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**Constituent Societies**

ANDSOOHA – Public Health Nursing  
Management in Ontario

Association of Ontario  
Health Centres

Association of Public Health  
Epidemiologists in Ontario

Association of Supervisors of Public Health  
Inspectors of Ontario

Canadian Institute of Public Health  
Inspectors (Ontario Branch)

Community Health Nurses' Initiatives Group  
(RNAO)

Health Promotion Ontario:  
Public Health

Ontario Association of Public Health  
Dentistry

Ontario Society of Nutrition Professionals in  
Public Health

Public Health Research, Education and  
Development (PHRED) Program

Charitable Registration  
Number 11924 8771 RR0001

May 31, 2007

Honourable Senator Raynell Andreychuk, PC, Chair  
Senate Standing Committee on Human Rights  
40 Elgin St., Rm. 1051  
Ottawa, ON K1A 0A4

Subject: Submission in support of Bill S-207

Dear Senator Andreychuk:

Please accept this submission to the Senate Standing Committee on Human Rights (SSCHR) in support of Bill S-207.

The Ontario Public Health Association (OPHA) is an organization of individuals and Constituent Societies from various sectors and disciplines that have an interest in improving the health of the people of Ontario through advocacy, policy development, collaboration, and education. One of the areas of focus for the OPHA is violence prevention, including the prevention of physical punishment of children. Physical punishment of children is a public health concern. It is a form of violence that violates children's right to physical integrity, and endangers their mental and physical health.

In 2003 and 2004, the OPHA accepted resolutions (attached) to advocate for education of current and future caregivers of children and youth about the negative consequences of physical punishment and the various forms of positive discipline; to advocate for organizations to develop clear positions against the use of physical punishment of children and youth; to endorse the *Joint Statement of Physical Punishment of Children and Youth*; to advocate for other organizations to endorse the *Joint Statement*; to support repeal of section 43 of the *Criminal Code*, as repeal would provide children the same protection from physical assault as that given to adults; and finally, to advocate for organizations to support repeal of section 43.

Section 43 of the *Criminal Code* justifies the use of force by teachers and parents to correct children and thereby conflicts with the goal of OPHA to promote non-violent discipline.

We were encouraged by the SSCHR's *Children: The Silenced Voices* report that recommends repeal of section 43 by 2009 and widespread education on the harms of physical punishment and on safe and effective discipline. Several Ontario health units are implementing educational campaigns on positive discipline. The impact of these campaigns would be enhanced with the passing of Bill S-207 (see attachments for a sampling of Ontario campaigns).

Repealing section 43 will send a clear message that Canadian children have the right to the same protection from assault as all other Canadian citizens. It will send a clear message that our government does not condone spanking and hitting of children, and it will strengthen the efforts of OPHA and hundreds of other organizations across the country to promote non-violent methods of discipline. It will also bring Canada into step with other progressive nations that have adhered to the *United Nations Convention on the Rights of Child* and eliminated comparable defenses in their laws.

Sincerely,

Dr. Garry Aslanyan,  
President

cc: Senator Hervieux-Payette, P.C., M.P.  
Janet MacLachlan, Chief Executive Officer, CPHA

#### Attachments

A. OPHA 2003 and 2004 Resolutions related to physical punishment and section 43 of the *Criminal Code*.

#### **B. Sampling of Ontario public education campaigns on discipline**

1. Toronto Public Health: *Spanking Hurts More Than You Think* campaign, [www.toronto.ca/health/children/discipline.htm](http://www.toronto.ca/health/children/discipline.htm)
2. Simcoe-Muskoka District Health Unit: *Think Twice* campaign, [http://www.simcoehealth.org/facts/injury\\_prevention/think\\_twice/500\\_Think\\_Twice\\_Main\\_Page\\_PUBLIC.asp](http://www.simcoehealth.org/facts/injury_prevention/think_twice/500_Think_Twice_Main_Page_PUBLIC.asp)
3. Leeds, Grenville, and Lanark District Health Unit: *Discipline*. [http://www.healthunit.org/children/parents/discipline\\_punishment.htm](http://www.healthunit.org/children/parents/discipline_punishment.htm)
4. Regional Municipality of Durham: Positive Discipline is in your Hands, <http://www.region.durham.on.ca/departments/health/pdcf/pdcf.aspx>