

OPEN LETTER

**To: Rt Hon Helen Clark – Prime Minister
Leaders of All Political Parties in Parliament
and Members of Parliament**

February 2007

Dear Prime Minister, Parliamentary Leaders and Members:

We oppose child abuse in all its forms. We acknowledge that New Zealand has a terrible problem with child abuse, and that the law on parental discipline could be amended to prevent any questionable cases.

We believe the answer to the prevalence of child abuse in New Zealand includes:

- education on different options and alternatives for parenting and discipline;
- tackling significant contributing factors such as family breakdown, substance abuse and poverty;
- introducing policies which strengthen marriage, families and parental responsibility.

But we call on all political parties to reject Sue Bradford's *Crimes (Abolition of Force as a Justification for Child Discipline) Amendment Bill*, and the recommendations put forward by the Justice and Electoral Select Committee.

The Bill, and the Select Committee amendments, will not promote the interests of children or enable parents to fulfil their responsibilities, for a number of reasons:

1. If the Bill is passed, good parents will be treated as criminals under the law. The police have confirmed that smacking a child would be assault. They will have to investigate any complaint made against a parent for smacking or even picking up a child to remove them to 'time out' against their wishes. This will immediately place a family under enormous pressure. While some say parents won't be prosecuted, the police have to enforce the law, regardless of what politicians say.

"The central issue is that people need to know what they are allowed to do and what they're not allowed to do, and they shouldn't be overshadowed by the fear of their conduct being regarded as criminal and therefore subject to some bureaucrat or police officer making some decision further down the track that they've done something wrong and can be prosecuted ... The behaviour of parents will be criminalised and people are brought into an area of uncertainty where they are being told that what you are doing is wrong but we're not going to prosecute you because you're acting reasonably"
Grant Illingworth QC – National Radio interview 21 November 2006

2. Simply banning smacking will not stop child abuse. In 2003, a UNICEF report identified poverty, stress and family breakdown – along with drug and alcohol abuse – as the factors most closely and consistently associated with child abuse and neglect.

Of the five countries with the lowest child abuse death rates in the UNICEF report, four allow parents to use reasonable discipline such as smacking. The evidence clearly shows that there are far greater factors in the prevalence of child abuse that need to be urgently tackled and we call on politicians to address these factors.

3. Child abuse is already illegal in New Zealand. The law already says that child abusers have committed a crime, and the full weight of the existing law should be used to bring a full and just punishment.

4. Reasonable smacking does not damage children or teach them to be violent. In fact, a recent Otago University study found that children who were smacked in a reasonable way had similar or slightly better outcomes in terms of aggression, substance abuse, adult convictions and school achievement than those who were not smacked at all.

5. Kiwis know the difference between smacking and child abuse and should be given credit for this. Averaged out, polls show that 80% of us want to keep the status quo.

In conclusion, repeal of section 59 or prohibiting reasonable correction (as recommended by the Select Committee) will place good parents at risk by criminalising them simply for giving their children appropriate care, correction and loving discipline, to the detriment of those children.

This is an unacceptable burden to place on New Zealand families.

We commend MPs for their desire to deal with our abhorrent rates of child abuse.

We wish to work with you and other New Zealanders to stop child abuse.

For the sake of our families and our country, please do not penalise good parents doing a great job.

Signed