



# IS CYFS ABOVE THE LAW?

the horror stories about new zealand's child, youth and family service just won't go away...this time police officers investigating alleged perjury by cyfs staff are told by their superiors - back off!  
hamish carnachan reports

**T**he pain exploded from deep within her like an inner demon about to be unleashed. The superhuman strength her body summoned would have surprised her had she been rational enough to think clearly, but the event unfolding before her eyes and the adrenaline coursing through her veins clouded all cognisance. The two men fought desperately to restrain her as she struggled violently to reach her little boy who was screaming in desperation as he was dragged from the house, frantically kicking and scratching his as-

sailant in a futile attempt to break free.

It was the look of utter terror on her little boy's face that had stirred Annette into this wild state. And as she watched him being bundled into the backseat of the stranger's car and driven off into the night, the pain started to dissipate into tears that welled up in her eyes and flowed freely down her quivering face. The tears wouldn't stop for days.

As any mother will acknowledge, a bond forms between her and her child while the baby is developing in the womb. And although the physi-

cal link between them is severed when the baby is born, a special bond still remains. The intruders who burst into Annette's house that evening removed her child, but the bond remains, and it's stronger than ever.

When a child is stolen, it is called kidnapping. As we all witnessed recently with the abduction of baby Kahurautete Durie, our society refuses to tolerate such appalling criminal acts, and the legislation and harsh sentences reflect the social stigma attached to such actions.

But the reason Annette's plight failed to make headlines was because

In accordance with section 438 of the CYF 1989 Act the names of those involved have been changed to protect the identity of the family.





the stranger who removed her child was a social worker with the Child Youth and Family Service (CYFS) and the two men man-handling Annette as she struggled in the kitchen were policemen.

At the beginning of the year a startling expose of the Child Youth and Family Service appeared on the pages of *Investigate* (December/January 2002). In her article, Clare Swinney wrote: "...CYFS is the most powerful organisation in this country, and a few say that it's like modern-day Gestapo, able to make decisions to uplift children and thereby decimate families, without even having to produce concrete evidence of abuse".

Since that story was published, *Investigate* has been inundated with stories and allegations about personal dealings with CYFS, many of which act to support the criticism that has already been directed at the department.

However, none of these examples were more startling than Annette's story. If Swinney had known of these details she may have been moved to even harsher criticism because nowhere is there a more illustrative example of an organisation acting as a law unto itself.

Annette says she is still haunted by the events of that evening. It was the fact that she was completely

powerless to act when her child needed his mother the most. Today she remains powerless to get the custody of her child back even though she says she has documented evidence that suggests CYFS lied in the Family Court to get the uplifting order.

She can't get answers from CYFS, the Social Services Minister, nor can she turn to the police for assistance. Annette presented her evidence supporting a complaint she hoped to file against the CYFS social worker to the local police. The sergeant who took time to go through the documents with her was subsequently stirred into action by a very honest concern that the law had not been strictly adhered to.

The policeman went on to write a letter to the area manager of CYFS demanding an explanation for the numerous inconsistencies that he noticed between the social worker's sworn affidavit and her case notes.

Annette has a long and complicated history with this social services agency. Although the details of her previous dealings with CYFS appear to have influenced their decision to remove this child from her care, the past is not pertinent to this story. Annette is the first to admit that she is by no means a perfect mother however, as a working solo mother

she believes she has done her best to care and provide for her children. She has an impressive stack of references from friends, schoolteachers and employers, all attesting to her good character and the fact that she is a good mother.

Like Annette, these people simply can not understand the reasoning behind the removal of her little boy, and the placement of him in the care of his father despite the fact that CYFS knew of the man's numerous convictions.

The police sergeant who wrote to CYFS highlighted this in his letter. He says, "I note that [CYFS] are aware of the drug use and convictions of the caregiver who they have now placed Billy in the custody of".

The father, mentioned in the letter, had also previously had an application for the custody of one of his children (through a different relationship) turned down in the Family Court. The police sergeant raised concerns "that if the Court had found the caregiver to be an unsuitable person, why [CYFS] would then subsequently find that person to be suitable".

Obviously Annette is worried about the environment that her son is living in given the criminal activities of the father, but she also says she is concerned for her little boy's safety because he is being driven around in

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an unwarranted car. CYFS were aware of both issues and reported these in their 'S.29 Report to the Family Court'. Evidently the social worker did not share the mother's trepidation.

Aside from the peculiar choice of placement, the policeman also realised that Annette presented a fair case when she pointed out major inconsistencies between the case notes recorded by the social worker and the affidavit presented to the Family Court.

In his letter, the police sergeant states: "Of concern to me is that there are incidents quoted in the [CYFS] notes, which are not duplicated in the affidavit. In fact, the affidavit appears to be worded somewhat stronger than the actual things said and taken as notes."

"They [CYFS] tried to paint a picture of me as a bad mother by portraying my other kids as problem children," says Annette.

She says her allegations, and the sergeant's comments, are substantiated by comparing what was presented in the affidavit with the actual statements made by the Principal of the school her children attend. There is a report in the CYFS document that one of her children who attended the school was "vindictive and vicious". In a letter to Annette dated 1 February 2002 from the school Principal, he states that "[Danny] could be a bully at times but vindictive and vicious are not words I would use to describe his behaviour – it was never as extreme as this".

CYFS also reported that one of her children's teachers had expressed concerns about that child displaying sexualised behaviour in the school toilets and playground. In reply to Annette's queries about the incidences the Principal says that no such activity was ever reported to him.

"It is on 'here-say' if it has been said. I would be surprised if inci-

dences such as you outlined would happen and go unreported," he says.

Additionally, in the same section of the CYFS report, the teacher who allegedly spoke to the social worker was concerned that "there would often be creepy, horrible people at [Annette's] home". Again the school Principal disputes that no such claims were ever made. In his letter to Annette he stresses, "No comment was made about your home, the people there or any activity there".

"What they've done is try and make out that I'm violent and live in a violent neighbourhood that is not a suitable environment for raising children," says Annette. "It's all lies and it's turned into a nightmare. I don't know how anyone hasn't seen what's going on. It's all personal - for whatever reason I don't know."

Perhaps Annette has good reason to believe this whole mess is personal. The CYFS report is so full of errors that it would almost be comical if it weren't so serious. For instance, it states that "there are ongoing gang wars at her home" and "there had recently been a stabbing on [Annette's] property that was gang related".

In his correspondence with the area manager of CYFS, the police sergeant again took issue with the social worker's claim.

"I am aware of the incident concerned, and at no time did the police state that there had been a stabbing or that there had been a shooting, or that any incident described was ever linked to [Annette] or her address," he says.

"There was an incident but it was totally unrelated to [Annette]. In fact, it was [Annette] who alerted the police to an incident at her neighbour's address.

"I am somewhat concerned that CYPFS have taken it upon themselves to escalate the incident to a point where they are saying in an

**CYFS also reported that one of her children's teachers had expressed concerns about that child displaying sexualised behaviour in the school toilets and playground. In reply to Annette's queries about the incidences the Principal says that no such activity was ever reported**



affidavit to Court that there was a stabbing, there was a shooting, and that it was on the property of [Annette].”

The police sergeant continues by saying that he is concerned about the inaccuracies portrayed to the Family Court to a point whereby he believes that there is some form of “personality conflict” between the social worker and Annette.

A CYFS note documenting information that they received from a phone call to police clearly shows they knew the stabbing had nothing to do with Annette’s family. The case-note, dated 3 March 2001, states: “The stabbing incident was to do with the neighbour, and not with this family”. The ‘S.29 Report to the Family Court’, in which it states the incident happened at Annette’s residence, is dated 24 August 2001.

Despite the police sergeant’s good intentions in following up on the complaint, nothing has been done to

Annette by CYFS. She says the police sergeant, who responded to her complaints by raising concerns about the evidence for the removal of the child with CYFS, has subsequently been reprimanded by his seniors.

If indeed the sergeant were admonished for his actions, it would certainly raise very serious concerns about the closeness of the association between CYFS and the New Zealand Police force. Presently *Investigate* is awaiting a response from Superintendent Lammas to our request under the Official Information Act for copies of correspondence, pertinent to this issue, between the sergeant and his seniors.

As a result, Superintendent Lammas refuses to comment on the matter until he has reviewed the appropriate documentation.

Annette has also asked the police for information held on herself in the hope that it may contain information to bolster her case. You can’t doubt

social accountability.

The publication of this case certainly isn’t the first time the department has come under the spotlight from such allegations either. Only a few months ago when a teenage girl was professedly fostered with a couple who were later convicted on drug charges. The girl, who was placed in their care by CYFS, was reported to have returned to her family with two sexually transmitted diseases. The problem, as many who have had dealings with CYFS readily acknowledge, is that as soon as they are caught in the light they somehow manage to slip back into the shadows.

Some have argued that this is allowed to continue because the Social Services Minister, Steve Maharey, isn’t receptive to the public criticism about CYFS directed to his office.

Annette certainly knows how frustrating it is to be ignored. She doubts

## “I’m not interested in material things. I just want my baby back.”

clarify the discrepancies in the CYFS report, nor has there been any charges laid against CYFS for misleading a court of law.

The police District Commander, Superintendent Mark Lammas, wrote to Annette recently to advise her that he had received a copy of the letter the sergeant had sent to the area manager of CYFS. He told Annette that the sergeant was not the officer in any way involved with the matters that Police and CYFS were dealing with concerning her children.

But Annette asserts that he was the officer in charge of the investigation that CYFS incorrectly documented in their report as being a stabbing and shooting on her property. He was also the officer in charge of other unsubstantiated allegations against

her resolve, especially when you consider the hopelessness of the position she has found herself in – no one is prepared to act on evidence that appears to be black and white proof of perjury, or at the very least warrants an independent review.

At the end of last year Annette wrote to Shannon Pakura, CYFS Chief Social Worker, to request a review of the case in light of the “lies” that were told to the Family Court. Pakura’s response was that “one of the Senior Advisors who works in my office has reviewed aspects of the case. She has also advised that there is no information that indicates the Social Worker acted inappropriately”.

Annette has come to expect such rhetoric from a department she believes is beyond any semblance of

whether people like Maharey, Pakura and the team of social workers who removed her baby have children of their own, and challenges them to imagine what it is like in her shoes.

It has now been over eight months since Billy was removed from his mother. Annette says though she has continually requested information about her child’s well being she has seen him once in that time, and has only recently received a three-paragraph letter from CYFS covering the last 32 weeks of his life. Annette has found the only vent for her pain, anger and frustration is “to plug away at the case to get my child back”.

“I’m not going to stop until I’m six feet under,” she says. “I’m not interested in material things. I just want my baby back.”







a new survey shows sex education in schools isn't working.  
HAMISH CARNACHAN finds out why

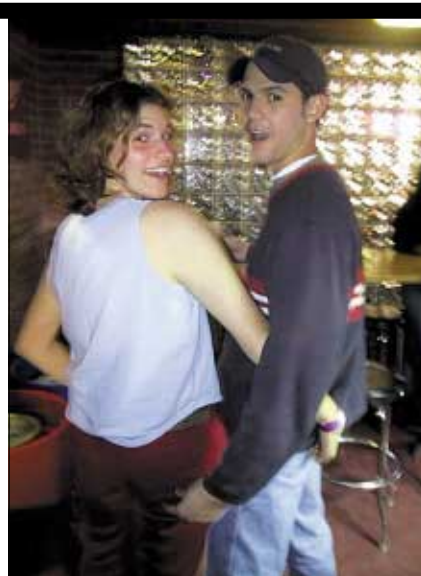
“Be careful,” said his mother as she tried to kiss him goodbye. “Jeez mum I’m not a baby. What if my friends see you doing that,” muttered John in a surly tone, full of teenage attitude. He brushed past her, fending off her attempted affection, and disappeared out the front door into the awaiting ride.

The cool night air rushing through the half open window was invigorating as the car accelerated down the well-lit suburban street. Spirits were high as the group of young friends sped towards their first destination of the evening. All thoughts of books, teachers and education went flying out the window and vanished up into the carbon-paper sky. In fact all John cared about at that

precise point in time was inevitable partying and the possibility of spending the night with his new girl friend. It was Friday night and the weekend was his – the following two days offered a welcome respite from the unrelenting boredom of school. Life could be so good for the young and carefree.

John had his beers – his older brother had bought those for him. He had his smokes – he’d pinched a pack from his dad’s secret stash in the wardrobe. He had some spare cash and some fake identification, should the need present itself. As far as John could think, he was sorted for the evening.

But John had unwittingly made an ever-so-slight mistake and the enormity of the consequence of that er-



ror was beyond his comprehension. It shouldn’t have been though. No more than a few hours before he jumped in the car with his friends he

photography: stock footage

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had been given a lesson in sexual health at school. It should have been one of the first things he ticked off in his mental checklist, which was precisely the message the teachers were trying to get across. John had his banana, but he'd forgotten his condom – an oversight that would change his life forever.

Later in the evening, during a moment of drunken lust, John realised his mistake but he and his partner decided to risk it any way because, like so many young New Zealanders who have made the same error in judgement, they thought 'it won't happen to us'.

The problem was though, it did. On that fateful evening, which was supposed to be a fun-filled night of freedom, John and his girlfriend, barely old enough to make adult decisions themselves, became imprisoned by unplanned parenthood.

For so many school-aged New Zealanders the well-intentioned lessons on sexual health, drug use and alcohol abuse being taught at school are simply falling on deaf ears. Subsequently the country's rate of teen pregnancies, abortions, sexually transmitted infections (STIs), and the problems associated with youth drug and alcohol consumption, are among the highest in the western world.

