



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

## **GLOBAL INITIATIVE NEWSLETTER 24**

**(OCTOBER 2013)**

Honduras joins the list of states achieving law reform to prohibit all corporal punishment; Jamaica removes judicial whipping from the statute book; Cyprus formally repeals the right to administer punishment from its law... These are just a few of the developments reported in this third newsletter of 2013. Read on ...

### **Contents (click on the links for further information)**

- 1. Global progress** – Honduras achieves prohibition; latest developments in Cyprus, Jamaica, Lithuania, Pakistan, Philippines, France, Guyana, Kenya, Samoa; disappointing news from Bangladesh, Maldives, Saudi Arabia, UK, US
- 2. Campaigns and calls for prohibition** – International developments in the health sector, Caribbean and Europe; promotion of prohibition in Algeria, Australia, Ethiopia, France, Ireland, Malaysia, South Africa, UK; new Global Initiative resources
- 3. Human rights monitoring** – Pressure on states to prohibit from the Committee on the Rights of the Child and six other treaty bodies; deadlines for briefing the treaty bodies; latest news from the Universal Periodic Review
- 4. Research and reports** – Three new international reports; national research in Ireland, Japan, New Zealand, Pakistan, South Africa, US
- 5. Can you help?** – How you help in promoting law reform to prohibit corporal punishment

## **1 GLOBAL PROGRESS**

### **\*HONDURAS ACHIEVES PROHIBITION\***

Honduras has become the fourth Latin American state to fully prohibit corporal punishment of children – in the home and in all other settings. Prior to reform, article 231 of the Civil Code and article 191 of the Family Code both confirmed the authority of parents “to reprimand and adequately and moderately correct their children”. These defences for the use of corporal punishment in childrearing have now been explicitly

repealed. Article 14 of the amending law (Decree No. 35-2013) repeals article 231 of the Civil Code, and article 5 of the amending law replaces article 191 of the Family Code with explicit prohibition of corporal punishment:

*“Parents, in the exercise of parental authority, have the right to exercise orientation, care and correction of their children, and to import to them, in keeping with the evolution of their physical and mental faculties, the guidance and orientation which are appropriate for their comprehensive development.*

*It is prohibited to parents and every person charged with the care, upbringing, education, treatment and monitoring [of children and adolescents], whether on a temporary or permanent basis, to use physical punishment or any type of humiliating, degrading, cruel or inhuman treatment as a form of correction or discipline of children or adolescents.*

*The State, through its competent institutions, will guarantee:*

*a) the execution of awareness and education programs directed to parents and every person charged with the care, treatment, education or monitoring of children and adolescents, at both national and local levels; and,*

*b) the promotion of positive, participative and non-violent forms of discipline as alternatives to physical punishment and other forms of humiliating treatment.” (Unofficial translation)*

In addition, article 1 of the amending law reforms article 164 of the Code on Children and Adolescents to include in its definition of abuse that which is inflicted in the guise of discipline or correction.

The reforms came into force on the day of their publication in the Official Gazette, 6 September 2013 and bring the total number of states worldwide with full prohibition to 34. For further information see the Global Initiative’s country report on [Honduras](#).

## **Positive moves towards law reform**

**Cyprus:** The Children Law 1956 has been amended to repeal the right “to administer punishment”. Corporal punishment was made unlawful in the home in Cyprus in 1994 but in the context of the UN Study on Violence against Children it came to light that a defence was still on the statute books. This situation has now been rectified and the defence removed from legislation.

**Jamaica:** Corporal punishment as a sentence for crime was ruled unconstitutional by the Jamaican Court of Appeal as long ago as 1998 – and now its removal from the statute book has at last been completed. The Law Reform (Flogging and Whipping) (Abolition) Act 2013 states in article 2: “(1) The imposition of flogging or whipping as a penalty for any offence is abolished. (2) Every reference to flogging or whipping, as a penalty for an offence, appearing in any enactment, is declared to be of no effect...” The Act repeals the Flogging Regulation Act 1903 and the Crime (Prevention of) Act 1942. Provisions for whipping in the Obeah Act 1898 and the Larceny Act 1942 are repealed in the Obeah (Amendment) Act 2013 and the Larceny (Amendment) Act 2013 respectively.

