

Resolutions on Physical Punishment of Children

**Position paper and resolution adopted by the
Ontario Public Health Association (OPHA)**

Code: 2004-08 (RES)

Status: Active

Submitted by: OPHA Violence Prevention and Child Health Workgroups

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Background

In 1997, the Ontario Public Health Association (OPHA) adopted the resolution that violence is a public health issue. Since then OPHA formed a Violence Prevention Workgroup to facilitate the implementation of violence prevention initiatives. An early key accomplishment of this Workgroup was to develop the position paper “A Public Health Approach to Violence Prevention,” which was adopted in 1999. The workgroup produced an update to this position paper entitled, “Public Health and Violence Prevention – Maintaining the Momentum” that was adopted in 2003. This more recent paper discusses various forms of violence including the physical punishment of children, and included a resolution to address the issue of physical punishment. Specifically, it was resolved that OPHA do the following:

- advocate locally and provincially for education initiatives with other community agencies to educate potential and actual caregivers of children and youth about the potential negative consequences of physical punishment and the various forms of positive discipline; and
- advocate for organizations to develop clear positions on the use of physical punishment of children and youth.

Two current national initiatives are congruent with and build on the recommendations related to physical punishment of children contained within “Public Health and Violence Prevention – Maintaining the Momentum”, and they both support the implementation of the resolution stated above. These initiatives are the *Joint Statement on the Physical Punishment of Children and Youth* (Durrant et al., 2004) and the national advocacy effort to repeal Section 43 of the Criminal Code which justifies the use of physical punishment of children between the ages of 2 and 12.

Definition of Physical Punishment

Physical punishment is defined as “an action intended to cause physical discomfort or pain to correct a child’s behaviour,” (Durrant et al., 2004, p.1). *The World Health Organization Report on Violence and Health* (Krug et al., 2002) identifies physical punishment as a violent act stating that it “is dangerous to children. In the short term it kills thousands of children each year and injures and handicaps many more. In the longer term, a large body of research has shown it to be a significant factor in the development of violent behavior, and is associated with other problems in childhood and later life” (Krug et al., 2002, p. 64).

Prevalence of Physical Punishment

Prevalence estimates of physical punishment are most often based on parental reports, which are subject to bias and are likely to be an underestimate of actual rates. Research indicates that physical punishment is used with children of all ages, but is most often used with pre-schoolers (Gershoff, 2002). In a sample of Ontario parents, 85% reported having slapped or spanked their children and 20% reported having hit their children with objects. From a sample of mothers of preschoolers in Manitoba and Ontario, 70% reported having used physical punishment and one-third of these mothers used it at least once per week (Durrant et al., 2004). The estimated number of substantiated investigations of physical abuse increased significantly from 1993 to 1998 in

Ontario, and 72% of these investigations involved physical abuse caused by inappropriate punishment (Trocme et al., 2002).

Joint Statement on Physical Punishment of Children and Youth

The *Joint Statement on Physical Punishment of Children and Youth* (Durrant et al., 2004, Attachment A) was initiated by the Children's Hospital of Eastern Ontario (CHEO) and developed in partnership with a national coalition of organizations, including the Canadian Public Health Association. The purpose of the *Joint Statement* is three-fold. It provides evidence of the negative effects of physical punishment on children's development and its limited effectiveness in correcting or changing children's behaviour. It encourages parents and other caregivers to use discipline that does not rely on physical punishment. It explores the implications of this evidence in relation to Canadian law and a child's right to protection from physical assault.

Consequences of Physical Punishment. The *Joint Statement* summarizes the now large body of research on physical punishment and concludes that there is cumulative and consistent evidence that physical punishment places children at risk of physical injury, physical abuse, impaired mental health, a poor parent-child relationship, and increased childhood and adolescent aggression and antisocial behaviour. Physical punishment in childhood has also been associated with negative outcomes in adulthood such as increased aggression, poorer mental health, and an increased risk of abusing one's own child or partner. Studies have also shown that parents who use physical punishment often report that it is ineffective and that it can be harmful.

While an intended outcome of physical punishment is often thought to be increased child compliance, studies have shown that its effectiveness in increasing compliance is questionable. Where it has been shown to increase short-term compliance, multiple spankings were required to achieve the result. This finding suggests that physical punishment may escalate in severity in order to change a child's behaviour.

It was also found that there are negative consequences of using physical punishment for the parent. A common finding is that parents who physically punish their children report feeling regretful or guilty after doing so.

Recommendations. The *Joint Statement* provides recommendations for action for all levels of government and service providers. These recommendations identify the need for the following:

- public awareness and parent education with consistent messages on the risks of physical punishment and on effective discipline;
- the collection of ongoing data to monitor public attitudes on the use of physical punishment;
- policy, practice, and professional training that articulates a stance against the use of physical punishment and that provides information on the risks of physical punishment to children's development as well as strategies for supporting parents to replace their use of physical punishment with effective discipline; and
- amendment of the Criminal Code to give children the same protection from physical assault that is given to adults and to recognize children's right to physical integrity and dignity.

Endorsements of the *Joint Statement* have been sought since its initial publication in April 2003. As of July 2004, 140 organizations across Canada and several notable individuals have endorsed this landmark document. (For the list of endorsers, see Appendices E and F of the *Joint Statement*, pp. 37-42)

Repeal of Section 43 of the Criminal Code

The second initiative pertaining to physical punishment is the national advocacy effort to persuade Canadian Parliament to repeal Section 43 of the Criminal Code. This section of the Criminal Code, ‘Correction of Child by Force’ reads,

“Every schoolteacher, parent or person standing in the place of a parent is justified in using force by way of correction toward a pupil or child, as the case may be, who is under his care, if the force does not exceed what is reasonable under the circumstances. R.S.C., 1985, c .C-4.”

Section 43 was codified in 1892 and is based on English common law that permitted corporal punishment of wives, servants, apprentices, convicts, and children.

Section 43 provides a defence to a charge of physical assault if the courts consider the punishment reasonable and for “correction.” Examples of acquittals under Section 43 in which physical punishment was considered reasonable include punishment administered with straps, belts, or other implements resulting in bruises, welts or swellings.

Supreme Court of Canada Judgement on Section 43. In 1998, the Canadian Foundation for Children, Youth, and the Law filed a constitutional challenge to Section 43 arguing that it violates the Canadian Charter of Rights and Freedoms because it discriminates against children based on age and violates a child’s right to physical security. This case was heard by the Supreme Court of Canada in June 2003. On January 30th, 2004, the Supreme Court released its decision to uphold the constitutionality of Section 43. Although the Supreme Court decision did place several limitations on what constitutes “reasonable force”, the law, as it stands, still justifies the use of physical punishment by parents of children between the age of two and 12 (see Attachment B for these judicial limitations to Section 43). To date, all citizens except children between these ages have legal protection from corporal punishment in Canada.