You only need to look at the headlines we are bombarded, almost with alarming regularity, to gauge the extent of the problem. 'Study finds high school students flirting with infertility'; 'Compacency over sex stuns health workers'; 'Teen drinking swing to weekly binges'; 'Teens have sex misconceptions'; 'New Zealand facing Chlamydia epidemic'; 'New Zealand high

in teen birth rates', are just a few of the more recent examples.

The articles document the plight of our teens and they must frustrate health workers and educators in the sector immensely - it certainly appears as though they are fighting a losing battle. Ask these experts for their solution and they'll argue, among other things, that increased education is the key to getting the message across to the kids. It seems to be the standard knee-jerk response whenever the embarrassing statistics are presented to the public.

So how much can you educate a sector of society who seemingly refuses to learn? Moreover, what effect will the compulsory teaching of such subjects, recently introduced



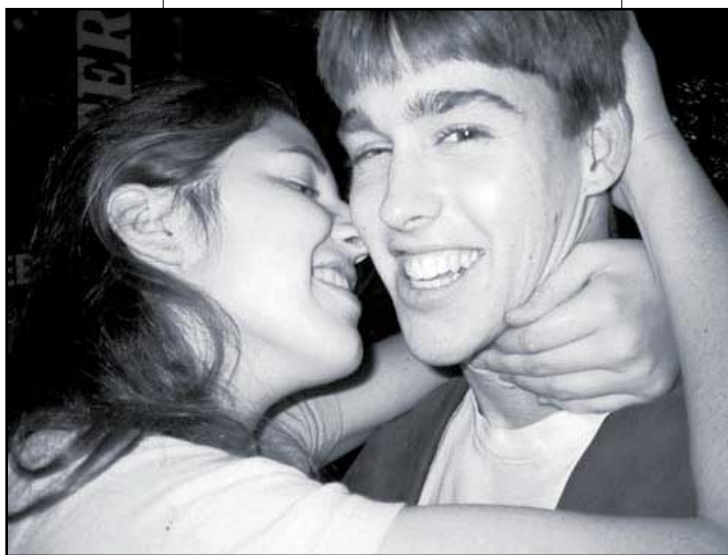
*Zealand Curriculum* (sexuality education, as defined by the Health and Physical Education document, includes other things besides "sex education" though). Despite this bold move, many argue that education in the area hasn't worked in the past so it is highly unlikely that it will work now, even if it is forced upon students.

The results of a private study recently commissioned by one of New Zealand's top ten state schools certainly supports such criticism and flies in the face of the compulsory education advocates.

An independently critiqued and statistically validated survey of pupils at the school concluded, unequivocally, that the current education program did not influence (positively or negatively) the way the

students made decisions towards sex, drugs, alcohol or other related issues.

Because the school does not want to become the focus of a national debate or political criticism they have released the survey to *Investigate* on condition of anonymity. While the senior staff member responsible for the study admitted that the results might



into the national curriculum by the Government, have on these concerning issues that our teenagers now face?

The Education Standards Act 2001 has now made it compulsory for schools to teach the sexuality education component of the new *Health and Physical Education in the New*



not be relevant to schools in other areas, he did express concerns about the lack of impact the program is having.

"If you had parents of a socially affluent background who took a closer interest in their kids education, you may get a different outcome," he says.

"It does raise questions about the effectiveness of the program when the outcome of it is that the students are neither socially despondent nor socially respondent."

Act Party Education Spokesperson Donna Awatere Huata is highly critical of the compulsory curriculum and has been outspoken on subjects such as teenage pregnancy in the past. She doesn't find the results of the study at all surprising, and accuses the Government of meddling on family matters.

"The shocking news is that the Government hasn't ever conducted any research itself," she says.

"The Ministry of Education is not interested in the efficacy of their compulsory programmes. Tragically this means that bureaucrats based in Wellington decide what to feed our children, and we families carry the consequences."

The leader of the Christian Heritage Party, Graham Capill says his party also has several concerns about the mandatory curriculum. He believes that by making it compulsory the Government is effectively saying that it knows better than parents and about such a sensitive matter affecting their children.

Under the new legislation parents do have the right to withdraw their children from classes teaching sexuality education. Capill acknowledges this but says such a move would place unnecessary embarrassment upon the child.

"The Christian Heritage Party is not against sex education per se, but it ought to be controlled by parents not by a compulsory curriculum," he says.

Capill was also unsurprised by the findings of the privately commissioned study.

"The current curriculum has failed young people. With one of the highest teenage pregnancy rates in the western world, one has to ask why the Government continues to pursue, and even now make compulsory, what has failed over so many years.



"What is going to stop youth from participating in such activities: teaching the mechanics of putting a condom on a banana or teaching the values such as the importance of relationships; the sanctities of marriage; the implications of becoming parents as teenagers, and so on?"

Proponents of the compulsory Health and Physical Education curriculum invariably argue that the school that carried out the study must not be directing their teaching in the right areas. But herein lies the problem with the course. The document is open ended with no set guidelines. It is written in an ambiguous, feel-good style that covers everything in the broadest possible sense but nothing in particular.

In fact the teaching guidelines are about as vague as the response from the Associate Minister of Education, Marian Hobbs, when *Investigate* asked what the Ministry hoped to achieve by making the curriculum compulsory.

Her reply was: "We'd like to see students demonstrating increased knowledge about a range of health and physical activity related issues as soon as possible. For example these include students having positive attitudes to physical activity and contributing positively and responsibly to the health of their classrooms, schools and communities. Implementing the curriculum effectively could be seen as 'building assets for the future'."

In defence of the curriculum's effectiveness, Hobbs adds that the review of programmes in other countries had "found that carefully constructed, comprehensive programmes with an objective of delaying the onset of sexual activ-

ity can achieve [a positive] result". Unfortunately for Hobbs, New Zealand's sex-ed policy is not actually geared towards "delaying the onset of sexual activity" – the 'just say no!' approach popular in some overseas jurisdictions.

And many teachers query the Ministry's use of the word "comprehensive" though. For example, under the 'Safety and Risk Management' section of the curriculum it states that level six students "will distinguish between real and perceived risks in physical and social environments and develop skills for appropriate action".

That is the extent of the guidance teachers are given for a section of the course that covers such highly important issues as drug use, drinking and driving, sexual activity and pregnancy.

In fact, the only clear explanation offered anywhere in the entire curriculum refers to the translation of 'Hauora' – the Maori concept of 'wellbeing'. The document appears to





place an emphasis on this indigenous philosophy at the expense of education and educators – an affliction that critics complain sadly seems to plague the entire teaching sector.

The administrators argue that the “flexibility” in the learning activities and contexts were primarily designed to ensure relevancy for learners as well as responsiveness to cultural and individual differences. While that is all very compassionate and politically correct, teachers are still grappling with what it actually means.

One school’s guidance counsellor says schools are essentially asked to run a section, such as a drug education program for example, with no resources or prescribed texts to select from.

“As long as you teach some sort of course on it you’ve complied with the curriculum and the Ministry standards.”

What makes this concerning to the teachers is the fact that they are literally given free-range to teach important topics that they are neither equipped nor trained to deal with – like giving a loaded gun to a child. They have no idea what effect their lessons are likely to have on the students.

The senior staff member who carried out the private study says United States’ research indicates that poorly planned drug education courses have actually increased drug usage. He doesn’t want to see it backfire here in New Zealand.

“For the general impact of this education and how effective education in these areas is, there’s no form of accountability,” he says.

However, the introduction of the controversial National Certificate in Educational Achievement (NCEA) will enable students to achieve qualifications in this area through to scholarship level. The Associate Minister of Education argues that the accountability will therefore be reflected in the participation and pass rates.

While the Education Review Office is responsible for monitoring the effectiveness of schools’ implementation of the national curriculum, Hobbs says, “Schools are required to review their students’ learning in relation to the intended outcomes of the programmes”.

Teachers simply see it as an increase in an already heavy workload. Subsequently, some suggest that their students learning of core subjects will likely suffer, and the subjective nature of the content, complimented by the ambiguous achievement standards outlined in the curriculum, will make it virtually impossible to assess. Donna Awatere Huata agrees.

“Teachers are with children for a small proportion of the day. They are not miracle creators or social workers. International research shows that if we’re serious about educating children on sex, drugs and alcohol, then early intervention parental-education programmes are the place to start.

“The only test of the Health curriculum that matters is whether it works. So far, the research tells us that it doesn’t. Making it an NCEA subject would be ridiculous. Would a 14-year-old girl get extra marks if she had twins?”

According to Graham Capill, already there are “major difficulties” in assessing the achievement standards related to the sexuality education component of the course.

But in fairness to the Government, they are trying to do something positive by tackling the complex problems that face our youth. Also, com-

pulsory curriculum has only been in place for a little over a year and consequently teething problems were always likely to surface.

One of the key issues that trouble those implementing the curriculum in schools is also the fact that the subject is a relatively new arrival too. The 1985 Health syllabus was only made mandatory in 1990 for students from year one (new entrants) to year 10 (form four). As a result there is a shortage of trained teachers in this area – it is unfamiliar to them because it was omitted from their formal training. Additionally,

many teachers do not see health education as a legitimate component of the core curriculum.

Hobbs says the Ministry of Education is aware of the problem and has pledged funding for the programme to increase resources and professional development to support those teachers.

Whether or not throwing money into a compulsory education strategy is the answer remains to be seen though. Even the Ministry of Education is very coy about what they hope to achieve and when they expect to see results. It would be fair to say that the only thing all parties agree on is the fact that there is no simple solution. The reasons for the societal ills that afflict such a comparatively large proportion of New Zealand’s teenagers are obviously more complicated than a shortage of education. Over recent years, socioeconomic status, education and access to health care have been highlighted as a few of the contributing issues. The problem is that these have been regularly redressed, some-







where our kids are still falling through a gap in the system.

The Executive Director of the Family Planning Association believes the new legislation is a step in the right direction, but she also warns that the problem is multi-faceted.

“Overall it isn’t the system, but the systems [plural] that is failing young people. Many of [them] don’t have positive role models of relationships to follow and are exposed on a daily basis to media pressure that encourages active sexuality in so many ways,” she says.

“Study STI and teen pregnancy statistics geographically and you will find they are higher in areas with high unemployment and socio-economic disadvantage, and more school drop-outs. Other OECD countries like Norway and the Netherlands have had comprehensive sexuality education programmes in schools for many years and they have lower rates of unplanned pregnancy and abortion rates. They also have a more open society where sexuality issues are discussed positively rather than in association with fear and guilt.”

Greer’s statements tend to form the basis of a general consensus, even among the most ardent rivals - the answer lies in the wider community and school/education is merely one part of the broader component.

Graham Capill says that education in this area will be forgotten if it is not underpinned with some basic principles that give young people the reason why it is important not to rush into adulthood too early. He believes parents are best to teach their children such matters, and the answer is to equip them better to do the task.

“Christian Heritage Party thinks it wrong to put all students through the same sex-education sausage machine. Such matters need to be handled sensitively and with the co-operation and support of parents.”

Comments from the Child and

Family Health Policy Manager for the Ministry of Health, Sarah Turner, support such a stance, but on a wider basis. She says that responsibility for such health matters lies as much with the family and communities as it does with education and health sectors because research indicates that young people prefer to get sexual health information from their families.

The need for wider community input is reflected in the *Health and Physical Education in the New Zealand Curriculum* guide. On page 53 it states: “The whole school community should be involved in developing policies and practices that support learning in this curriculum”, and it recognises the “powerful influence” adults have as role-models. But once again, though clear detail is given about the expected outcomes of community consultation, the document fails abjectly to discuss how to implement a process to attain such goals. Any approach is left to the discretion of the school Principal and Board of Trustees.

Effectively there appears to be great potential for inconsistencies between schools through different interpretations. Already there has been an illustrative example of the confusion. The plight of a 15-year-old boy from Cambridge High School was recently publicised when he was suspended for an essay he wrote in his year 10 English class. The essay topic was: “How does your body betray you?” The pupil’s work, in which he wrote about the embarrassment of a “boner” erection in class, was deemed “sexually offensive”. Punishment ensued even though the new Health and Physical Education curriculum openly encourages students to “effectively communicate” about their sexuality and emphasises the need for support from the wider school community.

Did the student go too far, or was he simply doing what he had been taught?

Was it appropriate or was it inappropriate? Would this suggest that Cambridge High School didn’t comply with the standards set for implementation of the curriculum? Who knows? There is no clear definition.

In a column he recently penned for *Investigate* (April 2002), Green Party Justice Spokesperson Nandor Tanczos raised the issue of the increased incidence of youth alcohol consumption following the lowering of the drinking age. He blames the problem on our national psyche, inferring that the long-standing association between alcohol and the national game has almost made drinking compulsory.

“Compared to other countries New Zealanders’ attitudes towards drinking are immature and undeveloped.

