



Global Initiative to
End All Corporal Punishment
of Children

GLOBAL INITIATIVE NEWSLETTER 18 **(OCTOBER 2011)**

Togo state joins the list of those prohibiting corporal punishment in all settings, Zambia achieves prohibition in schools, bills and draft legislation are under discussion in many more countries, a new regional campaign is to be launched in South Asia – these are just a few of the positive developments worldwide included in this 18th global newsletter. Please read on for details of these and more....

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1 GLOBAL PROGRESS

New Global Initiative briefing

The list of states which are reforming their laws to prohibit all corporal punishment of children – including in the home – continues to grow. Many more states are enacting legislation which prohibits corporal punishment outside the home, in schools, penal institutions and care settings. But there are too many states where corporal punishment has not been fully prohibited in any setting. Some individual governments even resist reform, ignoring repeated recommendations by treaty bodies and openly defending the legality and use of corporal punishment. *Prohibiting all corporal punishment of children: progress and delay* (October 2011) is a graphic new briefing by the Global Initiative which summarises both the progress and the delay in achieving prohibition and calls for tougher action, including legal advocacy, to be taken when governments resist reform. A limited number of hard copies is available: email info@endcorporalpunishment.org.

Prohibition of all corporal punishment

Togo: We are pleased to announce that Togo can be added to the list of states which have enacted legislation prohibiting all corporal punishment of children in all settings, including the home (though unfortunately not in time for the above mentioned briefing). Explicit prohibition is included in articles 357 and 376 of the Children’s Code (2007) but until now we had been unable to obtain official confirmation from the Government that these provisions were interpreted as prohibiting all corporal punishment, without exception. However, Togo’s 2011 state party reports to the UN Committee on the Rights of the Child and the African Commission on Human and Peoples’ Rights clearly state that the prohibition is comprehensive. This brings the number of African states fully prohibiting corporal punishment of children to four and the total number worldwide to 31. For further information, see the following Global Initiative web pages: [Countdown to prohibition](#), [States prohibiting](#), detailed country report on [Togo](#).

Other positive moves

Azerbaijan: A bill which would protect children from corporal punishment has been prepared. The news was announced at a press conference by Commissioner for Human Rights (Ombudsperson) Elmira Suleymanova, who appealed to the Speaker of the Azerbaijani Parliament for the law to be adopted. (*Today.az*, 14 September 2011; *Trend*, 21 October 2011)

Jamaica: Chief Parliamentary Counsel Education Minister Andrew Holness confirmed that education legislation being drafted (the “safe schools legislation”) will “take away the right of the teacher and principal to administer corporal punishment”. (*Jamaica Observer*, 4 September 2011)

Pakistan: A Corporal Punishment Bill has been drafted and shared with provincial governments and is soon to be tabled in the Sindh Assembly. The Balochistan Government has also agreed to present the bill in the Assembly and a consultation process is under way in Punjab. (*The International News*, 14 October 2011)

Philippines: The Positive Discipline Bill (House Bill 4455) was passed by the House of Representatives. (*Inquirer.net*, 13 August 2011). It must now proceed through the Senate.

Republic of Korea: The Seoul Metropolitan Office of Education announced the first draft of the Seoul Students’ Human Rights Ordinance in September. The draft would prohibit corporal punishment and is expected to be submitted to the Seoul Metropolitan Council in November. (*donga.com*, 9 September 2011)

Sri Lanka: The Women Empowerment and Child Welfare Ministry is reportedly drafting legislation to prohibit corporal punishment in schools, children's homes and prisons. (*Daily Mirror*, 2 September 2011)

UK: A free vote on a proposal to remove the common law defence of "reasonable punishment" of children received majority and all-party support in a vote in the National Assembly of Wales. However, the minister responsible for children in Wales, Gwenda Thomas, suggested law reform was unlikely during the current Assembly term, which lasts until 2016. The debate can be read in full in the [record of proceedings](#).

US: A federal bill to prohibit corporal punishment in schools – the [Ending Corporal Punishment in Schools Bill of 2011](#) – is under consideration.

Zambia: Corporal punishment is now prohibited in schools. The new Education Act, assented to by the President in April, states in article 28: "(1) A teacher, employee or other person at an educational institution shall not impose or administer corporal punishment or degrading or inhuman treatment on a learner or cause corporal punishment or degrading or inhuman treatment to be imposed or administered on a learner. (2) A teacher, employee or other person who contravenes subsection (1) commits an offence and is liable, upon conviction, to a fine not exceeding one hundred thousand penalty units or to imprisonment for a period not exceeding one year, or to both."

But ...