National and international context: The national movement to repeal Section 43 from the Criminal Code is based on the belief that this section violates a child’s right to physical security and undermines attempts to educate parents/caregivers about positive discipline. This is in keeping with the United Nations Convention on the Rights of the Child, ratified by Canada in 1991, which requires countries to protect children from *all* forms of violence. The international committee that has been monitoring nations’ implementation of the U.N. Convention on the Rights of the Child has recommended that Canada abolish physical punishment and that educational campaigns be used to change societal attitudes toward the use of physical punishment in the family.

Many other countries have already revised their legislation pertaining to physical punishment of children. At least 11 nations have abolished physical punishment by parents/caregivers, and over

100 nations have abolished school corporal punishment (See Appendices B & C in Durrant et al., 2004, pp. 25-31 for the complete list of countries that have prohibited corporal punishment). Sweden's ban on corporal punishment has been studied extensively and since the ban a favourable shift in attitudes and behaviour has been reported. Durrant et al. (2004, p. 15) summarise the research on the Swedish ban in the following:

Following its 1957 repeal of the criminal defence to assault of a child, Sweden in 1979 became the first nation to explicitly ban physical punishment. This ban was accompanied by a national education campaign. Today, there is little public support for physical punishment. Sweden's unequivocal declaration against physical punishment has led neither to an increase in long-term out-of-home care for children nor to a higher rate of prosecution of child physical assault cases. Over recent decades, serious assaults against children have become uncommon, and fatal child abuse has become rare." "

Currently, over 150 organizations at the local, provincial, and national level in Canada have declared their support for repeal of Section 43. (For a list of supportive organizations, please link to: www.repeal43.org.)

Conclusion

The *Joint Statement* and support for repeal of Section 43 are congruent with OPHA's 2003 resolutions to advocate for education on the risks and ineffectiveness of physical punishment and on positive methods of discipline and to advocate for organizations to develop clear positions against the use of physical punishment. The *Joint Statement* is an excellent tool for educating service providers on the harms of physical punishment and on positive alternatives. This document can also serve as a catalyst for developing an organizational position statement on the issue. Broad endorsement of the *Joint Statement* will support advocacy efforts to repeal Section 43 of the Criminal Code and give children equal protection from physical assault. Action to repeal Section 43 is needed because this law undermines efforts to provide education on positive methods of discipline by its justification of physical punishment. Repeal of Section 43 would send a clear message that our legislation does not support physical punishment of children and, by so doing, repeal would enhance the impact of education efforts on positive discipline.

References

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- Trocmé, N., Fallon, B., McLaurin, B., Daciuk, J., Bartholomew, S., Ortiz, J., Thompson, J., Helfrich, W., & Billingsley, D. (2002). *1998 Ontario Incidence Study of reported child abuse and neglect (OIS 1998)*. Toronto, ON: Centre of Excellence for Child Welfare, Faculty of Social Work, University of Toronto.

Attachment B: Judicial Limitations for the Interpretation of Section 43 of the Criminal Code¹

1. Only parents may use reasonable physical force solely for purposes of correction.
2. Teachers may use reasonable force only to “remove a child from a classroom or secure compliance with instructions, but not merely as corporal punishment.”
3. Corporal punishment cannot be administered to “children under two or teenagers.”
4. The use of force on children of any age “incapable of learning from [it] because of disability or some other contextual factor” is not protected.
5. “Discipline by the use of objects or blows or slaps to the head is unreasonable.”
6. “Degrading, inhuman or harmful conduct is not protected”, including conduct that “raises a reasonable prospect of harm.”
7. Only “minor corrective force of a transitory and trifling nature” may be used.
8. The physical punishment must be “corrective, which rules out conduct stemming from the caregiver’s frustration, loss of temper or abusive personality.”
9. “The gravity of the precipitating event is not relevant.”

The question of what is “reasonable under the circumstances requires an “objective” test and “must be considered in context and in light of all the circumstances of the case.”

¹ *Source:* Supreme Court of Canada Judgement, January 30, 2004 (2004 SCC 4) posted at www.lexum.umontreal.ca/csc-scc/en., as summarized in *OACAS JOURNAL* , Spring 2004, Volume 48 , Number 2, p.5.

Resolution #1

WHEREAS Public Health has a goal to increase the percentage of children and youth who meet physical, cognitive, communicative and psychosocial developmental milestones; and

WHEREAS studies indicate the utilization of physical punishment is still widely used and may have serious consequences for children; and

WHEREAS Public Health has a role in conjunction with other community agencies to educate potential and actual caregivers of children about the potential negative consequences of physical punishment and methods of positive discipline; and

WHEREAS the Ontario Public Health Association (OPHA) has resolved to advocate locally and provincially for education of potential and actual caregivers of children and youth about the potential negative consequences of physical punishment and methods of positive discipline; and

WHEREAS OPHA has resolved to advocate for organizations to develop clear positions on the use of physical punishment of children and youth; and

WHEREAS the national *Joint Statement of Physical Punishment of Children and Youth* (Durrant et al., 2004) sets out a clear position against the use of physical punishment based on a review of the most recent literature;

THEREFORE BE IT RESOLVED that the OPHA endorse the *Joint Statement of Physical Punishment of Children and Youth*, and

BE IT FURTHER RESOLVED that the OPHA advocate locally, provincially, and federally for other organizations to endorse the *Joint Statement of Physical Punishment of Children and Youth*.

Resolution # 1 - Implementation Strategy

OPHA Violence Prevention Workgroup will complete the CHEO *Joint Statement* Endorsement Form and have it signed and submitted to the Children's Hospital of Eastern Ontario (CHEO) by the OPHA Executive.

OPHA Executive will write a letter to the Canadian Public Health Association (CPHA) Executive recommending that CPHA advocate for broader endorsement of the *Joint Statement* (CPHA has already endorsed the *Joint Statement*).

OPHA Executive will write a letter to all Medical Officers of Health in the province recommending their endorsement of the *Joint Statement*.

OPHA Executive will write a letter to the Executive of the Association of Local Public Health Agencies (ALPHA) recommending their endorsement of the *Joint Statement*.

Resolution # 2

WHEREAS Public Health has a goal to increase the percentage of children and youth who meet physical, cognitive, communicative and psychosocial development milestones; and

WHEREAS studies indicate the utilization of physical punishment is still widely used and may have serious consequences for children; and

WHEREAS Section 43 of the Criminal Code justifies the use of physical punishment of children between the ages of 2 and 12;

WHEREAS Public Health has a role in conjunction with other community agencies to advocate for policy change that affects the health and well-being of children;

THEREFORE BE IT RESOLVED that the OPHA support the 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

BE IT FURTHER RESOLVED that the OPHA advocate locally, provincially, and federally for organizations to support the repeal of Section 43 of the Criminal Code.

Resolution #2 Implementation Strategy

OPHA Executive will write a letter to the Federal Minister of Justice indicating that:

- OPHA supports efforts to reduce and prevent all forms of violence including the physical punishment of children and is advocating for education on positive discipline;
- Section 43 of the Criminal Code justifies the use of physical punishment of children ages two to 12 and thereby contradicts the message of Health Canada which actively discourages the use of physical punishment;
- Our Government needs to send a clear message that it does not condone the use of any form of physical punishment as a mode of discipline with children of any age;
- Our Government should amend the Criminal Code in order to give children the same protection from physical assault as that given to adults, recognize children's rights to physical integrity and dignity, and adhere to the United Nations Convention on the Rights of the Child, ratified by Canada in 1991.