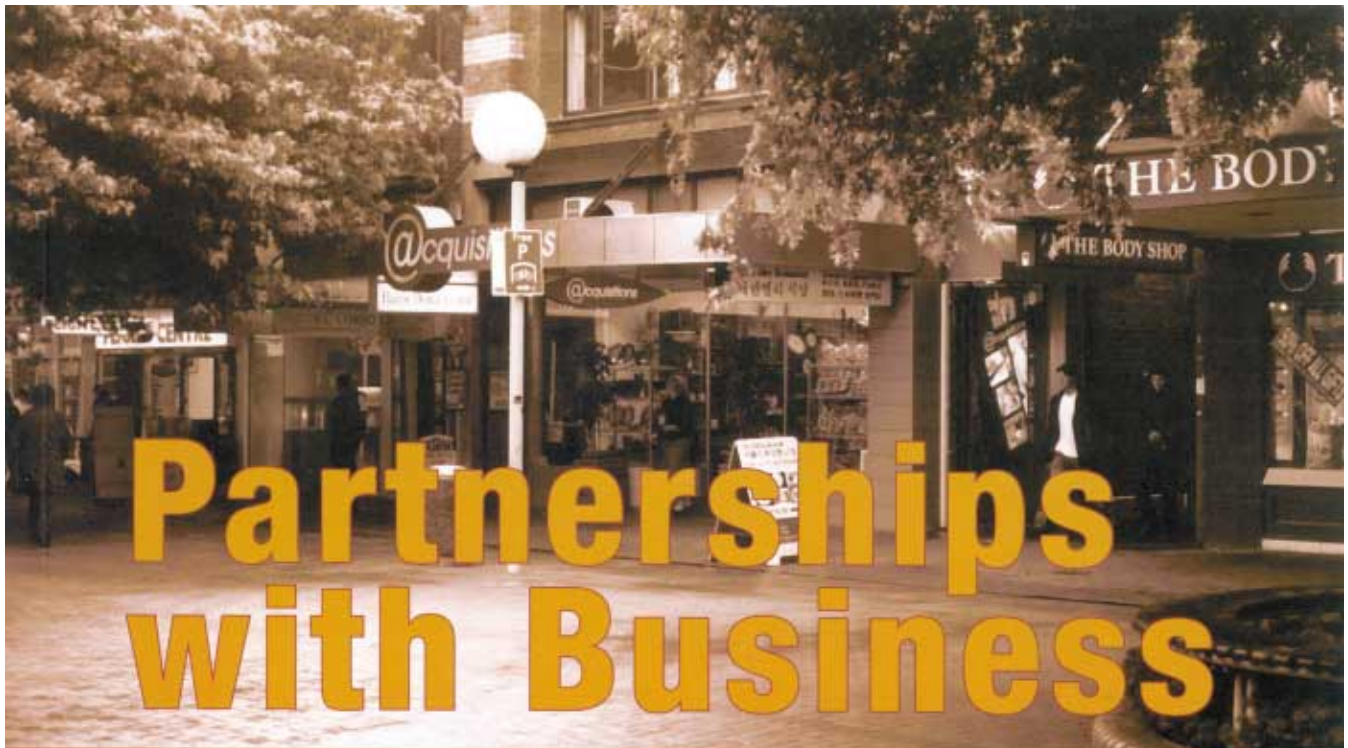
“It’s easy to scapegoat youth, but maybe we should take a look at the example we set,” he says.

“We need a fundamental change that targets the real problem, our social norms.”

The crux of Tanczos’ argument is that in order for change to occur, we need to alter our ‘do as I say, not as I do’ mentality. When our children see their role-models on the television and big screen making smoking look cool, what sort of message are they supposed to register? Likewise when they see billboards and magazine advertisements of scantily clothed couples doing almost everything except fondling the fruit. The most easily influenced age groups are purposely targeted in our society and checks and balances are few and far between.

Tanczos’ proposal may well be applicable to all of the perplexing issues that mar our teens with such an appalling record, and some argue it is time we pointed the finger of blame squarely at ourselves. The problem is though, statistics are all too impersonal to change a deeply entrenched and multigenerational mindset – she’ll be right mate.





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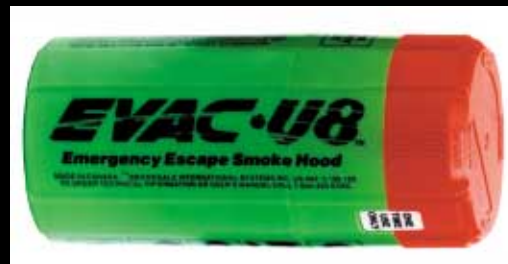
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## fresh revelations on 9/11 raise new questions and shed new light, as IAN WISHART reports

**C**ongressional investigations into the US intelligence botch-up over the World Trade Centre attacks have had an unexpected effect: not only have they embarrassed the Bush administration, but they've also taken the heat out of claims by some groups that no Arabs were involved in the attacks.

For months, conspiracy afficianados have speculated that the events of 9/11 were entirely an inside job by the US Government to usher in tough new security laws and provide an excuse to attack Al Qa-ida and the Taliban over control of oil resources.

According to the skeptics, it couldn't be possible that America's vast intelligence and military empire could have failed to pick up hints of

what was planned, if outside terror groups were really involved.

But, as first reported in *Investigate* last October, and now confirmed by Congress, America in fact had numerous warnings that Al Qa'ida terrorists were planning a large operation against US interests. What we now know is that both the CIA and the FBI had been warned about possible hijackings by Al Qa-ida in the weeks leading up to 9/11.

"But when we talked about hijackings," one CIA official told *CBS News*, "we talked about that in the traditional sense of hijackings, not in the sense of somebody hijacking an aircraft and flying it into a building."

An FBI memo dated July 10 last year raised concerns about the number of Middle Eastern men at-

tending US flight schools, and the memo named one student as worthy of further investigation. The student turned out to be an Al Qa-ida sympathiser with pictures of Osama bin Laden on his wall.

While the memo warned that bin Laden may be using aviation schools to train terrorists and urged a wider investigation of US flight schools, the massive bureaucracy of the FBI meant the emailed memo languished in the hands of regional counterterrorism agents and never made it up the ranks to senior FBI national analysts who could have shared its contents with the CIA.

Once the memo was provided to the CIA - *after* 9/11 - that agency quickly established ties between Al Qa'ida and several of those named in it.

photos: defenselink



"The FBI has failed the American people," Senator Richard Shelby told CNN. "The FBI was either asleep, or inept, or both."

Even so, FBI director Robert Mueller - recently seen in Queenstown New Zealand with CIA director George Tenet - has come to the partial defence of his team: none of the Al Qa'ida people named in the memo were involved in the September 11 attacks, so even if the leads had been followed they wouldn't necessarily have prevented disaster.

President Bush has also defended himself from media criticism, saying that the idea of slamming jetliners into buildings was unthinkable and hadn't occurred to any of his advisors.

However, a report prepared by the Library of Congress for the Clinton administration back in 1999 raised the spectre of jumbo-bombs, pointing out that Ramsi Yousef, the man arrested for the first World Trade Centre bombing in 1993, "had planned to do this against the CIA headquarters."

Again, Bush spokesman Ari Fleischer defended his boss, saying that a library report prepared as a thesis on the psychology of terrorism back in 1999 was not treated as live intelligence by the agencies, but simply as analysis.

Ironically the information in that report provided much of the background for Investigate's own analysis of the warnings back in October last year.



The warnings, claimed US national security adviser Condoleezza Rice at a news conference, were so general in terms of Bin Laden posing a threat to airlines that it was almost unusable:

"You would have risked shutting down the American civil aviation system with such generalised information. You would have to think five, six, seven times about that, very, very hard.

"Even in hindsight, there was nothing in what was briefed to the President that you would go out and tell the people."

Nevertheless, the admissions that warnings existed, and the specific identification of individuals involved, again reinforces that a genuine threat by Al Qa'ida existed, was identified,

but wasn't treated with the priority that, in hindsight, it should have been.

That position has changed. Bush now receives daily briefings from both the CIA and FBI and forces the director of each agency to sit in on both so there's no chance of missed signals.

The big loser in the current witchhunt, however, is likely to be the FBI. Its failure to pass intelligence on to other US agencies is being targeted in a game of bureaucratic backside covering.

"People are saying we didn't connect the dots," complained one intelligence source to NBC news. "It's awfully hard to connect the dots if people don't give you the dots."



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# BEASTS

why are a growing number of scientists ditching darwin's theory of evolution? IAN WISHART reports

**D**arwin would be impressed, were he alive to witness it: two great beasts grunting and snarling at each other across a clearing in what will clearly be a battle to the death – survival of the fittest. One of the creatures is a gnarly 143 years old, but the other is much, much more ancient – a sleeping giant awakened by the noise of the younger leviathan in the forests of public opinion.

Yes, if Charles Darwin were alive today he would no doubt appreciate the irony of the fact that his very own Theory of Evolution is fighting for its own life against the older theory that Darwin claimed to have done away with in 1859 – Creationism, the belief that the earth, and life, was created by a divine designer.

After 143 years of evolution-based science teaching, the tide has begun to turn on the Darwinists and the battlegrounds are schools in the US, Canada, Australia, New Zealand and now Britain, as school boards and even state education authorities reintroduce Creationism into the classroom. Naturally, the naturalists are up in arms.

Newspapers in England have been full of articles over recent weeks about the decision by Gateshead's Emmanuel City Technical College to include Creationism in its curriculum. The state-funded school, which has been supported by British Prime Minister Tony Blair, has provoked a storm of controversy among scientists and science teachers who regard the decision as the thin end of a nasty wedge.

"[Creationists] have a lot of influence in Australia and the US, and Britain could be next on the line," says geologist Trevor Emmett. "I don't think we can afford to stand back and let these guys have a free run with our kids."

So what is it about Creationism that makes it so dangerous in the eyes of science?

## darwin's voyage

**LIKE A STAKE THROUGH** the heart of a vampire, naturalist and explorer Charles Darwin believed his *Origin of Species* thesis in 1859 would spell the end of a superstitious belief in a "young earth" or, even, God. By studying animal species and documenting similarities and differences, Darwin was sure he could prove that





plants and animals had evolved from a common ancestor, perhaps a one-celled amoeba. Given that humans and the great apes shared many characteristics, Darwin speculated that humans had descended from apes.

Darwin's Theory suggested that random mutations, generated by chance, not God, had caused and guided the development of all life.

In an age increasingly dominated by science and reason, and after a millennium of religious dogma, witch-trials, inquisitions and persecution of scientists, the chance for science to lash out at religion was more than appealing. It was, in a way, a sociological example of one of Newton's Laws of Physics: for every action (supernatural religious dogma) there is an equal and opposite reaction (rationalistic scientific attack).

For the best part of a century, Creationism has been publicly regarded as dead and buried by science, so why, in 2002, are we suddenly finding Darwin's Theory under heavy fire not just from religious groups but from scientists as well? And why haven't you heard much about it?

Not surprisingly, the two questions are interlinked.

Firstly, there are two different groups of Creationists: there are Biblical Creationists who maintain that creation took place exactly as it is written in the Bible's Book of Genesis and that the Earth, therefore, must be only 10,000 years old based on their own interpretation of the biblical timeframe. They point to references in the Old Testament, particularly the Book of Job, which appear to describe dinosaur-like creatures encountered by the Israelites as proof of human/dinosaur interaction. This group believes that archaeological evidence of a great flood and legends of such a disaster in virtually every culture from Hawaii to Europe point to the authen-

ticity of the Bible, and that such a massive deluge of water and sediment would explain fossilization.

The other group - the one this story focuses on - is called the Intelligent Design movement, and comprises a growing number of scientists who disagree with Biblical Creationists on the so-called "young earth" theory, but who believe there is now overwhelming scientific evidence that the current theory of evolution cannot explain life on this planet.

In New Zealand, media coverage has been fairly superficial. The Creation vs Evolution debate has been portrayed as orthodox scientists up against well-meaning religious buffoons who shouldn't be allowed anywhere near a classroom. But while such coverage has been entertaining,

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**"Darwinism will ultimately be regarded by history as a minor twentieth century religious sect..."**

**- Lynn Margulis, biologist**

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it hasn't tackled the deeper scientific issues that are causing major schisms in the scientific community.

Put another way, the scientists behind the Intelligent Design movement are now mounting a major attack on Evolutionists, and it is this debate that this article centres on.

The basic issues are these: there is ample evidence to support one element of Darwin's theory - microevolution. This means examples of change *within* a species. But there is virtually no evidence for macroevolution - the claim that one species can mutate into something else. Darwinists believe, for example, that modern whales originally evolved

from a carnivorous cow-like creature about the size of a wolf.

Is it possible, ask Creationists, for something so small to mutate in a short period of geological time into a 100 tonne monster?

While there are many scientists who would argue yes, there are a growing number of scientists who say 'No'.

Few NZ journalists who've covered the controversy, for example, are aware of how contemptuous many of the world's leading scientists are of Darwinism.

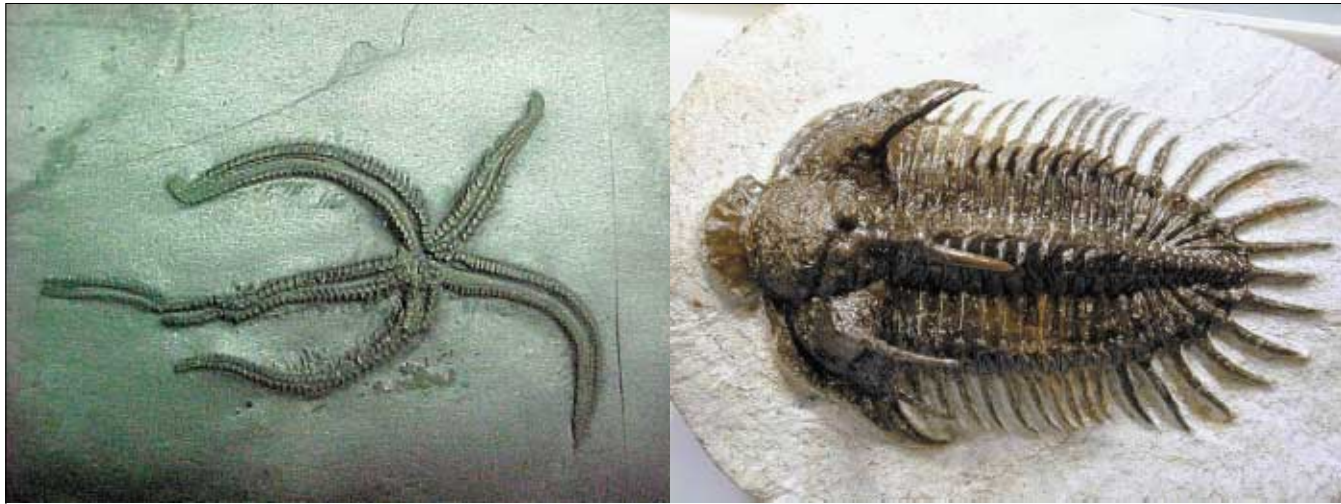
Lynn Margulis is a world-renowned biologist responsible for crucial work on mitochondria - the energy source for plant and animal cells. She currently holds the position Distinguished University Professor of Biology at the University of Massachusetts, yet she challenged a conference of molecular biologists in the USA to come up with "one, single, unambiguous example" of the formation of a new species via an accumulation of mutations to an original species, and none have so far been able to meet the challenge.