Australia: Regulations being drafted for daycare included a draft provision banning the use of corporal punishment or "unreasonable discipline" but this has reportedly been dropped in favour of a duty on childcare centres to take "reasonable steps" to "maintain at all times the dignity and rights of each child" and to "have regard to the family and cultural values" (*The Australian*, 15 October 2011)

Bahamas: Independent candidate Kennedy Craig Butler called for the resumption of corporal punishment as a deterrent for violent crime. (*The Tribune*, 5 September 2011)

Papua New Guinea: Minister for Community Development and Welfare Andrew Mald suggested that one way to address the current discipline problems in schools is to bring back corporal punishment. (*Radio New Zealand International*, 29 September 2011)

Republic of Korea: In an interview with *The Korea Times*, Education Minister Lee Ju-ho said that while the ministry had issued guidelines on banning "direct" physical punishment, it was up to schools to make decisions regarding "indirect" punishments: "In the case of punishments to discipline students through physical exercise, like running, the ministry can't tell the schools what to do and not to do. It's completely up to the schools to decide." (*The Korea Times*, 21 September 2011)

US: The South Carolina Joint Citizens and Legislative Committee on Children endorsed a bill on a measure known as "Kendra's Law" which provides for training of family childcare home operators and bans corporal punishment – but only if it is not specifically authorised by parents. (*Free Times*, 21-27 September 2011)

Other developments

India: The Assam Government has formulated rules under the Right to Education Act which include the establishment of a 24-hour helpline for children to report corporal punishment, prohibited in schools under the Act. The helpline is to be accessible by SMS, telephone and letter, and

complaints are to be monitored by the State Commission for Protection of Child Rights. The rules provide for the Commission to develop a mechanism for acting on complaints of corporal punishment. (*iGovernment.in*, 9 September 2011)

US: New legislation passed during the 2011 session of the North Carolina General Assembly, in effect from the beginning of the 2011-2012 school year, requires school districts which have not yet banned corporal punishment to send a form to all parents allowing them to exempt their children from corporal punishment at school. An analysis by Action for Children North Carolina revealed that this led to a number of school districts ruling out corporal punishment as an accepted form of discipline.

A note on the UK

A number of media reports claimed that corporal punishment was being reintroduced in schools in England, linking this to the riots that occurred in August, citing polls apparently showing teachers in favour of corporal punishment and even prompting e-petitions and attempts to organise protests. We can confirm that recent Government efforts to address perceived indiscipline among young people did not involve any attempt to reintroduce corporal punishment in schools. While calling for strong discipline in schools the Government is on record as saying there is never any intention to bring back corporal punishment. For further information on corporal punishment of children in England and the campaign to prohibit it in the home see the website of the Children Are Unbeatable! Alliance. For other relevant information see the website of the Global Initiative to End All Corporal Punishment of Children.

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2 CAMPAIGNS AND CALLS FOR PROHIBITION

International and regional campaigns

The **South Asia Initiative to End Violence Against Children (SAIEVAC)**, comprising representatives from the Governments of Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka, representatives of civil society, and children working to end violence against children, is to launch a regional campaign to prohibit and eliminate corporal punishment of children in all eight member states. The Initiative was formed as part of follow-up to the UN Study on Violence against Children. Its first technical meeting on legal reform and corporal punishment was held in Kathmandu in November 2010 at which national action plans to achieve prohibition of corporal punishment were developed. A second workshop was held in September 2011. SAIEVAC's Governing Board also endorsed a regional progress report to be jointly published with the Global Initiative and Save the Children Sweden at the launch of the campaign in November.

National news

Antigua and Barbuda: Attorney General Justin Simon has called for repeal of the Corporal Punishment Act to abolish flogging of male prisoners. He made the recommendation when presenting the report of Antigua and Barbuda during the Universal Periodic Review in October. However, he defended the law providing for corporal punishment in schools. (*AntiguaObserver.com*, 6 October 2011)

Australia: The Human Rights Commission of the Australian Capital Territory is pushing for ACT to become the first jurisdiction in Australia to ban parents from smacking their children. Children and Young People Commissioner Alasdair Roy is working with the Australian National University to prepare a discussion paper on the issue, which will include a possible legislative model that would achieve prohibition. The paper will be the culmination of an extended consultation on acceptable discipline for children, outlined in the ACT Human Rights Commission annual report 2010-2011. However, the possibility of law reform was rejected by the office of the ACT Attorney General. (*The Canberra Times*, 2 October 2011)

EPOCH (End Physical Punishment of Children) Tasmania is holding its annual “Choose to Hug Not Hit” event, including a speech by Moira Rayner of Defence for Children International (DCI) Australia, in Tasmania's Parliament House on 18th November. For more information contact patmalar@hotmail.com.

