

Media release

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## **SECTION 59 ORAL SUBMISSIONS BEGIN**

Changing the law to further protect children from assault is a chance for New Zealand to commit to a violence-free society.

The Chief Commissioner of the Families Commission, Rajen Prasad has today presented the Commission's oral submission on the Bill to repeal Section 59 of the Crimes Act.

This section allows parents who are arrested for assaulting their children to use the special defence that the assault was justified, reasonable, and carried out to discipline the child.

"We are urging Parliament to remove this defence from the law and take 18 months to implement the change. During that 18 months, we need a massive public education programme that promotes healthy family relationships. This would include providing parenting information and support to parents on strategies they can use to discipline their children without using force," he said.

"A week ago the Budget directed an extra \$68m into programmes to help reduce violence. We should not have a law on our books that clearly signals that some forms of violence are to be tolerated," he said.

Research shows that most child abuse cases begin as physical punishment. Hitting children also models violence as a way of resolving conflict and leads to a greater tolerance of violence.

"If we are to change society and become violence-free, we must start with ensuring families are safe, nurturing environments. Parliament has an opportunity to take leadership in this by repealing Section 59 and we are suggesting it be accompanied by an education campaign before the law takes effect," said Dr Prasad.

The Commission is aware there is concern among some parents that repeal may lead to an increase in prosecutions. There is no evidence that this has happened in other countries where similar changes have been made in the law. In New Zealand there are also safeguards within the justice system that give police options other than prosecution, including warnings, cautions and pre-trial diversion, he said.

"Police do not prosecute for trivial offences now, and we do not expect that to change."

"But we also need to be clear that healthy, positive relationships within families do not include people hitting each other and it is important that public education addresses this issue. Repealing Section 59 is a step that, combined with other nationwide efforts to address violence, will help us become a violence-free society."

**ENDS**