



New Zealand's new child discipline law

In June 2007 a new law came into being called the Crimes (Substituted Section 59) Amendment Act 2007

Will parents be prosecuted if they smack their children?

The new law is intended to help end all violence to children. But it advises authorities that they do not always have to prosecute parents for minor assaults. Smacking your child is not legal or the best thing to do. But the law recognises that it is sometimes better not to take parents to court and instead help them to discipline children without smacking.

The new law also provides protections for parents who have to control their children physically (hold them, carry them, grab them) to keep them safe

What does the new law mean?

It is now against the law in New Zealand to smack or hit a child to discipline or correct them.

Why was this law passed?

The old law provided parents with a defence (or excuse) if they hit a child and were taken to court. Only cases of serious assaults were taken to court. The old law was regarded as meaning that it was legal for parents to smack or hit their children to discipline them.

We need the new law to remove that defence. The new law treats adults and children the same in law if they are assaulted.

All parents want to raise their children to do well and live positive lives. Research tells us that children do better in life if they are not hit. The law is therefore influenced by what is best for children.

or from hurting themselves or others). For example, holding a toddler back from running onto a road is not breaking the law.

What should I do instead of smacking?

Provide your children with a warm, loving, non-violent home. Make your home and activities “child friendly” (safe and fun). Use positive discipline – positive discipline emphasises praise for good behaviour rather than punishment for unwanted behaviour.

A booklet with ideas about how to guide your children's behaviour is available from EPOCH New Zealand.

Choose to hug, not to smack.

EPOCH New Zealand

www.epochnz.org.nz

epochnz@gmail.com August 2007

Other sources of information on positive parenting include:

Plunket: Ask your Plunket nurse or phone Plunketline – 0800 933 922

Parent Help – a parenting counselling service run by Barnardos 0800 472 7368.

Parents Centre

www.parentscentre.org.nz/parenting_family/defaul.asp

SKIP (pamphlets)

www.familyservices.govt.nz/info-for-families/skip/