Finland: The Ministry of Social Affairs and Health released its Don't Hit the Child! National Action Plan to Reduce Corporal Punishment of Children 2010-2015 in English. Corporal punishment was prohibited in all settings, including the home, in 1983, and research shows its use has declined significantly in the past 20 years. The plan aims to continue and accelerate the progress made in reducing the use of corporal punishment, including among children particularly vulnerable to it (young children, disabled children, children of immigrant families). The views of almost 400 children were considered in developing the plan, which proposes to increase support for parents, provide education on children's rights to relevant professionals and provide information for children at school and online.

Ghana: Defence for Children International-Ghana (DCI-Ghana) is launching a campaign to eliminate violence against girls and young women, including corporal punishment. The “Girl Power” project aims to protect and empower girls by supporting them with social and legal aid over a five year period 2011-2016. DCI-Ghana plans to collaborate on the project with civil society organisations and government institutions. (*Ghanaian Chronicle*, 7 September 2011)

According to Volta Regional Director of the Department of Children Mr Edwin Gamadeku, the Ministry is working on abolishing corporal punishment in schools. The statement was made in response to calls for its abolition from pupils during a workshop organised by the Ghana NGOs Coalition on the Rights of Children (GNCRC). The children said corporal punishment intimidated them, affected their concentration in the classroom and caused many to drop out of school. (*GhanaWeb*, 18 July 2011)

UK: The September 2011 edition of the CAU! Newsletter was published by the Children Are Unbeatable! Alliance, covering recent events in England and the growing support for law reform to prohibit all corporal punishment.

And ...

The **9th ISPCAN Asia Pacific Conference on Child Abuse and Neglect** was held in Delhi, India, 6-9 October 2011. Representatives from governments, NGOs, networks and institutions, professionals and children from 40 countries reviewed and assessed the challenges posed by violence, neglect and abuse of children, including the persistence of corporal punishment. The resulting Delhi Declaration 2011 confirms the “urgent and immediate need” to “prohibit all forms of neglect, abuse and violence against children in all settings, through honest and accountable governance and by law and its enforcements” (para. 4). It welcomes laws which have been enacted in several countries in response to recommendations from the UN Committee on the Rights of the Child (para. 5) but acknowledges that despite advances “there is denial in some countries about the scale of violence against children and

certain forms of violence have social sanction” and that some laws and their enforcement are inadequate (para. 6). The Declaration urges the enforcement of existing laws and review of all laws not in conformity with the Convention on the Rights of the Child (para. 7) and calls on governments to “define, prohibit and criminalise all acts of maltreatment of children in accord with internationally accepted principles and standards” and to “identify, address and correct forms of violence which are socially accepted” (para. 8).

In the US, the **National Association of Pediatric Nurse Practitioners** (NAPNAP) published an official [position statement](#) calling for widespread education about the harmful effects of corporal punishment. The statement opposes corporal punishment in homes and schools, defining it as “the use of physical force with the intention of causing a child to experience pain but not injury, for the purpose of correction or control of the child’s behavior” and noting that it often escalates to more serious assault. Instead, the Association supports “alternative, non-violent, age-appropriate discipline strategies”. It supports the prohibition of corporal punishment in schools but falls short of supporting prohibition in the home.

NEW RESOURCES TO SUPPORT LAW REFORM

The fifth edition of the African newsletter on corporal punishment was published in August 2011 by the African Child Policy Forum and the Global Initiative, in [English](#) and [French](#). To subscribe, email vohito@endcorporalpunishment.org or info@endcorporalpunishment.org.

A new summary of research linking corporal punishment and disability is available; for more information contact elinor@endcorporalpunishment.org.

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3 HUMAN RIGHTS MONITORING

Key decisions and recommendations, etc

The **Committee on the Rights of the Child** issued its concluding observations on states examined at its 58th session in September/October. The Committee examined the state party reports of Iceland, Italy, Panama, Republic of Korea, Seychelles and Syrian Arab Republic. No recommendations on corporal punishment were made to Iceland, where this form of violence was prohibited in all settings in 2003. A Supreme Court ruling in Italy as long ago as 1996 rendered all corporal punishment unlawful, including in the home, but the ruling has not been confirmed in legislation: the Committee recommended that Italy reform its domestic laws to explicitly prohibit corporal punishment in all settings. The Committee made similar recommendations to the other states that were examined. To Panama, Seychelles and Syria, the Committee specifically recommended that all legal defences for the use of corporal punishment be explicitly repealed. The Committee’s recommendations relating to corporal punishment are available [here](#) and are included in the Global Initiative’s individual state reports for [Italy](#), [Panama](#), [Republic of Korea](#), [Seychelles](#) and [Syrian Arab Republic](#).