Adding salt to the scientific wound, Margulis claims Darwinism will ultimately be regarded by history as "a minor twentieth century religious sect within the sprawling religious persuasion of Anglo-Saxon biology."

Darwinists, she goads, "wallow in their zoological, capitalistic, competitive, cost-benefit interpretation of Darwin...Neo-Darwinism, which insists on [the slow accrual of mutations] is in a complete funk."

Margulis isn't the only scientist to accuse her colleagues of turning Darwinism into a religion - a belief system that must be accepted at the risk of excommunication from the scientific brotherhood. Harvard-trained law professor Phillip Johnson waded into the evolution debate with a provocative series of books attacking Darwinists for being big on per-





**Just two of the problems for evolutionary theory: on the left is a 200 million year old starfish that, well, looks exactly like one you'd find on the beach today. On the right is a 350 million year old trilobite, an example of what some scientists say is 'irreducible complexity' - organisms that can't be explained by random mutations**

suasive courtroom-style rhetoric, but short on substance and evidence in their arguments.

In his book *Darwin on Trial*, Johnson recounts how in one scientific conference debate with Darwinist Michael Ruse, author of *Darwinism Defended*, he argued that Darwinism was essentially a front for "naturalistic metaphysics" – the worship of nature and science as an actual religion in itself. Ruse vehemently disagreed on stage, but a year later made a surprising concession in a very controversial address to fellow Darwinist scientists in 1993:

"I must say that I've been coming to this kind of position myself...the science side has certain metaphysical [religious] assumptions built into doing science, which – it may not be a good thing to admit in a court of law – but I think in all honesty that we should recognise."

His remarks were greeted by stunned silence from fellow Darwinists, and followed up with an article in a peer magazine headlined "Did

Michael Ruse Give Away The Store?"

### **the nz experience**

IN NEW ZEALAND, one man well placed to observe the theological side of the evolution debate is Dr Bill Peddie, head of science at a major New Zealand high school. Although a state school, a large percentage of its board is Christian, as are many of Peddie's students, yet he himself is an avid evolutionist. Peddie admits a religious fervour has overtaken both sides of the debate.

"An Exclusive Brethren person knows that there are certain beliefs they must adhere to. Evolution is not one of them. It's a non-negotiable starting point. By the same token, people who take science courses at college and university may not learn any genetics, but they will still be fervent believers that evolution is the way to go because they know that the majority of scientists who've studied this have come out in favour of evolution."

Not that the truth of a matter can ever be decided by a popular vote. As Peddie would himself concede, there was a time when the majority of scientists believed the earth was flat.

Richard Dawkins, author of *The Blind Watchmaker* and one of the world's leading proponents of Darwinism, is an avowed atheist and insists that evolution can prove the non-existence of God. Another in the same camp was the late Carl Sagan. It is this driving force of atheism, a theological position that is in itself religious, that permeates science and fuels much of the creation/evolution debate.

At the centenary celebration of Darwin's Theory in 1959, world famous biologist Sir Julian Huxley – the brother of well known atheist Aldous Huxley - told the prestigious scientific gathering in Chicago that, "In the evolutionary pattern of thought there is no longer either need or room for the supernatural. The earth was not created, it evolved. So did all the plants and animals that in-







habit it, including our human selves, mind and soul as well as brain and body...the evolutionary vision is enabling us to discern, however incompletely, the lineaments of the *new religion* that we can be sure will arise to serve the needs of the coming era.” [our emphasis]

Huxley’s comments may come as a shock to parents who thought that their kids were not being taught religion in schools.

The Huxley family, particularly Aldous, have been instrumental in turning atheism into an unofficial religion over the past hundred years. But despite apparently “pure” scientific motives for doing so, Aldous Huxley later admitted his opposition to Creationism was philosophically motivated.

“I had motives for not wanting the world to have a meaning; conse-

Not only has evolution become the cornerstone of modern economic theory and legitimised control of governments by big business, it has had a profound effect on the generations of children who have been taught about it. Some critics blame much of modern societal breakdown on the atheistic, “every man for himself” foundation of Darwinism.

In essence, argues Phillip Johnson, scientists are pushing their own religion in schools and universities – disguised as “objective scientific fact”. Statements are made to students that all life descended from a one-celled amoeba, created randomly by a lightning strike in an ancient puddle on the new planet Earth, when no hard evidence exists to prove the truth of such statements and much of the evidence points the other way.

son, the scientific organisations are devoted to protecting Darwinism rather than testing it, and the rules of scientific investigation have been shaped to help them succeed... scientists themselves become fanatics.”

That fanaticism has meant some spectacular gymnastic feats as scientists try to make Darwinism fit emerging evidence that conflicts with the theory of evolution. Evidence like the lack of fossil support.

### a lack of evidence

“NO WONDER PALEONTOLOGISTS shied away from evolution for so long,” writes paleontologist and Darwinist Niles Eldredge. “It never seems to happen. Assiduous collecting up cliff faces yields [evolutionary] zig-zags, minor oscillations, and the very occasional slight accumulation of change – over millions of

**“No wonder paleontologists shied away from evolution for so long,” writes paleontologist and Darwinist Niles Eldredge. “It never seems to happen.”**

quently assumed that it had none, and was able without any difficulty to find satisfying reasons for this assumption. The philosopher who finds no meaning in the world is not concerned exclusively with a problem in pure metaphysics, he is also concerned to prove that there is no valid reason why he personally should not do as he wants to do, or why his friends should not seize political power and govern in the way that they find most advantageous to themselves.

“For myself,” Huxley wrote towards the end of his life, “the philosophy of meaninglessness was essentially an instrument of liberation, sexual and political.”

In other words, Darwin’s survival of the fittest theory lent itself ideally to both atheists and free-market capitalists as a replacement for the moral structure of orthodox religion.

The struggle for survival between Darwinism and Creationism, says Johnson, is not really a struggle between science and religion, it is a battle between two religions for control of the hearts, minds and financial donations of the public.

“Prejudice is a major problem, however, because the leaders of science see themselves as locked in a desperate battle against religious fundamentalists, a label which they tend to apply broadly to anyone who believes in a Creator who plays an active role in worldly affairs,” argues Johnson.

“These fundamentalists are seen as a threat to liberal freedom, and especially as a threat to public support for scientific research.

“As the creation myth of scientific naturalism, Darwinism plays an indispensable ideological role in the war against fundamentalism. For that rea-

years, at a rate too slow to account for all the prodigious change that has occurred in evolutionary history.

“When we do see the introduction of evolutionary novelty, it usually shows up with a bang, and often with no firm evidence that the fossils did not evolve elsewhere!

“Evolution cannot forever be going on ‘somewhere else’. Yet that’s how the fossil record has struck many a forlorn paleontologist looking to learn something about evolution.”

And this from a prominent Darwinist! Eldredge’s complaints are not isolated. More than 250,000 fossil species are now identified and catalogued, and arguably none of them include any of the “thousands” of transitional species that Darwin believed must have existed if his theory of evolution were true. Nowhere are there fossils that show a cat-mon-





key, or a horse-giraffe, or any other of the alleged half-breed species said to have existed.

While it is true that there are millions more fossils waiting to be exhumed from ancient rocks by paleontologists, it is also true that evolutionists are caught in a trap of their own making: in a non-created world, where everything evolves by random chance, the rules of mathematical probability theory come into play. Under those rules, it is considered statistically likely that the fossils we

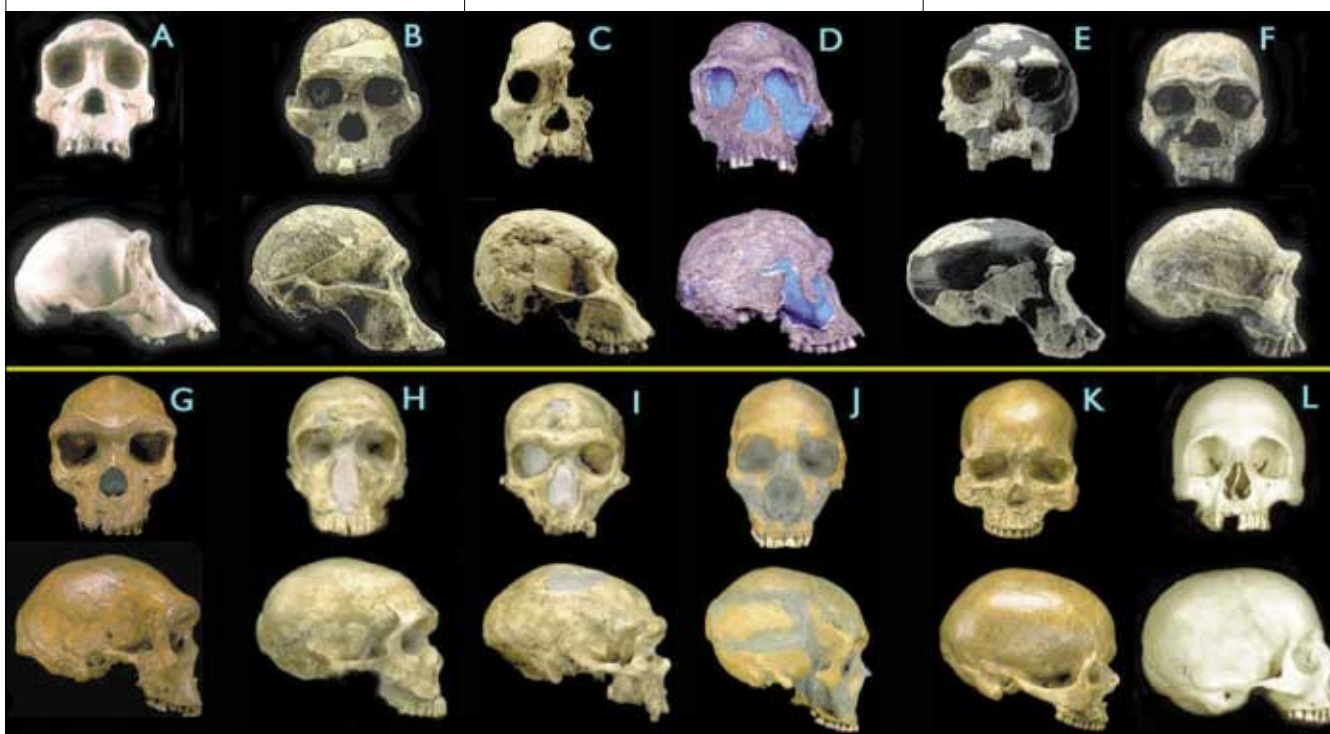
species evolution is hard to find.

The traditional evolutionary position cannot easily explain away discoveries like last month's Australian announcement of worm or snail tracks discovered in sandstone that's been dated up to two billion years old. Evolutionists have previously claimed that only one-celled bacteria and amoeba existed up until around 600 million years ago, yet photos have now been published by the University of Western Australia of a lifeform that was much bigger,

several years ago whether science was any closer to proving the origins of humanity.

## human origins

WHAT SCIENTISTS ONCE believed was a different species, Neanderthal Man, now turns out to have simply been just an uglier variant of ordinary humans. How do we know? Because modern geneticists have traced Neanderthal characteristics in modern humans, meaning the two groups were sexually compatible –



have recovered from all corners of the globe are enough to be representative of the main species that once walked the earth, and conversely that small, still undiscovered, species confined to isolated geographic areas are unlikely to have played a major part in evolution towards modern life-forms.

Paleontologists have recovered plant and animal and bacteria fossils dating back 3.8 billion years from a range of rock strata throughout the world. Despite all of that, it is accepted that hard evidence of trans-

moving, and complex enough to generate slime trails.

Nor has the search for mankind's elusive "missing link" back to the apes come up with any evidence – leading anthropologists around the world are privately more frustrated than ever at the lack of evidence for human evolution. Dr Richard Leakey, the world famous evolutionist and discoverer of pre-human remains in Africa's Great Rift Valley, is reported to have shrugged and drawn a large questionmark on a blackboard when asked by students

one of the key requirements to being part of the same species. *Neanderthalensis* has now been reclassified as a sub-group of *Homo Sapiens*.

Indeed, recent studies of human mitochondrial DNA show that all modern humans can trace their ancestry back to *one* woman in Africa around 200,000 years ago. That woman was as human as anyone on the streets of New York today. Scientists have, probably only half-jokingly, nicknamed her 'Eve'.

Nor is there evidence that Eve de-





**LEFT: evolution according to the standard textbooks, from ancient apes (A) through to modern humans (L). If so, who were these people, ABOVE, found buried in ancient South American graveyards? Their cranial capacity was up to double that of modern humans (see Investigate, February 2002)**

scended from ancient apes.

