

# Story: Childhood

New Zealand has always been seen as a great place for children, although the days when they roamed far from home to play in forests or on beaches with no supervision are largely over – more controversially, so are the days when parents were free to beat their children as punishment for bad behaviour.

*Story by Kerry Pollock*

Main image: Children playing bullrush

## Story summary

New Zealand has often been called a good place to bring up children, because of its outdoor lifestyle and clean environment.

## School and play

In the 19th century many children roamed the countryside without supervision. But children were also often expected to work. By the 21st century it was not considered safe for children to stray away from home to play. Some parents also considered activities like climbing trees dangerous.

Until the 1950s many children made their own toys. Later, shop-bought toys were common.

School first became compulsory in 1877. Truancy officers were paid to find children who did not turn up at school.

At school girls and boys often played in separate playgrounds. There were crazes for games like hopscotch, skipping, marbles and bullrush.

Developments in communication technology – telephones, and later text messaging and internet chat-rooms – enabled children to keep in touch more frequently outside school hours. Mobile phones could be misused for bullying.

## Sport

Children played sports at school, and games like rugby, cricket and netball became popular with children in the 20th century. In the 21st century children had a wide range of activities to choose from, and fewer children played sport.

## Youth groups

Up till the mid-20th century many children attended Sunday school. Churches also ran youth groups for older children.

Children belonged to groups like the Boy Scouts, Girl Guides, Boys' Brigade and Girls' Brigade and learnt things like bushcraft.

## Children's work

In the 19th century many children worked to help support their family. Children did chores before and after school. Farm children collected eggs or helped feed animals. Laws were changed to prevent children being employed to do dangerous work but they often did gardening, paid babysitting, or paper delivery rounds, and sometimes worked in shops after school. In the 21st century children could not do dangerous work till they were over 15. Once they were 16 they had to be paid the minimum adult wage after working for a probationary period.

## Children and discipline

In the 19th and 20th century children could be smacked by teachers as well as parents. From 1987 schools could no longer punish children physically.

Parents who were taken to court for harming their children could say they were using 'reasonable force' to discipline their child as part of their defence. In 2007 the law was changed, and they could no longer do this. Some people opposed this change, but a review of the legislation found that it was working well. In the 2010s most parents used positive methods of discipline like praise for good behaviour and time out or withdrawal of privileges and treats when children misbehaved.

## Children and crime

Until 1906 children who committed crimes were charged in open courts alongside adults. After this children's trials were in closed courts. In 1925 a separate children's court was set up.

Until 1961 children could be charged with murder if they were over the age of seven. After that the age was raised to 10 years. Those aged 12 and over can be held criminally responsible for other serious crimes.

Children who have committed their first crime are often not taken to court. Minor offences are dealt with by community police who issue warnings and set up action plans that include paying for damage, community work, writing letters of apology, counselling or attendance at courses.

Serious crimes by young people (those aged 14 to 17) leads to appearances in the Youth Court – a division of the District Court which is not open to the public. Charges of murder or manslaughter may be heard in the Youth Court and then transferred to the High Court.

12/12/23, 4:13 PM

Childhood – Te Ara Encyclopedia of New Zealand

Kerryn Pollock, 'Childhood', Te Ara - the Encyclopedia of New Zealand,  
<http://www.TeAra.govt.nz/en/childhood> (accessed 12 December 2023)  
Story by Kerryn Pollock, published 5 May 2011, reviewed & revised 12 Dec 2018

---

Story: Childhood

---

## Page 1. Defining childhood

New Zealand has often been described as an ideal place to bring up children. The outdoor lifestyle, clean natural environment and suburban living on spacious sections were reasons regularly cited. Some children's novels, and autobiographies that reminisced about childhood, supported this view. Children's experiences are influenced by family dynamics and composition, and socio-economic status. Children can be faced with adult-like responsibilities at an early age. Māori children can have different experiences from **Pākehā** children.

### Childhood and the law

In New Zealand childhood is defined in a formal sense by legislation. In the late 20th century international children's rights conventions were influential.

#### Early puberty

---

In the early 21st century girls in New Zealand reached puberty between 9 and 14 years old, and boys between 11 and 16 – earlier than their parents or grandparents. Scientists had various theories to explain this change: increasing height and weight caused by different diets, television-watching causing hormonal imbalances and the challenges of negotiating different family structures. Earlier puberty meant that children often had to deal with feelings, emotions and physical changes before they were ready for these challenges.

