

Ending family violence in Australia – challenging physical punishment of girls and boys



GLOBAL INITIATIVE TO
**End All Corporal
Punishment of Children**

Information for the Committee on the Elimination of Discrimination Against Women, 70th session, from the Global Initiative to End All Corporal Punishment of Children (www.endcorporalpunishment.org), June 2018

This briefing provides an update on Australia in light of new opportunities for law reform. In Australia, corporal punishment of children is still lawful in the home, in some alternative care and day care settings, in some schools, and in some penal institutions.

We hope the Committee on the Elimination of Discrimination Against Women will raise the issue of violent punishment of girls and boys in its examination of Australia. In particular, we hope the Committee will, in its concluding observations on the eighth state party report, recommend that Australia ensure that *no* form of violence within the domestic sphere is condoned, including by parents against their children, and that the Family Law Act 1975 is amended and all legal defences to corporal punishment are repealed to prohibit domestic violence against all family members, including the violent punishment of girls and boys, throughout the territory.

1 The review of the Family Law Act 1975

- 1.1 The Family Law Act 1975 is under comprehensive review by the Australian Law Reform Commission. The review began in October 2017 and is expected to be completed by March 2019; it will address family violence and child abuse.¹ The review was opened to submissions in March 2018.²
- 1.2 **We hope the Committee will remind the Government of Australia that *no* form of violence in the home should be condoned, including violent punishment of girls and boys. A clear and explicit prohibition of all corporal punishment, combined with the repeal of all provisions confirming the right to use “reasonable” punishment, is necessary in order to convey a clear message that violence has no place in the home.**

Updated briefing prepared by the Global Initiative to End All Corporal Punishment of Children
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¹ 9 November 2017, CCPR/C/AUS/CO/6, Concluding observations on sixth report, Advance unedited version, para. 21

² See <https://www.alrc.gov.au/news-media/family-law-system-issue1>, accessed 14 November 2017