



Global Initiative to
**End All Corporal Punishment
of Children**

GLOBAL INITIATIVE NEWSLETTER 3 (JUNE 2008)

Welcome to the June 2008 edition of the bi-monthly newsletter of the Global Initiative to End All Corporal Punishment of Children! We are pleased to report that progress continues to be made across the world to prohibit corporal punishment of children, with Costa Rica about to be added to the list of countries prohibiting, and many other countries well on the way to reform.

Other exciting news includes the launch of a Europe-wide campaign by the Council of Europe to prohibit corporal punishment in all of its 47 member states, the first Global Workshop on legal reform to prohibit corporal punishment, strong recommendations to prohibit corporal punishment in the home by the Committee Against Torture, and lots more resources to promote positive, non-violent relationships with children.

The usual horror stories of extreme corporal punishment and perverse court judgments continue to be reported in the news.

Please read on for details of all this and more....

Contents – click on these links for further information

1. Global progress – Costa Rica about to join the ranks of countries achieving equal legal protection for children from assault; list grows of states actively considering full prohibition, with at least 17 governments publicly committed to full prohibition and strategies to achieve legal prohibition being developed in many more.

2. Campaigns and calls for prohibition – European campaign launched by the Council of Europe; new multi-religious resources from the Churches Network for Non-Violence to support the involvement of faith groups in reform; calls for prohibition in the home and other settings in [Bangladesh](#), [Czech Republic](#), [Jamaica](#), [Macau](#), [Pakistan](#), [Poland](#), [UK](#) and the [US](#).

3. Research and reports – from [Canada](#), [Indonesia](#), [New Zealand](#), [Poland](#), [South Africa](#), [Swaziland](#), [Taiwan](#), [Tanzania](#) and the [US](#).

4. Media watch – news from [Fiji](#), [India](#), [Malaysia](#), [Namibia](#), [New Zealand](#), [Nigeria](#), [Pakistan](#), [Uganda](#), [US](#) and [Zimbabwe](#).

[5. Human rights treaty monitoring on children's right to protection from corporal punishment](#) – latest recommendations from the Committee on the Rights of the Child and the Committee Against Torture; coverage of corporal punishment in the Universal Periodic Review; information on states coming up for examination by treaty bodies.

[6. Can you help?](#)

1. Global progress

Costa Rica is about to join the list of countries that have achieved equal legal protection from assault for children by prohibiting all corporal punishment. The law completed its way through parliament on 21 May and is now awaiting presidential assent, which is expected to happen very quickly.

Parental corporal punishment is also prohibited in the Interim Constitution of Southern Sudan, with efforts under way to confirm this in other legislation. Since the last newsletter, we have learned of public commitments to prohibition by the governments of Peru and Poland and of legal reform under way in Moldova, which brings the number of states in which governments have made a firm public commitment to legal reform and/or with prohibiting legislation actively under consideration to at least 25.

In May, the first Global Workshop on legal reform to prohibit corporal punishment was held in Bangkok, led by Save the Children, the Global Initiative and the Churches Network for Non-Violence. During the workshop, national strategies for law reform, including the drafting of legislation and strategies for moving it through parliament, were developed by advocates working in Botswana, Brazil, Cambodia, Ethiopia, Fiji, Indonesia, Japan, Kenya, Lebanon, Lithuania, Mongolia, Mozambique, Nepal, Nicaragua, Palestine, Papua New Guinea, Peru, Philippines, South Africa, Southern Sudan, Sri Lanka, Swaziland, Uganda, Vietnam, Yemen and Zambia. The final report of the workshop will be available very shortly.

[Back to contents](#)

2. Campaigns and calls for prohibition

The **Council of Europe** has launched a Europe-wide campaign to achieve complete prohibition of corporal punishment in all 47 members states. “*Raise your hand against smacking! A Council of Europe initiative against corporal punishment of children*” was launched on 15 June at the Zagreb Puppet Theatre in Zagreb, Croatia, in the presence of high level government and international representatives, parliamentarians, local authorities, celebrities, journalists, children and young people, NGOs and professional network representatives. The campaign focuses on the need to prohibit corporal punishment of children and the promotion of positive parenting, and comes with a number of useful resources:

Abolishing corporal punishment of children – Questions and answers – a 50-page handbook available now in [Croatian](#), [English](#), [Estonian](#), [French](#), [Italian](#), [Lithuanian](#), [Polish](#), [Romanian](#), [Russian](#), [Serbian](#), [Slovakian](#) and [Slovenian](#), and soon to be available in Armenian, German, Greek, Portuguese and Spanish.