Most laws did not specifically define childhood, but by providing particular ages at which laws affected people they set up a distinction between childhood and adulthood. An exception was the Age of Majority Act 1970, which states, 'For all the purposes of the law of New Zealand a person shall attain full age on attaining the age of 20.' This meant that people were legally children (or minors) until 20, though other laws which contained different age restrictions or allowances were not affected.

The age at which someone was considered a child in law has varied over time. Until 1961 a child could be criminally responsible for most crimes, an adult responsibility. From 1961 children 10 and over could be charged with murder and children 12 and over were treated as criminally responsible for other offences. Children aged 14 to 16 were defined as 'young persons' if charged with a serious offence. The upper limit was extended to 17 in July 2019.

From 1877 children had to attend school from seven until their early teens. In the early 21st century schooling is compulsory from age six to 16, but most children start on, or shortly after, their fifth birthday and remain at school until they are 17 or 18.

### Legal ages

In the early 21st century laws affecting children varied widely. Various responsibilities and culpabilities were applied at different ages:

- 5 to 19 – free education in state schools for New Zealand citizens or permanent residents
- 6 to 16 – compulsory schooling
- 10 – could be prosecuted for murder or manslaughter
- 14 – could be prosecuted for any criminal offence, could be left alone without an adult present, and could take care of younger children
- 15 – could gain a driver's licence
- 16 – could leave school and home, get married or enter a civil union, legally consent to sex, and work full-time for the minimum adult wage after a period of probation
- 18 – were legally independent of parents, could work for the minimum wage immediately, vote and stand in local and general elections, buy and use alcohol and cigarettes, enter contracts and open everyday/cheque and credit accounts
- 20 – were legally classed as adults under the Age of Majority Act 1970.

## Everyday life

Events and changes in everyday life marked the transition from child to young adult. Most people still saw younger teenagers as children, but by this time they were expected to act with some independence and personal responsibility. Another marker was the movement from primary or intermediate school to secondary school, which usually occurred at the age of 12 or 13.

---

### How to cite this page:

Kerryn Pollock, 'Childhood - Defining childhood', Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/childhood/page-1> (accessed 12 December 2023)  
Story by Kerryn Pollock, published 5 May 2011, reviewed & revised 12 Dec 2018

---

Story: Childhood

---

## Page 2. Play and recreation

### Free play

Free play with little or no adult supervision was a common experience for children in the 19th and much of the 20th centuries. Families were large, so children had ready-made playmates. It was not practical for parents to oversee children constantly. A settler culture of self-reliance expected children to make and supervise their own fun.

Household chores, school and, for some, work commitments restricted leisure time. But the outdoors – places like native bush, waterways, farmland and later urban streets – provided children with good opportunities for play. Climbing trees, making huts, fishing and rafting were popular activities. Reading and board games were common indoor pastimes – reading in particular took children away from the adult world and books for children were increasingly published in the 20th century.

Natural environments often concealed children's activities from older people, but those who had to play in busy urban streets more frequently met with adult disapproval. Boisterous, noisy play could be interpreted as 'larrikinism' (anti-social behaviour). From the early 20th century urban children exchanged central city streets for suburban ones as many families moved to the outskirts of towns and lived in homes with quarter acre sections.

### Subtle surveillance

---

Natural environments did not always free children from parental attention. In his 1993 memoir, New Zealand historian Keith Sinclair recalled his 1930s Auckland childhood playing in the harbour and up trees with a friend called Dawn. The youthful Sinclair thought their activities (which involved pulling one another's pants down) were concealed. Years later his sister told him their mother would say 'Get one of the kids and go down to the back beach with Keith'<sup>1</sup> which

### Organised play

Children's play became more regulated in the late 19th century, as recreation generally was more organised. Some people also thought that unsupervised play could lead to delinquency. When school became compulsory in 1877 playtime was largely unsupervised, but it was later overseen by teachers. Most early schools had segregated boys' and girls' playgrounds. Physical education classes, sport and later military drills also controlled play activity at school.

Outside school, children's picnics with organised games were common from the late 19th century. Municipal playgrounds with slides and swings were established in most towns in the early 20th century. Quieter pursuits like scrapbooking, stamp and postcard collecting, and swapping items were popular. These had a commercial element to them – some items usually had to be bought.

12/12/23, 4:15 PM

Play and recreation – Te Ara Encyclopedia of New Zealand

implied she had an idea of what they were up to.

In the mid-20th century cinemas were a weekly source of entertainment for children. Children's radio and later television shows were also popular.

Organised play supervised by adults did not mean that free play disappeared. The walk to and from school with siblings and friends was a time of freedom, and children continued to play away from adults (usually outside) in their spare time throughout the 20th century. The bush and beach remained popular recreational spots. Bicycles made children more mobile and enabled them to travel further from their home turf.

