

ParentLink guides use 'he' and 'she' in turn. Change to suit your child's sex.

**Are you confused about what is discipline and what is child abuse? Are you ever worried about hurting your child? Do you suspect that someone else may be doing harm to children? These are concerns that are felt by many parents at some time.**

**Sadly, children have been abused and mistreated throughout history and child abuse unfortunately still exists. As we understand more about human development we have learnt that what happens in our childhood has an enormous impact on our adult lives.**

**In recent years the media has given us stories of cases of child abuse and neglect. As a society we are now talking more freely about child abuse and neglect which were not really recognised or discussed in previous times. Babies, children and young people in today's society are recognised as people who have the right to be protected by caring adults.**

## What is child abuse and neglect?

Broadly speaking, child abuse and neglect is about someone harming a child or young person or not taking care of a child or young person in a manner that will be detrimental to their health, safety and wellbeing.

In the ACT the *Children and Young People Act 2008* defines a child as a person who is under 12 years old and a young person as a person who is 12 years old or older, but not yet an adult.

Child abuse and neglect can occur through someone **doing** something hurtful or by someone **not doing** something to provide for, or to protect a child.

### There are four types of child abuse

#### 1 Physical abuse

This is when a child's body is hurt or injured. This can be through punching, hitting, beating, shaking, biting, burning or any actions which result in a child's body being harmed. It can be seen in bruising, swellings, welts, burns, broken bones and in extreme cases, death.

##### *Is physical punishment child abuse?*

This is a common question without a nice neat answer. Sometimes the answer is yes. Sometimes physical punishment can go too far and crosses the line from being 'reasonable' and 'moderate' and causes a child's body to be injured (from mild bruising to death).

In the ACT the 'Common Law' allows physical punishment as long as it is 'reasonable' and 'moderate'. Over the years judges have decided what this means on each case. It is fair to say that there are different views about what is, or is not, 'reasonable' and 'moderate' physical punishment.

The fact that our society is now concerned with the problem of child abuse does not mean that parents have

suddenly taken to beating their children, but that our tolerance to child maltreatment has declined, and we are now appalled by acts to which our ancestors would have been indifferent. It is part of a growing human awareness that the human rights, dignity and integrity of every man, woman and child should be protected.

When we remind ourselves that it is against the law to hit or hurt an adult (assault—why can it be okay to do the same to a child who is smaller and vulnerable? It helps to put yourself in your child's shoes and think about what it would feel like.

A good rule of thumb is to ask yourself:

- Would I like someone to do this to me?
- Will what I'm doing really make a difference to the behaviour?
- Am I letting go of my own frustrations on my child?

#### 2 Emotional abuse

This occurs when an adult's behaviour towards a child causes the child to feel frightened, ashamed, upset, alone and have low self-worth. Such behaviours include:

- constantly criticising, teasing, belittling or 'putting down' a child
- constantly shouting and screaming at a child
- ignoring and refusing to help or accept a child
- calling a child by degrading names and shaming the child in front of others
- threatening to physically punish a child or abandon them
- exposing a child to domestic violence
- encouraging a child to engage in criminal activities
- constantly ignoring a child and refusing to show affection
- withdrawing love or threatening to do so.



**ACT**  
Government

Community Services

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## What is child abuse and neglect? *cont*

When children experience these behaviours, they feel unlovable, worthless and lack self-confidence. They are likely to have trouble forming positive relationships with other children or adults.

Emotional abuse also occurs when a child is being physically or sexually abused.

Emotional abuse also refers to situations where children or young people are exposed to domestic violence by seeing or hearing the physical, sexual or psychological abuse between parents or caregivers.

### 3 Neglect

Neglect is a failure to provide a child or young person with a necessity of life if this failure is causing significant harm to the safety, well-being or development of the child or young person. This occurs when a parent is unable or unwilling to provide for a child so that the child can develop normally.

A child can be neglected in the following ways:

- when a child does not have enough food, clothing, is not clean, does not have a place to live
- when a child is not provided with the necessary medical, dental and/or other health care—this includes not providing medication for health conditions
- when young children are left alone, not adequately supervised, or when parents fail to remove dangerous things from their environment or do not watch them closely, particularly in dangerous circumstances
- constantly ignoring a child's need for attention and how they feel or failing to spend time and listen to a child
- failing to send a child to school and/or not providing them with learning opportunities
- abandoning a child (by not organising the necessary care for them).

### 4 Sexual abuse

This involves a child in sexual activity. Sexual abuse includes sexual suggestions, exhibitionism, showing pornography, inappropriate touching in private parts of the body, masturbation, oral sex and penetration of the genital or anal areas with an object, penis or any other part of the body.

Sexual abuse can also include commercial sexual exploitation of a child which might involve enticing a child to be involved in a sexual activity or be photographed for money or other reward.

