

The Physical Chastisement of a child is an Assault and a Criminal Offence.



Reasonable Chastisement

Following the enactment of section 58 of the Children Act 2004, a parent or guardian including teachers/baby sitters etc. no longer have the legal right to inflict moderate and reasonable physical punishment on his or her children (reasonable chastisement).

Police Do Not want to criminalise parents and families but we do want them to make informed decisions when it comes to the discipline of their children.

Police deal with every report on a case by case basis and utilise the Crown Prosecution Service where required for charging decisions.

What the Police Do

The Child Abuse Investigation Team investigate offences committed against children. Children are defined within the Children Act as a person under the age of 18 years.

The offences can be physical (including stress positions), sexual or of a cruelty/neglectful nature.

The Police work closely with colleagues in Social Care and Local schools to ensure that the Children of Essex are safe and protected from harm.

If a decision is made that police take action then there are various options available including:-

- Children spoken to at school – this will be conducted without the parents being informed.
- Home visit to the family with social care.
- Interviews with parents/guardians and children.
- Criminal Investigation/s.
- In matters of High/ Immediate risk, temporarily remove children to an alternative address.

Police could also utilise protection powers under (Section 46 (1) Children Act 1989) and remove the children to a safe place until such significant risk is removed or the child is placed into the care of the Court system.

Safeguarding of other children at the address would also be risk assessed.

The Police always prefer to keep children with their parents/guardians and to help educate the families in regards to discipline rather than prosecuting.

There are many charities and organisations that give advice on disciplining of children.