## Sheltered children

In the late 20th century it became less common for children to roam outdoors alone or with friends. Busy roads and concerns about 'stranger danger' made parents feel uncomfortable letting their children play outside the home without supervision. Computer games and television kept some children indoors. But children were not necessarily lazier. They had more recreation options than in the past.

Vigorous activities with some element of risk like climbing trees became less common in schools and childcare centres in light of government-initiated health and safety policies. In the 21st century some parents and teachers reacted against this and allowed children to take more risks when playing.

## Toys, games and rhymes

In the 19th and much of the 20th centuries most toys were home-made by children. Only children from prosperous families had bought toys. Cheap commercial toys were more common from the 1890s, though children continued to make their own.

## Toilet humour

Children's chants and rhymes were often based on very old songs which had travelled to New Zealand with British settlers. Others had more local origins. They were usually nonsense rhymes, and often scatological. One based on the national anthem 'God defend New Zealand' was a good example: 'God of nations / Smell my feet / Sitting on the toilet seat / May your stinkies smell afar / God defend our noses.'<sup>2</sup>

Racing trolleys made from scavenged items were popular. Most boys had pocket knives and used them to make bows, pea-shooters and shanghais (catapults). Girls sometimes joined in, but also made their own toys, like dolls from clothespegs and paper. Schoolyard crazes included marbles, knucklebones, jacks, conkers, skipping ropes and hopscotch grids. Comics were eagerly read and swapped with friends. Mass-produced toys like hula hoops, Barbie dolls and Lego sets were popular from the 1950s. Toys based on television programmes and movies were common in the 21st century.

Left to their own devices, children initiated a range of games which often involved running and chasing, like tag and bullrush. Games such as cowboys and Indians were derived from American films popular in the mid-20th century.

Chants and rhymes were sometimes incorporated into games. The rhyme ‘Pōkarekare ana / I had a squashed banana’ (based on a Māori love song) was a common playground refrain still heard in the 21st century

## Digital games

From the 1990s children started to play games on video consoles and home computers. The most famous early video game was Pac-Man, a 1980s maze chase arcade game increasingly available on a range of platforms. The number and range of video games designed for children and teenagers increased in the late 20th and early 21st centuries as more children had access to home computers, laptops and eventually tablets and cell phones. In the 21st century teenagers were referred to as ‘digital natives’ or ‘iGen’ since they had grown up with smartphones, game consoles and other digital communication devices.

By the 2010s preschool children were watching cartoons on smart phones and tablets and also playing games which rewarded them for recognising shapes, numbers and letters. Older children often watched TV series, movies, chat shows or music videos on electronic devices. Entertainment that children had previously watched at home with adults was now often viewed individually as family members chose their own movies, TV shows or music videos for consumption on their own devices.

Parents started to limit children’s screen time and also install programmes on laptops or home computers that blocked or restricted access to certain online content. New rules have emerged such as no screens during meals and no devices in children’s bedrooms.

While some children still enjoyed playing board games with their friends and with adults, many of children became absorbed by digital games that involved virtual worlds in which the people playing with them were located all over the world. Some of these games involved creating cities, communities with their own cultures and histories and sometimes imagined physical structures. Other games focused on responding to physical challenges or conflicts between imagined communities. Boys are more likely to be involved in playing video games and more likely to make or sustain friendships through playing these games.

---

### Footnotes:

1. Keith Sinclair, *Halfway round the harbour*. Auckland: Penguin Books, 1993, p. 21.
2. Quoted in David McGill, *I had a squashed banana: kiwi kids’ chants and rhymes*. Auckland: Reed Children’s Books, 1997, p. 9.

---

### How to cite this page:

Kerryn Pollock, 'Childhood - Play and recreation', Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/childhood/page-2> (accessed 12 December 2023)





Story: Childhood

---

## Page 3. Friendship, sport and youth groups

### Friends and peer groups

Developing friendships is a critical activity for children. Communal spaces like churches, town centres, schools and early-childhood centres brought children together. Children living in isolated districts often had to rely on siblings and animals for companionship.

Children's friendships were shaped by their peer groupings at school, so attending single-sex schools could limit their choice of friends.

### Digital communication

Communication with friends became increasingly dependent on the use of cell phones and other digital devices in the late 20th and early 21st centuries. Teenagers frequently acquired their own cell phones and sent one another cheap or free text messages and accessed social media platforms like Instagram, Snapchat and YouTube. Older teens were more likely to use Facebook, Messenger and Tumblr. For some young people it was very important to know that others were reading and commenting on what they communicated or shared digitally.