**Lithuania:** The Government rejected proposed amendments to the Law on the Fundamentals of the Protection of the Rights of the Child, which included prohibition of all corporal punishment (see newsletter 23). In an official statement, the Government reasoned that this Law is to be replaced by a new Law on the Protection of the Child which is to be a priority on the legislative agenda. A preliminary draft of the proposed new Law is under discussion: it includes explicit prohibition of corporal punishment.

**Pakistan:** The Balochistan Government is reportedly about to table in Parliament a bill to prohibit corporal punishment (*Daily Times*, 12 September 2013). We are seeking further information.

**Philippines:** A new Anti-Corporal Punishment Bill 2013 was filed in the Senate in July; it passed its first reading and is currently pending in Committee.

## Other developments

**France:** A man was fined €500 for smacking his nine-year-old son. The president of the *tribunal correctionnel* in Limoges, Estelle Lamotte-Genet, ruled that he had committed a violent act humiliating the child. Deputy prosecutor Jean-Paul Lescat told *Le Populaire du Centre*, the paper which revealed the story: “Thankfully, we are no longer in a time where parents and teachers can inflict physical punishment. It’s a bygone era.” (*The Connexion*, 15 October 2013).

**Guyana:** Prohibition in schools continues to be debated. Last year the ministry held countrywide consultations on corporal punishment with stakeholders, who held varying views. The issue is now under consideration by the Parliamentary Select Committee.

**Kenya:** The Basic Education Act 2013 is now in force. Article 4 explicitly prohibits corporal punishment in schools, confirming the full prohibition achieved in the Constitution in 2010.

**Samoa:** We can now confirm that the Education Act 2013, which prohibits corporal punishment in schools, is in force. The Ministry of Education is currently developing its policy to support implementation of the prohibition, including measures to deal with teachers who continue to use corporal punishment.

## But ...

**Bangladesh:** The new Children Act 2013 has been enacted, repealing the previous Children Act 1974. We are waiting to examine the text in translation but indications are that the Act does not explicitly prohibit corporal punishment.

**Maldives:** A court has overturned the sentence of 100 lashes awarded to a 15 year old girl who was convicted for premarital sex after reporting that she had been raped. The case was widely reported in the media and the sentence attracted an international outcry – but despite the reprieve in this case there have been no reports to suggest that the legality of sentencing juveniles to corporal punishment will be changed. The High Court ruled that she had been wrongly convicted because she made her “confession” while suffering from post-traumatic stress disorder and had been “unfit for trial”.

**Saudi Arabia:** The state has adopted the Law on Protection from Abuse 2013: it does not prohibit all corporal punishment.

**UK, Wales:** The campaign to achieve a ban – removal of the defence of “reasonable punishment” – for children in Wales, using the devolved powers of the National Assembly, continues. The leadership of the current minority Labour Government is resisting including a ban in the Social Services and Well-being (Wales) Bill, currently before the National Assembly, despite 10 years’ of commitment to a ban from successive previous Labour-led governments. The Welsh Labour Party has launched an internal consultation on the issue. Assembly Members from other parties have said they will table an amendment to achieve a ban during the final stages of the Bill if the Government does not do so. For more information see the [Children in Wales website](#).

**US, California:** In a ruling which received wide media coverage, the 6th District Court of Appeal upheld the appeal of a mother charged with child abuse after spanking her child with a wooden spoon severely enough to leave bruising. The court stated that the original hearing did not pay sufficient attention to the family’s circumstances and ordered that the case be heard again. The court reportedly said that the mother’s growing frustration with her daughter’s behaviour and the lack of intention to inflict harm were influential in its decision, with Justice Conrad Rushing stating: “We cannot say that the use of a wooden spoon to administer a spanking necessarily exceeds the bounds of reasonable parental discipline.” (*The Associated Press*, 16 October 2013).

[Back to contents](#)

## 2 CAMPAIGNS AND CALLS FOR PROHIBITION

### International and regional developments

A new [statement](#) by major **international** health organisations calls for all governments to work for prohibition of all corporal punishment and all organisations working for health to include the issue in their work. The statement is endorsed by International Association for Adolescent Health, International Council of Nurses, International Council of Psychologists, International Federation of Medical Students' Associations, International Pediatric Association, International Society for Social Pediatrics and Child Health, International Society for the Study of Behavioural Development, International Union of Psychological Science and World Federation of Public Health Associations. It asserts that on the basis of the evidence of the harmful effects of corporal punishment on children, adults and societies, these organisations believe that prohibition and elimination of corporal punishment is a key strategy to reduce all forms violence in societies and to improve physical and mental health and other developmental outcomes for children and adults. Further endorsements from international organisations working on health and related issues are being sought – contact [elinor@endcorporalpunishment.org](mailto:elinor@endcorporalpunishment.org) for information.