Abolishing corporal punishment: the key points – an information leaflet with cartoon stickers, available in [English](#) and [Slovenian](#).

A media pack which includes radio and television spots, an exhibition, and (soon) inserts for newspapers (available in [English](#) and [French](#)).

Eliminating corporal punishment – A human rights imperative for Europe’s children – a revised edition of the handbook aimed at a specialised and motivated public ([English](#), [French](#)).

Off the books! Guidance for Europe’s parliaments on law reform – an abridged version of the Global Initiative’s legal reform handbook, available now in [English](#) and soon in French.

Further information is available on the Council of Europe website, in [English](#) and in [French](#).

The **Churches Network for Non-Violence** has added a new section on multi-religious resources to its website to support the involvement of faith groups in ending corporal punishment, building on discussions in the Global Workshop in Bangkok in May (see above). Go to www.churchesfornon-violence.org and click on “Multi-Religious Resources”. If you know of useful faith resources, please email info@churchesfornon-violence.org.

The 10th anniversary of **International No Spank Day** took place on 30 April and was used in many countries to draw attention to the need to prohibit and eliminate corporal punishment of children. Events were held in Australia, Cameroon, Canada, DR Congo, Hong Kong, and throughout the US. Further details are available [here](#).

Czech Republic: Minister for Human Rights and Minorities Džamila Stehliková is planning a campaign against maltreatment of children with the aim of changing public opinion on corporal punishment and prohibiting it in law. (*Ceske Noviny*, 19 April 2008)

Macau: Following a sharp increase in cases of child abuse, the Association Against Child Abuse called for the government to draft child protection legislation and expressed the hope that Macau would join other countries which had prohibited all corporal punishment. (*Macau Daily Times*, 1 June 2008)

Pakistan: Exposure of the high rate of corporal punishment in madrassas was followed by calls from the Society for the Protection of the Rights of the Child for repeal of section 89 of the Pakistan Penal Code which allows those beating a child to defend their actions. (*Gulf Times*, 8 May 2008) (and see below)

Poland: Labour Minister Jolanta Fedak called for beating of children to be banned – “it is an unacceptable way of bringing up children”, she said to the TVN24 news channel. (*The News*, 27 May 2008)

UK: In preparation for the forthcoming examination by the UN Committee on the Rights of the Child (see below), the Children’s Commissioners in England, Wales, Scotland and Northern Ireland issued a [joint report](#) which calls for the government to repeal the law allowing “reasonable punishment” and ensure equal legal protection for children from assault. Children also urged the government to make smacking illegal and prepared their own [report](#) for the UN Committee.

A web-based toolkit was launched in April by S’dim Curo Plant! Children Are Unbeatable! in Wales. The [Help At Hand Toolkit](#) aims to change attitudes and behaviour around the physical punishment of children. It includes materials that can be used by a range of groups and individuals to effect legal reform, to support public education on why smacking children is not acceptable, and to promote positive parenting. It includes an extensive resources section, ideas for activities, information sheets and links to other organisations.

There have also been moves toward prohibition in settings outside the home:

Bangladesh: At a national consultation in April, jointly organised by the Campaign for Population Education and Save the Children Sweden-Denmark, speakers stressed the need for awareness raising about corporal punishment and prohibition in law of all corporal punishment in schools. Primary and Mass Education Adviser Rasheda Chowdhury, also adviser for the Women and Children Affairs Ministry, urged all to work towards ending corporal punishment in schools before 2015. (*The Daily Star*, 28 April 2008)

Jamaica: Education Minister Andrew Holness called for an end to corporal punishment in schools, stating “For 300 years we have been giving our children some serious licks.... Violent, demeaning, aggressive disciplinary instruction only teaches our children that the only way to change behaviour is by resorting to violence. And we sit and wonder why our society is so violent?” To support the new approach, the Minister announced the establishment of a parenting commission to promote positive parenting and the creation of the post of dean of discipline in all secondary schools to implement non-violent disciplinary strategies. (*The Jamaica Observer*, 9 May 2008)

Pakistan: Calls for prohibition of corporal punishment in schools were made by a number of organisations following the deaths of children, including the Society for the Protection of the Rights of the Child, the Sustainable Development Policy Institute, and the Concerned Teachers’ Foundation. (*Countercurrents.org*, 15 June 2008; *Gulf Times*, 31 May 2008; *Daily Times*, 31 May 2008)

US: A bill introduced in December 2007 to prohibit corporal punishment in schools in Ohio (House Bill 406) was passed by the House Education Committee. The next stage is due in November.