It is not uncommon for a person who sexually harms an adult partner to do the same to children in the house.

Child sexual abuse includes touching which is of a sexual nature and this should not be confused with caring touch that is essential for a child's healthy growth and development.

**Parents, especially, often say they do not mean to hurt their child whom they love and many are filled with remorse and guilt afterwards.**

## Who abuses children?

People from a wide range of groups. There is nothing about them that makes them look different from anybody else. They can be people who have easy access to children and are often in a position where they have the trust of a child. They can be parents, grandparents, defacto or step-partners, older brothers and sisters, uncles, aunts, neighbours, teachers, childcare workers, babysitters or leaders in organisations such as sporting clubs and churches.

Most people who abuse children do not see themselves as abusers or what they do as abusive. In fact, many people who abuse children wrongly argue that it was for the child's own good or that it was a helpful learning part of the child's upbringing.

## Why are children abused?

The causes of child abuse are many and varied. Here are some:

- Stress, tiredness, loneliness or feeling sick can cause parents to hurt their children. Sometimes parents find managing their own life difficult, even without the demands of being a parent. Parents may 'lash out' physically or verbally towards their children when feeling under pressure.
- Sometimes parents expect too much of their child. This can cause very caring parents to put pressure on themselves and their child to achieve things which may not be possible or necessary. For example, thinking their baby should not cry, their preschooler should not wet the bed or their 12-year-old should always keep their bedroom tidy.
- Some parents believe that physical punishment is the only way to discipline a child and the physical punishment goes too far. Parents may not know other ways to discipline and may use methods that they were brought up with.
- Sometimes, but not always, people who have been severely abused as children will grow up to abuse others who seem weak and less powerful.
- Sometimes parents misunderstand children's actions. They may think their child is trying to 'get at' or manipulate them, when the child is really trying to express a need—for example, a toddler may cry because he is in pain and needs comfort, whereas a parent who is busy may think he is doing it to get his own way or attention.
- Paedophiles (child molesters) are people who are sexually 'turned on' by children. They knowingly seek out and perform sexual acts with children or young people for their own pleasure.

In some circumstances they believe that if they are not violent or openly forceful towards the child, then they are not being abusive.

Paedophiles often believe that if the child does not resist then the child is consenting (or agreeing).

Most paedophiles know they are breaking the law.

## What are the effects of child abuse?

One of the most damaging things about child abuse is that it is usually done by a person whom the child knows and trusts.

Young children especially, who look up to and believe in the adults who are important in their lives, will often put up with all sorts of treatment. What is critical to a child's recovery is whether the child feels believed if she speaks out and whether this stops the abuse continuing.

Sometimes the abuse may be brought out into the open only to continue again—the child is then left feeling very helpless and powerless and even more distrusting of adults.

Children in homes where there is violence or a lot of fighting between adults are affected by witnessing this or just knowing that fighting or violence is happening in their home. They will feel very scared and unsafe. As well as being emotionally affected they can also be physically abused themselves or hurt as they try to protect others.

Children may be also emotionally damaged by witnessing harm or the constant belittlement of a loved parent. Some children can feel responsible for the abuse.

According to some research there are not likely to be long-term effects for a child who lives in a loving home where there is an occasional outburst or an occasional light smack. The danger here is that adults can have different views about what is 'light'. What is 'light' to an adult might not be 'light' to a child.

We do know that these things play a part:

- **Age of the child.** For example, hitting a ten-year-old may cause physical and emotional harm; shaking or hitting a baby can cause brain damage, broken bones or even death.
- **Length of abuse.** The longer children endure abuse and the earlier in their life it starts, the greater the risk to children's emotional, physical or sexual health and development.
- **Frequency of abuse.** Children who are frequently and regularly abused can grow up thinking that being abused or abusing others is normal and okay. They may become bullies in the schoolyard or use the same methods on their own children later or seek relationships with people who abuse them.
- **The personality of the child.** Everyone copes with upset and pain in different ways and children are no exception. Some children will try to cope with abuse by keeping it 'inside' or by pretending they are not being hurt. Others will be outspoken, 'act out' or take action to try to make it stop. Children in the same family can be affected differently.
- **The presence of caring adults.** Whether the abuse is minor or life-threatening, children who are abused need adults to protect them from future harm. They also need to know that the abuse is not their fault. The presence of caring adults in a child's life can help to counter the damage that is caused by child abuse.

## What does the law say?

The Objects (section 7) of the *Children and Young People Act 2008* provides for and promotes the wellbeing, care and protection of children and young people in a way that recognises their right to grow in a safe and stable environment and takes into account the responsibilities of parents, families, the community and the whole of government.

However sometimes parents, families and communities do not provide the support or protection children and young people need to remain safe and protected from harm. In these circumstances, if you believe that a child is at risk of abuse or neglect it is each and everyone's responsibility to report their concerns about a child or young person to Care and Protection Services, an agency of the Community Services Directorate.