In the **Caribbean**, the newly formed Caribbean Coalition for the Abolition of Corporal Punishment of Children (CCACPC), supported by the Global Initiative, has launched its website ([www.endcorporalpunishmentcaribbean.org](http://www.endcorporalpunishmentcaribbean.org)), produced its first [newsletter](#), and published a [leaflet](#) introducing the coalition and answering common questions. The CCACPC is coordinated by Hazel Thompson-Ahye ([hazel@endcorporalpunishmentcaribbean.org](mailto:hazel@endcorporalpunishmentcaribbean.org)).

In **Europe**, the Council of Europe "[Raise your hand against smacking](#)" campaign continues to build support for the prohibition of corporal punishment in all 47 member states. This month Armenian President Serzh Sargsyan and Serbian President Tomislav Nikolić signed up to support the campaign.

### National campaigns and calls for prohibition

**Algeria:** [Nada](#), the Algerian network for the protection of children's rights, is campaigning for prohibition of corporal punishment in schools as part of its "[On ne joue pas avec les droits des enfants](#)" ("Don't play with children's rights") project.

**Australia:** The paediatric division of the Royal Australasian College of Physicians (RACP) has called for physical punishment to be made illegal in Australia.

**Ethiopia:** In partnership with Save the Children, [ANPPCAN Ethiopia](#) is running a 3 year (2013 – 2015) project called "Abolishment of Physical and Humiliating Punishment of Children and Promotion of Positive Child Disciplining"

**France:** In June 2013, [Fondation pour l'Enfance](#) launched a campaign which aims to raise awareness of the pain and other negative effects of physical punishment using a short [film](#) shown on television.

**Ireland:** The Children's Rights Alliance (CRA) is calling on the Government to prohibit all corporal punishment in the home and alternative care settings. The call comes in the wake of a complaint submitted to the European Committee of Social Rights by the UK-based Association for the Protection of All Children (APPROACH) alleging that Ireland is in breach of its obligations under the European Social Charter because corporal punishment is not prohibited (see below).

**Malaysia:** In 2013, [Voice of the Children](#) is advocating for prohibition of corporal punishment to be included in the Child Act, including submitting a memorandum on corporal punishment to the Prime Minister's office and preparing a research paper on corporal punishment. The [Human Rights Commission of Malaysia](#) is advocating for a ban on all corporal punishment of children, including through work to encourage the Government to withdraw its reservation to article 37 of the Convention on the Rights of the Child on protection from torture and other cruel, inhuman or degrading treatment

or punishment.

*South Africa:* As the South African Children Act is reviewed and prohibition of corporal punishment is again on the agenda, the Southern African Catholic Bishops' Conference Parliamentary Liaison Office produced a [submission](#) (25 June 2013) on "The Use of Corporal Punishment in the Home". The Conference states clearly: "There is nothing in the Catechism of the Catholic Church which supports the right of parents to use corporal punishment." The submission also quotes the New Zealand Catholic Bishops' Conference: "Our basic Christian teaching applies equally to children as to adults: *every person is made in the image and likeness of God and therefore has an innate dignity. We invoke this teaching in confirming our commitment to support everything that will promote the protection of children.*"

*UK, Wales:* A [Roadshow and Vigil](#) on the theme "Ending Legalised Violence against Children" was held at Brecon Cathedral, 25-26 April 2013. Candles were lit to remember children who have suffered violence, and the Dean, The Very Revd Geoffrey Marshall, washed children's feet as a sign of respect. In his address the Dean said smacking should not be seen as acceptable behaviour: "Ending violence against children is a religious imperative and the church has a responsibility to work with others to do so". An exhibition and roadshow is planned in Cardiff for Universal Children's Day 20 November 2013 on the theme of "Hitting Children is Wrong and the Law Should Say So" (for further information email [sara.reid.cymru@gmail.com](mailto:sara.reid.cymru@gmail.com)).