OPHA Executive will send a copy of this letter to all other relevant Members of Parliament including the Minister of Health and Minister of Foreign Affairs.

OPHA Executive will write a letter to all Medical Officers of Health in the Province recommending that they write to the Minister of Justice asking for reconsideration of Section 43.

OPHA Executive will write a letter to the Canadian Public Health Association Executive recommending that they write to the Minister of Justice asking for reconsideration of Section 43. OPHA Executive will write a letter to ALPHA recommending that they write to the Minister of Justice asking for reconsideration of Section 43.

OPHA Violence Prevention Workgroup will promote and/or participate in initiatives that support the repeal of Section 43 of the Criminal Code.

Regarding resolutions, position papers and motions:

Status: Policy statements (resolutions, position papers and motions) are categorized as:

Active, if:

1. The activities outlined in the policy statement's implementation plan have not yet been completed; or
2. The policy statement addresses an issue that is currently relevant to public health in Ontario.

Archived, if:

1. The activities outlined in the policy statement's implementation plan have been completed; or
2. The policy statement addresses an issue that is not currently relevant to public health in Ontario or is not based upon the most current evidence. The statement remains the position of the OPHA until a new statement is adopted that effectively reverses or essentially negates all or major elements of an earlier statement. In this instance, the former supersedes the latter

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**Joint Statement
on
Physical Punishment
of
Children and Youth**

Coalition

Children's Hospital of Eastern Ontario

Child Welfare League of Canada

Family Service Canada

Canadian Child Care Federation

Canadian Institute of Child Health

Canadian Public Health Association

Canadian Association for Young Children

Également offert en français sous le titre :

Déclaration conjointe sur les punitions corporelles données aux enfants et aux adolescents

The citation for this document is:

Durrant, J.E., Ensom, R., and Coalition on Physical Punishment of Children and Youth (2004).

Joint Statement on Physical Punishment of Children and Youth. Ottawa: Coalition on Physical Punishment of Children and Youth.

No changes permitted. Photocopy permission not required.

For additional copies please contact:

Director of External Development

Children's Hospital of Eastern Ontario

401 Smyth Road

Ottawa, ON

K1H 8L1

tel: (613)737-7600

fax: (613)738-3216

This publication is also available in English and French on the website of the Children's Hospital of Eastern Ontario (CHEO) at www.cheo.on.ca

Library and Archives Canada Cataloguing in Publication

Joint statement on physical punishment of children and youth / Coalition on Physical Punishment of Children and Youth; Children's Hospital of Eastern Ontario ... [et al.].

Issued also in French under title: Déclaration conjointe sur les punitions corporelles données aux enfants et aux adolescents.

Includes bibliographical references.

ISBN 0-9689803-1-7

1. Discipline of children. 2. Corporal punishment. I. Coalition on Physical Punishment of Children and Youth. II. Children's Hospital of Eastern Ontario

HQ770.4.J64 2004

649'.64

C2004-901657-1

Acknowledgements

The Joint Statement on Physical Punishment of Children and Youth had its genesis in a search by the Children's Hospital of Eastern Ontario (CHEO) for a way to assist parents who have difficulty at the hospital with their children's behaviour. The desire to support these parents grew into a plan to provide all Canadians—parents, caregivers and professionals who are curious or concerned about the physical punishment of children and youth—with authoritative information on this critical and controversial subject. The Advocacy Committee of the CHEO Board of Trustees and a coalition of national organizations supported and steered the joint statement from concept to publication and beyond. The dedication of these coalition partners and their representatives on the working group is gratefully acknowledged:

Children's Hospital of Eastern Ontario
Child Welfare League of Canada
Family Service Canada
Canadian Child Care Federation
Canadian Institute of Child Health
Canadian Public Health Association
Canadian Association for Young Children

Many organizations and key individuals were partners in spirit and substance to the development of the statement. The financial support of the Foresters Prevention of Child Abuse Fund; the leadership of Dennise Albrecht, CHEO's Director of External Development; the guidance of Charlotte Gray and Pamela Mountenay Cain, CHEO Trustees who chaired the coalition; the support of Barbara Coyle, Senior Director, Canadian Child Care Federation and Victoria Norgaard, Child Welfare League of Canada; and the expertise of Marvin Bernstein, Elizabeth Gershoff, Corinne Robertshaw and Nico Trocmé are also gratefully acknowledged.

The joint statement was researched and authored by:

Joan Durrant, Ph.D.; University of Manitoba
Ron Ensom, M.S.W., RSW; CHEO, Ensom & Associates

with the assistance of:

Susan Wingert, M.Sc.
Michele Matte, B.A. (Hon.)

All who were part of the development of the joint statement appreciate the contributions of all who welcomed and endorsed it.

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Executive summary

Background

The Joint Statement on Physical Punishment of Children and Youth was developed by a national partnership of organizations concerned with the well-being of children and their families. It has been formally endorsed by many Canadian organizations and, by invitation, some individuals involved in a broad range of issues related to children and youth.

Purpose and audience

Based on extensive research evidence, the statement provides an overview of the developmental outcomes associated with the use of physical punishment on children and youth. Scenarios depicting disciplinary situations ground the document in the realities well known to parents and caregivers. The statement will also be of interest to professionals, policy and program planners, members of the public, and children and youth themselves. Resources are identified for those interested in learning more about effective discipline and parenting.

Highlights of findings

The research evidence now available permits us to move beyond the debate about whether physical punishment is harmful to children and youth or is even effective as discipline.

- There is no clear evidence of any benefit from the use of physical punishment on children.
- There is strong evidence that physical punishment places children at risk for physical injury, poorer mental health, impaired relationships with parents, weaker internalization of moral values, antisocial behaviour, poorer adult adjustment and tolerance of violence in adulthood.
- Few parents believe that physical punishment is effective, most believe it is unnecessary and harmful, and a majority think the most common outcome is parental guilt or regret.
- Parents are more likely to use physical punishment if they approve of it, experienced it themselves as children, feel anger in response to their children's behaviour, are subject to depression, or are burdened by particular forms of stress.

Conclusion and implications

On the basis of the clear and compelling evidence—that the physical punishment of children and youth plays no useful role in their upbringing and poses only risks to their development—parents should be strongly encouraged to develop alternative and positive approaches to discipline. The implications of this evidence and this goal are examined in relation to Canadian law, human rights and actions taken by other countries.

Recommendations

Recommendations for action in Canada include: (1) delivery of public awareness messages to inform all Canadians that physical punishment is harmful to children's development and is ineffective as discipline; (2) development of universal parenting education; and (3) provision of the same protection of children from physical assault as is given to Canadian adults and to children in a growing number of countries. Responsibility for action lies within the jurisdiction of national, provincial and territorial and local levels of government, the mandates of organizations, and the expertise of professionals who serve children and youth. The statement as a whole may be considered an urge to action by professionals and by parents and caregivers—within and beyond their families.

