

Corporal punishment of children and domestic violence: making the links visible

Briefing from the Global Initiative to End All Corporal Punishment of Children

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Prohibiting and eliminating corporal punishment of children in all settings of their lives is a well-established human rights imperative. There is progress now in all regions, and 38 countries prohibit corporal punishment in all settings of children's lives. But there is a long way to go. In 160 states, violent punishment can lawfully be inflicted on girls and boys in the family home.

Corporal punishment and domestic violence against women have traditionally been seen as separate issues. But these two kinds of family violence are closely related. Both stem from hierarchical and patriarchal power structures and both are based on the idea that it is acceptable for those with perceived higher social status to use violence to control and regulate the behaviour of those perceived to be subservient.

Violence against women and corporal punishment of children in the family home often coexist and the perpetrators may be the same. And experience of violence in childhood is linked to experience of violence in adulthood: for too many girls and boys, childhood experience of corporal punishment is the beginning of a life of violent victimisation by authority figures and family members.

Since 2006, new laws on domestic violence have been passed in at least 70 states, yet in only two did they prohibit all violent punishment of children in the home. Sometimes, perversely, work against domestic violence acknowledges the harm done to children by witnessing violence in the home while ignoring the violence inflicted directly on them in the guise of "discipline". States in which laws address domestic violence against adults but fail to prohibit violent punishment of children are not acting with due diligence to prevent family violence. In allowing adults to perpetrate violence against girls and boys in the family with impunity, the legal systems of these states allow the power structures which contribute to family violence to go unchallenged. This weakens the protection of women as well as children from violence. Violence against adults and children in the family home cannot be ended while any degree of it remains lawful.

When it explicitly calls for prohibition of corporal punishment in concluding observations on states which have not achieved the necessary law reform, the Committee on the Elimination of Discrimination Against Women promotes both an end to legalised violence against girls and boys and strengthened protection for women against violence in the family home. The Committee has given this clear message to Botswana, Guyana, Sierra Leone, Slovakia, Timor-Leste and the UK, recommending that all corporal punishment of children be explicitly prohibited. Conversely, when corporal punishment is not addressed in the Committee's examination of states, this "silence" fails to challenge one of the most common forms of violence against girls perpetrated in the home setting.

We therefore hope that, building on the consensus that prohibition is required under international law and its own clear recommendations on the issue to some states, the Committee will increase the number of its recommendations on the issue, consistently recommending prohibition of corporal punishment to all states which have not achieved the necessary law reform.

Submission prepared by the Global Initiative to End All Corporal Punishment of Children

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July 2014