The **Human Rights Committee** issued its concluding observations following its 102nd session in July 2011. The Committee recommended that the Government of Kazakhstan take steps to end corporal punishment in schools and institutions and promote non-violent discipline in the family, and that the Government of Bulgaria take the necessary measures to ensure implementation of its prohibition of corporal punishment in the family and other settings. For full details of the legality and practice of corporal punishment, including extracts from the Human Rights Committee’s recommendations, see the Global Initiative’s individual country reports for [Kazakhstan](#) and [Bulgaria](#).

The 12th session of the **Universal Periodic Review** (UPR) of states by the Human Rights Council took place in October. The official records are not yet available. During the previous 11th session in May, recommendations concerning corporal punishment were made to Belgium (recommendation rejected), Hungary (recommendation accepted), Latvia (accepted), Palau (accepted), Papua New Guinea (accepted), Samoa (accepted), Seychelles (response not yet available), Singapore (rejected), Solomon Islands (accepted), Somalia (response not yet available), St Vincent and the Grenadines (rejected), Sudan (response not yet available) and Suriname (accepted).

In its resolution 65/197, the General Assembly requested the Secretary General to submit a **report on the status of the Convention on the Rights of the Child**, with a particular focus on children with disabilities, to the 66th session of the General Assembly. The Report of the Secretary General on the Status of the Convention on the Rights of the Child, dated 3 August 2011, noted the increased vulnerability of disabled children to severe physical punishment as well as to particular forms of abuse inflicted in the guise of “behaviour modification”. It recommended a range of measures to address violence against disabled children, including the introduction of disability sensitive legislation relevant to all settings.

The second annual report of the **Special Representative of the Secretary-General on Violence against Children**, Marta Santos Pais, was also submitted to the General Assembly for its 66th session. The report places a strong emphasis on law reform to protect children from all forms of violence, including corporal punishment, noting that “where deeply rooted social conventions condone the use of violence as a child-rearing practice or a necessary form of discipline, it is critical to promote a sustained process of advocacy, education, law enactment and enforcement, and evaluation”.

The **UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment**, Juan E. Méndez, produced his interim report for the General Assembly. It focuses on the use of solitary confinement, including its use as a punishment and a disciplinary measure for juveniles in detention, and recommends its abolition.

The UN Secretary General’s campaign **UNiTE to end violence against women** published a Handbook on how to develop national action plans on violence against women. It presents a model framework for national action plans, together with detailed recommendations and examples of good practice. The handbook does not specifically mention corporal punishment of children but it does recommend that national action plans “recognise and address the multiple and intersecting forms of violence against women” and confirms that violence is experienced “across the life course in different ways and contexts, and many forms of violence against women are also experienced by girls”. It states: “National Action Plans (whether through single or multiple strategic documents) should name and address the different forms and manifestations of violence against women, so that policy can take into account the commonalities and overlaps between them.” The Global Initiative urges those involved in planning to prohibit and eliminate violence against women to recognise that this should include addressing violence that is lawfully inflicted on girls and boys, in the domestic and other spheres, under the guise of discipline.

Briefing the human rights bodies

The Global Initiative regularly briefs human rights treaty monitoring bodies prior to examination of state parties, and encourages national NGOs and human rights institutions to do likewise. The information below concerns briefing the pre-sessional working groups which prepare the lists of issues for each state. We are always willing to advise NGOs and human rights institutions on the practical details of how to submit briefings (email info@endcorporalpunishment.org).

Details of the next meeting of the *Committee on the Rights of the Child* pre-sessional working group, which decides on the List of Issues to be adopted for each state, are not yet available. Please check the [Committee's website](#) for updates.

The *Committee Against Torture* pre-sessional working group will be meeting at its 48th session in May/June 2012. Details of the states for which Lists of Issues will be adopted are not yet available. Please check the [Committee's website](#) for updates.

The *Committee on Economic, Social and Cultural Rights* pre-sessional working group will be meeting at its 48th session in May 2012 to consider the issues to raise in its forthcoming examinations of Azerbaijan, Iceland, Iran, Jamaica and Japan. **Briefings on these countries should be submitted by 1 April 2012.**

The *Committee on the Elimination of Discrimination against Women* pre-sessional working group will be meeting at its 51st session in February/March 2012 to consider the issues to raise in its future examinations of Central African Republic, Bulgaria, Guyana, Indonesia, Jamaica, Mexico, New Zealand and Samoa. **Briefings should be submitted by 13 January 2012.**

The country report task forces of the *Human Rights Committee* will be meeting at its 104th session in March 2012 to consider the issues to raise in future examinations of Bosnia and Herzegovina, Paraguay and the Philippines. **Briefings should be submitted by 31 December 2011.**

The 13th session of the *Universal Periodic Review* will take place in May 2012, the first session of the second cycle of the Review. **Briefings should be submitted by 21 November 2011** for Bahrain, Ecuador, Tunisia, Morocco, Indonesia, Finland and the UK; **by 28 November 2011** for India, Brazil, Philippines, Algeria, Poland, Netherlands and South Africa.