Preface

This Joint Statement on Physical Punishment of Children and Youth is dedicated to the healthy development of the children of Canada and to those most responsible for it—their parents and caregivers.

The joint statement began as an initiative of the Children’s Hospital of Eastern Ontario, and grew into a partnership. Many organizations and individuals supported its development, and many more have endorsed it. All who have contributed to this document hope that it will be a resource for everyone committed to sharing and acting on the now persuasive evidence—that the physical punishment of children and youth plays no useful role in their upbringing and poses only risks to their development.

Every effort has been made to ensure that the information in this statement is based on research evidence and expert opinion current at the time of publication. References are provided to enable readers to verify findings and extend their own inquiry into the critical and contentious issues which have surrounded physical punishment of children and youth.

About endorsement:— Endorsement of the joint statement by the noted Canadian organizations and individuals signifies confidence in its review of research on physical punishment and conclusions drawn from the review, and support of its recommendations. The names of all who endorsed the joint statement prior to its publication are listed on the cover; they are also listed in the appendices with additional information. Endorsements received following its publication will be added to those already posted on the website of the Children’s Hospital of Eastern Ontario (www.cheo.on.ca) and in subsequent printings of the document.

About the pre-publication and final editions of the joint statement:— The content of this final edition of the joint statement has been updated from the pre-publication edition. It includes summaries of: (1) a Decima poll of Canadians’ views on the section of the Criminal Code of Canada central to the issue of physical punishment of children; (2) the decision by the Supreme Court of Canada on the constitutionality of that law; and (3) the second review of Canada’s compliance with the United Nations Convention on the Rights of the Child by the Committee on the Rights of the Child, all of which took place after the release of the pre-publication edition. No changes have been made to the review of research, conclusion or recommendations.

Statement of purpose

The purposes of the Joint Statement on Physical Punishment of Children and Youth are to:

- create a common understanding of the ways in which physical punishment can affect children's development
- summarize the evidence of its risks
- identify the factors that perpetuate its use
- encourage parents^a and other caregivers to choose approaches to discipline that do not rely on physical punishment.

Audience

This statement has been researched and written for parents and others who care for children and youth, professionals who provide services to them, those who develop policy and programs which affect children and families, interested members of the public, and children and youth themselves.

What physical punishment is

Physical punishment is an action intended to cause physical discomfort or pain to correct a child's behaviour, to 'teach a lesson', or deter

Some other words for hitting children

- ♦ spanking
- ♦ smacking
- ♦ slapping
- ♦ paddling
- ♦ whupping
- ♦ hiding
- ♦ whacking
- ♦ thrashing

the child from repeating the behaviour. The intended effect is a change in the child's behaviour. Physical punishment may be administered with the hand or may involve the use of objects, such as rulers, belts and wooden spoons. In some cases it does not involve striking the child—for example, requiring a child to hold an uncomfortable position, kneel on hard objects, or place a foul tasting substance in her mouth.

There is no clear distinction between physical punishment and physical abuse. Attempts to distinguish them in terms of degree of force, parental intent or even extent of injury have not been successful^{1 2}. Health Canada³ recognizes that “child physical abuse is usually connected to physical punishment or is confused with child discipline”.

Some physical punishments that don't involve hitting

- ♦ washing a child's mouth out with soap
- ♦ requiring a child to remain motionless or in a sitting position without a chair
- ♦ forcing a child to kneel on a floor grate
- ♦ isolation in a confined space
- ♦ denying a child use of the toilet
- ♦ forced physical exertion
- ♦ placing hot pepper sauce in a child's mouth
- ♦ denying access to needed water, food or sleep

^a Throughout this document - except where specific studies are cited - the terms 'parent', 'caregiver' and 'adult' are used interchangeably and include parents, guardians, grandparents and other relatives, members of caring communities, child care providers, babysitters and any other adult responsible for the care and supervision of children or youth.

What physical punishment is not

Physical punishment should not be confused with protective physical restraint, which is the application of external control, not to punish, but to protect the child or others from physical pain and harm. Examples of protective restraint are holding a child back from a busy road, pulling a child's hand away from a hot stove, or holding a child who is hurting another.

Physical punishment should not be confused with self-defence, which is not intended to correct behaviour, but to *protect oneself* from harm.

Terms used in this document

While 'physical discipline', 'corporal punishment' and 'spanking' are commonly used terms, 'physical punishment' will be used in this document for the following reasons.

- 'Physical discipline' confuses the concepts of *discipline* and *punishment*. Discipline encompasses a wide range of philosophies and methods properly aimed at protecting, socializing and guiding children toward self-control, independence, and respect for oneself and others. The practice of physical punishment is at odds with the concept of discipline.
- 'Corporal punishment' has a connotation of severity, and is associated with acts such as caning and belting.
- 'Spanking' connotes triviality and is associated with light taps and slaps of hands and buttocks.

Myths about child rearing

- ◆ shaking a baby^b will teach him not to cry
- ◆ biting a child will teach her not to bite
- ◆ hitting a child will teach him not to hit
- ◆ the threat of a spanking will encourage better eating
- ◆ spankings will speed up toilet training
- ◆ a good slap will end a tantrum
- ◆ striking a 'rebellious' teenager will prevent delinquency

In fact, in all of these situations physical punishment is likely to worsen the behaviour, increasing the parent's frustration and, in turn, the intensity of the punishment.

'Physical punishment' includes the entire range of potentially painful and injurious acts, whatever their degree or outcome and regardless of the intent behind them.

Prevalence

To estimate the true prevalence of physical punishment is a challenge. Because physical punishment does not occur frequently throughout the day in most families, it is difficult for researchers to observe and record. As a result, estimates of its prevalence are most often based on parental reports, which are subject to errors of recall and parents' willingness to report behaviour they often regret^{4 5 6}. Further, variation in methods of data collection—from questionnaires to telephone surveys to in-person interviews—can lead to variations in responses. Therefore, *prevalence estimates are likely to underestimate actual rates of the use of physical punishment and lead to conflicting findings.*

^b Physical punishment of infants and toddlers sometimes takes the form of shaking. For information on Shaken Baby Syndrome, see Joint Statement on Shaken Baby Syndrome, Health Canada, Minister of Public Works and Government Services, Ottawa, 2001.

National surveys of Canadian parents

- In a 1988 survey ⁷, 21% reported that they use physical punishment (19% occasionally, 2% often or very often).
- In a 2001 survey ⁸, 10% reported that they use physical punishment when their children break the rules.
- In a 2002 survey ⁹, 50% reported that they or their spouse had “inflicted light corporal punishment, like a slap” on their children; 6% reported that they or their spouse had “inflicted painful corporal punishment”.

