

# Changes to the law

## about the physical punishment of children



### Supportive messages health workers can also give to parents include:

*Most parents are just like you and love their children very much.*

*Parenting can be a lot of fun but is also hard work.*

*You are your child's best role model – children learn about how to behave from the way you behave.*

*It is normal for children to test the limits in lots of ways, some of which may be challenging for parents.*

### NSW Health parenting programs promote:

- the importance of the safety, welfare and well-being of children
- positive relationships between parents and children
- positive parenting practices and skills.

### Where can health workers go for more information?

- Area Health Service Parenting Coordinators
- Early Childhood or Community Health Centres
- Area Physical Abuse and Neglect of Children (PANOC) Coordinators

### Where can health workers advise parents and carers to go for more information?

- Early Childhood Health Centres or Community Health Centres
- Local doctors
- Parentline Tel. 13 20 55
- Local parenting programs

The following websites include information about parenting:

[www.parenting.nsw.gov.au](http://www.parenting.nsw.gov.au)

[www.health.nsw.gov.au](http://www.health.nsw.gov.au)

**NSW HEALTH**  
Working as a Team

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Information for health workers  
about changes in the law regarding the  
physical punishment of children.

**NSW HEALTH**  
Working as a Team

The law regarding the physical punishment of children has changed to further limit the ways in which parents might use physical punishment. This change in the law is called the *Crimes Amendment (Child Protection – Physical Mistreatment) Act 2001*.

NSW Health promotes **positive parenting practices** which can help parents to effectively discipline their children.

Parents may approach you as a health worker with questions about physical punishment, discipline or changes to this law. The information in this brochure is to support you in your work with families.

## Questions that health workers may be asked by parents include:

### What is physical punishment?

Physical punishment means hurting a child by causing them physical pain, as a way of punishing them for ‘breaking the rules’.

### Does physical punishment improve behaviour?

The evidence is that physical punishment doesn’t lead to children behaving better. In addition, using physical punishment on a child can cause serious damage, particularly to very young children.

Physical punishment doesn’t teach children what they should do instead, so over time, children don’t learn to manage their emotions or behaviour.

### What are the appropriate ways to discipline children?

Discipline is an important part of being a parent, but it is also something that can cause parents a lot of stress.

Discipline means guiding or teaching children to be self confident, respect others and know the difference between right and wrong.

Health workers can assist parents by giving information about the range of approaches they may use to help children learn the difference between right and wrong, and to understand the consequences if they break the rules.

The age of a child will determine the most effective discipline to use. Positive parenting approaches include: setting clear ground rules, having realistic expectations (children under three years of age can be distracted with other activities), encouraging desirable behaviour, explaining logical consequences and being consistent.

### How has the physical punishment law changed?

The law now says that the use of physical force to punish a child, except where it is considered to be trivial or negligible, is not acceptable.

**Additionally, parents and carers of children must not:**

- **hit or use force to any part of a child’s face, neck or head.**
- **hit or use force on any other part of the body that could harm a child for more than a brief moment.**

This legal change was necessary because physical punishment can cause serious physical and emotional harm to children.

This law applies not only to parents, but to anyone minding or caring for children, including grandparents, aunts and uncles, babysitters, and partners.

Parents and carers who physically mistreat their children can be charged under this law.

Health workers who would like further information can contact their local Area Physical Abuse and Neglect of Children (PANOC) Coordinator.

## NSW Health promotes the following positive parenting practices

- Showing affection, interest and regard for children’s well being
- Making messages clear to children
- Noticing and commenting on good behaviour
- Suggesting a better way – *“It would be helpful if you could...”*
- Offering alternatives and choices
- Setting clear rules and limits
- Using routines
- Being realistic in expectations
- Practising with children the type of behaviour that is wanted
- Distracting children under three years of age with activities.