Digital communication enabled older children to communicate with their friends even when they were not physically present, but the stresses of managing these forms of communication became an increasing emotional risk for young people. A survey of New Zealand teens found that 70% had experienced at least one form of unwanted digital communication in the last year – including being contacted by a stranger, accidentally accessing inappropriate content, being called names or being excluded from an online social group. Girls aged 14 to 17 were more likely to have these experiences than boys.

Bullying and stalking using digital devices generate concern, but also prompt young people to develop strategies to avoid the negative aspects of digital communication. Most teenagers in a recent survey rated their knowledge of digital safety as high.

### Cultural difference

---

Most children liked to blend in with their peers. Immigrant children were one group who sometimes found this difficult, because their family lives and practices were so different to their Kiwi counterparts'.

### Organised sport

Organised sport for children started in schools. It was intended to improve the health of children and instill values like leadership, competitiveness and teamwork.

Games like rugby and cricket were played in most schools from the early 1900s. Early sports were mostly for boys. Girls' outdoor basketball was widely played from about

Lucie, who immigrated to New Zealand with her parents from Bratislava in 1940, aged eight, would pretend that cottage cheese (then an exotic food) was custard, called Wiener schnitzel ‘crumbed cutlet’<sup>1</sup> and forced her mother to make scones and pikelets when she had friends over.

recreational options than in the past.

## Skinned shins

Shinty was an early form of hockey played by children (mainly boys) in the 19th century before organised school sports became the norm. It was not a game for the faint-hearted: sticks of any size and shape were permitted, swings in any direction allowed and injuries expected. Referees were unheard of. An ex-player described it as a craze. ‘In the heat of willing contests, someone would suffer serious damage and Shinty would be proscribed. Few indeed escaped without hard knocks and losses of skin. But under the pressure of eager spirits the embargo would relax until another casualty imposed the ban.’<sup>2</sup>

physical activity, bushcraft, leadership and friendship.

Both organisations grew rapidly after the Second World War but declined later in the century as children’s recreation diversified and parents had less time to volunteer. At its height in the mid-1970s Scouts had over 53,000 members. In 2017 it had around 15,500 youth members – including Keas, Cubs, Scouts, Venturers and Rovers.

1910. The popular game netball evolved from basketball. From the First World War organised sport was an established element in the New Zealand school curriculum. Many children also played sport outside school – rugby clubs, which classified boys by age and weight, were popular.

In the early 21st century children had a wide range of sports to choose from. New sports like surfing and skateboarding often combined recreation and competition. At the same time, children were less likely to play sport because they had more active and sedentary

## Youth groups

Early organised youth groups were usually religious. The Young Men’s Christian Association (YMCA, from 1855) and the Boys’ Brigade (from 1886) gathered children and teenagers together for religious instruction and physical activity – at first just boys, but later girls too, in separate groups.

Many children attended their local church’s Sunday school and Bible class, for social and educational as much as religious purposes. Attendance was high at first – between 1896 and 1911, 67% of New Zealand children were enrolled at a Sunday school. By the 1960s the rate had dropped to 40%, and it continued to decline. Churches also ran denominational youth groups which held activities and socials for older children.

The most significant youth groups were Boy Scouts (from 1908) and Girl Guides (started in 1908 as the Peace Scouts). Both had separate divisions – cubs and brownies – for younger children. The original aim was to prepare children to defend their countries at war. Girl Guides also taught domestic skills like making beds. Over time this was replaced by an emphasis on life skills through

**Footnotes:**

1. Quoted in Ann Beaglehole, *Facing the past: looking back at refugee childhood in New Zealand 1940s–1960s*. Wellington: Allen & Unwin, 1990, p. 36.
  2. Quoted in Brian Sutton-Smith, *A history of children's play: New Zealand, 1840–1950*. Philadelphia: University of Pennsylvania Press, 1981, p. 58.
- 

**How to cite this page:**

Kerryn Pollock, 'Childhood - Friendship, sport and youth groups', Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/childhood/page-3> (accessed 12 December 2023)  
Story by Kerryn Pollock, published 5 May 2011, reviewed & revised 12 Dec 2018

---

Story: Childhood

## Page 4. Family, school and work responsibilities

### Family chores

Collecting hens' eggs, fetching the mail and feeding animals were common rural chores. Rural children were also important contributors to the family economy during seasonal activities like shearing and haymaking. Urban children mowed lawns, put the rubbish out and washed dishes. Some received pocket money for these tasks.

Children also looked after younger family members. In the 19th century when families were large, older children (usually girls) acted as surrogate parents to a succession of younger siblings, especially if one or both parents had to leave the house to work. This practice continued into the 20th century when families became smaller, but it was less common in later decades.

