



The New Zealand Psychological Society

Tē Rōpū Mātai Hinengaro o Aotearoa

28 July, 2008

Dear Minister

The NZ Psychological Society is the primary membership association for psychologists in New Zealand with over 950 members.

The Society was active in promoting the repeal of Section 59 of the Crimes Act, made a written submission to the Select Committee and appeared before it. In our submission we noted that the terms "smacking", "correction" and "discipline" served as euphemisms for what children really needed to be protected against. Given the behaviour of the punishing adult and the intended effect on the child, we believe that it was more honest to use the phrase "hitting and hurting". It is much harder to justify the hitting and hurting of children when we call it what it is. If the Child Discipline Act (2007) is revisited, it will not be easy to argue that the hitting and hurting of children strengthens the family, protects New Zealand society and makes for better parents. As we also noted in our submission, corporal punishment is ineffective in changing children's behaviour (it does not teach new or alternative behaviours), is counterproductive (it teaches children that violence is acceptable in the context of inter-personal differences) and there is increasing evidence of a causal and negative impact on children's long-term adjustment.

We attach a summary of recent research which identifies the effects of corporal punishment on children's behaviour.

The law does not sanction employers hitting and hurting employees, nor spouses hitting and hurting each other. Nobody is apparently troubled that the law "criminalises" adults who assault each other. Given that, it makes no sense at all to hit and hurt children and it would be odious for the law to re-licence parents and caregivers to do this by repealing the Child Discipline Act (2007).

You will recall that one of the rallying cries of those who were opposed to the repeal of Section 59 was that good parents were going to be unnecessarily prosecuted under the proposed amendment. This simply hasn't happened. The most recent police statistics show that there were no prosecutions for "smacking" or for "minor acts of physical discipline" in the three months following the passing of the Child Discipline Act (2007). There were no prosecutions for "smacking" and only four prosecutions for "minor acts of physical discipline" in the following six month period. Meantime over the same nine month period there have been at least four child deaths (because most of these are in the early stages of investigation or before the Courts, it is not possible to give a precise number) that may be attributable to parental or caregiver violence. However it is likely that the number of deaths will prove to be about the same or more than the number of parents or caregivers who have been prosecuted for "smacking" and "minor acts of physical violence", according to the police definition.

The question that really demands an answer is just who precisely needs continuing protection, parents and caregivers or their children? We again emphasise the general research finding that most child abuse including assaults which result in death, occurs in the context of parents and caregivers administering physical punishment.

The NZ Psychological Society supports the current Child Discipline Act (2007) and believes that it is working well. We do not support the proposals of the Kiwi First party, "Families First" and other groups for having a referendum on the issue and repealing this Act.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Ray Nairn'.

Dr Ray Nairn
President
New Zealand Psychological Society