### **\*NEW GLOBAL INITIATIVE RESOURCES TO SUPPORT CAMPAIGNING\***

New editions of the global Progress and Delay leaflet (in [English](#)) and the Africa Progress and Delay leaflet (in [English](#) and [French](#)) are now available. They aim to support advocacy for law reform to prohibit corporal punishment, graphically providing key information about current progress towards prohibition, identifying states which are making progress and states where there appears to be little or not progress, outcomes from the UPR and other useful information (note that prohibition in Honduras had not been confirmed in time for inclusion in these leaflets).

A new regional report will be published before the end of the year. Covering all states in Central Asia, South East Asia and the Pacific, this major report was distributed in draft form for consultation during the summer and is now being finalised for publication. For further information and to be alerted when the report is released email [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org).

And finally, look out for our forthcoming Global Progress Report 2013, which will be published in early December....

[Back to contents](#)

## **3 HUMAN RIGHTS MONITORING**

### **Key decisions and recommendations, etc**

At its 63rd session (27th May – 14 Jun), the **Committee on the Rights of the Child** examined states on their progress towards, and implementation of, prohibition of corporal punishment of children. The Committee recommended to all states that corporal punishment be prohibited in all settings, including the home. To Israel, where prohibition has already been achieved, the Committee recommended that efforts be strengthened to ensure implementation of the law. For further details, see the Global Initiative's country reports for [Armenia](#), [Guinea-Bissau](#), [Israel](#), [Rwanda](#), [Slovenia](#) and [Uzbekistan](#). Following the session, the Pre-Sessional Working Group of the Committee adopted Lists of Issues for future examination of the [Congo \(Republic\)](#), [Germany](#), Holy See, [Portugal](#), [Russian Federation](#) and [Yemen](#): the issue of corporal punishment is included in the Lists of Issues for all states.

The Committee's 64<sup>th</sup> session was held from 16<sup>th</sup> Sept to 4<sup>th</sup> Oct and again the Committee pressed states on their progress towards prohibiting corporal punishment, recommending prohibition in all settings to all states. To Luxembourg, where prohibition was achieved in 2008, the Committee recommended measures to ensure its full implementation. For more details, see the country reports for [China](#), [Hong Kong](#), [Kuwait](#), [Lithuania](#), [Luxembourg](#), [Macau](#), [Monaco](#), [Sao Tome and Principe](#) and [Tuvalu](#). The Committee's Pre-Sessional Working Group adopted Lists of Issues for future examination of [India](#), [Indonesia](#), [Jordan](#), [Kyrgyzstan](#) and [St Lucia](#). The lists are not available at the time of writing.

The **Committee Against Torture** published its concluding observations on states examined at its 50th session (6th – 31st May 2013). To Estonia, Japan and Mauritania, the Committee recommended prohibition in all settings, including the home. To Guatemala, the Committee expressed concern at corporal punishment and other ill-treatment of children deprived of their liberty and in alternative care facilities and recommended that these settings comply with international standards. To the UK, the Committee expressed concern that despite limitations to the application of the defence of “reasonable punishment” and “justifiable assault”, corporal punishment remains legal in England, Wales, Scotland and Northern Ireland, and that corporal punishment is lawful in the home, schools and care settings in nearly all overseas territories and crown dependencies. The Committee recommended prohibition of corporal punishment in all settings throughout the UK and in all its overseas territories and crown dependencies. For further details see the individual country reports for [Estonia](#), [Guatemala](#), [Japan](#), [Mauritania](#) and the [UK](#). See also the reports on the UK's overseas territories and crown dependencies: [Anguilla](#), [Bermuda](#), [British Virgin Islands](#), [Cayman Islands](#), [Falkland Islands](#), [Gibraltar](#), [Guernsey](#), [Isle of Man](#), [Jersey](#), [Montserrat](#), [Pitcairn Islands](#), [St Helena and Dependencies](#) and [Turks and Caicos Islands](#). The Committee's 51<sup>st</sup> session is being held from 28<sup>th</sup> Oct to 22<sup>nd</sup> Nov: we will report on the outcomes in the next newsletter.

In its latest concluding observations, the **Committee on Economic, Social and Cultural Rights** – following examination of states at its 50th session (Apr/May 2013) – made recommendations to prohibit corporal punishment of children to [Denmark \(Greenland\)](#), [Jamaica](#) and [Rwanda](#). Following the session, the Pre-Sessional Working Group adopted lists of issues for states to be examined at the 51<sup>st</sup> session: corporal punishment is included in the Lists of Issues for [Belgium](#), [Bosnia and Herzegovina](#) and [Egypt](#).