### Family ties

For many children family was the anchor of their lives, drawing them back into the fold at the end of the day. This sense of family was captured in a memoir by writer Maurice Gee: 'Childhood was weaving between two places, home, outside. I see myself on the creek, in the abandoned orchard, in the culvert under the road, in the pine trees spying on the nuns; and then I see myself at home in the kitchen, warming my feet on the oven door while Dad reads the paper at the table and Mum stirs the stew with a wooden spoon.'<sup>1</sup>

For some children this was an accepted part of family life, but others resented the burden, especially if left with the baby while other siblings played outside. By the late 20th century if a child under 14 (the legal minimum age for babysitters) was found looking after younger children community disapproval was widespread.

Children from immigrant families had particular responsibilities. They often acted as intermediaries between their families and the outside world, especially if older generations had limited or no English.

### School

Before the Education Act 1877, which made school attendance compulsory for children from seven to 13, many children did not attend school. Those who did either came from well-off families (who could afford fees) or lived near schools run by religious organisations or provincial governments. Some Sunday schools taught children to read and write. Urban children had better access to schools than rural families. Even after 1877

school attendance was not universal – it took a few decades for this to happen. Family and work commitments often kept children out of school.

The age at which children had to attend school progressively extended from seven to 13, to 14 (1901), 15 (1944), from six (1964) and to 16 (1989). Attendance was required half the time schools

## Picnic truants

On 10 February 1905 the logbook for Horoeka School in the Tararua district recorded '[o]nly fourteen children present today owing to a large number of them going to the Pukehinau School Picnic.'<sup>2</sup> Five years later teachers were resigned to the annual absence: 'School closed on account of Pukehinau picnic as there would be no attendance.'

## Language barriers

Children from minority immigrant cultures often found navigating the different worlds of home and school challenging. Jean Gee, a New Zealand Chinese girl who was born in Blenheim, did not understand English when she started school in 1944 because it was not spoken at home. Her first day was 'traumatic. I still remember standing alone, shy and feeling afraid, staring out through the glass panes of the classroom door. There were no other "foreigners" in school and few Maori.'<sup>3</sup>

and relatives was common. In the 21st century there was no minimum age of employment, though children under 15 could not do hazardous work. There was no minimum wage for children under 16.

were open. Subsequent laws required progressively more until children were expected to attend five days a week during term time. Though six remained the legal age at which children had to attend school, most started at five.

## Truancy

Children who did not attend school for unjustified reasons were labelled truants. Truancy officers were paid to find them. Truancy was a common but relatively minor problem from the early 20th century. Primary school children were less likely to be truants than intermediate and secondary school students.

## Work

In the 19th century many children were in paid employment. This was an essential source of income for their families. Rural children were unpaid labour on family farms. They sometimes worked on other farms or in domestic service for money. Urban children had a wider range of employment opportunities, and worked in private homes, factories or shops. Some ran messages, shined shoes or sold newspapers.

From 1875 children had to be over 10 (12 from 1877) to work in factories, and could not do night shifts if under 14. Compulsory schooling from 1877 reduced the pool of workers, though rural children continued to do farm work before and after school. Children's agricultural work was not restricted until 1936, and this restriction did not apply to family farms.

Part-time work like newspaper and milk deliveries became common in the 20th century, mainly for boys. Children also worked informally to earn money for themselves. Mowing lawns and weeding for neighbours

### Footnotes:

1. Michael Gifkins, ed., *Through the looking glass: recollections of childhood from 20 prominent New Zealanders*. Auckland: Century Hutchinson, 1988, p. 83.

- 
2. Quoted in Brian Sutton-Smith, *A history of children's play: New Zealand, 1840–1950*. Philadelphia: University of Pennsylvania Press, 1981, p. 166.
  3. Jean Gee, 'A Chinese childhood in Blenheim', *North & South*, February 1998, p. 26.
- 

**How to cite this page:**

Kerryn Pollock, 'Childhood - Family, school and work responsibilities', Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/childhood/page-4> (accessed 12 December 2023)  
Story by Kerryn Pollock, published 5 May 2011, reviewed & revised 12 Dec 2018

---

Story: Childhood

---

## Page 5. Child discipline and justice

### Discipline in families

Physical punishment was a common way of disciplining children in New Zealand. Children were rarely hit in traditional Māori society, but once British settlements were established in the mid-19th century, physical discipline became common across all communities. In the 1890s groups campaigned against child cruelty, but few people argued that parents should not use physical discipline.