NEW RESOURCES TO SUPPORT NGO ENGAGEMENT WITH HUMAN RIGHTS BODIES

The **NGO Group for the CRC** has published two new fact sheets to support NGOs in using the UPR – *The Universal Periodic Review: Information for NGOs*, which describes what the UPR is and how it works, and *NGO Submission for the Universal Periodic Review: Information for NGOs*, which explains how to write and submit a briefing to the UPR.

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4 RESEARCH AND REPORTS

International studies

The **International NGO Advisory Council for follow-up to the UN Secretary-General's Study on Violence Against Children** published a report marking five years since the final recommendations of the UN Study were issued. *Five Years On: A global update on violence against children* reveals persisting violence of all kinds against children and calls on governments to strengthen laws and strategies to end it. It pays particular attention to the problem of corporal punishment, acknowledging the growing number of states which have prohibited it by law in all settings but states that progress is far too slow, with the acceptance, legality and prevalence of corporal punishment remaining high across the world. Marta Santos Pais, the UN Secretary-General's Special Representative on Violence against Children, stated that the report "highlights how far we are from safeguarding the right of all children to develop to their full potential in a violence-free environment, as violence remains

widespread, socially condoned, and in many cases considered as a lawful practice, form of discipline, or sentencing of children.”

A child rights situation analysis of countries in the **Middle East and North Africa** highlights the failure of states in the region, with the exception of Tunisia, to prohibit all corporal punishment of children, including in the home and alternative care settings. Some states have enacted prohibition in schools but school corporal punishment remains legal in others, including Egypt, Lebanon and Morocco. Corporal punishment of children is lawful in the juvenile justice system in some states: in Yemen and Saudi Arabia, children can be sentenced to corporal punishment, including flogging. In the occupied Palestinian territories, violence against children in the juvenile justice system by Israeli military and law enforcement personnel is widespread. (Abdul-Hamid, Y. (2011), *Child Rights Situation Analysis: Middle East and North Africa*, Save the Children Sweden)

National reports

Afghanistan: A report by the UN Assistance Mission in Afghanistan (UNAMA) presents evidence of torture and mistreatment of detainees in Afghan detention facilities, including children. *Treatment of Conflicted Related Detainees in Afghan Custody* is based on interviews conducted from October 2010 to August 2011 with pre-trial detainees and convicted prisoners at 47 facilities of the National Directorate of Security and Afghan National Police in 22 provinces.

Australia: In a survey of over 300 young people carried out by the Australian Capital Territory Human Rights Commission Children & Young People Commissioner in 2010, 69% of respondents thought that parents “smacking” their children maybe should or should be banned; 52% said it was “not OK” for parents to “smack” their children, 42% said it was “sometimes OK” and only 2% said it was “OK”. (ACT Human Rights Commission (2011), *Children & Young People Commissioner Annual Report Summary 2010-2011*)

In an online poll of more than 4,000 people, 85% of parents admitted smacking their children. (Reported in *news.com.au*, 12 September 2011)

Nepal: A study on barriers to education for children with disabilities in Nepal found that students with disabilities experienced corporal punishment at home and at school, and that this could contribute to the children’s lack of access to education. (Human Rights Watch (2011), *Futures Stolen: Barriers to Education for Children with Disabilities in Nepal*)

New Zealand: The police have released the results of the ninth review of relevant police activity since corporal punishment by parents was prohibited in 2007. It covers the period 22 December 2010 to 21 June 2011 and results are consistent with previous reviews, with the law being implemented sensitively. Police interventions appear to uphold the principle that any assault on a child is unacceptable in law: the response is mainly to warn offenders or refer them to an appropriate organisation for assistance. Where cases are prosecuted (nine in this period) guilty pleas or guilty findings do not result in harsh sentences; outcomes range from “supervision” to “discharge without conviction” or a requirement “to come before the court again if called upon over a nine month period”.