Regional surveys

- In a sample of Ontario parents ¹⁰, 85% reported having slapped or spanked their children and 20% reported having hit their children with objects.
- In a sample of mothers of preschoolers in Manitoba and Ontario, 70% reported having used physical punishment; one-third of those who used it did so at least once per week ⁵.
- In another sample of mothers of preschoolers in Manitoba, 59% reported having used physical punishment in the previous two weeks ¹¹.
- In a 1999 survey of Quebec mothers ¹², 48% reported having physically punished their children in the 12 previous months by pinching, shaking or hitting the child on the buttocks. Acts of severe violence such as shaking an infant, hitting a child on the face or head, punching, kicking or slapping, or hitting with an object within the previous 12 months were reported by 7% of mothers in the sample.
- In a 2000 survey of university students in Manitoba and British Columbia, 75% reported having received physical punishment as children or adolescents. Thirty-seven percent of these reported being slapped on the head, 34% being hit with an object and 18% being whipped ¹³.

Public attitudes

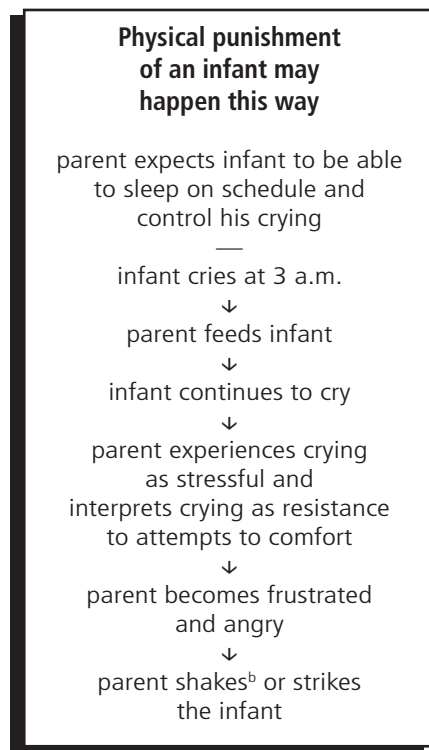
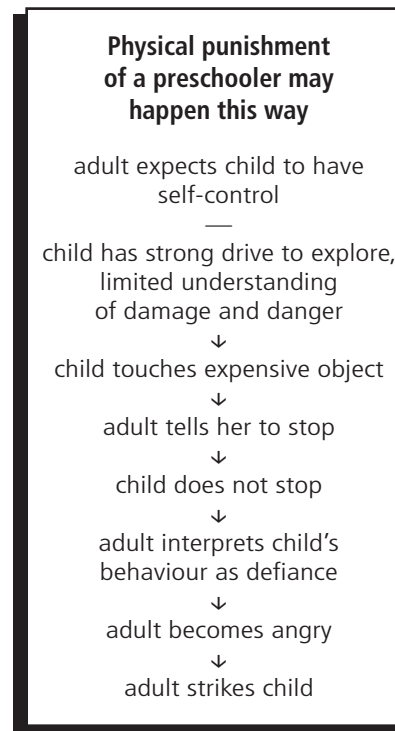
Although physical punishment is common, several studies suggest that many Canadian parents think that it is not constructive. Only 2% of parents surveyed in 1988 ⁷ believed that physical punishment is the most effective way to change children’s behaviour, while more than three-quarters believed that physical punishment is harmful to children and unnecessary.

Similarly, the majority of a sample of mothers of preschoolers in Manitoba and Ontario believed that physical punishment is ineffective, unnecessary and harmful ⁵. Fewer than one-third of Canadians surveyed in Manitoba and Ontario viewed physical punishment as a reliable method of increasing obedience, learning or respect for the parent. In fact, a majority believed the most common outcome of physical punishment is parental guilt or regret ⁴. A survey of more than 1000 parents in the United States revealed similar findings. More than 60% believed that spanking will not lead to better self-control and is likely to lead to increased child aggression ¹⁴.

Most parents would prefer to use alternative methods to teach their children, resolve conflict and deal with their own frustration ⁶. In a study of the educational needs of Canadian parents of young children, 91% reported that they believe information about discipline should be made available on a wide scale ¹⁵. Mothers are less likely to use physical punishment when they are exposed to clear and intense messages from professionals and from the media that discourage its use ¹⁶. Public education seems, therefore, a potentially powerful mechanism for decreasing caregivers' use of physical punishment and increasing their use of effective discipline strategies.

Which children are most likely to receive physical punishment?

Physical punishment is most commonly used with preschoolers ^{12 17} who are in a stage of high activity, exploration and drive for independence. Children in this age



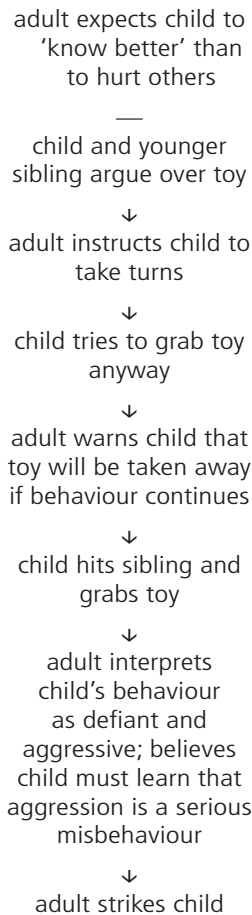
group also are likely to exhibit negativism, impulsivity and limited understanding of harm and danger. In the Quebec survey, 70% of parents of three- to six-year-olds reported using physical punishment in the year preceding the study.

Of course, younger children also are physically punished ^{17 18 19}. In the Quebec survey ¹², 49% of parents of children aged zero to two years reported physically punishing them within the previous 12 months ^b.

A substantial proportion of older children also experience physical punishment ^{13 17 20}. In the Quebec survey, 57% of parents of 7- to 10-year olds, 37% of parents of 11- to 14-year-olds and 19% of parents of 15- to 17-year-olds reported using physical punishment within the previous year ¹². Adolescents were the victims in 38% of substantiated cases of inappropriate punishment reported to Canadian child protection agencies in 1998 ¹⁹.

Children are most likely to be physically punished for behaviours that can harm themselves or others. It is ironic that caregivers are most likely to strike children when they are trying to either prevent injury to the child or teach her that hitting is wrong ^{4 21 22 23 24 25}.

Physical punishment of a school-age child may happen this way



Boys are more likely to be physically punished than girls ^{12 26 27 28 29 30 31}, although some studies suggest this gender difference may be small ^{32 33 34}.

What are the risk factors for use of physical punishment?

Several factors increase the risk of use of physical punishment. The more of these risk factors present in a parent's life, the greater the likelihood the parent will use physical punishment.

Parental anger in response to conflict with a child

The more anger a parent feels in response to conflict with a child, the more likely it is that physical punishment will occur ^{24 35 36}.

Parent's own experience of physical punishment as a child or youth

Parents who were themselves physically punished in childhood or adolescence are more likely to respond to their own children's behaviour this way than are parents who do not have a history of being physically punished ^{6 31 37 38 39 40}.

