

# Dear Prime Minister

We believed you when you said, "If I see good parents getting criminalised for lightly smacking their children for the purposes of discipline, I'm going to change the law if I'm in a position to do so. It's as simple as that."\*

Like us, you care about the plight of abused children in NZ. We also know you care about protecting good parents. So we're asking you to look at the mounting evidence of good parents being criminalised because of the anti-smacking legislation.

And we're hoping you will keep your word and change the law as you said - now.

Thank you Mr Key

## 1. Parents seek help. CYF remove children when parents admit to smacking

(Nov 2008) John\* and Sue\* sought help from a social service because of the behaviour of their 9yr old daughter. The two case workers were very affirming of them as a family and seemed both positive and helpful.

On a subsequent night, the daughter had a major tantrum which involved throwing toys, banging the bunks against the wall and verbal abuse of mum. Dad warned her that if the behaviour continued she would receive a smack on the bottom (she had already been sent to her room at this point). She continued and dad gave her a smack. She stopped the bad behaviour, and shortly afterwards came out remorseful and apologetic.

At the next meeting with the social workers, Sue mentioned that they did smack their children but only when their behaviour warranted such discipline. She also said that John had smacked their daughter the previous day.

That Friday, Sue received a call from CYF to inform them that an allegation of abuse had been made and that they needed to find alternate accommodation for their two children over the weekend.

They were interviewed by police for 5 hours and later found out that the report to CYF said 'they admitted to hitting their children'. CYF have since apologised and said they would learn from this!

## 2. Father charged and convicted for requiring respect towards mother

(June 2008) On the way to school, mum and dad were upset at their daughter for not doing her chores that morning. When she ignored her mother in the back seat, Dad who was driving reached across to his daughter in the front passenger seat and gave her a smack on the arm 2-3 times to demand that she listen to her mother.

A driver in the vehicle behind claimed the father was punching the daughter and rang 111.

Six police in three cars turned up at the daughter's school. The police records show that the daughter didn't feel any pain from the alleged 'punching'. Despite the fact that there was no bruising or marks of any kind, the police charged the father with assault. He was banned from living at home or seeing his daughter for two weeks.

He pleaded guilty to assault simply to avoid the shame,

stress, and costs of a defended hearing. His daughter (an A grade student at school) is simply pleased to have dad home. An MP who reviewed the case described it as "disturbing".

## 3. Daughter rude to police. Father charged for smack.

(Oct 2008) "My daughter went through a difficult patch and became highly rebellious, including wagging school. She was picked up by the Police whilst wagging and taken to the Police Station and was highly belligerent towards them.

I took her home in the car and attempted to communicate with her as we drove. She refused to talk and responded to everything with a "yeah right". To get her attention I smacked her once on the leg with an open hand and said "listen to me - this is serious." The next day she again wagged school and went instead to CYF, encouraged by a friend, and told them I had 'assaulted' her.

Despite my explanation to CYF, they asked the police to charge me. The officer who charged me visited me at my home. He expressed concern about the charge but as I had admitted giving her a smack, he had little leeway given the wording of the law. I was convicted of assault but discharged without further penalty.

My daughter never thought it would go so far and has admitted to CYF that the accusation was purely 'I'll get you'-based."

## 4. Father charged but case dismissed in court

(April 2008) A 30-year-old Glen Innes father was charged by police for allegedly hitting his five-year-old daughter with an open hand on the back of the head and swinging a pair of jeans at his six-year-old daughter. He had to spend a day in the police cells and police opposed bail! CYF also investigated the family yet found nothing to be concerned about. The complaint was made by a sister-in-law with whom there was believed to be animosity with because of her interference with the children. When the matter eventually came to court, the police offered no evidence and the case was dismissed. His lawyer said that the dad had pushed one of the girls to get her to hurry for school and threw the jeans at the other to get her attention. (Source - NZ Herald)

**To read more cases, go to [www.familyfirst.org.nz](http://www.familyfirst.org.nz)**

\*Investigate Magazine June 2008  
\*\*Names changed to protect identity