The **Human Rights Committee** concluded its 108<sup>th</sup> session on 26 July. To [Albania](#), where corporal punishment is prohibited in all settings, the Committee expressed concern at continued reports of corporal punishment and recommended the promotion of positive, non-violent forms of discipline. To the [Czech Republic](#), the Committee expressed concern that corporal punishment is not prohibited in the home and in institutions and recommended that steps be taken to end it in all settings. The Committee similarly recommended that corporal punishment be ended in all settings in [Indonesia](#) and [Tajikistan](#). The 109<sup>th</sup> session of the Committee is under way as we write: we will report on outcomes in the next newsletter.

The **Committee on the Rights of Persons with Disabilities** held its 10<sup>th</sup> session 2<sup>nd</sup> – 13<sup>th</sup> September. The Committee recommended that [El Salvador](#) comply with the recommendations made by the Committee on the Rights of the Child and explicitly prohibit all corporal punishment.

Following the 55<sup>th</sup> session in July 2013, the **Committee on the Elimination of Discrimination Against Women** recommended to the [UK](#) that legislation be revised in order to prohibit corporal punishment in the home.

The **UN Secretary General's Special Representative on Violence Against Children**, Marta Santos Pais, called for abolition of degrading and capital punishment of children at a press conference in May, together with Former Attorney General and Acting Minister of Gender, Family and Human Rights Azima Shakoor, following a six day visit to the Maldives addressing concerns raised by the sentencing of a 15 year old girl to 100 lashes on charges of fornication. Ms Pais called for all violence against children to be prohibited in all settings, including as a form of criminal sentencing. The full statement is available [here](#).

The **European Committee of Social Rights** has declared admissible complaints against seven European states alleging that their laws do not prohibit all corporal punishment of children. The complaints – against Belgium, Cyprus, Czech Republic, Slovenia, Italy, Ireland and France – were submitted under the collective

complaints procedure by the Association for the Protection of All Children (APPROACH) Ltd (which administers the Global Initiative) and registered by the European Committee on 4 February; they were declared admissible on 2 July 2013. As noted above, Cyprus has since confirmed that it has amended its legislation to remove completely the right “to administer punishment”. For further details see the individual country reports: [Belgium](#), [Cyprus](#), [Czech Republic](#), [Slovenia](#), [Italy](#), [Ireland](#), [France](#). The complaints and all documents can be downloaded from the Council of Europe [collective complaints website](#).

## 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. We are particularly trying to identify “key” NGOs and human rights institutions in each state with whom we can work more closely: if you/your organisation are interested, please contact [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org).

Opportunities for briefing treaty bodies arise in relation to the Lists of Issues adopted for each state in advance of examination as well as in submitting information immediately prior to the examination of states by the Committees. The deadlines for submitting briefings relevant to upcoming sessions are set out below. The Global Initiative is always willing to advise NGOs and human rights institutions on the practical details of how to submit briefings (email [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org)).

### *Committee on the Rights of the Child:*

- (1) Session 65 (13-31 Jan 2014). The Committee will examine Congo (Republic of), Germany, Holy See, Portugal, Russian Federation, Yemen: **the deadline for submitting briefings is not yet published.**
- (2) Session 67 Pre-Sessional Working Group (3-7 Feb 2014). The PSWG will adopt Lists of Issues for Croatia, Fiji, Hungary, Morocco: **the deadline for submitting briefings is 1 November 2013.**
- (3) Session 66 (May-Jun 2014). The Committee will examine Indonesia, India, Jordan, Kyrgyzstan, St Lucia: **the deadline for submitting briefings is not yet published.**
- (4) Session 68 Pre-Sessional Working Group (16-20 Jun 2014). The PSWG will adopt Lists of Issues for Colombia, Croatia, Dominican Republic, Hungary, Mauritius, Sweden, Switzerland, Tanzania, Turkmenistan, Jamaica, Uruguay: **the deadline for submitting briefings is 1 March 2014.**

### *Committee Against Torture:*

- (1) Session 52 (5 – 30 May 2014). The Committee will examine Cyprus, Holy See, Lithuania, Montenegro, Sierra Leone, Thailand, Uruguay and Guinea: **the deadline for submitting briefings is 18 April 2014.**

Information is not yet available for sessions beyond the 52<sup>nd</sup> session.

