

ACTION TO SUPPORT REPEAL OF SECTION 59 CRIMES ACT 1961 AND PROMOTE A CHANGE OF ATTITUDE ABOUT USE OF PHYSICAL PUNISHMENT

The next six months are a critical time for addressing physical punishment in New Zealand.

- Recent media publicity has made the issue highly visible and while there is considerable support in some media items there is also a strong media backlash that will make politicians nervous about change.
- The Government has released papers under OIA which reveal that they have asked officials to report on the options for changing legislation and the implications of repeal of section 59 and also to report on options for public education should 59 be repealed. Officials are to report by November on this.
- Brian Donnelly's Bill could get drawn from the ballot at any time (it could also sit there until the end of this term of Government)
- The Commissioner for Children is hosting a seminar on 6 June 1 to 4pm at which Jenny Brobst will speak and there will also be a presentation reviewing what has happened in other countries. While most of the people who have been invited are supportive of repeal to a greater or lesser degree there will probably be some opposing views. Some MPs, ? Officials and media have been invited. One of the great opportunities this meeting presents is a chance to debate issues and clarify options for repeal. There is a very real risk of the Government deciding that defining 'reasonable force' is an option. EPOCH is strongly opposed to this. Rhonda Pritchard has kindly agreed to facilitate small group discussion and feedback. If you have not received an invitation and would like one call Mary on 04 471 1410.

At a recent EPOCH meeting the trustees discussed the actions or strategies that might be taken at this point to directly or indirectly influence politicians and the public. The list is extensive and we are unable to do it all. The strategies are listed below – we have prioritised them and seek support from Repeal 49 members, members of the Network of Agencies Supporting Repeal or any other individuals or agencies who can put time and energy into the issue at this crucial time. We established priorities by identifying urgency (timing) and what is possible given the resources available.

Priority One

Visiting MPs – it is important to continue to visit MPs individually to inform them about the value of repeal and to discuss their reservations. Personal contact is effective.

Media responsiveness – every little piece of supportive information makes a difference. EPOCH will try to put out media releases promptly whenever opportunities arise – while these do not always get picked up even one phone call and short item makes a difference. We urge others to do the same. Beth is to develop some key paragraphs that can be adapted for fast media release.

Letters to papers often get published especially if they are not from the same person all the time.

Developing a clarity of message and giving advice to Government – Supporters of repeal need to be clear what the options are and while it may be impossible to get agreement on what we see as the best option for repeal we need to be clear about options and the advantages and disadvantages of each.

It will be useful for EPOCH, Repeal 49 and others to provide the Government with alternative advice to that which officials will be giving them later in the year. Such advice needs to address key anxieties about repeal.

Priority 2

Public education – every little bit of public education helps. Presentations and articles in newsletters and journals are good opportunities to do this. So are addresses to local meetings eg speaking at AGMs, parent evenings, seminars and conferences.

Larger scale public/parent education initiatives will help address the perceived need for parents to know about alternatives before the law is changed. These take extensive resources but from time to time there are opportunities.

Associated with this is finding ways to help people work through their mis-understanding of the issues. Part of this is finding the right language. For example some people do not see smacking as physical punishment and the use of different terms ie smacking, hitting, physical punishment, physical force and corporal punishment may be confusing the issue.

Monitoring the media – it is useful to know what is getting into papers or on radio around the country. If anyone has contacts in other parts of the country who will monitor the media and supply EPOCH with clippings and reports this will help us track public opinion and will provide opportunity to respond.

NGO report on the UN Convention on the Rights of the Child. A new incorporated society 'Action for Children and Youth Aotearoa' (ACYA) has been established to prepare an NGO Report to the UN Committee that monitors compliance with the Convention. Ending physical punishment will be reported on. Supporting the work of ACYA is important. Background papers for the report will be written over the next six months. Beth is on the committee of ACYA and can provide membership forms.

Encouraging other groups to debate and support this issue – in particular, children, youth and students.

Priority 3

Seek public and constructive debate with opponents of change eg fundamental Christians

Find the money to employ **someone to work on the issue** for EPOCH full time.

Research – seek opportunities and funding to set up research into:

- attitudes and behaviour (using a range of different questions for example)
- the views of children and youth
- legal issues.

Submissions and other input into Government policy or feedback on any new policy released. There are various opportunities coming up to make submissions on Government policy or comment when policy related documents are released. Some of these include:

- The Agenda for Children which is out for discussion at present – submissions due in June – copy of submission document on MOSP website <http://www.mosp.govt.nz>. While this is high level policy and questions in the response document specific it does not preclude reference to repeal.
- Blueprint for Child Protection (Govt response to Mick Brown report) MOSP is working on the longer term response to recommendations and intends to be consultative in the process.
- The Ministers Plan of Action for Family Violence prevention. In the consultation that has gone on to date section 59 repeal has consistently been raised but there have been some dissenters. The Plan of Action will initially be fairly high level and while not a discussion document its release (perhaps in July) will present opportunities to lobby the Minister for repeal as part of implementation.

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