

SMACKING OF CHILDREN

29 May 2007

The Hon. A.L. EVANS: I seek leave to make a brief explanation before asking the Minister for Police a question about police procedures and practice relating to parents smacking their children.

The age-old practice of smacking a child as a form of parental discipline seems to be at risk in this country. The federal Liberal government recently funded a \$2.5 million campaign which warns parents not to smack their children, under the Every Child is Important program. Further, only weeks ago New Zealand banned the practice and the Australian Democrats have called for a similar ban here. My office has also received some complaints that smacking is also at risk in South Australia, with suggestions that some parents have been charged by police for smacking their children. Rex Jory, in an editorial in *The Advertiser*, has spoken of seeing a father quite properly smacking his child for running away and then being threatened by South Australia Police with an assault charge, and with welfare also being informed. Other sources deny that and say that the police are not frequently charging parents for smacking. My questions are:

1. Is there an official SA Police policy regarding smacking?
2. In what cases can South Australia Police charge a parent for smacking their child?
3. Does the minister have any figures as to how many parents SA Police have charged for smacking their children?

The Hon. P. HOLLOWAY (Minister for Police): I believe the key issue here is what the law says in relation to assault. The police, after all, are there to enforce the law and the courts are there to interpret the law. Ultimately, the policy on what is a community standard in relation to the physical disciplining of children will be determined through the courts. I know the Attorney-General has made some comments on this, and it is my understanding that he has indicated the government has no intention of following what was done in New Zealand. At the same time, obviously, the police have to ensure that children are not

abused. After all, we have had a situation in this state where in a number of quite horrific cases children have been badly physically abused by parents or other carers. Clearly, there needs to be a line between what is the disciplining of children and what becomes unacceptable practice.

I will take the rest of the question on notice in relation to what instructions are given to police, but again I make the point that it is, after all, the laws and the interpretation of the laws, even the common law, by the courts that will determine this sort of behaviour. Clearly, it would be wise for parents who are disciplining their children to exercise sensible restraint in relation to that matter.