Pakistan: In a survey carried out by the Society for the Protection of the Rights of the Child (SPARC), 76% of parents were in favour of corporal punishment and believed it was “necessary to correct children’s behaviour”. (Reported in *The Peninsula*, 7 October 2011)

Palestine: A report on Palestinian children detained in occupied East Jerusalem between January and June 2011, based on the cases of 118 children and the testimony of 16 children, found that children frequently experienced physical and verbal violence by law enforcement officers or military personnel during their arrest or while in custody. Children were punched, kicked,

slapped, painfully handcuffed, threatened and verbally abused. (DCI-Palestine (2011), *In their own Words: A report on the situation facing Palestinian children detained in occupied East Jerusalem*)

Panama: A report on juvenile detention centres in Panama found that inmates were regularly subjected to very severe corporal punishment including beatings, the use of tear gas, being shot with rubber bullets and threatened with rifles. Other cruel and degrading punishments included the denial of family visits and imprisonment in very small cells with little water. The report was based on visits to four detention centres, which together housed 268 juvenile detainees, approximately 82% of the total population of the juvenile detention system. (Harvard International Human Rights Clinic, Alianza Ciudadana Pro Justicia & Asamblea Ciudadana de Panamá (2011), *Preventable Tragedy in Panama: Unnecessary Deaths and Rights Violations in Juvenile Detention Centers*, report submitted to the UN Committee on the Rights of the Child for its 57th session)

UK: Research carried out by the National Society for the Prevention of Cruelty to Children (NSPCC) in 2009 and published in 2011 involved 2,160 interviews with parents of children under 11, 2,275 interviews with 11-17 year olds and their parents and 1,761 interviews with 18-24 year olds on their childhood experiences. More than one in four (41.6%) of the parents/guardians said they had physically punished or “smacked” their child in the past year: 39.4% of the parents/ guardians of under 11s and 45.9% of the parents/guardians of 11–17s. The report compares the responses of the 18-24 year olds to those in a similar study in 1998. In 2009, 41% of 18-24 year olds said they had been smacked on the bottom with a bare hand by an adult at home, school or elsewhere during their childhood, compared with 53.1% in 1998; 43% had been smacked on the leg, arm or hand (61% in 1998), 13.4% slapped on the face, head or ears (21.3% in 1998). (Radford, L. et al (2011), *Child abuse and neglect in the UK today*, London: NSPCC)

And...

Children’s views and experiences of corporal punishment are compiled in a new book, *This Hurts Me More Than It Hurts You: In Words and Pictures, Children Share How Spanking Hurts and What To Do Instead*, edited by Nadine Block and Madeleine Gomez. The book also includes questions and answers for parents and professionals and a guide to useful resources. All proceeds from the sale of the book will be donated to non-profit organisations working to end corporal punishment of children and promote non-violent child discipline.

A controversial and provocative article argues that some of the most basic teachings of major religions may have developed in response to the corporal punishment of children. Dr Benjamin Abelow draws on many years of studying the links between childhood and religion to suggest that harsh childrearing practices skewed religious thinking in diverse religious traditions towards themes of sin, obedience and punishment. (Abelow, B. (2011), “*The Shaping of New Testament Narrative and Salvation Teachings by Painful Childhood Experience*”, *Archive for the Psychology of Religion*, 33, 1-54)

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5 MEDIA WATCH

A selection of media reports ...

Australia: The Victorian Charter of Human Rights and Responsibilities Act (2006) is being reviewed by a Parliamentary Committee. A submission by the Presbyterian church stated that the Charter could be used to end the common law right to smack children and objected to this, defending the right of parents to smack their children; Australian Childhood Foundation chief executive Dr Joe Tucci argued that it was never right to hit children. In an online poll associated with the media coverage, 92.47% of more than 4,200 respondents felt that parents should have the right to smack their children, with only 7.53% against such a right. (*Herald Sun*, 24 September 2011; *The Advocate*, 10 August 2011)

Bangladesh: More than 60 students at a primary school in Madartpur Sadar upazila suffered injuries when their teacher caned them. The school management promised to take legal action if appropriate following discussion with the teacher, students and parents. (*bdnews24.com*, 26 September 2011)

Canada: A New Brunswick appeal court ordered a re-trial of a man convicted of assault for spanking his 6-year-old child. The original trial judge had ruled that the punishment, inflicted in public, was “unreasonable” since it reached a level of severity which caused the public to complain to the police. The appeal court ruled that this was too subjective a conclusion, but one dissenting judge agreed with the original judgment, stating that if bystanders were sufficiently motivated to call the police it is unlikely that the man’s claims he only inflicted “two or three” blows were true. (*National Post*, 13 September 2011)

India: Dr Shantha Sinha, Chairperson of the National Commission for Protection of Child Rights (NCPCR), stressed the need to eliminate all forms of corporal punishment of children during a discussion of the Working Group of NCPCR on Guidelines for Eliminating Corporal Punishment in Schools under the Rights to Education Act. (*ABC Live*, 10 October 2011)

A stationery shop near a Government school in Kerala continues to stock bundles of canes – and sales are reportedly brisk despite corporal punishment being unlawful in schools. (*Deccan Chronicle*, 5 September 2011)

