

May 1st 2007

Removing the loophole: Anglican bishops support repeal of Section 59

New Zealand's Anglican Bishops have declared their support for the repeal of Section 59 of the Crimes Act.

They say the proposed changes to Section 59 are “a further important step down the road towards transforming the disproportionately high rates of violence in our country.”

The Bishops say that Section 59 – which allows the use of *reasonable force* in the discipline of children – had been used to justify the use of *excessive force* against them.

The repeal of Section 59 will therefore remove a legal loophole, and will “reinforce the total unacceptability of violence against children.”

The Bishops acknowledge that their stand does not poll well, and that there is some debate among Christians about the use of corporal punishment.

“There has been a lot of talk about ‘Spare the rod and spoil the child’, an attitude that can be sanctioned by scriptural proof-texts such as Proverbs 13: 24 — ‘Those who spare the rod hate their children, but those who love them are diligent to discipline them (NRSV)’.”

But the Bishops suggest that, for Christians, reading of the Bible must always be done “through the lens of Christ’s teaching and life.

“... it is inappropriate to take texts (such as Proverbs 13: 24) out of their ancient cultural context, and out of the broader context of Scripture, so as to justify modes of behaviour in a modern situation very different from that for which they were given.

“Such texts need to be read in the light of the way Christ responded to children, placing them in the middle of the group with respect and care, as in Mark 9: 37: ‘Whoever welcomes one such child in my name welcomes me’.”

The Bishops also say that the changes to section 59 need to go “hand in hand with increased access to high quality public educational programmes, which encourage non-violent discipline and child rearing.”

“This is a moment to make a positive difference. We believe repeal of Section 59 provides an expression of hope, and we wholeheartedly support it.”

The full statement follows:

“The current debate concerning the Crimes (Substituted Section 59) Amendment Bill is a crucial one as we reflect on the kind of society in which we wish to raise our children.

“The proposed changes to section 59 are a further important step down the road of transforming the disproportionately high rates of violence in our country (third highest amongst OECD countries, UNICEF 2003).

“There are a number of disturbing examples of the use of physical objects, belts, hosepipes and fists, which have been regarded as ‘reasonable force’. Removing a loophole that has been used to justify the use of excessive force against children will reinforce the total unacceptability of violence against children. It will help break the cycle of violence, and is therefore in the best interest of our children, and of our society as a whole.

“There is some debate among Christians about the use of corporal punishment and the repeal of section 59. As Christians, our primary role model is Jesus Christ. As fallible humans, we struggle with issues of power and authority, and with their use or misuse. In the face of the abuse of power, Christ brings freedom, forgiveness, compassion, mercy, and ultimately self-sacrifice. The way of Jesus was one of non-violence. He declined to sanction violent punishment against offenders, preferring instead to look to the root causes of ill behaviour and to offer people a new start. This is how we must relate to our children.

“As Christians, our reading of the Bible must always be done through the lens of Christ’s teaching and life. There has been a lot of talk about ‘Spare the rod and spoil the child’, an attitude that can be sanctioned by scriptural proof-texts such as Proverbs 13 : 24 — ‘Those who spare the rod hate their children, but those who love them are diligent to discipline them’ (NRSV).

“However, it is inappropriate to take such texts out of their ancient cultural context, and out of the broader context of Scripture, so as to justify modes of behaviour in a modern situation very different from that for which they were given. Such texts need to be read in the light of the way Christ responded to children, placing them in the middle of the group with respect and care, as in Mark 9: 37: ‘Whoever welcomes one such child in my name welcomes me’.

“We believe there is a real need to act responsibly, and to repeal section 59. It is vital to recognize that this position is held by most of New Zealand’s child care and child education agencies, who work most closely with those who stand to be most affected by section 59, including: The Royal New Zealand Plunket Society Inc., Barnardos New Zealand, Parents Centre New Zealand Inc., Presbyterian Support New Zealand, and UNICEF.

“It is essential that changes to section 59 go hand in hand with increased access to high quality public educational programmes, which encourage non-violent discipline and child rearing. The Anglican Church is committed to delivering and promoting high quality non-violent education and working with at-risk families through, for example, our Anglican Care Network and Te Whare Ruruhau o Meri.

“This is a moment for our values to shape our laws and the future of our nation. This is a moment to make a positive difference. We believe repeal of section 59 provides an expression of hope, and we wholeheartedly support it.”

Signed:

++Brown Turei	Co-presiding Bishop; Pihopa o Aotearoa; Pihopa o Te Tairāwhiti
++David Moxon	Co-presiding Bishop; Bishop of Waikato

+Ngarahu Katene	Pihopa o Te Manawa o Te Wheke
+Kito Pikaahu	Pihopa o Te Tai Tokerau
+Muru Walters	Pihopa o Te Upoko o Te Ika
+John Grey	Pihopa o Te Waipounamu

+John Paterson	Bishop of Auckland
+Richard Randerson	Assistant Bishop of Auckland
+David Coles	Bishop of Christchurch
+George Connor	Bishop of Dunedin
+Richard Ellena	Bishop of Nelson
+Winston Halapua	Bishop of the Diocese of Polynesia in Aotearoa New Zealand.
+John Bluck	Bishop of Waiapu
+Philip Richardson	Bishop in Taranaki
+Tom Brown	Bishop of Wellington

The three Fiji-based bishops in the Diocese of Polynesia were not part of the forming of this statement.

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