The law provides the legal framework to make a child concern report under the following sections of the *Children and Young People Act 2008*.

### Voluntary reporting

If a person believes or suspects that a child or young person is being abused or neglected or is at risk of abuse or neglect, they may report the reasons for their belief or suspicion to Care and Protection Services.

### Mandatory reporting (who is mandated to report?)

Section 356 of the *Children and Young People Act 2008* legally requires the following professional persons to report to Care and Protection Services when they have formed a reasonable belief that a child or young person has experienced or is experiencing sexual abuse or non-accidental physical injury:

This section applies to a person who is a

- doctor, dentist, nurse, an enrolled nurse, a midwife
- teacher at a school (includes a teacher's assistant or aide who is in paid employment at the school)
- a person providing education to a child or young person who is registered, or provisionally registered, for home education under the *Education Act 2004*
- police officer
- person employed to counsel children or young people at a school
- person caring for a child at a childcare centre (included assistant or aid who is in paid employment at the childcare centre)
- person coordinating or monitoring home-based care for a family day-care scheme proprietor
- public servant who, in the course of employment as a public servant, works with, or provides services personally to, children and young people or families
- the public advocate
- the official visitor
- a person who, in the course of the person's employment, has contact with or provides services to children, young people and their families and is prescribed by regulation.

## What parents can do

- Don't let pride or shame stand in the way of protecting a child. It is never too early or too late to ask for help.
- Some parents are lucky enough to have friends or family to go to for help and advice—others don't.
- Some may be on their own or may not want to talk to friends or family. Contacting a teacher, doctor or professional who works with children may be the first step. This can be very difficult and takes courage.
- Think about what is important—protecting a child or protecting someone who is hurting a child.
- Get ideas about managing your child's behaviour from books or articles in magazines or parenting courses. There is a mountain of information out there. You may take a few ideas from a range of authors. Try out and use what feels comfortable for you and your child.
- 'Listen' to your child's behaviour as well as the words. If she is angry, upset or showing major behaviour changes or physical signs of being hurt, try to find out what is wrong. It may not be abuse—but something is going wrong in her life.
- If something your child says or does makes you believe she may be being abused, don't panic. Encourage, but don't force, your child to speak about it. Listen carefully and show you believe her even if you are shocked. Above all, let your child know that what has happened is not her fault.
- If you think you know who may be abusing your child make sure that your child is not left alone with that person. Don't confront the person without talking to an expert first.
- Many schools and preschools teach 'protective behaviours' which help children learn ways to help keep themselves safe.
- Even though the job of keeping children safe belongs to adults, 'protective behaviours' training can help children to know the early warning signs of fear and what to do.
- Talk to your child's teacher about 'protective behaviours' if it is taught at your child's school.
- You can get help and advice from the numbers below if you have a suspicion that a child may be being abused.
- Often we feel more comfortable not getting involved in someone else's problem. Stop and think that you may be the only person that could make a difference to this child's life.
- If you are finding that you have outbursts of anger against your child that you can't control it is important to get help.

## Reminders

- We show we care by the way we treat children.
- The job of keeping children safe belongs to adults.
- It is never too early or too late to ask for help.
- Make sure your child knows that you are always ready to listen and support.
- 'Listen' to your child's behaviour as well as her words.
- Don't force children to be with someone they show they are afraid of.
- You may be the only person who can help stop a child being abused.
- Treat children as people—recognise that they have needs and feelings too.

## Contacts

<b>Care and Protection</b> to report suspected abuse or neglect of children or young people in the ACT	24-hour	1300 556 729
<b>Child Abuse Prevention Services</b>	24-hour	1800 688 009
<b>Kids Help Line</b>	24-hour	1800 55 1800
<b>NSW Department of Community Services</b> to report suspected abuse or neglect of children or young people in NSW	24-hour	132 111
<b>Parentline ACT</b>	9am–9pm Monday–Friday, except public hols	6287 3833
<b>Relationships Australia</b>	9am–5pm Monday–Friday	1300 364 277

## Websites

<a href="http://www.cyh.com">www.cyh.com</a>	Parenting and child health information
<a href="http://www.dhcs.act.gov.au">www.dhcs.act.gov.au</a>	<i>Keeping Children and Young People Safe</i> booklet
<a href="http://www.kidshelp.com.au">www.kidshelp.com.au</a>	Kids helpline
<a href="http://www.parentlink.act.gov.au">www.parentlink.act.gov.au</a>	Other parenting guides
<a href="http://www.secasa.com.au">www.secasa.com.au</a>	South Eastern Centres Against Sexual Assault (SECASA) Australia Information on sexual assault, child abuse, sexual harassment and family violence for children and schools, family and friends, survivors and workers

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