A press conference held by the child rights organisation Andhra Pradesh Balala Hakkula Sangham drew attention to the prevalence of injury and fatalities caused by the use of corporal punishment in schools and also high dropout rates due to corporal punishment on the occasion of Teachers Day (5 September) when the very teachers involved are given Government awards. (*Express News Service, The New Indian Express*, 5 September 2011)

A 15-year-old student required hospital treatment and was unable to stand and walk properly after allegedly being told to do hundreds of sit ups for forgetting to take her book to school; the teacher maintains that he told her to do 50 sit ups. (*The Telegraph*, 17 October 2011; *The Times of India*, 18 October 2011). A five year old boy was shackled to a wooden plank at a school in Kosigi for persistently running away from school. The boy collapsed as he walked home from school still dragging the plank. (*Deccan Chronicle*, 20 October 2011)

The National Advisory Council of the Right to Education Act is to embark on a year long community mobilisation programme, raising awareness of the provisions in the Act, including the prohibition of corporal punishment, and correcting misconceptions. Knowledge will be spread through electronic and print media and through traditional art forms. (*Times of India*, 10 October 2011)

Kenya: Muslim leaders from Kakamega County have called for the reintroduction of corporal punishment in schools, blaming problems with indiscipline on the removal of the cane from classrooms. (*Nairobi Star*, 25 August 2011)

Parents of children at a primary school in Kathiani district demanded the removal of the headmistress for caning a pupil until he fainted and his nose bled, despite corporal punishment being unlawful. Police and education officials promised to launch investigations. (*Nairobi Star*, 22 August 2011)

Malaysia: Deputy Prime Minister Tan Sri Muhyiddin Yassin stated that Malaysia is not ready to implement *hudud* law (the imposition of corporal punishments – including flogging and amputation – for certain crimes under Islamic law). Such implementation would require explanation and understanding of these laws to be extended to all people in the country so that they truly understood them, he is reported as saying. The issue was raised by leaders of PAS, the Pan-Malaysian Islamic Party. (*BERNAMA*, 22 September 2011)

New Zealand: A book written by US Christian fundamentalists Michael and Debi Pearl which teaches parents how to smack, thump and pull children's hair as a way of "disciplining" them was widely condemned following complaints that it was being sold in New Zealand, where it is unlawful to hit children in the name of discipline. Following an investigation by the Internal Affairs Department's Censorship Compliance Unit it was decided not to ban the book. The book generated worldwide controversy when a California couple who followed its instructions were convicted of murdering their 7-year old daughter. (*nzherald.co.uk*, 25 August 2011; *The Marlborough Express*, 22 September 2011)

Nigeria: A teacher in Edo State reportedly beat a student with broomsticks for failing her arithmetic test. In the process, the girl's right eye was irreparably damaged. (*Leadership*, 15 September 2011)

Pakistan: The Society for the Protection of the Rights of Children (SPARC) held a consultation workshop entitled "Training on Alternatives to Corporal Punishment: Findings and Follow-up Strategy", in collaboration with Education Department Rawalpindi. The workshop aimed to discuss the prevalence of corporal punishment in schools, follow-up training that had been conducted, and develop a strategy for further reducing corporal punishment in schools. (*The International News*, 14 October 2011)

A girl was scolded and beaten by her teacher and then expelled from school after a spelling mistake in an exam led to accusations of blasphemy. (*The Express Tribune*, 25 September 2011). An eight-year-old boy who took a day off school due to illness was on his return slapped, beaten and caned by his teacher until he nearly collapsed and was unable to stand or sit properly. At a meeting held by the local Jirga, the teacher apologised and the father agreed to pardon him. Activists condemned the incident and demanded action be taken against the teacher. (*The Express Tribune*, 29 September 2011)

Philippines: The *Junior Inquirer* – a children's newspaper – organised a "read-along" in collaboration with Plan International Philippines, attended by around 100 children, featuring TV news personality Cheryl Cosim and storyteller Ann Abacan, a school principal. Stories were read to the children on the theme of positive ways to discipline children, and children were encouraged to share their reactions. The event was viewed as a good way to communicate the message to parents that corporal punishment is harmful and to raise awareness of children's rights. (*Philippine Daily Inquirer*, 10 October 2011)

Education Secretary Armin Luistro issued a reminder that corporal punishment is not allowed

in public schools, and that persons who inflict corporal punishment can be held criminally liable and be dismissed from service. The Department of Education is developing a comprehensive child protection policy to further strengthen the campaign against violence against children in schools. (*InterAksyon*, 13 September 2011)