### *Committee on Economic, Social and Cultural Rights:*

- (1) Session 51 (4 – 29 Nov 2013). The Committee will examine Albania, Austria, Belarus, Belgium, Bosnia and Herzegovina, Djibouti, Egypt, Gabon, Kuwait, Norway: **the deadline for submitting briefings has passed.**
- (2) Session 52 Pre-Sessional Working Group (2-6 Dec 2013). The PSWG will adopt Lists of Issues for Armenia, Czech Republic, El Salvador, Finland, Indonesia, Monaco, Nepal, Portugal, Serbia, Ukraine: **the deadline for submitting briefings has passed.**
- (3) Session 52 (28 Apr – 23 May 2014). The Committee will examine Armenia, China (incl. Hong Kong and Macau), Czech Republic, El Salvador, Indonesia, Lithuania, Monaco, Serbia, Ukraine, Uzbekistan: **the**

## **deadline for submitting briefings is 1 March 2014.**

(4) Session 53 Pre-Sessional Working Group (26-30 May 2014). The PSWG will adopt Lists of Issues for Guatemala, Montenegro, Paraguay, Romania, Slovenia, Tajikistan, Viet Nam: **the deadline for submitting briefings is 26 March 2014.**

### *Committee on the Elimination of Discrimination against Women:*

(1) Session 57 (10-28 Feb 2014). The Committee will examine Bahrain, Cameroon, Finland, Iraq, Kazakhstan, Qatar, Sierra Leone: **the deadline for submitting briefings is not yet published.**

(2) Session 59 Pre-sessional Working Group (Mar 2014). The PSWG will adopt Lists of Issues for Belgium, Brunei Darussalam, China (incl. Hong Kong and Macau), Ghana, Guinea, Poland, Solomon Islands, Venezuela: **the deadline for submitting briefings is not yet published.**

### *Human Rights Committee:*

(1) Session 110 (10-28 Mar 2014). The Committee will examine Chad, Kyrgyzstan, Latvia, Malawi, Nepal, Sierra Leone: **the deadline for submitting briefings is 14 February 2014.**

(2) Session 110 (10-28 Mar 2014). The Country Report Task Forces will adopt Lists of Issues for France, Haiti, Malta, Montenegro, Russian Federation, Sri Lanka, and Lists of Issues Prior to Reporting for Ecuador, New Zealand and Sweden: **the deadline for submitting briefings is 20 December 2013.**

(3) Session 111 (7-25 Jul 2014). The Committee will examine Burundi, Chile, Georgia, Ireland, Japan, Sudan: **the deadline for submitting briefings is not yet published.**

(4) Session 111 (7-25 Jul 2014). The Country Report Task Forces will adopt Lists of Issues for Cambodia, Cote d'Ivoire, Cyprus, Spain, UK, Venezuela, and the List of Issues Prior to Reporting for Poland: **the deadline for submitting briefings is not yet published.**

### *Committee on the Rights of Persons with Disabilities:*

(1) Session 11 (31 Mar – 11 Apr 2014). The Committee will examine Azerbaijan, Costa Rica, Sweden: **the deadline for submitting briefings is 28 February 2014.**

(2) Session 11 (31 Mar – 11 Apr 2014). The Committee adopt the List of Issues for Germany: **the deadline for submitting briefings is 28 February 2014.**

(3) Session 12 Pre-Sessional Working Group (14-17 Apr 2014). The POSWG will be adopting Lists of Issues for Belgium, Denmark, Ecuador, Mexico, New Zealand, Republic of Korea: **the deadline for submitting briefings is 28 February 2014.**

## **The Universal Periodic Review**

The obligation to prohibit and eliminate corporal punishment of children continues to be raised with states in the Universal Periodic Review of their overall human rights records. The Global Initiative submits briefings on every state being reviewed, sharing advance draft briefings with relevant organisations to encourage submissions at national level. We also conduct a follow up programme, pursuing the issue with states that accept recommendations to prohibit corporal punishment by writing to key NGOs, NHRIs and Government ministers, and undertake ongoing analysis of coverage of the issue in all aspects of the UPR process (for further information email [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org)).