The right of parents to physically discipline their children to correct behaviour was first formalised in law by the Criminal Code Act 1893. Subsequent acts confirming this right culminated in section 59 of the Crimes Act 1961, which allowed parents to use reasonable force to correct a child's behaviour. In child abuse cases, juries had to decide what reasonable force meant.

### Changing approach to discipline

From the 1970s other forms of discipline like 'time out' in a quiet place away from the source of conflict, reasoning, and praise for good behaviour gained greater currency, although smacking remained common. Concerns about children's rights and high levels of child abuse and injury in New Zealand slowly led to the amendment of section 59 of the Crimes Act in 2007. The defence of reasonable force to correct children's behaviour could not be used in court. Parents could still use force in certain circumstances.

#### Yes or no

---

When a citizens-initiated referendum asked voters in 2009 'should a smack as part of good parental correction be a criminal offence in New Zealand?', 87.4% of respondents said no and 11.98% said yes. Critics said the wording of the referendum did not accurately describe the amended law.

Supporters said Parliament should reinstate the old law. Prime Minister

The change was highly controversial. Opponents said parents had a right to smack their children and that physical discipline was not child abuse. They were concerned a ban would lead to good parents being criminalised. However in 2009 the New Zealand police reported that the law change had a minimal impact on their activities, while a review ordered by the government found the new law worked well. A study published the same year showed that most parents used positive disciplinary methods like praise and distraction, with time out and withdrawal of privileges where necessary. Smacking and shouting were used much less frequently.

### Discipline in schools



John Key said the amended law would remain in place.

Physical discipline was as common in schools as it was in families. Laws gave teachers the same right as parents to physically discipline children to correct behaviour. In schools this method was referred to by its formal title, corporal punishment. Children called it ‘the cuts’ – an apt description of blows administered by a leather strap or wooden cane.

## Student rebellion

Children resented being physically punished by teachers and sometimes retaliated. An ex-student remembered a riot that broke out in a Christchurch school in 1906. The teacher regularly beat children who did not perform well during spelling tests – it was too much on that particular day: ‘It began with the morning whacking for spelling. The headmaster was pelted with inkwells and slates and then rushed and “downed”.’<sup>1</sup>

Children were hit for lateness, daydreaming and poor academic performance, as well as bad or challenging behaviour. Boys were more likely to be hit than girls. From the 1950s some parents and teachers argued that corporal punishment should be banned in schools, and it became a hot topic between the 1960s and 1980s. The minister of education abolished corporal punishment in 1987, though it was not legislated against until 1990.

Teachers also used other disciplinary methods like detention, litter duty and referral to more senior staff. Some schools banned corporal punishment long before it was legally abolished.

## Criminal justice

In the 19th century neglected, poor and delinquent children were sent to industrial schools where they were educated and trained in vocational skills. A combination of teaching and punishment was supposed to mould children into useful citizens. In 1900 separate reformatories were opened to accommodate delinquents.

Until 1906 children charged with criminal offences were tried in open courts alongside adults. After this magistrates could hear child cases (16 years and under) in closed courts. Children could be warned or put on probation rather than convicted. Industrial schools and reformatories were progressively closed or reorganised. A separate children’s court was established in 1925. Underlying these developments was a change in emphasis from punishment to rehabilitation.

In 1961 the age of criminal responsibility was raised from 7 to 10. From 1974 children under 14 could not appear in court unless charged with murder or manslaughter. A separate court was established for ‘young people’ aged 14 to 16. The Children, Young Persons, and Their Families Act 1989 introduced family group conferences for young offenders (including children between 10 and 14) and emphasised diversion rather than criminal conviction for first or minor offences. This could include paying for damage, community work, writing letters of apology, counselling or attendance at courses. Oranga Tamariki – Ministry for Children works with families and young offenders through family group conferences to encourage young people to recognise the effects their actions have on others and to make amends.

Serious crime by ‘young persons’ aged 14 to 17 leads to appearances in the Youth Court – a division of the District Court that is not open to the public. Charges of murder or manslaughter may be heard in the Youth Court and then transferred to the High Court.

---

**Footnotes:**

1. Quoted in Brian Sutton-Smith, *A history of children's play: New Zealand, 1840–1950*. Philadelphia: University of Pennsylvania Press, 1981, p. 35.
- 

**How to cite this page:**

Kerryn Pollock, 'Childhood - Child discipline and justice', Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/childhood/page-5> (accessed 12 December 2023)  
Story by Kerryn Pollock, published 5 May 2011, reviewed & revised 12 Dec 2018

---

Story: Childhood

---

## Page 6. Children's rights and well-being

### Protection rights

In the early 19th century children had no special rights in law or wider society. They were not distinguished from adults. This changed later in the century as childhood became recognised as a separate stage of life. Children were seen as vulnerable and in need of protection. This was not understood in terms of 'rights' (this concept arose later), but underlying it was a belief that children had a right to protection.