While such discoveries damage both the 10,000 year old Earth movement and the Darwinist side, the Intelligent Design group say it fits their belief that species, including humans, are created and appear spontaneously.

An example is modern birds: there is no evolutionary trail illustrating what they evolved from. While many evolutionists long believed that ancient reptilian birds like Archaeopteryx, Hesperornis or Ichthyornis were possible ancestors of modern birds, recent discoveries have shown that modern birds existed pretty much “as is” during the time of the dinosaurs. Even the oldest fossil bats appear in the fossil record with the same sophisticated echo-locating sonar system that modern bats have, meaning that complex sonar seems to have appeared overnight, rather than via gradual evolution.

Writing in the Journal of Theoretical Biology, scientists Mac-Wan Ho and Peter Saunders said in 1979:

“It is now approximately half a century since the neo-Darwinian synthesis was formulated. A great

deal of research has been carried on within the paradigm it defines. Yet the successes of this theory are limited to the minutiae of evolution, such as the adaptive change in colouration of moths; while it has remarkably little to say on the questions which interest us most, such as how there came to be moths in the first place.”

And even the colouration of moths theory, hailed by Richard Dawkins as proof, has had some fairly significant doubts raised over it.

Chicago University’s Department of Ecology and Evolution has also been critical of Darwinism:

“We conclude – unexpectedly – that there is little evidence for the neo-Darwinian view: its theoretical foundations and the experimental evidence supporting it are weak.”

To get around the lack of fossil evidence for evolution, Niles Eldredge joined another of Darwinism’s “high priests” – Harvard University’s Stephen Jay Gould – in proposing an alternative theory: “punctuated equilibrium”. According to their scenario, the sudden appearance of new species in the fossil record, without any evidence

of evolution, meant that evolution must happen extremely rapidly in isolated populations of creatures who then mutate rapidly into a new species. The rate of evolution then drops to virtually zero until, millions of years later, that species mutates into another new species by the same instant process.

Such a scenario flies directly in the face of Darwin’s belief that mutations had to be random, numerous, small, and occurring all the time.

The Punctuated Equilibrium theory is similar to what became dubbed “the hopeful monster theory” of the 1940s, where top geneticist Richard Goldschmidt suggested that perhaps an overnight massive mutation occurred, whereby a dinosaur laid an egg and out of it hatched a bird. Which, of course, is tantamount to admitting a miracle – divine intervention – according to Creationists.

The problem for Eldredge, Gould and Goldschmidt is that if a random, chance mutation can indeed create a new species – what does the sole representative of that new species mate with to create offspring? The scientific definition of a species is





that it cannot mate with members of another species.

And, given the problems faced in keeping endangered species alive today where perhaps 80 breeding pairs survive, what about the risk of a new species arising in ancient times with just one breeding pair – one partner of which gets eaten by a marauding predator? Or the first bird hatches from what should have been a dinosaur egg, only to get trampled by a passing brontosaurus – the ancient equivalent of road-kill.

Remember, the mitochondrial DNA research on modern humans indicates we're all descended from just one woman. One. Where did this mother of all humanity suddenly come from?

Gould and Eldredge's theory, disparagingly referred to as 'punk eek' by critics, has become one of the dominant Darwinist doctrines, but like the original Darwinism it is still haunted by a lack of fossil evidence, and certainly nothing that proves one species became something else.

### british museum debunks darwin

IN THE 1980s BRITAIN'S Museum of Natural History provoked a storm of outrage in the hallowed halls of academia when its scientists took the position that evolution was an unproven theory, and put display signs up, saying as much. The prestigious journal *Nature* recorded comments by one of the Museum's senior scientists that featured in a video for public display at the museum:

"The survival of the fittest is an empty phrase; it is a play on words. For this reason, many critics feel that not only is the idea of evolution unscientific, but the idea of natural selection also.

"The idea of evolution by natural selection is a matter of logic, not science, and it follows that the concept of evolution by natural selection is not, strictly speaking, scientific..."

One of the Museum's exhibits on "Man's Place in Evolution" rejected the idea that *Homo erectus* was a direct ancestor of modern humans, *Homo sapiens*.

"What the Creationists have insisted on for years," seethed Darwinist L B Halstead in *Nature*, "is now being openly advertised by the Natural History Museum."

Interestingly, Halstead's biggest criticism wasn't the position being taken by the Museum, but the fact it was "going public" with doubts about Darwinism that had previously been confined to scientific conferences and professional journals.

But when *Nature's* editors then waxed lyrical about whether the scientists in charge of "the nearest thing to a citadel of Darwinism" had lost their senses in questioning the theory of evolution, around two dozen of the world's top biologists wrote in to back up the Museum,

“

**"The idea of evolution by natural selection is a matter of logic, not science, and it follows that the concept of evolution by natural selection is not, strictly speaking, scientific..."**

”

saying they were "astonished" that *Nature* would "advocate that theory be presented as fact".

The Museum was eventually pressured however, thanks in no small part to criticism by atheist and Darwinist Anthony Flew who called the affair a "breach of trust" by civil servants, to back down on its public questioning of evolution, and by 1987 had removed the controversial signs and video clips. Nonetheless, the fury of the debate lurks just underneath the surface.

Nor has the destruction of evolution focused solely on the fossil record. Molecular biochemist Michael Behe, of Lehigh University in Pennsylvania, put the cat-bird among the pigeon-dinosaurs with his book *Darwin's Black Box*, in which he argues that evolution is unsustainable given what we now know about molecular biology.

Behe's basic argument, illustrated with various examples from nature, is that even one-celled organisms can be more complex in their structure than a modern car-factory. Some tasks carried out within a cell, he says, involve interlinking molecular components, each of which has a unique task to perform and without which the entire organism would die.

Is it possible, on the Darwinian thesis of small, random mutations over a long period of time, that a complex cell structure involving nine crucial components working together to perform one operation could evolve? If so, how would the organism have survived during the millions of years it took for each random mutation to come about before it could be fully functional? And if mutations are just random chance, how did the organism end up with nine interdependent components, instead of nine useless ones?

Behe, and other scientists who support him, argue that the odds of *random* mutations accounting for such feats







are equivalent to a tornado whizzing through a scrap-metal yard and accidentally assembling a Boeing 747 in the process. Mathematicians working on probability theory have long had serious reservations about the claimed ability of evolution to account for the enormous complexity of life on earth.

Behe's arguments remain hotly debated in scientific and atheist circles, but even renowned chemistry professor and Darwinist Robert Shapiro of New York University – author of *Origins: A Skeptic's Guide to the Creation of Life on Earth* – acknowledges their importance:

“Michael Behe has done a top-notch job of explaining and illuminating one of the most vexing problems in biology: the origin of the complexity that permeates all of life on this planet... this book should be on the essential reading list of all those who are interested in the question of where we came from, as it presents the most thorough and clever presentation of the design argument that I have seen.”

Another expert to weigh in against Darwin is Dr William Bradley, a consultant to Boeing Aerospace and Shell Oil, among others, an expert on polymers and thermody-

namics – both of which are critical to the origin of life issue – and the recently retired head of Texas A&M University's mechanical engineering department.

Bradley has extensively researched the chemical issues central to where life came from, and his 1984 book *The Mystery of Life's Origin* prompted Darwinist biologist Dean Kenyon to state publicly that Bradley's work was “cogent, original and compelling”, and “the authors believe, and I now concur, that there is a fundamental flaw in all current theories of the chemical origins of life”.

Kenyon has now abandoned Darwinism.

Where did life come from? Darwin speculated that a lightning strike on a primitive pond, in a conducive atmosphere of certain gases, might have done the trick, a la Frankenstein's Monster. Trying to repeat the feat, scientists shunted massive electrical charges into a sealed container of ammonia, methane and hydrogen – gases that scientists believed represented earth's early atmosphere. They were delighted to discover that the experiment created amino acids, essential building blocks for life.

Although the experiment was recounted in school textbooks for decades as proof of the ease with which life

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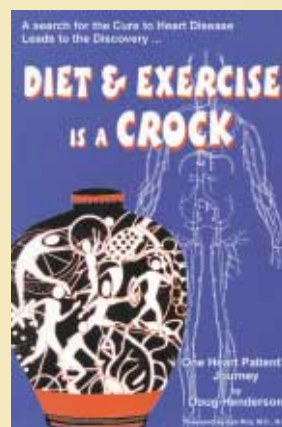
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could be created, the theory and the “proof” fell apart in the 1980s when NASA discovered that earth never had an atmosphere composed of those gases, but nitrogen and carbon dioxide which don’t react in the same way.

In other words, the life from a puddle idea is dead – despite what you may have learned in school or on the news.

But even though scientists can create amino acids in lab experiments, no scientist has ever been able to go the next step and create real life. This, despite billions of dollars in research and the best brains that humankind can offer. If humans have tried and failed to intelligently design life, say Creationists, how strong is the theory that nature fluked it?

While nature has had a lot of time, its work must be random. It could just as easily mutate a good gene into a useless one. In contrast, human scientists working with powerful computers and bright minds who can speed up the process in lab tests and stimulate exactly the genes they need, still can’t achieve it.

In an interview with journalist Lee Strobel, William Bradley set out the difficulties evolutionists face in asserting life came from non-life.

“There are an equal number of amino acids that are right and left-handed, and only left-handed ones work in living matter. Now you’ve got to get only these select ones to link together in the right sequence. And you also need the correct kind of chemical bonds – namely peptide bonds – in the correct places in order for the protein to be able to fold in a specific, three dimensional way. Otherwise it won’t function.

“It’s sort of like a printer taking letters out of a basket and setting type the way they used to do it by hand. If you guide it with your intelligence, it’s no problem. But if you choose letters at random and put

The Biochemical Challenge to Evolution



DARWIN'S  
BLACK BOX

“No one can propose to defend Darwin without meeting the challenges set out in this superbly written and compelling book.”  
—David Berlinski, author of A THOUGHT OF CALCULUS

MICHAEL J. BEHE

**But even though scientists can create amino acids in lab experiments, no scientist has ever been able to go the next step and create real life. This, despite billions of dollars in research and the best brains that humankind can offer. If humans have tried and failed to intelligently design life, say Creationists, how strong is the theory that nature fluked it?**

them together haphazardly – including upside down and backwards – then what are the chances that you’d get words, sentences and paragraphs that would make sense? It’s extremely unlikely.

“In the same way, perhaps 100 amino acids have to be put together in just the right manner to make a protein molecule. And remember, that’s just the first step. Creating one protein molecule doesn’t mean you’ve created life. Now you have to bring together a collection of protein molecules – maybe two hundred of them – with just the right functions, to get a living cell.”

And even then, what made that first ever cell reproduce? If its entire existence was down to chance, what was the chance it would realise a need to reproduce and find a way to do it?

Almost every year you hear TV newsreaders confidently revealing that scientists have discovered amino acids – “the building blocks of life” – in meteorite fragments, but the phrase is misleading. It is the scientific equivalent of finding a nail, and announcing that you have found the building blocks of a skyscraper.

So difficult is the task of creating life that Sir Francis Crick, the co-discoverer of DNA, has speculated that life probably arose on earth as a result of an alien civilisation deliberately seeding earth with its first life forms.

“When a scientist of Crick’s calibre feels he has to invoke undetectable spacemen,” notes Philip Johnson, “it is time to consider whether the field of prebiological evolution has come to a dead end.”

Molecular scientists in particular have been flocking to the Creationist side of the debate. One such is nanoscientist James Tour, a professor at the Department of Chemistry and Centre for Nanoscale Science and Technology at Houston’s Rice





Remember that question about **whether a mutant new species could avoid being trampled by a brontosaurus?** Well, believe it or not evolutionists have indeed calculated the odds of just such an event happening...



University. Tour holds a doctorate in organic chemistry from Purdue University, did post-doctoral work at Stanford, has written more than 140 technical research articles and holds seventeen United States patents.

"I build molecules for a living," he said in an interview with journalist Lee Strobel. "I can't begin to tell you how difficult that job is."

Like the others, James Tour is absolutely convinced, after years of molecular work, that life on earth was created by an Intelligent Designer. He says the "fingerprints of God" are everywhere.

"Only a rookie who knows nothing about science would say science takes away from faith. If you really study science, it will bring you closer to God."

### **biology nobel prize winner**

**NOBEL PRIZE-WINNING** biologist Professor Christian Anfinsen is another to pour scorn on current evolutionary theory, labelling one of the latest anti-Darwin offerings – *Not By Chance* by physicist Lee Spetner – as "extremely thorough and compelling". As of this month – three years after the book's publication, Spetner says no evolutionary scientist has so far been able to refute his research and findings.

Geneticists already know, for example, that our genetic code, our DNA, contains 99% of the same information as a chimpanzee. Humans, on the same measure, are around 60% the same as daffodils. Spetner argues, among other things, that the genome of each creature includes vast numbers of dormant genetic switches which, were they turned on in the right sequence, might give us vastly different traits and appearances – yet the code has been within us since the dawn of time.

Spetner points to experiments on the embryos of rats and other animals that show identical embryos can develop different features given a simulated environment change in the lab.

"If a population of rodents were to shift their diet abruptly to a large hard seed, the phenotype [loose translation: appearance or characteristics] of the next generation would change abruptly. The phenotype would change, but the genotype [overall genetic code of the animal] would not.