The 16<sup>th</sup> session of the UPR took place in April/May 2013. Of the 14 states reviewed, only one – Germany – has already achieved prohibition of corporal punishment in all settings including the home. Eight of the



other states received recommendations to do so: three accepted the recommendations ([Azerbaijan](#), [Cape Verde](#), [Turkmenistan](#)), three rejected them ([Burkina Faso](#), [Cameroon](#), [Canada](#)) and two gave unclear responses ([Bangladesh](#), [Tuvalu](#)). The 17<sup>th</sup> session is taking place as we write: further information in the next newsletter.

Opportunities for submitting briefings for the 18<sup>th</sup> session (Jan/Feb 2014) and the 19<sup>th</sup> session (Apr/May 2014) have now passed. The deadline for submitting briefings for the 20<sup>th</sup> session (Oct/Nov 2014) is **1 February 2014**: Angola, Bolivia, Bosnia and Herzegovina, Egypt, El Salvador, Fiji, Gambia, Iran, Iraq, Italy, Kazakhstan, Madagascar, San Marino, Slovenia.

[Back to contents](#)

## 4 RESEARCH AND REPORTS

### International and regional reports

A **World Health Organization report on preventing child maltreatment in Europe**, which contains summaries of the legality of corporal punishment in the region and of research into the prevalence of and attitudes towards corporal punishment in European countries which have prohibited compared to those which have not, states that Sweden provides an example of a sustained effort with its multiple approaches to prevent “maltreatment” including prohibition of corporal punishment and recommends evidence-based prevention of “maltreatment”, including providing parenting support and focusing on social norms towards violence and beliefs in using corporal punishment to discipline children. (World Health Organization (2013), *European report on preventing child maltreatment*, World Health Organization Regional Office for Europe)

As a follow up to the UN Study on Violence against Children, the **International NGO Council of Violence against Children** has prepared a report to support the development of non-violent juvenile justice systems (*Creating a Non-Violent Juvenile Justice System*). It includes information on ensuring children in conflict with the law are protected from corporal punishment – both as a sentence for crime and as a disciplinary measure in detention – in law and in practice.

The final report of the **European Conference on “Stepping up progress in combating violence against children”**, held in Ankara, Turkey, in November 2012 is now available. The Conference was organised by the Council of Europe, UNICEF Turkey and the Government of Turkey, in collaboration with the UN Special Representative of the Secretary General on Violence against Children. Outcomes from the meeting included strong recommendations on corporal punishment: (17) All Council of Europe member states should ban corporal punishment in all environments, including the home; (18) Alternative, non-violent means to bring up children and teach them what is right and wrong should be promoted, and children should be informed that they have the right to be free from violence; (19) Efforts to change social perceptions that violence against children is necessary or acceptable must continue until a real change can be seen; and (20) All Council of Europe member states should develop policies to encourage and support positive parenting and positive discipline approaches. The report is available in [English](#) and [Turkish](#).

### National research and reports

*Ireland*: A study of 9,739 three year olds found that 45% of their primary caregivers “smacked” them sometimes. (Williams, J. et al (2013), *Growing Up in Ireland: Development from Birth to Three Years – Infant Cohort*, Department of Children and Youth Affairs)

*Japan*: In a survey of 510 college athletes (427 male and 83 female), 62% said that violent punishment is acceptable in school athletics programmes. One third (33%) of respondents said that they had been physically punished at school. Students who had been physically punished were more likely to think that violent punishment was acceptable (73% of those who had been physically punished compared to

57% of those who had not) and to say that they would use violence if they became a teacher or athletics coach. (Reported in *The Asahi Shimbun*, 13 May 2013)

In a government study, 840 teachers were reported to have used corporal punishment between April 2012 and January 2013: 189 in elementary schools, 416 in junior high schools, 220 in senior high schools and 15 at schools for children with special needs. In total, 84 teachers were disciplined for their use of corporal punishment and two were dismissed. (Reported in *The Asahi Shimbun*, 28 April 2013)