This attitude was reflected in social organisations like the New Zealand Society for the Protection of Women and Children (established in Auckland in 1893). New laws aimed to protect children from neglect and abuse, restricted their ability to work outside the home and provided for compulsory free education. Law changes signalled a limited willingness by the state to intervene in the lives of private families for the benefit of individual children.

### Welfare rights

In the 20th century the development of a comprehensive social-welfare system extended the state's protection of children's rights. These rights were cast as a welfare issue. The Education Department was responsible for child welfare until the Children and Young Persons' Service in the Department of Social Welfare was established in 1972. Prior to this the Child Welfare Branch of the Education Department (1925–72) was responsible for deprived and delinquent children. Outside government, the Plunket Society was the most prominent child health and welfare agency.

Later in the century, government legislation dealing with children gave their welfare paramount status above all other considerations, including parents' rights. Early examples were the Guardianship Act 1968 and the Children and Young Persons Act 1974. In parental divorce and separation cases child welfare was critical. Children could have their own independent legal representation. The Status of Children Act 1969 made all children equal in the eyes of the law regardless of their parents' marital status or their country of birth.

### Unwanted idealism

---

Trade unionist Edward Hunter (1885–1959) founded a group called the Rights of Childhood League in 1919. It brought together unionists and educationalists to lobby for improvements in child welfare. A booklet called *Rights of childhood* was published the same year. The League did not last very long – in 1922 *New Zealand Truth* newspaper wrote: 'Some time ago a dreamy idealist founded a Rights of Childhood League, having some ambition more worthy of a human soul than a thousand a year and a motor car. This League fell to pieces and the Practical Man said "I told you so"!'.<sup>1</sup>

## Child welfare agencies

From the 1970s there was increased attention to children at risk of neglect or abuse and the development of legislation and state agencies directed at child protection. There was a major focus on keeping children with their families of origin, which was incorporated into the Children, Young Persons, and Their Families Act 1989. Difficulties in implementing this principle when children were at risk of abuse was recognised in the Care of Children Act 2004, which clearly stated the need to ensure the safety of children when decisions were being made about their care.

In 1999 the Department of Child, Youth and Family Services (CYFS) replaced the Children, Young Persons and Their Families Agency as the government agency responsible for child protection and children who broke the law or were at risk of offending. CYFS collaborated with police, the courts and other social welfare organisations. Its social workers had a heavy case load and the agency became increasingly subject to criticism in the early 21st century, particularly when children at risk died in the care of family members or those close to them. Reviews suggested that the agency was not responding to increasing and complex needs, and not providing enough support for children in care or young people leaving care. The need for better responses to cultural differences and improved coordination among state agencies were also identified.

The Ministry for Vulnerable Children (Oranga Tamariki) replaced CYFS in April 2017 after an expert group produced a critical review of child welfare services in December 2015. This agency became Oranga Tamariki – Ministry for Children on 31 October 2017. The focus for this agency is early intervention in families that are struggling to meet the needs of their children. Attempts are made to keep children with families and [whānau](#), but social workers will intervene if child abuse or neglect occurs.

## Child poverty and well-being

Children's well-being has been identified as strongly related to the financial circumstances of the households in which they grow up. Groups such as the Child Poverty Action Group have campaigned for increased attention to the impacts on children of poverty and the need to monitor levels of poverty among children. They have estimated that 14% of children in New Zealand are living in material hardship and 8% in severe material hardship. The Child Poverty Monitor has been documenting material hardship in households that include children. The impacts of child poverty include higher levels of infant deaths, higher rates of respiratory and communicable diseases, higher rates of hospitalisation, lower housing quality and lower rates of educational attainment.

The Child Poverty Reduction Act 2018 made governments responsible for meeting targets to reduce child poverty and address child well-being. The legislation received cross-party support.

## International rights

During the 20th century recognition that children could have specific rights grew. This happened within an international context. Documents outlining children's rights were endorsed by the League of Nations in 1924 and ratified by the United Nations (UN) in 1959. New Zealand

belonged to both these organisations. In 1989 the UN adopted a more comprehensive document called the Convention on the Rights of the Child (UNCROC), which was ratified by New Zealand in 1993. It applied from birth to 18 years. UNCROC was not embodied in law but was referred to by many government and non-government agencies.