[Back to contents](#)

3. Research and reports

A number of studies and reports have been published and/or reported which highlight the problem and prevalence of corporal punishment of children:

Canada: The Canadian Institute for Health Information concluded after analysing research that positive parenting styles can protect young people from becoming involved with substance abuse, delinquency and violent behaviour. The analysis showed that 21% of those who said their parents frequently yelled or threatened to hit them reported often being aggressive, compared with 10% of young people in general. Other research shows that harsh parenting and a lack of parental nurturing are associated with increased criminal behaviour involving property. The report is available at [here](#).

Indonesia: The first comprehensive research into the quality of care in childcare institutions in Indonesia, jointly conducted by the Social Services Ministry, Save the Children and UNICEF, found that many children face physical and psychological abuse, including corporal punishment, in Indonesian childcare institutions. [Someone that Matters: The Quality of Care in Childcare Institutions in Indonesia](#) is based on a survey of 36 childcare institutions in six provinces plus a government owned orphanage. Most of the institutions are run privately by religious organisations. The research found widespread use of corporal punishment and strong evidence of its negative effects.

New Zealand: Many parents who smack their children do not consider it an effective disciplinary method. Less than a third of primary caregivers who physically punished a child in the four weeks before responding to the latest government NZ Health Survey considered it to be an

effective punishment. Only 5% of all primary caregivers believed it effective. The survey was carried out between October 2006 and November 2007, before and after the New Zealand prohibited all corporal punishment, on a sample size of 17,000. Further information on the survey is available [here](#), including the [physical punishment findings](#).

Poland: A poll published in *Rzeczpospolita* found that the majority of people are in favour of a legal ban on hitting children but at the same time do not see anything wrong with an occasional smack. (*Nowe Media, Poskie Radio*, 2 June 2008)

South Africa: The Centre for Justice and Crime Prevention released its [report on the National Schools Violence Study](#), which for the first time was comprehensive enough to provide a baseline from which to monitor school violence in the future. The study found that, despite prohibition in schools, 71% of primary school children and 47.5% of secondary school children experienced corporal punishment. Almost half (47.3%) of primary school children suffered corporal punishment in the home. Recommendations included the training of educators in positive discipline and the implementation of interventions offering positive parenting and discipline alternatives for parents, but did not recommend prohibition in the home.

Swaziland: Echoing the findings of a UNICEF survey released in April 2008, a demographic survey on violence against women and children, conducted by the government Central Statistics Office, found high levels of violence and its negative effects. The survey also found that 60% of Swazi men felt it was acceptable to beat their wives. (*UN Integrated Regional Information Networks*, 10 June 2008)

Taiwan: Government research has shown a drop in the incidence of corporal punishment in schools since it was prohibited in December 2006. Surveys among junior high students conducted every two months reveal that corporal punishment of students fell from 42.5% in 2006 to 29.2% in 2007 and to 15.8% in the first two months of 2008 (compared with 27.7% in the first two months of 2007). (*The China Post* 25 April 2008)

Tanzania: A report on the quality of education in Tanzania was published by the NGO Haki/Elimu in Dar es Salaam in June. The research covered six districts. Many interviewees – parents and school committee members – spoke about the problem of corporal punishment. (*The Citizen*, 11 June 2008)

US: An online poll in Delaware conducted by the Wilmington News Journal found that 74% of voters were in favour of corporal punishment in schools, while 26% were not. (*Wilmington New Journal*, 27 May 2008)

Newly released documents from the Port St Louis Police Dept and the Florida Dept of Children and Families officials concerning a boys' boarding school in Florida detail investigations following allegations of abuse when a 16 year old cadet was found wearing shackles and handcuffs in April. Police say the corporal punishment at the school does not amount to abuse. (*Palm Beach Post*, 13 June 2008)

[Back to contents](#)

4. Media watch

A selection of other recent global media coverage on corporal punishment of children:

Fiji: The Fijian Teachers Association has again reminded members that corporal punishment is illegal, following a number of news reports of teachers inflicting corporal and other degrading punishments on pupils. (*Fiji Broadcasting Corporation*, 25 April 2008; *Fiji Times Online*, 25 April 2008; *stuff.co.nz*, 1 May 2008)

India: Two teachers at a government school in Kerala were beaten by village residents who held them responsible for poor exam results. The teachers reportedly blamed the results on the fact that they are not allowed to use corporal punishment on the pupils. (*Daily News & Analysis*, 7 June 2008)

Malaysia: A leader of Parti Islam se-Malaysia (PAS) – Malaysia’s Islamist party – has called for the application of strict Sharia law, including amputations and stoning, for all Muslims. Laws including Sharia punishments have already been enacted in the party’s Kelantan stronghold, but the Federal government has barred PAS from enforcing these laws. (*Reuters*, 15 June 2008)

