

# Campaigning for law reform to prohibit corporal punishment: Working with Government and Parliament

## Summary Briefing 5 (June 2009)



Global Initiative to  
End All Corporal Punishment  
of Children

It is Parliament that must accept new legislation or changes to existing legislation, and it is important to build interest and support in Parliament as early as possible. But if Government has a majority in Parliament, then Government should be the first target for lobbying because legislation introduced to Parliament by the Government is likely to be passed.

### How to lobby Government

Identify the Government department(s) responsible for legislation on corporal punishment and one or more responsible ministers and senior officials

Identify an organisation or an alliance of organisations which have as much influence as possible with Government

Identify any well-informed children and young people who could be involved in approaches to Government and in meetings

Write to the responsible minister(s) and senior official(s) to raise the issue and request a meeting to discuss it. This first approach to Government could refer to:

- recommendations made by the Committee on the Rights of the Child in its concluding observations on the state's reports under the Convention on the Rights of the Child and the Committee's General Comment No. 8 (2006) on "The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment (arts. 19; 28, para. 2; and 37, inter alia)"
- the recommendations of the UN Secretary General's Study on Violence against Children
- a summary of the current legal status of corporal punishment in all settings (home, school, penal system, alternative care settings) (see Briefing 2)
- a summary of the reforms needed to achieve full prohibition (see Briefing 3)
- relevant new national research.

Keep following up letters, calls, requests, etc – lobbying can be a long drawn out process.

### How to lobby Parliament

Lobbying of Parliament should begin as early as possible.

Identify members of Parliament – as senior as possible – who are sympathetic to prohibition

Discuss strategies for increasing support *before* encouraging open debate in Parliament, to avoid provoking opposition prematurely

Raise the issue in Parliament by:

- using written or oral Parliamentary questions. Request a member of Parliament to ask questions to the Government about –
  - the law on corporal punishment in different settings,
  - what action the Government is taking to fulfil its human rights obligations to prohibit and eliminate corporal punishment,
  - what is known about the prevalence of corporal punishment, *or*
  - find a topical peg, e.g. a case of corporal punishment in the media, a new research report, new human rights recommendations, etc.
- organising meetings/inquiries. Ask a member or group of members of Parliament or an appropriate Parliamentary committee to –
  - call a meeting including representatives of NGOs, human rights institutions and children to discuss prohibiting and eliminating corporal punishment,
  - initiate an inquiry into corporal punishment, or into violence against children including corporal punishment, calling for evidence from NGOs, children and others,
  - initiate a debate in Parliament on ending corporal punishment, *or*
  - approach the headquarters of political parties, find out who is responsible for policy on children's issues and find ways to get the issue raised within the political party structure – the members of the party may raise it in Parliament. Start with the party (parties) most likely to be sympathetic.

Ensure that you are aware of any possible opportunities for law reform (see Briefing 4)

Ensure you are well informed and understand the existing law and the changes that are needed to achieve clear prohibition (see Briefings 2 and 3)

Ensure that you understand how legislation may be introduced into Parliament in your country and the Parliamentary process by which bills (draft laws) become law, so that you can monitor the progress of the bill and be ready to intervene as necessary, e.g. providing information, advice and encouragement to those supporting the bill within Parliament

Develop a set of strong arguments for prohibition, and test them among sympathisers in Parliament (see Briefings 1 and 6)

Be prepared to respond to “frequently asked questions” about prohibition (see Briefing 6)

Draft clear and succinct briefings (more detail can be sent if requested), test them on sympathetic Parliamentarians and revise as necessary

Develop a database of members of Parliament, including contact details for them and their staff so that you can email/fax/hand deliver briefings quickly and efficiently

Avoid briefing known opponents of law reform who are unlikely to be converted, as this may just provoke more active opposition.

*Other summary briefings available:*

*1: Understanding the need for prohibition*

*2: Reviewing current law*

*3: Drafting prohibiting legislation*

*4: Building a national strategy*

*6: Using legal action and regional and international human rights mechanisms*

*7: Key resources to support campaigning*

Further information at [www.endcorporalpunishment.org](http://www.endcorporalpunishment.org), email [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org).