Parental belief systems

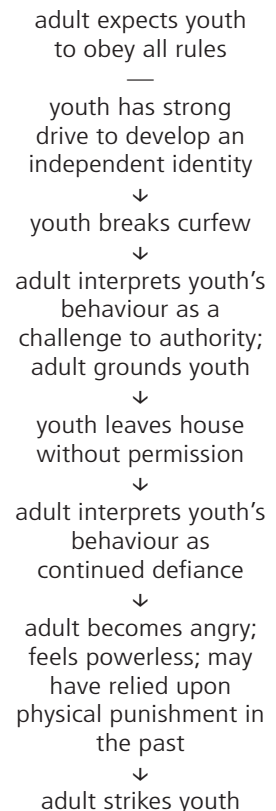
Parents who interpret child misbehaviour as intentional and serious—as defiance rather than a developmental stage—are more

likely to use physical punishment ^{6 11 37}. *Parents' approval of physical punishment is a very important factor in its use* ^{25 40}. It has been found to be more important than parental mood ²⁴, anger ^{35 38}, or childhood experience of physical punishment ³⁵. In a study examining the power of eight parental variables to predict mothers' use of physical punishment with their preschoolers, approval of its use was found to be the most powerful predictor ¹¹.

Parent's gender

In some studies that ask parents to describe their child rearing practices, mothers report using physical punishment more than fathers ^{26 28 34 39}. Other studies find no gender difference ^{25 41 42}.

Physical punishment of an adolescent may happen this way



When children or adults are asked to describe their childhood experiences, some studies indicate more mothers use physical punishment than do fathers ^{43 44}, others find that fathers use it more than mothers ³⁰, while other studies find no gender difference ⁴⁵.

Parent's level of education

Studies on the relationship between parents' education and use of physical punishment have conflicting findings. In some, parents with lower levels of education report greater use of physical punishment ^{46 47}; others link lower levels of education to less use of physical punishment ⁴⁸; and others find no relationship ⁴⁹ or an unclear one ⁴².

Parent's age

The relationship between parental age and use of physical punishment is unclear. In some studies, younger parents report they use physical punishment more often than older parents ^{25 31 42 48}. In other studies, older parents report higher rates ^{46 50}. Some find no relationship to parental age ⁴⁹.

Parental depression

Depressed parents report using physical punishment more often than parents who are not depressed ^{42 46 50}.

Stress

Some studies suggest that physical punishment is more frequent in families experiencing economic stress ^{18 25 46 48 51}, although other studies find no relationship ^{49 31} or an unclear one ^{42 47}. The more children in the family, the greater the likelihood the children will be physically punished ^{47 50 52}. Marital conflict or violence, relationship stress and parenting stress are associated with increased use of physical punishment ^{18 31 34 42 46 47}.

When is physical punishment most likely to be used?

A typical situation resulting in physical punishment begins with a parent whose sense of control is threatened by a child's behaviour. For example, when a child has difficulty with self-control, or when a child exhibits a desire for independence or a teenager tests the standards of the family and the community, a parent may perceive the behaviour as defiance. Believing that the behaviour is an intentional challenge to parental authority, the parent becomes angry. If this parent experienced physical punishment as a child, or believes that it is an appropriate means of gaining control, or feels desperate to maintain authority, physical punishment is a likely outcome.

On the other hand, a parent with knowledge of child development who has appropriate expectations for a child's behaviour is likely to interpret a drive for independence, or testing, as just that. This parent is less likely to become angry in response to the child's behaviour and is, therefore, less likely to use physical punishment. Rather, this parent will guide the child to understanding how to behave in the circumstances.

However, even a parent who understands a child's motivations and knows effective techniques for guiding behaviour will, at some time, feel frustrated and angry. This is particularly likely to happen when the parent is in a bad mood, tired, or stressed by life's demands. At such a time, a parent can respond emotionally, rather than intellectually, and strike a child. *Physical punishment is often an impulsive act, driven by emotion, rather than by reason.* In fact, the majority of parents, even many of those who think that physical punishment is acceptable, do not think that it works¹⁴. Most feel regret after striking their children^{4 5 6}. Sometimes it is not so much punishment as retaliation.

Are there risks associated with use of physical punishment?

Many studies have been conducted on physical punishment and its relationship to the well-being of children and youth. A landmark analysis by Gershoff⁵³ of the findings of 88 studies has demonstrated that even common forms of physical punishment put children's development at risk in a number of areas.

Child injury

Physical punishment places children at risk of physical injury. Most cases of child physical abuse occur during episodes of physical punishment^{54 55 56 57}. In a 1998 national study of child maltreatment, it was estimated that more than 10,000 substantiated cases of child physical abuse in Canada took place within the context of punishment⁵⁸. These constituted over two-thirds of all substantiated child physical abuse cases in that year⁵⁸. Of the 10 studies of this relationship examined by Gershoff, physical punishment was found to be a risk factor for physical harm in all 10⁵³. Although caregivers may be attempting to protect children from danger when they punish them physically, they are actually increasing the likelihood that they themselves will harm the children.

Four ways in which physical punishment can escalate to injury

1. Caregiver believes that physical punishment works; when the child does not respond, the caregiver increases the intensity of the punishment.
2. Caregiver may have a disciplinary intent, but her frustration, anger or stress increases the level of force beyond what was intended.
3. Caregiver feels powerless and desperate to regain control.
4. Caregiver's motive is not only punitive, but retaliatory.

The more strongly caregivers approve of physical punishment, the more harshly they administer it^{10 59 60}. And the more often caregivers use even mild physical punishment, the more likely they are to inflict severe violence⁶¹. In the Quebec study¹², children who experienced minor physical violence (e.g., pinching, shaking, spanking) were seven times more likely to experience severe violence (e.g., punching, kicking, hitting with an object) than those who had not been subjected to minor physical violence. Therefore, physical punishment is likely to escalate into injurious violence in the lives of many children.

Parent-child relationship

Deliberately inflicted pain can lead to fear, anxiety, insecurity and anger in a child^{6 18 62}, eroding the parent-child relationship as he learns to avoid his parent^{63 64 65 66}. In fact, all of the 13 studies in Gershoff's analysis that addressed this question revealed that *physical punishment is linked to*

*impaired parent-child relationships*⁵³. Even at two years of age, children who are physically punished are more likely to distance themselves from their mothers than those who are not physically punished⁶². Over time, parent-child communication may be impaired such that by adolescence, a youth with this earlier experience would be less likely to turn to her parents for advice or help.

Child mental health

Physical punishment is a risk factor for poorer child mental health as demonstrated in all 12 studies of this relationship in Gershoff's analysis⁵³. It is associated with depression^{67 68}, unhappiness and anxiety^{46 69}, and feelings of hopelessness in children and youth⁷⁰.

How does physical punishment contribute to child behaviour problems?

1. Physical punishment serves as a model, rather than an inhibitor, of aggression.
2. Physical punishment may interfere with the development of trust in the relationship with the parent, reducing the child's desire to comply.
3. If compliance is controlled by physical punishment, the child's internal motive to comply in the punisher's absence is weakened.
4. Fear of physical punishment focuses the child's attention on consequences to himself, rather than the consequences of his behaviour for others.