Namibia: The second session of the Children’s Parliament adopted 21 motions which the National Assembly will forward to the relevant offices for consideration. The junior parliamentarians urged the Ministry of Education to end corporal punishment in schools and suggested alternative disciplinary measures that may be taken. Despite the Constitutional prohibition of corporal punishment in schools, it continues to be used. (*New Era*, 12 May 2008)

The grandmother and a neighbour of a boy who died as a result of a severe “disciplinary” beating inflicted on him in 2004 were sentenced to 15 years’ imprisonment. (*The Namibian*, 2 May 2008).

New Zealand: There has been continued coverage of the so far unsuccessful efforts of opponents to the anti-smacking law to force a referendum on overturning the prohibition. (*stuff.co.nz*, 30 April 2008, 1 May 2008)

Nigeria: In Abuja, a 17-year old student was ordered by the courts to receive 10 strokes of the cane for conspiring to steal a car. (*Daily Trust*, 13 June 2008)

Pakistan: As noted above, the high prevalence of corporal punishment in madrassas was publicised, following a number of severe cases leading to the death of the children concerned. In this context, corporal punishment was cited by the Society for the Protection of the Rights of the Child and the Slummer Welfare Organisation as a major cause of school drop out, which is reportedly 50% higher than in other countries. (*Daily Times*, 6 May 2008, 2 June 2008)

In an effort to develop the quality of education in rural areas, 36 teachers are participating in the Church World Service Rural Teachers Training Program in Karachi. The training includes learning about the negative impact of corporal punishment and how to positively reinforce behaviour. (*Reuters*, 13 June 2008)

Uganda: A junior school pupil died following corporal punishment; in separate incidents five girls were hospitalized and one girl suffered paralysis. (*New Vision*, 30 April 2008)

US: In Texas, a Cameron County judge is being sued for ordering that parents inflict corporal punishment on their child in the courtroom. Following a case where a stepfather felt he had no choice but to spank his 15-year old daughter in the courtroom, the family issued a lawsuit against the judge, who is now under an interim order to stop ordering corporal punishment until the trial. (*Brownsville Herald*, 5 June 2008; *Ocolly.com*, 13 June 2008)

In Alabama, the American Civil Liberties Union and the ACLU of Alabama have filed a complaint in a class-action lawsuit against a school, alleging racially motivated corporal

punishment and other discriminatory practices. (*MyFox*, 21 May 2008)

The Minnesota Supreme Court unanimously ruled that a father who spanked his 12 year old son 36 times with a paddle did not commit physical abuse. The ruling stated: “We are unwilling to establish a bright-line rule that the infliction of any pain constitutes either physical injury or physical abuse, because to do so would effectively prohibit all corporal punishment of children by their parents.... The law allows ‘reasonable discipline’ and it is clear to us that the legislature did not intend to ban corporal punishment.” (*WorldNetDaily*, 2 June 2008)

The Indiana Supreme Court recently overturned a battery conviction for a parent who hit her 11-year old son with an extension cord, on the grounds that the bruising was temporary and no “permanent” mark was left. (*Post-Tribune*, 13 June 2008)

Zimbabwe: A primary school pupil died following corporal punishment. (*The Herald*, 11 June 2008)

[Back to contents](#)

5. Human rights treaty monitoring on children’s right to protection from corporal punishment

The first two sessions of the **Universal Periodic Review** by the Human Rights Council have now been completed, during which many states were called to account for their failure to prohibit all corporal punishment of children. The legality of corporal punishment, and progress towards prohibition, was discussed during the examinations of Algeria, Argentina, Bahrain, Benin, France, Ghana, Guatemala, India, Netherlands, Philippines, Poland, Romania, South Africa, Switzerland, Tonga and the UK. Specific recommendations to explicitly prohibit all corporal punishment of children were made to Argentina, Gabon, Ghana, Guatemala, Japan, Mali, Republic of Korea, South Africa, Switzerland and the UK. All documents relating to the examination of these states, including the final reports of the working group, are available on the [UPR search page](#).

At its 48th session in June, the **Committee on the Rights of the Child** issued its recommendations to states parties following examination of their implementation of the Convention on the Rights of the Child. The Committee recommended that Eritrea, Georgia, Serbia and Sierra Leone prohibit all corporal punishment in all settings, including in the family home. To the government in Bulgaria, where corporal punishment has already been prohibited in all settings, the Committee made strong recommendations regarding implementation of the prohibition. The concluding observations are available [here](#).