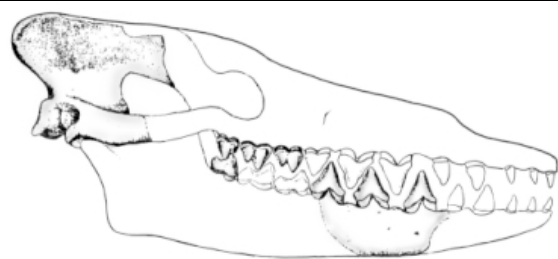
"The fossil record of these rodents would show an abrupt change in the jaw and tooth structure. Yet there would have been *no mutation and no selection* [Spetner's emphasis]. The entire population would have changed together with the environment."

Yet, notes Spetner, a change in phenotype in fossils has traditionally been recognised as evolution by Darwinists. Have they failed to see the wood for the trees?

But perhaps some of Spetner's most devastating criticism of Darwinism centres on the mathematical probability theory argument. Remember that question about whether a mutant new species could avoid being trampled by a brontosaurus? Well, believe it or not evolutionists have indeed calculated the odds of just such an event happening.

Sir Ronald Fisher was a brilliant British mathematician whose calculations on probability were applied to the theory of natural selection, and he became one of the leading supporters of Darwin's theories. After years of studying genetics and biology, as well as the fossil record, Fisher concluded that the average random mutation that occurs in an organism – when such a mutation actually takes place – gives it an advantage of about 0.1% against





Another problem for paleontologists is guessing what the fossil creatures looked like. This Pakicetus is thought to be an ancient whale, but the shaded areas represent the actual recovered bones. The rest is speculation...

its fellow, un-mutated animals. But the odds against such a mutated creature (or indeed any individual member of a species) surviving to pass on its new gene are about 500 to 1, because of random environmental factors like predators, weather or famine, to name a few. The actual number of mutants in a group of 100,000 cows, for example, would need to be nearly 2,500 in order for a guarantee that any mutant gene would survive to be passed on to a new generation.

Dr Spetner says that for evolution to work, Fisher's results show there have to be a large number of mutations taking place in a population at any one time in order for just one of them to take hold in the species genome.

Another top evolutionist, scientist G Ledyard Stebbins, established in research published in the 1960s that the average number of positive random mutations needed to turn an organism into a new species was 500. Work since then has centred on how often random mutations actually occur in nature and whether they are of a kind sufficient to be positive, rather than negative or useless, to a species. Spetner's calculations show that the chance of random evolution succeeding against nature's odds are about 1 in 10 to the power of 2,738, which is 10 followed by 2,738 zeroes.

To put that into some kind of perspective, imagine having 150 people standing in a line tossing a coin at exactly the same moment, and in every case it comes up heads. The odds against that happening are just 10 to the power of 45. If you could flip the coins once every second, it would take somewhere in the region of 74 *trillion* years before such a result could be assured. That's 1500 times longer than the earth has been in existence. In other words, although it is technically possible, it is regarded as impossible. And that's just 10 followed by 45 zeroes, not the higher threshold of 10 followed by 2,738 zeroes.

The earth's 4.5 billion year lifespan may seem like an incredibly long time to comprehend, but Spetner is adamant that a non-created universe, governed only by natural laws, has to comply with those natural laws. And those laws, he says, include the law of probability.

Spetner concludes that as mutations are obviously happening, they're not happening by chance but by design

in the form of built in plans in the genes. A random universe, he says, simply can't account for the odds not just against life but against the survival of life.

Interestingly, more than one evolutionist has found themselves, when trying to argue against Michael Behe's irreducible complexity theory, for example, suggesting that complex cells with interlinking components can "spontaneously arise" within evolution because the blueprint may be written in the genes. Which, responds Behe, sounds a lot like "intelligent design".

And don't get Creationists started on debating the complexity of DNA and the human genome. All scientists are agreed that DNA is a messaging system that carries within it the plans for the entire lifeform. Surprisingly, unlike wartime military codes that can take the best supercomputers years to crack, DNA is structured in a logical form, much like a book, making it easy for scientists to read the messages. Yet if all of the DNA in just your body alone was taken and laid end to end, it would stretch 50 *billion* kilometres – that's a straight line that would stretch from the sun to beyond the edge of the solar system. Just in one human body.

And if that is mind-boggling, try breaking it down to just one human blood cell. Surely that can't be too complex? In fact, each single cell in our bodies contains more information than the entire 30-volume set of the *Encyclopaedia Britannica*.

But evolutionists still have other problems too: there is no way of telling whether a fossil animal is truly a new species or whether it is simply a larger or smaller specimen of the same fossil found elsewhere. Darwinists like to talk of the "classic example" of finches on the Galapagos Islands – a drought in 1977 caused a shortage of the small seeds that the birds normally eat, which in turn caused the smaller finches to die off because they couldn't eat the larger seeds left. Within a generation, scientists discovered the average size of the finches, and their beaks, had increased markedly. This, they said, was proof of evolution by natural selection.

Except, it wasn't. As soon as food supplies returned to normal, so did the survival rate of the smaller finches and the finch population soon returned to birds of pre-





drought size. This, say Creationists, is simply evidence that animals have sufficient variation in their existing genetic code that enables them to adapt to changing conditions. A la Lee Spetner's thesis.

Whales are another classic example. There is plenty of evidence to show variations in whales over the ages, but the missing link is just as missing here as it is for humans.

"I've never found anything that's convinced me that evolution is not occurring," says New Zealand science teacher Bill Peddie. Peddie is unfamiliar with the details of Spetner or Behe's arguments, but is confident that evolution exists.

"The fact is that we have plenty of evidence of new species arising, sometimes by human intervention to show it can be done, but then you've also got things like new species of cichlid fishes and so on in lakes – there's a famous lake in Africa where a bit got cut off and they got the new fish appearing within the space of about a couple of hundred years. It can be quite a rapid process if you get a change of environment."

The true test of whether something is a new species though is the degree of difference between it and its alleged parent, and whether it can interbreed with the original species. If it cannot, it is said to be a different species. The problem for scientists is that there is no way of knowing whether fossil animals could interbreed or not – the soft parts of the animal and its DNA are no longer available for study. What we, in modern science, presume are different species may well have simply been regional or micro-evolved variants of the same animal, in the same way that Great Danes and Dachshunds are still just dogs, not dog/cat crosses.

So do we know for sure that those cichlid fish in Africa were not capable of mating with their ancestors?

"Well, no, we don't," admits Peddie. "One of our problems is that the definitions of species are human-made and often just for convenience. How many differences do you have to make before you say it is a new species?"

Another example Peddie cites to prove evolution is the development of marine life on the Central American coast. North and South America used to be separate island con-

tinents – there was no Mexico to act as a land bridge between them. At that stage, says Peddie, fossil records show similar marine life on both the Pacific side and the Atlantic side.

But after the land bridge formed, the marine life changed.

"When there was an actual land barrier, the marine species developed separately and began looking different on either side. That's a radical change."

But again, Spetner and others would argue, are we really looking at different species, or just the development of different races within a species?

### **nz schools teach evolution**

**IF DARWIN'S THEORY OF EVOLUTION** is on such shaky ground in the upper reaches of science, why are New Zealand high school students still being taught the subject without any reference to the many controversies now dogging it?

New Zealand's Sixth Form Certificate biology syllabus book for Year 12 students includes evolution and says: "Evolution is the process by which new species of plants and animals develop from earlier forms. The process of evolution normally occurs slowly, most often in response to a change in a species' environment...life is thought to have evolved from just a few original unicellular organisms some three billion years ago to the complex array of millions of species we see today."

All of which is beginning to look decidedly old-fashioned when measured against what scientists are currently arguing.

The textbook continues: "New Zealand has two closely related large native parrots: the kea that inhabits mountainous regions of the South Island and the kaka that inhabits bush in the North Island. It is thought that these two species share a common ancestor."

The book then goes on to explain to students how some birds got used to the cold and adapted, while the other parrots fled to the warmer north. This makes them new species, it says. Yet if school science teachers were to tell students that humans with black skin were a different *species* from those with white skin, simply because they'd adapted to hot climates, they'd be shot down in flames.

**If Darwin's Theory of Evolution is on such shaky ground in the upper reaches of science, why are New Zealand high school students still being taught the subject without any reference to the many controversies now dogging it?**



“You can’t prove those sorts of theories,” admits Ministry of Education science curriculum advisor Chris Arcus when confronted with the kea/kaka example, “because you can’t replicate them in a laboratory. But that’s the nature of science. In science we avoid use of the word ‘fact’, because fact sounds like it’s absolutely set in concrete. We talk more about probability, weight of evidence, and the cohesiveness of theories that support this sort of thing.”

Curricula notes for a seventh form bursary level biology course show an extensive role being played by evolutionary theory, yet debate about evolution theories – at least in the notes – is limited to “Darwin vs Lamarck”. Lamarck was an evolutionist like Darwin with a slightly different spin on the process. He wasn’t a Creationist. In modern terms, it would be like limiting debate on monetary policy to a comparison between Don Brash and Roger Douglas.

Lamarck’s prominence in the New Zealand curriculum is unmatched in the international war of the experts: barely more than two paragraphs about him in Spetner’s *Not By Chance*, nothing in Behe’s *Darwin’s Black Box*, nothing in Johnson’s *Darwin on Trial*, and nothing in J P Moreland’s *The Creation Hypothesis*.

Meanwhile, fresh from discussing the views of an ob-

every rock in the world yet.”

The NZ curricula notes also suggest “holding a debate about evolution and critically evaluating the theories relating to this biological issue”. Chris Arcus points out that such a debate is “not a *requirement* of the curriculum, but it is a *suggested* teaching approach.” Problem is, it’s left to the science teachers to decide the parameters of any debate or, indeed, if a debate takes place at all. And Darwinists appear reluctant to share the stage with anyone remotely capable of backing up alleged gaping holes in evolutionary theory with scientific evidence.

Some schools have been known to wheel in the occasional Christian to a classroom of seventh-form lions in what could almost be described as “sport”; teachers look on with big grins as the well-primed class tear the guest apart over the biblical version of creation based on a 10,000 year old Earth.

While biblical literalists can offer evidence that they believe supports their position, such as ancient legends all the way from Hawaii to the Middle East about a great flood (not to mention Maui fishing up New Zealand from beneath the waves), or scientific doubts emerging about the accuracy of radiocarbon dating, there’s a big difference between asking science students to try and get their

## Anthropologists and paleontologists are banging their heads against walls

scure Darwinian predecessor, NZ bursary students are again taught that evolution creates new species, and are invited to “provide NZ examples, eg blue penguins, protokaka and divaricating shrubs”, while later on in the course they are again told to study “the evolution of New Zealand flora and fauna”, with the instruction that “mammals, insects and legumes are well documented”.

The claim in a New Zealand high school biology textbook that trans-species evolution is so “well documented” in this country that students can readily provide exam-winning projects showing this would undoubtedly come as news to scientists like Lynn Margulis at the cutting edge of the debate, seeing as a conference of the world’s top molecular biologists failed to produce “one unambiguous example”.

While New Zealand college students are earnestly studying “evidence for human evolution”, including “humans and their recent ancestors”, the world’s leading anthropologists and paleontologists are banging their heads against walls at the complete lack of evidence for human evolution.

Arcus is prepared to concede the general point: “There are certainly some things that evolution, in its various guises, has difficulty explaining. And there are gaps in the data that it’s built on, but then we haven’t looked at

heads around a mix of theology and socio-archaeology, and getting them to debate a scrap where Creationists have now taken it to Darwinists on their own turf – biology, physics and chemistry.

Perhaps the most frustrating part of the debate for ordinary people is that Creationists and Evolutionists are all working from the same basic data, but drawing entirely different conclusions. Case in point? NZ’s seventh form textbooks state “all organisms are made of cells, and the complex processes occurring in all cells are so similar that this strongly suggests a common ancestor. The genetic code is the same for all species and is estimated to be 3.8 billion years old!”

This, say the Darwinists, proves evolution.

This, say the Intelligent Design movement, proves God crafted all life from the same DNA building blocks, but turned on different genetic switches to create different species.

Whatever the rights or wrongs of the debate, it goes well beyond the scope of a magazine article to highlight all the technical arguments in different areas. But there is certainly enough evidence to show that science itself is by no means united on the reality of evolution.

Is there room for the *real* scientific debate to be aired in our classrooms?







Strangely enough, Darwinists are dead against it. Scientific atheist Ian Plimer is a geology professor at Melbourne University who hates the idea of Creationism so much he personally bankrupted himself in an attempt to get a court injunction against an Australian researcher who claimed to have found evidence of Noah's Ark in Turkey. Plimer told the *Listener* that allowing the debate "into schools is just about the worst thing that you can do."

Nor does New Zealand's Bill Peddie like the idea.

"It would not be helpful, the sort of detail you're talking, it wouldn't be helpful to have it aired in the junior [high] school. Bits of it are already aired in the senior school. For example, a Year 13 Biology student doing scholarship biology would be expected to be reading in these areas and be aware that everything is not as cut and dried as they were led to believe earlier.

"This is helpful, useful and sensible. It isn't helpful for somebody who's barely aware that there's a difference between an atom and a molecule to be discussing different binding theories for atoms. When you're starting math you learn your two-times table, you don't get into imaginary numbers at that level."

But as we've already seen, the level of debate at Year 13 level is actually slim. The Ministry of Education appears

notice some relationships you didn't notice before well then we would say, in terms of science, that yes, we're really making progress."

But the problem with Peddie's analysis is a philosophical one: by teaching only a select few top students the truth (or, more accurately, giving them just the barest hint) about the major problems emerging with Darwin's Theory of Evolution, and leaving everyone else with a school curricula that says the Theory is scientifically sound, New Zealand schools are turning out hundreds of thousands of students with what may turn out to be false beliefs.