Child reasoning and problem solving

Children who receive physical punishment are less likely to internalize moral values than children who are not physically punished. This relationship was found in 13 of 15 studies examined by Gershoff⁵³. Physical punishment is associated with lower levels of resistance to temptation, lower levels of altruistic behaviour, and lower levels of empathy and moral judgment⁷¹. This could be because it relies on external controls, rather than building on internal ones. Physical punishment may focus the child's attention on the consequences of his behaviour for himself, rather than on how it affects others⁷². The erosion of the parent-child relationship associated with physical punishment may also decrease children's motivation to internalize their parents' values^{53 73}.

Child behaviour

Given the above findings, it is not surprising that *physical punishment has been associated consistently with increased levels of aggression in children and youth*. In her analysis of 27 studies of this relationship, Gershoff found that physical punishment was associated with increased child aggression in all 27⁵³. Children who receive physical punishment have an increased tendency to act out^{74 75}, attack their siblings^{76 77}, hit their parents^{76 78 79} and retaliate aggressively against peers⁸⁰. Another study⁸¹ demonstrated that physical punishment of 13-year-old boys predisposes them to physically assaulting their girlfriends several years later.

Physical punishment has been associated with increased antisocial behaviour in children and youth (e.g., bullying, lying, lack of remorse) in 11 of 12 studies of this relationship⁵³. While many parents believe that physical punishment will keep their children out of trouble, *delinquency and antisocial behaviour have been found to increase over the long term in children who are physically punished*^{20 82 83}.

Parents who use physical punishment to teach their children not to hit or bully others are actually more likely to increase their children's aggression and antisocial behaviour over the long term.

Adult adjustment

Childhood experience of physical punishment is related to negative outcomes long into adulthood. Since decreased levels of moral internalization and increased levels of aggression are among these outcomes, it is not surprising that physical punishment in childhood has been linked to the development of adult antisocial behaviour. Physical punishment was consistently associated with higher levels of adult aggression (4 of 4 studies), criminal and antisocial behaviour (4 of 5 studies), and abuse of one's own child or spouse (5 of 5 studies) in Gershoff's analysis⁵³. Childhood experience of physical punishment also was found to be associated with poorer adult mental health (e.g., depression, alcoholism) in all of the eight studies in this analysis⁵³. In a study of Ontario residents, those who reported having been slapped or spanked as children, but not physically or sexually abused, had an increased lifetime rate of anxiety disorders and alcohol use or dependence⁸⁴.

Adult definitions of violence

Another long-term effect of physical punishment that is evident in adulthood is greater tolerance of violence. For example, the strongest predictor of adult approval of a particular punishment is having experienced that punishment as a child⁸⁵. The rate of approval of common (e.g., shaking, hitting with a belt) and severe (e.g., burning, tying up) physical punishments is two to three times greater among those who have experienced them than among those who have not⁸⁵. Even among those who have been severely punished (e.g., punched, choked), the majority do not consider these acts to have been abusive^{40 86 87 88 89}.

Clearly, seriously abusive behaviour can be perceived as normal if it is part of one's early personal experience^{54 90}. Personal definitions of normal and abusive discipline are then carried into parenting practice, where they will influence the likelihood of the cycle of maltreatment continuing^{8 33 40 91}. It is important to note, however, that risk is not destiny. Many adults who were physically punished as children commit themselves to never striking their own children.

Does physical punishment have any benefits?

Research findings on the association between physical punishment and immediate compliance are unclear. Of five studies that examined this relationship, three found that physical punishment can result in short-term compliance⁵³. However, its effectiveness in increasing compliance is questionable. In one of these studies, for example, an average of eight spankings was required in a short period to achieve children's compliance⁹². This suggests not only that the short-term effectiveness of physical punishment is limited, but that the risk of its escalation is high. The studies summarized above that have examined the relationship of physical punishment to child reasoning and problem solving demonstrate that this practice is not associated with long-term compliance.

Summary of the risks and benefits of physical punishment

Research findings on physical punishment are remarkably consistent. *They link its use to many negative developmental outcomes in children. As well, no positive long-term developmental outcomes have been identified by the research on physical punishment.* It is a risk factor for physical injury of a child and erosion of the parent-child relationship, as well as for poorer psychological adjustment and increased levels of aggression throughout life. Furthermore, it perpetuates the use of violence by the next generation.

What can parents and caregivers do instead?

An important goal of parenting is to provide children with a repertoire of problem-solving skills and the competence and confidence to use them throughout their lives. *The choices that parents make in disciplinary situations provide powerful models to children of aggression or self-control, retaliation or problem-solving, intimidation or communication, bullying or empathy.* These choices provide children with a set of enabling or disabling responses for contending with everyday challenges in child care settings, schools, neighbourhoods and in sports.

Because physical punishment is at best ineffective in teaching socially appropriate behaviour—and potentially physically and emotionally harmful—caregivers should be strongly encouraged to develop alternative, positive approaches to discipline. In 1995, the United Nations Committee on the Rights of the Child recommended that Canada launch educational campaigns to decrease public support for physical punishment⁹³.

Methods of guiding behaviour of older children and youth

- ♦ *communicating* expectations clearly
- ♦ *recognizing* positive behaviour
- ♦ *respecting* the child's growing need for independence
- ♦ *modeling* negotiation and problem-solving
- ♦ *explaining* the reasons for rules and limits
- ♦ *listening* to the child's perspective
- ♦ *helping* the child to find ways to express himself
- ♦ *teaching* fairness and justice

Methods of guiding young children's behaviour

- ♦ *restructuring* the environment so that the child can explore safely
- ♦ *distracting* the child from dangerous objects
- ♦ *modeling* appropriate behaviour
- ♦ *explaining* and teaching
- ♦ *supervising* the child
- ♦ *reinforcing* desired behaviour
- ♦ *preparing* the child for transitions
- ♦ *planning* for challenging situations
- ♦ *establishing expectations and limits* ahead of time

In order to build their caregiving competence, parents can:

- improve their problem-solving skills
- understand the child's point of view
- learn more about normal developmental stages
- learn effective ways of communicating with children
- model and reinforce positive behaviours
- develop skills to prevent parent-child conflict
- recognize anger triggers and form strategies for managing them
- reduce personal and family stress.

A list of resources representing a wide range of child rearing philosophies and approaches is provided in Appendix A.

What is the law on physical punishment in Canada? ^c

The law on physical punishment in Canada varies by jurisdiction and statute. Provincial and territorial legislation defines and provides for intervention in situations where a child has suffered harm or is at risk of harm; and it variously limits the use of physical punishment in certain child-serving programs which fall under provincial and territorial jurisdiction. Federal legislation defines and establishes penalties for criminal offences for all provinces and territories.