The **Committee Against Torture** held its 40th session in April/May 2008, examining states parties on their implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In its concluding observations, the Committee recommended explicit prohibition of corporal punishment in all settings, including the family home, to all states that had been examined which have not already achieved complete prohibition – to Australia, Algeria, Zambia, Macedonia, Indonesia and Costa Rica. Sweden and Iceland, which achieved prohibition in all settings in 1979 and 2003 respectively, were also examined by the Committee. As already noted, Costa Rica is well on the way to meeting its obligations. The concluding observations are available [here](#).

The **Council of Europe Human Rights Commissioner** compiled his [report](#) on an official visit to Ireland in November 2007. His recommendations include a call to prohibit corporal punishment.

The Global Initiative regularly briefs human rights treaty monitoring bodies prior to examination of state parties, and encourages NGOs and human rights institutions in individual states to do so too. The treaty bodies are due to examine the following states at their next sessions:

[Committee on the Rights of the Child](#) (49th session, Sep/Oct 2008): Convention on the Rights of the Child – Bhutan, Djibouti, UK (including overseas territories and crown dependencies); Optional Protocol on the Involvement of Children in Armed Conflict – Tanzania, Uganda, UK; Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography – Austria, Lithuania, Tanzania, Uganda

[Committee Against Torture](#) (41st session, Nov 2008): China (including Macau and Hong Kong), Serbia, Montenegro, Kazakhstan, Lithuania, Kenya, Belgium

[Committee on Economic, Social and Cultural Rights](#) (41st session, Nov 2008): Philippines, Angola, Kenya, Nicaragua, Serbia, Sweden

[Human Rights Committee](#) (93rd session, July 2008): France, San Marino, Ireland, UK

[Committee on the Elimination of Discrimination against Women](#) (41st session, Jun/Jul 2008): Finland, Iceland, Lithuania, Nigeria, Slovakia, UK, Tanzania, Yemen

Plus ...

The [Human Rights Council Universal Periodic Review](#) (3rd session, Dec 2008): Botswana, Bahamas, Burundi, Luxembourg, Barbados, Montenegro, United Arab Emirates, Israel, Liechtenstein, Serbia, Turkmenistan, Burkina Faso, Cape Verde, Colombia, Uzbekistan, Tuvalu

[Back to contents](#)

6. Can you help?

Many thanks to all those who have provided us with information since the last newsletter!

If you can provide information relating to the legality of corporal punishment of children, research on prevalence and/or children's views and experiences, positive parenting resources, or initiatives and campaigns promoting prohibition, please email info@endcorporalpunishment.org.

We are particularly trying to find out if corporal punishment of children has been explicitly prohibited in the following settings/states:

Schools – Nauru, Niue

Penal system (sentence of the courts) – Bhutan, Central African Republic, Djibouti, Equatorial Guinea, Gabon, Mauritania, Oman

Penal system (disciplinary measure in penal institutions) – Bahrain, Central African Republic, Equatorial Guinea, Eritrea, Gabon, Guinea, Iraq, Libyan Arab Jamahiriya, Madagascar, Niue, Sao Tome & Principe, Syrian Arab Republic

Alternative care settings – Bahrain, Central African Republic, China, DPR Korea, Djibouti, El Salvador, Gabon, Guinea-Bissau, Iraq, Kuwait, Libyan Arab Jamahiriya, Nauru, Niue, Taiwan, Turkmenistan

[Back to contents](#)

We hope you find this newsletter informative and useful and would welcome your comments: please email info@endcorporalpunishment.org. We are sending the newsletter to supporters of the aims of the Initiative (for the full list, click on “Supporters” on the [sitemap](#)) and others who we think will be interested. If you do not want to receive future editions, please tell us at info@endcorporalpunishment.org. If your organisation is not listed as supporting the aims of the Initiative, please consider signing up (email info@endcorporalpunishment.org).

To receive the latest developments between newsletters, please sign up to the RSS news feed at www.endcorporalpunishment.org.

Many years ago, corporal punishment was very much in fashion, in all parts of the world and in many different settings ... Times have fortunately changed. Today we live in civilised and humane societies which no longer allow human beings to inflict physical pain and humiliate other human beings. Except when it comes to children. Somehow, they were left out in this great humanistic evolution ... Abolishing corporal punishment calls for a legal framework which clearly prohibits corporal punishment and protects children from all kinds of assaults including in the family setting.

(Maud de Boer-Buquicchio, Deputy Secretary General of the Council of Europe, at the launch of the Council of Europe Campaign, Zagreb, 15 June 2008)