



A **child** is a person younger than 18 years.

Queensland's defence of domestic discipline



Queensland law makes certain unacceptable behaviour **criminal**. A judge or magistrate punishes a person found guilty of a criminal charge.

For example, if someone applies force to you without your consent it can be an assault. An assault can include touching, pushing, hitting, or sometimes even a threat.

Police can charge a person who assaults another person with an **offence**.

Generally, the more harm caused to a person, the more serious the offence.

For example

If someone puts their hands on you and you aren't injured they may be charged with common assault

If they hit you and cause an injury, they may be charged with assault occasioning bodily harm

If someone cuts your skin and you bleed, they may be charged with wounding

If someone causes you an injury that will not heal without medical help they could be charged with grievous bodily harm

What does domestic discipline mean?

Where someone is charged with an offence, their behaviour may not be criminal if they have a **defence**. You have probably heard of some defences, like self-defence.

Another defence is called '**domestic discipline**'.

Parents, persons in their place (like step-parents or foster carers), **or schoolteachers** may use the defence of domestic discipline if they use force **to correct, discipline, manage or control a child** in their care.

But the force must be **reasonable**, considering all the circumstances such as the age of the child and the type of force used.

The defence means that the behaviour of teachers who touch their students to control them won't be criminal if it was reasonable.

The defence may also mean that the behaviour of parents who physically discipline children, such as by smacking them, won't be criminal if it was reasonable.

Where a teacher or parent's behaviour is not criminal they may still face consequences.

For example



- a teacher who physically punishes a student could lose their job or be otherwise disciplined, such as by having their teaching registration cancelled

- Child Safety may become involved and sometimes a child may be ordered to live with someone else if a parent has harmed them.

