



2 June 2011

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**Submission to the Social Services Committee on the Crimes Amendment Bill (No 2) Bill
No 284-1**

The National Council of Women of New Zealand (**NCWNZ**) is an umbrella organisation representing 51 nationally organised societies and national members. It has 23 branches throughout the country attended by representatives of those societies and some 150 other societies as well as individual members. NCWNZ's function is to serve women, families and the community through research, study, discussion and action.

This submission has been prepared by the NCWNZ Family Affairs Standing Committee and the Parliamentary Watch committee after consultation with the membership of NCWNZ.

Introduction

NCWNZ has, since its inception 115 years ago, advocated for the powerless and vulnerable in society, namely women and children, so supports these amendments to the Crimes Act 1961.

Clause 5. Meeting young person under 16 following sexual grooming

NCWNZ supports the amendment to section 131B which broadens the under 16 definition.

Clause 6 New sections 150A to 152 - standard of care applicable to persons under legal duties or performing unlawful acts and duty to protect from injury and provide the necessities of life.

NCWNZ supports the insertion of these clauses as it strengthens the best interests of the child. This is a principle NCWNZ uses widely; some recent examples are in the NCWNZ submission on the Property (Relationships) Bill; in our response to the Adoption Reform Discussion Paper; our submission on Child Support Amendment Act; and the paper on Guardianship and Family Law Reform.

The sentencing being given to people who do not provide for, or offend against, children has gravely perturbed NCWNZ as far back as 1951 and 1954 when resolutions have been passed at National Conferences.

Clause 7: New sections 195 and 195A Ill-treatment or neglect of child and failure to protect child

While changes to extend imprisonment should be a deterrent, unless programmes promoting 'Its Not O.K.' are continued, and other proven parenting initiatives funded, our children will still be neglected or abused.

New Zealand has some of the best legislation for protecting our children and most vulnerable, and yet statistically we rate very poorly. Notifications assessed by Child, Youth and Family as involving abuse or neglect, represented a rate of 7.4 children per 1,000 [Ministry of Social Development 2004]. In 2007, when NCWNZ commented on Updating of the Children Young Person and their Families Act [Submission 07.29], "The welfare of the child is supposed to be paramount in this bill, but in 2007 New Zealand has one of the highest rates of child abuse in the world and children are dying from the hands of their caregivers at an increasing rate". If we do have appropriate legislation in place it is a concern that New Zealand is performing so poorly when it comes to nurturing our children and providing them with the necessities of life.

The raising of children needs to be firmly placed in the public arena and the parents, caregivers need public recognition as to the importance of the job that are doing. While NCWNZ supports the Government initiatives such as Child Support Amendment Bill and Working For Families, we are concerned as was written in our submission to the Ministry of Youth Affairs on the United Nations Convention on the Rights of the Child [UNCROC] Submission 00.33 about the marginalisation of families, more specifically of the work and time commitment required in good parenting. It is no longer the norm for a parent to be at home with their child or children; the expectation embedded within Government policy and increasing social pressure is for both parents [in a two parent household], or for single parents, to be fully engaged in paid employment. The consequent stress placed on families to manage full time employment as well as the work of raising children is, in our view, detrimental to the well being of children and parents alike. While economic factors may in large part, be a driving force behind these trends, having more money does not always remedy the situation. This Committee believes we urgently need to find ways of recognizing parenting as work, and creating structures that enable all parents to opt for working at home as a parent, if they so desire. Such structures would give real substance to policies designed to 'strengthen families' and therefore providing the child/children with necessities of life, and in addition help take the steps to protect children from injury.

Clause 8. Possession of offensive weapons or disabling substances.

Even though NCWNZ does not have specific policy on possession of offensive weapons, this increase to the penalty under section 202A of the Crimes Act 1961 is supported.

NCWNZ has advocated for adequate support of organisations providing approved programmes and educating for the peaceful resolution of conflict.

It was reassuring to hear in the Budget 2011, that more funding will be available for services for children in care.

"We know that about 41% of children coming into State care have mental health issues and 65% have severe behavioural issues and up until now just 7% got specialist help". Hon. Paula Bennett, Social Development and Employment - Budget 2011

Conclusion

New Zealand has supported the United Nations Convention on the Rights of the Child, which states in the Preamble:

“Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity”.

If New Zealand could reduce the statistics for child abuse and neglect and move positively in the direction of being able to give all children the opportunity to grow up in stable homes and communities, society would definitely see families being better able to play a positive and effective role in their communities.

NCWNZ supports the Bill as it aims to ensure that children are adequately protected from assault, neglect and ill treatment.

A handwritten signature in blue ink that reads "Elizabeth Bang". The signature is written in a cursive style and is set against a light green, textured rectangular background.

Elizabeth Bang
National President

Billa Field
Family Affairs Standing Committee Convener