When those beliefs go to the heart of spiritual issues like the existence of a Creator or whether humanity is governed by a moral code, the societal damage could be severe from awarding such widespread credibility to what even supporters of evolution admit could be a "wrong-headed" idea.

Molecular biologist Michael Denton, another top scientist with serious doubts about evolution, describes just how high the stakes are in his book *Evolution: A Theory In Crisis*.

"The twentieth century would be incomprehensible without the Darwinian revolution. The social and political currents which have swept the world in the past eighty

## Is there room for the *real* scientific debate to be aired in our classrooms?

more conciliatory, but relies on science teachers to decide.

"At no stage do we say that this is *the* theory that should be taught," says Chris Arcus, "but the syllabus does recognise that there are a range of theoretical positions and a range of evidences supporting those positions. As an aside it does recognise the role that Maori knowledge plays in an understanding of scientific phenomena."

Interestingly, New Zealand's education syllabus contains a large, officially-mandated coverage of Maori creation myths, and there would be few schoolchildren today who could not recount the story of Maui, or Rangi and Papa-nui. The number of children, on the other hand, who could say they learnt about Adam & Eve or Noah in a New Zealand state school, as part of the Government curricula, would be small.

"The reason why people question the advisability of debating evolution publicly," explains Peddie, "is because people will misunderstand what is being said. They'll use it as an example of boosting the Creation vs Evolution debate, one side or the other, instead of understanding what the scientific models are saying. The model itself [Darwinism, neo-Darwinism for example] might only be transitory, and it could even be based on a wrong-headed idea, but if it causes you to make new observations and

years would have been impossible without its intellectual sanction...

"The influence of evolutionary theory on fields far removed from biology is one of the most spectacular examples in history of how a highly speculative idea for which there is no really hard scientific evidence can come to fashion the thinking of a whole society and dominate the outlook of an age.

"Today it is perhaps the Darwinian view of nature more than any other that is responsible for the agnostic and skeptical outlook of the twentieth century... a theory that literally changed the world.

"The decline in religious belief can probably be attributed more to the propagation and advocacy by the intellectual and scientific community of the Darwinian version of evolution than to any other single factor."

And just in case there are still lingering doubts about the religious aspects of Darwinism, British biologist Richard Dawkins wrote in *The Blind Watchmaker* that Darwin "made it possible to be an intellectually-fulfilled atheist". Expressed another way – take away the crutch of evolution and atheism once again loses any claim to have an intelligent or intellectual basis.

Cornell University's William Provine, another promi-



nent evolutionist and atheist, went even further in print by saying that if Darwinism is true, then there are five inescapable conclusions: there's no evidence for God; there's no life after death; there's no absolute foundation for right and wrong; there's no ultimate meaning for life; and people don't really have free will.

When evolutionists go beyond the theory to argue the metaphysical, they then invite a full on, knock-em-down-drag-em-out debate with Creationists about other aspects of the argument like Big Bang Cosmology – the discovery that the Universe burst into being within literally a split second 14 billion years ago and had never existed before that moment. Eminent

scientist Stephen Hawking has calculated that the creation of the Universe was so precise that if the Universe's rate of expansion during the first second of its existence had deviated by as little as  $1/100,000,000,000,000,000^{\text{th}}$  of a second, the Universe would have collapsed into a fireball.

More than one scientific atheist has ditched atheism after studying Big Bang Cosmology – among them Harvard-trained Patrick Glynn who says he became an atheist because of Darwin but has now embraced what he calls “the God hypothesis”.

“Ironically, the picture of the Universe bequeathed to us by the most advanced twentieth-century science is closer in spirit to the vision presented in the Book of Genesis than anything offered by science since Copernicus.”

Back here in New Zealand, our school curriculum is in no shape to handle broad-spectrum debate about the origins of life or cosmology. Indeed, the rapid pace of development overseas appears to be leaving our schools behind.

Chris Arcus, like many teachers, is aware of the life from a puddle experiment in the fifties. Also like many teachers, he was unaware it had been shot down by NASA in the eighties. And because the science curricula is effectively set by a committee of science teachers, setting the record straight would depend on how up to speed those teachers are on international research.

“I'm not aware of research which has investigated teachers' beliefs about these sorts of things.”

Which begs the question: is it possible that NZ students are being taught things that are just plain wrong,

simply because it's too hard for teachers to stay up with the play?

“Now you're exactly right, there,” says Arcus. “It takes a long time for cutting-edge scientific discovery to trickle down to the classroom. I'd hate to put a figure on it, but we might even be waiting for the next generation of graduates to go through college, learn to be teachers and be-

come teachers, before they can introduce these new ideas. And then they will also be confronted with ‘the establishment’ when they get out into schools – senior teachers, the existing curriculum, that sort of thing.”

But there are obviously a large number of science teachers who are up to speed, because a *Listener* article two years ago quoted Darwinists bemoaning the growing number of science teachers who were “Creationists or Creationism-prone”. Anthropology researcher Margaret Scott, who interviewed

science teachers for an MA thesis entitled *The Resurgence of Creationism*, said some told her that evidence for evolution was “very suspect”, and that given the shakiness of evolutionary theory, perhaps alternatives needed to be debated. Scott was aghast but, then again, is she herself academically equipped to argue the toss with US scientists who've been grappling with evolution for their entire careers and found it wanting?

And therein lies the rub – has Darwinism with its religious atheistic doctrine and demand for total adherence to its teachings become so dominant that, like an educational black hole, good students with an inkling that things are not right get sucked into it, never to emerge again as independent thinkers? At the upper levels of the Darwinist side you are almost guaranteed to find a staunch atheist at every turn. How much does that metaphysical world-view impact on the way they teach the subject and produce university graduates?

If you don't buy into the whole doctrine you flunk the course. And why should New Zealand high school students be made to sit pass/fail exams on a topic that even the experts don't agree on? Should education authorities be concerned about the quality of education being delivered?

In a stunning piece of editorial commentary, this month's edition of *Scientific American* acknowledges the rise of the cargo-cult worship of men in white coats - epitomised by the ultimate high priest, Stephen Hawking.

“What is it about Hawking that draws us to him as a scientific saint?” asks columnist and skeptic Michael





Shermer. "He is, I believe, the embodiment of a larger social phenomenon known as scientism. Scientism is a scientific worldview that encompasses natural explanations for all phenomena, eschews supernatural and paranormal speculations, and embraces empiricism and reason as the twin pillars of a philosophy of life appropriate for an Age of Science."

You can almost hear the drums roll to the majestic accompaniment of a cathedral organ, as Shermer continues.

"First, cosmology and evolutionary theory ask the ultimate origin questions that have traditionally been the province of religion and theology.

"Scientism is courageously proffering naturalistic answers that supplant supernaturalistic ones and in the process is providing spiritual sustenance for those whose needs are not being met by these ancient cultural traditions.

"Second, we are, at base, a socially hierarchical primate species. We show deference to our leaders, pay respect to our elders and follow the dictates of our shamans [witchdoctors]; this being the Age of Science, it is scientism's shamans who command our veneration.

"Third, because of language, we are also storytelling, mythmaking primates, with scientism as the foundational stratum of our story and scientists as the premier mythmakers of our time."

In other words, everyone, even Scientific American, is now acknowledging that when we learn science at school we are being baptised in a new religion, with a deliberate religious agenda of its own.

The problem is a fundamental one for the biological sciences: evolution is the only theory, barring the supernatural, that remotely explains the diversity of life on our planet. Science abhors a vacuum, and debunking evolution without offering a rational, non-supernatural alternative, is anathema to science.

*Scientific American* quoted a public lecture given by Hawking where he was asked "the biggest question of all: 'Is there a God?'"

"Asked this ultimately unanswerable question...a wry smile formed and the Delphic oracle spoke: 'I do not answer God questions'."

If it sounds a little like the old adage: 'don't go looking for trouble and you won't find it', you could be right.

The only other option on offer – admitting an intelligent Creator is responsible for life, the universe and everything – would undermine the importance of science and heighten the importance of religious study, clearly an outcome so horrific in its implications that science would rather stick with the Devil they know than the Deity they don't.



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## one standard of citizenship

Being election year, INVESTIGATE has decided to provide the main parties with a forum to state their respective cases each month, as our contribution to informed debate

The meaning of the Treaty in 2002 is fogged up by political correctness and a dread of open debate. The public are confronted with Treaty issues which offend commonsense while Maori worry that neither they nor the Treaty are understood. We'd all be better off with more open and robust debate, and mutual respect for other points of view.

Labour have been asked repeatedly in Parliament to define the principles of the Treaty of Waitangi and they refuse to answer.

I believe in one standard of citizenship, where everyone has common rights and obligations as New Zealanders. Our common citizenship means we should resolve historic Treaty claims with good will and a sense of justice. It also mean we should be wary of Treaty talk that divides our citizens into two groups with different rights.

It's incredible that people are talking as if Maori autonomy is a foregone conclusion. We all acknowledge that the New Zealand and British Governments committed breaches of the Treaty but there is no need to apologise for being New Zealanders or to give up on our nation.

National will right the wrongs of the past by settling historic breaches

of the Treaty fully and finally by 2008. National believes the Treaty plots a clear path ahead for New Zealand which lies between the extremes proposed by separatists on the one hand and by those who deny it.

*Tino rangatiratanga* has a place. It affirms self-determination, but not a separate and unextinguished sovereignty over lands and taonga. *Rangatiratanga* is not therefore about self-rule, but self-determination. It signals to Government that its policies should encourage self-reliance and self-determination at an individual as well as a tribal level, rather than dependency. This is a sound principle for all New Zealanders.

We reject proposals in a recent television documentary that New Zealand should be partitioned into autonomous, tribal governments.

Rejection of separatism is consistent with New Zealand's reality in 2040, when about one-third of us will claim Maori *whakapapa*. New Zealanders will then be more of a fusion; increasingly one people.

Moving forward means ending the litany of misery. We need to replace the expectation that Maori are bound to fail with an expectation that Maori can and will succeed in fulfilling their potential. We should encourage aspiration, not dependency.

Maori need to use the assets that they already have, so that they can participate in the economy far more successfully. Ambitious and disruptive constitutional schemes aimed at iwi-states will not give them either the tools or skill-base. Maori need every opportunity to be more self-reliant, successful, participants in the community, freed from State-induced dependency.

The first step forward must be to resolve past grievances. We will require all historic claims to be on the table by December 2003, so we know what they are. To our knowledge, all major historic claims are already on the table.

By expressing a strong will to resolve claims, it is fair to expect claimants to bring their grievance to the table, so they can be addressed.

We will resource the Waitangi Tribunal to complete settlements by 2008 and establish a full-time Chief Negotiator of Treaty Claims to work to a full-time Minister of Treaty Claims.

So what do we want for our children out of this? We want a New Zealand with a common sense of purpose between Maori, the wider public and the Government. Only then can we hand on to our children the united and tolerant country in which we would want them to live.





## it's integrity jim, but not as you know it...

I want to test a theory over the next few months. The theory is that it is possible to combine intellectual honesty, a principled policy programme on the left, a willingness to compromise, an unwillingness to capitulate, a messy leadership transition, and a highly motivated and creative campaign team, win one or two seats and make it over the 5% threshold and back into Government.

I intend to be single-minded about that objective despite the best efforts of the Opposition parties to distract me into a prolonged legal argument in front of the Speaker over who wears what badge in Parliament.

I'm not playing. The most such a battle could achieve would be to give me, rather than Jim Anderton, the odd call allocated to Party Leaders in the House. I could not invoke the Electoral Integrity Act, which defines the Party Leader as the person recognised as such by a majority of members elected for the relevant party at the last election.

What will mark the Alliance out from other parties in the lead up to the election is a very strong focus on social investment as a tool not just of social justice but of economic development.

Nearly of third of New Zealand's children live below the poverty line.

In the context of a falling birth rate,

with replacement levels only exceeded in our poorest regions, that is a very worrying picture for our future development.

Our Government aspires for New Zealand to be back in the top half of the OECD. Ambitious, but also attainable.

It means increasing our per capita gross domestic product by about a third.

That in turn means that for every three things produced today, four things have to be produced in the future by a smaller workforce. To do so without a massive investment in the education, training, health and wellbeing of families with children is logically impossible.

This is not politics. This is maths.

Even with lower unemployment, re-distributing income to low income families remains a serious issue which the Alliance wants advanced in the next term of this Government.

Our Government has identified and met some key priorities – such as the reinstatement of income related rents in state houses, increased funding for low-decile schools and childcare centres, and a variety of housing, health and social service programmes for those with the greatest need.

But there is a limit – a big limit – to what can be achieved within the budgetary constraints required by

Labour as the majority party in the Coalition.

The popularity of our Government – or more precisely of Labour – is not just about the things we have done. It is also about the things we haven't done. We haven't slashed benefits. We haven't ripped off the elderly. We haven't sold assets. We haven't increased student fees or the student loan interest rate.

While people's expectations of what a government can achieve remain low, it is not so hard to meet them. The converse is that the Alliance cannot expect to increase our support unless we are able to raise people's expectations.

Unless the people we aspire to represent dare to dream of a better future, than how we can deliver one?

I believe that if we can put the most basic issues of social provision onto the agenda in this election campaign we will be back in Parliament.

The next three years have the potential to be more important than the last three in shaping the future and I want the Alliance to be there and to be there in strength.

This is not an election between the left and the right. Labour will be in Government after the election. The real issue to be decided by voters is who will be there with them.



## good medicine needed for a sick health system

Since 1970 Government spending on health in New Zealand has trebled in real terms driven largely by technological advances and an ever-increasing demand for more services. An aging population further compounds the situation.