Singapore: A man who attempted to discipline two boys in his care by subjecting them to a strict routine involving extreme physical exercise and corporal punishment, sometimes caning them until they bled, was sentenced to four years imprisonment and substantial fines. (*AsiaOne*, 11 August 2011)

South Africa: More than 200 cases of teachers inflicting corporal punishment on children have been investigated by provincial education departments in the past 12 months, with more than a dozen teachers being found guilty and given final warnings, suspended without pay and/or fined. Despite the illegality of corporal punishment in schools, these figures are thought to be the “tip of the iceberg” because the majority of pupils and parents do not report such incidents. An investigation by the *Sunday Times* found that 177 cases had been investigated in the Western Cape alone in the past year; pupils in the province have now received guidelines on how to report corporal punishment and teachers have received guidelines on discipline as part of the “Abuse No More” policy. (*Sunday Times*, 25 September 2011)

A 10 year old girl lost her sight in one eye allegedly when it was hit by a wooden chip while a teacher caned her brother. The incident is being investigated. (*Dispatchonline*, 15 September 2011). An eight-year-old boy died from his injuries after allegedly being severely beaten by his grandmother. (*iol News*, 15 October 2011)

The South African Council of Educators reported an increase in cases of teachers using corporal punishment. Presenting its annual report to parliament, the Council said 440 cases of gross misconduct were reported between April 2010 and March 2011, including 100 cases of corporal punishment. (*Times LIVEi*, 19 October 2011)

Sweden: Italian politician Giovanni Colasante was found by the Stockholm District Court to have intentionally inflicted pain on his 12 year old son by pulling his hair during a stay in Sweden. He had been arrested when witnesses called the police. A fine was imposed but was waived in consideration of the travel ban that had been in place since the case began. The case sparked debate about corporal punishment in childrearing in both Italy and Sweden. (*The Local*, 13 September 2011)

Uganda: Despite circulars advising schools that corporal punishment should not be used, it continues to be inflicted on children, even to the point of causing injury. (*The Daily Monitor*, 19 October 2011)

UK: An investigation into madrassas in England, Scotland and Wales found that 400 allegations of physical abuse have been made in the past three years, including children allegedly being beaten with sticks and other implements. Only ten cases were prosecuted, and only two resulted in convictions. Many madrassas are being opened by unregulated groups, often in mosques but also in other buildings or private homes. (*MailOnline*, 19 October 2011)

US: CNN produced a two part special video report exploring the case of Kevin and Elizabeth Schatz, convicted of killing their 7 year old daughter Lydia as they followed the controversial teachings in Michael Pearl’s book *To Train Up a Child* on how to physically punish children, including with the use of a variety of implements. The films can be viewed here: [part 1](#), [part 2](#). Another couple – Larry and Carri Williams – have been charged with homicide after their 13-year-old daughter was allegedly beaten and starved as part of the disciplinary regime associated with the book (*Examiner.com*, 2 October 2011).

Zimbabwe: A 14-year-old boy was sentenced to 5 strokes of the cane for sodomising a two-year-old boy. (*Bulawayo 42 NEWS*, 4 October 2011)

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6 CAN YOU HELP?

Promoting positive, non-violent discipline

We are collecting resources for the promotion of positive discipline in homes, schools and other settings for listing on the website. Contact elinor@endcorporalpunishment.org to suggest resources for inclusion. Resources which promote positive discipline as part of a campaign for law reform or which are clearly linked to prohibition that has already been achieved are especially welcome.

Research on corporal punishment of children

Evidence of the nature and prevalence of corporal punishment gathered through national studies is important to keep the issue visible and to assess the effectiveness of implementation of prohibiting laws and of measures to change attitudes and practice. Please let us know of any research studies on corporal punishment that have been carried out recently or that are being planned (email elinor@endcorporalpunishment.org).

And ...

Other ways to contribute to the work of the Global Initiative include:

- joining our list of volunteer translators
- sending us information on laws prohibiting or authorising corporal punishment
- letting us know about opportunities for promoting law reform (e.g. if draft legislation is being considered) and when new laws are passed which prohibit corporal punishment
- sending us photos and other illustrations of campaigns etc for use in our publications

If you can help with any of the above, please email info@endcorporalpunishment.org.

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We hope you find this newsletter informative and useful and welcome your comments: please email info@endcorporalpunishment.org. We are sending the newsletter to supporters of the aims of the Global Initiative 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 (online at www.endcorporalpunishment.org or email info@endcorporalpunishment.org).

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

“Children are the only people in the UK who can be hit without consequence. Children should be entitled to the same level of protection as adults. There’s no such thing as a safe smack.... A change in legislation will help shift attitudes and behaviour relating to assaulting children – something which can’t be done while the law condones smacking.”

Keith Towler, Children’s Commissioner for Wales, 17 October 2011