in the Family Court. The relevant legislation and Best Practice Guidelines can be found at: [Family Court Act 1980 | New Zealand Legislation](#) and [Lawyer for Child - Best Practice Guidelines](#)

As a LFC is appointed by the court, any further information that may exist in relation to judicial expectations for how they carry out their role is judicial information which is not subject to the Act under section 236(2) of the District Court Act 2016.

Therefore, this part of your request is refused under section 18(d) of the Act as the information is publicly available, and section 18(g)(i) of the Act, as the information requested is not held by the Ministry and there are no grounds for believing it is held by another agency subject to the Act.

- 6. What oversight, complaints, or corrective mechanisms exist when a Lawyer for Child does not meet the expected standards regarding a child's cultural or religious identity?*

In response to part 6, the Practice Note sets out the processes for complaints and for the suspension or removal of LFC from the list. As this information is publicly available, this part of your request is refused under section 18(d) of the Act. Please also refer to the **attached Appendix 1**, which shows the Ministry's response to your previous request about removal and reappointment of LFCs in the Family Court.

- 7. If no specific rules exist for Muslim or faith-based cases, please describe the general processes used to ensure that a child's religious and cultural identity is properly considered in Family Court proceedings.*

In response to part 7, the Court can obtain a cultural report under [section 133 of the Care of Children Act 2004](#) and [section 187 of the Oranga Tamariki Act 1989](#).

Any further information that may exist in relation to how a child's religious and cultural identity may be considered by the Family Court, such as material that informs or guides judicial decision-making, is judicial information which is not subject to the Act under section 236(2) of the District Court Act 2016.

Therefore, this part of your request is refused under section 18(d) of the Act as the information is publicly available, and section 18(g)(i) of the Act, as the information requested is not held by the Ministry and there are no grounds for believing it is held by another agency subject to the Act.

Please note that this response, with your personal details removed, may be published on the Ministry website at: [Official Information Act responses | New Zealand Ministry of Justice](#).

If you are not satisfied with this response, you have the right to make a complaint to the Ombudsman under section 28 of the Act. The Office of the Ombudsman may be contacted by phone on: 0800 802 602, by email at: info@ombudsman.parliament.nz, or via the webform: [Make a complaint \(for members of the public\) | Ombudsman New Zealand](#).

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Moana Ieremia', written in a cursive style.

Moana Ieremia

Acting Group Manager, Courts and Tribunals, Regional Service Delivery