Other countries face the same difficulties but generally are coping with the pressures better than we are. The World Health Organisation in their Report 2000 ranked New Zealand 41<sup>st</sup> out of 199 member countries in an international comparison of health care systems.

Our health care system is sliding into third world status. The main problems are uncertainty, wastage, lack of choice and political interference. As a country we have not adequately identified what level of care the state will provide and under what circumstances.

ACC grossly distorts the health system with the injured receiving far more favourable treatment than those incapacitated through illness. Currently, only through the purchase of "top up" private health insurance can New Zealanders obtain a degree of confidence about their access to care.

Those with health insurance mostly receive prompt quality treatment at private hospitals while those without it languish on public hospital waiting lists. Our Health Insur-

ance industry however is grossly distorted by the State Sector uncertainty. This is reflected in high premiums for what is essentially "gap insurance".

In the last 12 months we have seen an appalling deterioration in the capacity of public hospitals to undertake elective surgery. Too many heart patients are waiting beyond the six-month recommended limit. Women who have had breast surgery are failing to receive the post-operative radiotherapy within the recommended four weeks. Some are waiting for several months and others find it necessary to go to Australia to obtain the essential treatment.

In addition to waiting for operations, thousands of other sick New Zealanders wait in queues to see a specialist in order that they can be processed onto the operation waiting list. You have to queue to get on a queue.

As patients of the state health system we are disempowered for many reasons. We do not control the purse strings because the Government has taken our money in excessive taxation with the false promise that it will provide adequate health services and then fails to do so.

Prevention is usually cheaper than cure and several reports indicate that between 30-40% of our hospital admissions are avoidable. Our public

health system fails to reward prevention or to penalise behaviour that puts health at risk.

Many might prefer to lose weight, stop smoking, immunise their children or make an early visit to a GP rather than wait until they require much more costly but heavily subsidised hospital care or drugs.

Some say that health care is so important that it must be run by the Government. I say to those people, the supply of adequate nutritious food is also vital but who believes that the Government could run our farms or supermarkets more efficiently. Why should we trust them to run the health services.

Government should remain the funder of targeted assistance for personal health needs and the funder of public health programmes but ACT says let individuals retain more of their own tax dollars to control their own purchasing decisions. We say engage both the private sector and the competitive model. Competition delivers choice, innovation, improved efficiency and better service while eliminating waste.

There is no such thing as a free public health service; it is merely a question of how you pay for it and how efficiently the service is provided. Too many New Zealanders are paying for the present system with their lives.

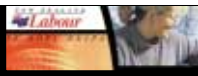
Copies of all the *Liberal Project* papers presented can be viewed online at [www.act.org.nz](http://www.act.org.nz).







politix



MIKE WILLIAMS

2002



## national party slush fund needs investigating

To anyone familiar with political fundraising, the National Party President Michelle Boag's explanations offered for its "donorgate" crisis leaves many questions unanswered and other issues confused.

Former National Party president Geoff Thompson seems to have asked for the contribution to be placed in his law firm's trust account to protect the anonymity of the donor.

This explanation makes no sense for two reasons.

First, there was no law in operation requiring disclosure at the time of the donation, which was March 1996. The law forcing disclosure took effect in April 1996. The donation could have been made directly to the National Party at that time without fear of disclosure.

Second, an alternative route was open to Mr Thompson via the "Free Enterprise Foundation".

This is a financial intermediary or "slush fund" operated by National Party figures, including former Party President, George Chapman for the express purpose of guaranteeing anonymity. Contributors can opt to give money to this body, which passes it on to the National Party.

The declared source of contributions therefore becomes this foundation, and the identity of the original donor is therefore concealed.

This kind of operation, also favoured by the ACT Party, is illegal in Australia where financial transparency in political fundraising is highly valued

Passing the contribution through Mr Thompson's law firm trust account was unnecessary and probably unusual.

Why did they do it that way?

The second confusing aspect of this affair is current National Party President, Michelle Boag's statement that she had no knowledge of the transaction.

If this were true, then she wasn't doing her job properly. At the time of the donation, she was Corporate Affairs Manager for the donor.

As a political fundraiser myself, the person I often talk to in a company has just that title. Corporate Affairs Managers usually have responsibility for interfacing with political parties and the government.

I am quite certain that Ms Boag's impeccable links with the National Party were part of her attraction to her employer. It is very confusing to imagine that this whole business took place without her knowledge.

The third area of confusion involves the size of the contribution.

Although this was fudged at first, it now seems agreed that the quantum of money that passed through the trust account was \$250,000.

Large though this amount seems, it is apparently not the entire sum.

Former National Party Treasurer, Michael Cox told Fran O'Sullivan, a very skilled investigative journalist for the *New Zealand Herald*, that he'd picked up a further \$50,000 from the same source which presumably went directly into the Party's coffers.

Is this total of \$300,000 all of it, or was there more, perhaps coming in the period where disclosure was required?

The fourth area of confusion concerns a payment to an Australian Pollster, a Mr Textor.

Mr Thompson says that this was deducted from the amount finally passed on to the National Party, so it must have been paid from the trust account.

Why do it this way?

There is nothing illegal or even fishy about employing the services of a pollster, all parties that can afford to do it, do it.

There is thus no need for concealment, unless the expenditure was in the period when disclosure was required and was not revealed to the Electoral Commission.

There are many top journalists on this case as I write.

There is still much to be revealed.



## politix | Green 2002

NANDOR TANCZOS



### waikato river water may affect male sexuality

**A**s early as next month Aucklanders will begin drinking water that has been sucked out of the Waikato River and pumped across the Bombay Hills into Auckland's drinking water supply.

Only Waitakere City will be unaffected because that council has chosen not to participate in the scheme and will instead rely on the water in the Waitakere dams.

For the rest of the city, the Waikato water will be mixed with the water from Auckland's main water supply and will form 20 per cent of Auckland's total drinking water, even when the Auckland dams are close to overflowing.

It must be understood that this is not an emergency or stop-gap measure. From next month onwards most Aucklanders will be drinking Waikato water everyday - water that Auckland doesn't need, and most Aucklanders don't want.

The Waikato River is one of the most beautiful waterways in the New Zealand. However, it is also one of the most polluted. Unlike the Auckland dams in the Waitakere Ranges, the Waikato River has a huge catchment of farms, industries and towns.

Recently the Waikato Officer of Health warned people not to swim in, row on, or even walk too close to the Waikato River because it is

so heavily polluted. Auckland's water 'wholesaler', Watercare Services, says the river water will be fully treated to ensure it reaches certain standards in capturing or treating silt, disease-causing bacteria and some chemical pollutants. However there are no requirements for the removal of hormonal contamination, for example, from drinking water.

The Greens are calling for a halt to the pipeline in light of new, groundbreaking British research that shows drinking water from British rivers is being contaminated with female hormones, mainly from the urine of women who use contraceptive pills, that change the sex of fish and may lower male fertility.

The Hamilton Sewage Plant is a major discharger into the Waikato River and because of the lack of structures in place, we have no idea of the extent of contamination.

Most of this hormonal contamination comes from treated sewage discharge to rivers.

According to the study these hormones are so 'exquisitely potent' that at one part per billion they can feminise male fish and that even at undetectable levels they can still have an impact.

The study also reports that contamination by these 'gender bending' hormones may be responsible for the sharp decline in male fertility.

Ministry of Health officials have

confirmed there are no regulations in place to control the discharge into waterways of oestrogen hormones or any requirements to remove them from drinking water. Should this concern Aucklanders who next month will begin drinking this water?

Given that there is no screening required for these hormones and that even at undetectable levels they can still have an impact there will be no guarantee to Aucklanders that there water will be free of these hormones.

Research commissioned by Environment Waikato and published by Auckland University has noted the presence of female hormones being released into the river at the Hamilton sewage plant.

PhD research also published by Auckland University has found chemicals which mimic hormones in the run-off from the Kinleith Mill pulp and paper mill. Over four per cent of fish exposed to the highest concentration of this waste matter in the river were found to contain both male and female sexual organs.

This study noted the masculinisation of female fish and the feminisation of male fish as well as clear evidence of female goldfish failing to release eggs, with massive inflammation of ovarian tissue.

Drinking water standards in New Zealand need to be reviewed.





politix



BRIAN DONNELLY

2002



## education, not treaty rights, is the key to our future

For most of this year New Zealand First has been using its small allocation of oral questions to ask Ministers one simple question: "What is meant by the principles of the Treaty of Waitangi?". Given the prevalence of this expression into legislation from Health to Local Government to Corrections, the responses have been astounding. Initially the Prime Minister claimed she was not aware of any list of such principles. Marian Hobbs claimed the Ministry of Local Government fulfilled its obligations by requiring local authorities to operate under the principles of the Treaty of Waitangi, but that it was not the responsibility of the Ministry to tell local authorities what these were. At every level, government agencies are being exhorted to operate under a set of principles which it would appear are so nebulous that ministers are unable to say what they are. This is a recipe for social and economic disaster.

It is ironic that in education, the legislation has no reference to the principles of the Treaty. Yet, in this area of endeavour there have been probably more woolly and unconstructive requirements placed on delivery agents than any other.

Few would deny that the key to the economic and social future of New Zealand lies in education and

that our country will never achieve its full potential, unless we, however commit ourselves to this proposition. It has been tragic that the mish-mashed mantra about principles of the Treaty by individual officials has been allowed to take the place of a clearly defined and multi-faceted strategy for Maori development. Standards have been sacrificed at the altar of tino rangitirota, regardless of the fact such a course of action contradicts article 3 of the Treaty.

To give an example, how would non-Maori parents react if their children were sent to school where the teachers were not fluent in English. Unfortunately many of the teachers in Maori immersion classes are struggling with the language of instruction. The administrators of the schools are not sure of what they are trying to achieve and officials are saying that all that is necessary for a good education for Maori children is to teach them te reo, waiata and kapa haka.

There is no reason why high class education can not be delivered through the Maori language and there are many kura which are doing just that. However, all the elements of a top class mainstream school must exist, including teachers fluent in the language, with skills in pedagogy across the curriculum, supported by a top rate administration.

The second fundamental flaw in education thinking is that there is some discrete entity called Maori education derived from marae-based culture. The range of aspirations of Maori parents for their children from education is as broad as that of non-Maori, and educational policy should accommodate this reality, not attempt to pigeon-hole Maori children in a preconceived way.

A recent submission to the Education and Science Select Committee argued that the leader of every hapu and whanau should have the same authority as the Governor-General to draw up and sign Orders in Council to establish their own state-funded universities. Sadly, if we view the Treaty of Waitangi as constitutional foundation of governance in New Zealand the argument is a rational one.

The signing of the Treaty of Waitangi must be recognised as the starting point of New Zealand as a nation. However as a constitutional document it is internally contradictory and deficient for comprehensive decision-making.

We do not need reference to the Treaty of Waitangi to focus upon Maori development. All we need is the belief that we must maximise the potential of all of our human resources for the benefit of our nation as a whole.





politix

United  
Future  
New Zealand

PETER DUNNE

2002



## family-friendly policies will help rebuild new zealand

United Future wants to make New Zealand the best country in the world to raise a family – again.

Whatever way you look at it, everything revolves around the family. If policies are good for the family, they will be good for the country. Yet we have lost the plot.

New Zealand today has:

- The world's second highest percentage of single parent families
- 65% of youth offenders not living with their father
- The rate of marriage decreasing 60% since 1970 with divorces doubling
- Youth suicides seven times higher than in 1968
- 34% of those who graduated as teachers in 1999 leaving the profession within 2 years
- A 225% increase in welfare spending and a 211% increase in education spending since 1970
- 321,000 children being brought up in homes where a benefit is the major income, twice the figure in 1985
- A 195% increase in child assaults since 1990 and 40% of criminal offenders in the 14 to 18 year old age bracket.

United Future's policy response is as follows: We want a Commission for the Family to promote the status of families and the leadership role of parents, to ensure that all policy de-

velopment reflects the fundamental needs of families and their children. We want better support for marriage and relationship counselling, and general parental education and help.

Because children from disadvantaged families are more likely to have poor health, difficulties with learning, leading to dysfunctional social relationships and criminal convictions we will work with the voluntary sector to help welfare recipients become self-reliant. We will provide more support to approved family budgeting services and support agencies, and increase the tax rebate for donations to charities from \$500 to \$5,000.

Our schools today deal with many social, health and learning problems in children that should have been picked up in the first 5 years. We will guarantee all children, from the age of 3, the right of access to up to 15 hours per week early childhood education, and provide more support for the Parents as First Teachers programme. We will require all schools to implement character education programmes and will provide greater support for new teachers. We will remove the means test on student allowances and cut student debt by increased funding to tertiary institutions.

We will crack down on crime by being tough on both the causes of crime and crime itself. We support

increased early intervention programmes for at risk youth and will require offenders and their families to accept full responsibility for their crimes through restorative justice. We support tough sentences for violent offenders and life meaning life for heinous and callous murderers.

Good health is a key factor in the well-being of families. We will provide increased funding for Plunket, and will support a 'best organisation for the job' approach to the provision of health services, rather the present rigid public/private split. We will promote the establishment of health clinics within family service centres, and will strongly oppose decriminalising cannabis.

All these policies are based on maintaining a strong, open, internationally competitive and innovative economy that recognises and rewards enterprise and achievement. We favour low taxes and slashing business compliance costs. We will introduce income splitting for parents for tax purposes, higher tax rebates for childcare costs, and ensure all families receive their legitimate tax entitlements.

United Future's vision for New Zealand is of a nation where liberty and freedom are cherished, cultural and ethnic differences respected, values and integrity upheld, and our rights go hand in hand with accepting our responsibilities.





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