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10/19/58

RCCB V2 p466

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DEPARTMENT OF TERRITORIES.

DMcC/TEH

58/998

CORPORAL PUNISHMENT IN INSTITUTIONS DECLARED UNDER THE WELFARE ORDINANCE AND CHILD WELFARE ORDINANCE - NORTHERN TERRITORY.

In accordance with your minute at folio 38, the matter of corporal punishment in institutions in the Northern Territory has been reconsidered by the Administrator (folios 44/46).

2. The Administrator advocates corporal punishment, strictly defined and controlled, for children in institutions under the age of 12 years (girls) and under 14 years (boys), for offences against morality, gross impertinence, and wilful and persistent disobedience.

3. This matter has been very closely considered within the Department and has been the subject of long and close examination and exhaustive discussion. Among officers in the Department who have had considerable experience with native people very positive and indeed apparently irreconcilable differences of opinion have developed (officers of the native affairs branch, for example, holding strongly that, under no circumstances, should corporal punishment be permitted in institutions providing for the care of native children - as distinct from schools; please see draft submission at folios 54/52 below).

4. Nevertheless I feel that, despite that great wisdom and patience may develop in those charged with the care of the young (whether native or non native), instances will occur which can only be met by the infliction of corporal punishment. It is true that, in general, corporal punishment is undesirable, and degrading not only to those upon whom it is inflicted, but also upon those who inflict it - but I feel that, in proper cases it can produce a result which is capable of being produced in no other way.

5. The difficulties are exemplified by the differences in approach to this problem by, for example, the New South Wales Child Welfare authorities on the one hand and the Victorian Welfare authorities on the other: in New South Wales corporal punishment may be inflicted under certain circumstances; in Victoria it is forbidden.

6. The Administrator has obviously given very close thought indeed to this problem and it is recommended that his recommendations for the infliction of corporal punishment, under strict control, be approved.

Approved.
The statements in paragraph 4, (the second sentence especially) are close to my own views and the Administrator should be informed.
THE MINISTER.
That, in giving approval, my view is that in general corporal punishment is undesirable; it is to be regarded only as a last resort. DM 10/9/58

[Signature]
(D. McCarthy)
ASST. SEC. (S&GS)
10/9/58
[Signature]
Mr May, Admin to
Adm Sec 7/9/58