The **Children, Young Persons, and Their Families Act 1989** is an Act of the New Zealand Parliament, passed in 1989. The Act provided for the *care and protection* of children as well as *youth justice*. Considered to be groundbreaking legislation at the time, the Act introduced the **Family Group Conference** (FGC) as a means of making decisions about a *child* or
young person that did not involve a Court Hearing. The Act set out procedures for the removal of abused children from their parent's care, making the best interests of the child the first consideration. It also set out procedures for dealing with youth offenders, making arrest and imprisonment interventions of last resort. Although Police initially feared those restrictive provisions on their powers would cause problems, practical experience has not borne out those fears. The Act also provided for a Commissioner for Children.

When the Children, Young Persons and Their Families Act 1989 was introduced it was seen to be world-leading child welfare legislation. The Act impacts on the lives of thousands of children, young people and their families. The Act introduced major changes to the way decisions were made about children and young people who were victims of abuse and neglect or who broke the law, and placed New Zealand at the forefront of international legislative best practice.

The Act determines how the state intervenes to protect children from abuse and neglect, and to prevent and address child and youth offending. It represents how well our society cares for and supports our children and young people. The Act introduced principles that changed the way decisions were made about children and young people, enabling family to become partners in the decision-making process to resolve family issues. [1]

Fundamental to the Act was the incorporation and inclusion of families throughout the process of making decisions in matters of care and protection of children and young people, and offending by young people. This was most clearly reflected in the extensive use of Family Group Conferences as the preferred method of operation, and in the use and involvement of family in meeting the needs of children and young people who had offended and/or who were the subject of care and protection actions. Generally, it was expected that families would provide for their members and solutions were to be sought within the family. [2]

The Children, Young Persons, and Their Families Act 1989 is one of the most significant pieces of social-service reform of the Fourth Labor Government of New Zealand: it repealed the Children and Young Persons Act 1974 which was legalized by the Third Labor Government of New Zealand. [3]

The act was modified by the Children's Commissioner Act 2003, which implemented the United Nations Convention on the Rights of the Child, mainly by increasing the role of the Children's Commissioner (New
Zealand).

In April 2007, the Ministry of Social Development called for submissions on a discussion document reviewing how the Act was working, with a view to making improvements.