**New Zealand:** The New Zealand Police Force produced eleven reviews of police activity between the prohibition of all corporal punishment of children in June 2007 and the end of 2012. The reviews identify incidents of “smacking,” “minor acts of physical discipline” and “other child assaults” in police statistics and discuss police responses to these incidents. The first review, at three months since the law change, saw a small increase in police activity around child assault, with police attending a total of 111 child assault events over all three categories, compared with 95 in the three months prior to the law change. The second review showed an increase in “smacking” events attended by police six months after the law change, followed by a decrease to pre-law change levels nine months after the law change. The following reviews showed similar small decreases in “smacking” events attended by police. The sixth review found that the number of reported “other child assaults” (referring to more severe acts of violence against children) had increased slightly. The seventh, eighth, ninth and tenth reviews all stated that “There is an increase in the number of events attended by police during this review period which is consistent with reduced tolerance and increased reporting of child assault events.” The eleventh review found a decrease in the number of events attended by police. In the first 5 years after the law change, police attended a total of 143 incidents of “smacking”, 435 “minor acts of physical discipline” and 2,674 “other child assaults”. Eight prosecutions were made for “smacking” and 46 for “minor acts of physical discipline”. In all the other cases of “smacking” and “minor acts of physical discipline”, a warning was given or no further action was taken. The reports also contain some information on referrals for support made to government and non-government agencies. (New Zealand Police, 2013, *Eleventh review of police activity since enactment of the Crimes (Substituted Section 59) Amendment Act 2007*; previous reviews available at <http://www.police.govt.nz>)

**Pakistan:** A 2013 study documented that beatings and other physical violence, sometimes amounting to torture, were inflicted on child domestic workers. (Child Rights Movement Punjab et al (2013), *The unending plight of child domestic workers in Pakistan: Exploitation, abuse, torture, rape and murder*, Child Rights Movement Punjab, Institute for Social Justice, Society for the Protection of the Rights of the Child & Pakistan Institute of Labour Education & Research)

**South Africa:** During the 2012-2013 financial year, the South African Human Rights Commission received 125 allegations of corporal punishment, compared to 117 allegations during the 2011-2012 financial year. (Reported in *IOL News*, 22 July 2013)

**US:** A study involving 3,279 mothers and children living in 20 US cities which examined the frequency with which mothers “spanked” their children, the “warmth” of mothers’ interaction with the children and the children’s behaviour found that children who were “spanked” aged 1 were more aggressive at age 3 and children who were “spanked” aged 3 were more aggressive at age 5. Maternal warmth did not change the associations between “spanking” children and their later aggressive behaviour. The study controlled for demographic characteristics and other risk factors. (Lee, S. J. et al (2013), “*Does Warmth Moderate Longitudinal Associations Between Maternal Spanking and Child Aggression in Early Childhood?*” *Developmental Psychology*, advance online publication 21 January 2013)

The US-based anti-corporal punishment organisation, [StopSpanking.org](http://StopSpanking.org), has produced a short [video](#) which explores the long-term effects of corporal punishment. By looking at the “fine line” that many parents draw between spanking and physical abuse, the video seeks to answer the question of whether being spanked as children makes us more inclined to be violent ourselves? To this end, the producers

interviewed juvenile offenders, neuroscientists specialising in early brain development, and experts in the field of child abuse.

[Back to contents](#)

## 5 CAN YOU HELP?

### Promoting positive, non-violent discipline

We are still collecting resources for promoting positive discipline in homes, schools and other settings – especially those developed as part of a comprehensive campaign including for law reform – to list on our website. If you can help please email [elinor@endcorporalpunishment.org](mailto:elinor@endcorporalpunishment.org).

### Research on corporal punishment of children

Evidence of the nature and prevalence of corporal punishment gathered through national studies helps to keep the issue visible and provides a baseline against which the effectiveness of prohibition and associated awareness raising can be measured. Please let us know of any new or planned research (email [elinor@endcorporalpunishment.org](mailto:elinor@endcorporalpunishment.org)).

### Other ways to help ...

We would also appreciate your help by

- joining our list of volunteer translators
- sending us information on relevant legislation
- letting us know about current opportunities for promoting prohibition (new laws being drafted, bills being discussed, etc)
- sending us contact details for organisations campaigning to prohibit and eliminate corporal punishment of children.

If you can help with any of the above, email [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org). [Back to contents](#)

We hope you find this newsletter informative and useful and welcome your comments: email [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org). The newsletter is sent 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, contact [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org). If your organisation has not done so already, please consider signing up in support of prohibition of all corporal punishment (online at [www.endcorporalpunishment.org](http://www.endcorporalpunishment.org) or email [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org)). To receive the latest developments between newsletters, sign up to RSS feeds at [www.endcorporalpunishment.org](http://www.endcorporalpunishment.org).

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*“Violence towards children is like domestic violence: we mustn’t accept the first blow. We need an important symbolic act so that society can say that smacking is not tolerable and not an educational tool.”*

French Minister for Family Affairs, Dominique Bertinotti, October 2013

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