## Acknowledging children

1979 was the International Year of the Child. It was a UN initiative and marked the 20th anniversary of the Declaration of the Rights of the Child. The intention behind the year was to encourage countries to review their approach to children and commit to programmes designed to enhance their well-being. A UN working party was set up to write the convention UNCROC, which was adopted in 1989 after 10 years of consultation and drafting. New Zealand has had an annual Children's Day since 2000.

## Child liberation and participation

From the 1970s there was a new focus on children's liberty and participation rights. Supporters of children's rights said that children should be able to make and exercise their own choices in life in addition to being protected. Critics said that rights like this burdened children with adult choices and responsibilities they were not equipped to handle, and created problems for parents and teachers trying to exert their authority.

Age restrictions in law were a focus for liberation advocates. UNCROC balanced protection and liberation rights but did not tackle age restrictions. Though the New Zealand Bill of Rights Act 1990 prohibited discrimination on the basis of age, this applied only to those aged 16 or over. A 2004 study found there were 497 provisions in New Zealand law that discriminated on the basis of age.

## Child advocates

The Office of the Children's Commissioner was established in 1989. In the 21st century non-governmental organisations with a focus on children's rights included Action for Children and Youth Aotearoa, a coalition of organisations, families and individuals that advocates for children, prepares reports for the UN Committee on the Rights of the Child and promotes the voice and participation of children in decisions that affect them. International children's organisations with branches in New Zealand included Barnardos, UNICEF (United Nations Children's Fund) and Save the Children.

In 2017 a new non-governmental organisation funded by charitable foundations, VOYCE – Whakarongo Mai, was established to support and connect children in care and draw on the advice of young people who had experienced being in care. Its aim is to provide a voice for children and young people in the care system and enable them to come together and support one another.

YouthLaw Tino Rangatiratanga Taitamariki provides free legal advice and advocacy for children and young people under the age of 25. It is physically located in Auckland, but operates nationally using an approach to children's rights based on the principles of the UN Convention

on the Rights of the Child. It provides advice about the court system to children and young people who are the victims of crime as well as those who are facing criminal charges.

---

**Footnotes:**

1. *New Zealand Truth*, 21 January 1922, p. 6.
- 

**How to cite this page:**

Kerryn Pollock, 'Childhood - Children's rights and well-being', Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/childhood/page-6> (accessed 12 December 2023)  
Story by Kerryn Pollock, published 5 May 2011, reviewed & revised 12 Dec 2018

---

## Page 7. External links and sources

### More links and websites

#### [Action for Children and Youth Aotearoa](#)

ACYA is a coalition of non-governmental organisations, families and individuals that promotes the well-being of children and young people in New Zealand.

#### [Child Poverty Action Group](#)

A registered charity that works to eliminate child poverty through research, education and advocacy.

#### [Hiring young people](#)

Information provided by Employment New Zealand to help employers hire young staff and young people transition from education into employment.

#### [Rights of children and young people](#)

The Human Rights Commission provides information on children's rights under a UN covenant, and in New Zealand law.

#### [Children's Commissioner](#)

The Children's Commissioner provides advocacy services for children and young people and ensures their rights are upheld.

#### [Oranga Tamariki – Ministry for Children](#)

The ministry with responsibility for children who are at significant risk of harm and youths who have offended or are likely to do so.

#### [VOYCE – Whakarongo Mai](#)

A non-governmental organisation that provides an independent voice for children and young people about the care system in New Zealand.

#### [Youth Court of New Zealand](#)

The Youth Court website provides information for young people who have to attend court and their families.

## More suggestions and sources

Dalley, Bronwyn. *Family matters: child welfare in 20th century New Zealand*. Auckland: Auckland University Press, 1998.

Graham, Jeanine. 'Looking back over the harbour: reminiscences of childhood 1900–1940.' *British Review of New Zealand Studies* no. 10 (December 1997): 63–88.

*New Zealand Journal of History* 40, no. 1 (2006). An issue devoted to childhood.

Reid, Michael. *From innocents to agents: children and children's rights in New Zealand*. Auckland: Maxim Institute, 2006.

Smith, Anne B. *Understanding children and childhood: a New Zealand perspective*. Wellington: Bridget Williams Books, 2013.

Sutton-Smith, Brian. *A history of children's play: New Zealand, 1840–1950*. Philadelphia: University of Pennsylvania Press, 1981.

Wood, Beth, and others. *Unreasonable force: New Zealand's journey towards banning the physical punishment of children*. Wellington: Save the Children New Zealand, 2008.

---

### How to cite this page:

Kerryn Pollock, 'External links and sources', Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/childhood/sources> (accessed 12 December 2023)

Story by Kerryn Pollock, published 5 May 2011, reviewed & revised 12 Dec 2018

---