Provincial and territorial legislation

Child welfare laws in all provinces and territories define child physical abuse similarly. Their definitions are based on actual harm or risk of harm arising from a parent's or caregiver's behaviour toward a child. Child welfare laws in British Columbia, Manitoba and Ontario specifically forbid physical punishment by foster parents. Ontario prohibits physical punishment of all children receiving services from a child protection agency or other service provider licensed or approved by the province.

Child care legislation prohibits physical punishment in provincially-licensed child care programs in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Nova Scotia, Prince Edward Island, Newfoundland, Northwest Territories, Yukon and Nunavut.

Education acts have abolished physical punishment from the schools of British Columbia, New Brunswick, Nova Scotia, Prince Edward Island, Newfoundland, Yukon, Northwest Territories and Nunavut. Where physical punishment is not prohibited by provincial education acts, many school boards expressly forbid it by policy in their schools.

Quebec Civil Code no longer defines a “right of correction”. Although reference to it was removed from the Civil Code in 1994, there is some uncertainty as to whether this reform means that the right of correction itself was abolished ⁹⁴. However, a number of rulings have stated that the right of correction is no longer recognized in Quebec's civil law—“The right of discipline granted to parents over their children no longer explicitly admits this right of physical correction, even when moderate and reasonable” ⁹⁵ cited in ⁹⁴.

Policy in many other child-serving organizations prohibits physical punishment, even where it is not prohibited by law.

Federal legislation

The use of physical force against another person is an assault under the Criminal Code of Canada. All citizens are legally protected from assault under Canadian law. However, section 43 of the Criminal Code has, for over a century, protected “persons in authority” (parents, teachers, persons standing in the place of parents) from criminal prosecution if their use of physical force against a child is deemed “reasonable” and “by way of correction”. Section 43 applies across Canada ^d.

^c The information in this section was accurate at publication but is subject to change.

^d Other defences are provided in the Criminal Code for those who must, in the circumstances, use force in self-defence, defence of others and defence of property.

In December 1999, section 43 was challenged in the Ontario Superior Court on constitutional grounds related to three sections of the Canadian Charter of Rights and Freedoms ^{see 96 97 98 99}. The Court recognized the “growing body of evidence that even mild forms of corporal punishment do no good and may cause harm”. The Court’s decision noted that experts from both sides agreed that: (1) “hitting a child under two is wrong and harmful ... has no value and can destroy a child’s sense of security and self-esteem,” (2) physical punishment of teenagers “is not helpful and potentially harmful,” (3) “corporal punishment using objects such as belts, rulers, etc. is potentially harmful both physically and emotionally and should not be tolerated,” (4) “physical punishment should never involve a slap or blow to the head,” (5) “corporal punishment which causes injury is child abuse” ¹⁰⁰. It was noted in the decision that not a single expert witness advocated or recommended physical punishment as a form of discipline.

Despite these findings, the Court ruled in July 2000 that section 43 is constitutional. This decision was upheld on appeal to the Ontario Court of Appeal in January 2002 ¹⁰¹. The Supreme Court of Canada granted leave to appeal this decision, heard the appeal in June of 2003, and in January 2004, in a split 6-3 decision, ruled that section 43 does not violate the constitutional rights of Canadian children ¹⁰². At every court challenge to section 43, the Government of Canada has argued that this section is constitutional and should remain, as written, in the Criminal Code.

Though finding section 43 constitutional, the Supreme Court narrowed the definition of who may use physical punishment, on what ages, body parts and capacities of children, with what force, and in what circumstances. (1) Only parents may use reasonable physical punishment. Teachers may use reasonable force only to “remove a child from a classroom or to secure compliance with instructions, but not merely as corporal punishment”. (2) Only children older than two and not yet teenagers may be physically punished. (3) The use of force on children “incapable of learning from [it] because of disability or some other contextual factor” is not protected. (4) Only “minor corrective force of a transitory and trifling nature” may be used. (5) “Discipline by the use of objects or blows or slaps to the head is unreasonable”. (6) “Degrading, inhuman or harmful conduct is not protected”. (7) The physical punishment must be “corrective, which rules out conduct stemming from the caregiver’s frustration, loss of temper or abusive personality”. (8) “The gravity of the precipitating event is not relevant”. (9) The question of what is “reasonable under the circumstances” requires an “objective” test and “must be considered in context and in light of all the circumstances of the case.”

A national poll on Canadians’ attitudes toward removing section 43 from the Criminal Code was conducted by Decima Research in August 2003 ¹⁰³, between the hearing of the appeal and the announcement by the Supreme Court of its decision. At that time, 69% of Canadians agreed that teachers should not be allowed to physically punish children. Ending section 43 protection for parents was supported by 51% of Canadians, but would be supported by 72% if guidelines were in place to prevent prosecutions of mild slaps or spankings, by 72% if research showed that physical punishment is not effective and can be harmful, and by 80% if research showed it would decrease child abuse.

With the constitutionality of section 43 of the Criminal Code finally settled by the Supreme Court of Canada, two avenues are left open for those who wish to reduce the use of physical punishment of children in Canada—repeal of this law by Parliament and public education.

Legal confusion

The contradictions between criminal law definitions of assault and provincial and territorial law definitions of child abuse are the source of considerable confusion and conflict among the public and professionals in Canada. For example, a provincial or territorial child welfare authority may investigate a report of parental physical abuse of a child, conclude that she is at risk in her family and apprehend her. When this happens, police may lay a charge of assault. However, section 43 provides parents with a legal defence against such a charge. This has led to situations which seem to defy logic, in which the definition of “a child in need of protection” in provincial and territorial law leads to the child’s apprehension, but the protection afforded to parents under section 43 of the Criminal Code leads to their being acquitted of assault.

Other laws further contribute to the permission versus prohibition confusion surrounding physical punishment. To extend the example above, when the apprehended child is placed in foster care in some provinces and territories, her foster parents would by law, or by policy of the responsible child welfare agency, be forbidden from using physical punishment on her even though section 43 would still provide a defence for them if they did use it. If the foster parents use physical punishment on their biological children but spare her, all of the children receive mixed, confusing and stigmatizing messages. All involved in this situation—the child, the foster parents’ biological children, the foster parents themselves and the child welfare professionals involved—are challenged in these perplexing situations to try to make sense of the permission versus prohibition confusion. If the child were subsequently adopted, her adoptive parents, like other parents, would not be forbidden by provincial or territorial statute or by child welfare agency policy from using physical punishment on her. Section 43 would, as always, provide her adoptive parents with a defence if they were to assault her. This inconsistency sends a very confusing message to parents and caregivers—and children and youth—regarding young people’s rights to security and legal protection from physical assault.

It is anticipated that the decision by the Supreme Court of Canada, narrowing the protection provided by section 43 to parents and teachers who use physical punishment, will further increase the confusion among the public and professionals regarding its use (see section on federal legislation).

Physical punishment and human rights

The United Nations Convention on the Rights of the Child was ratified by Canada in 1991^e. Article 3 of the Convention states that:

... in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

Under the terms of the Convention, the best interests of the child clearly include protection against assault⁹⁶. By ratifying the Convention, Canada undertook to put into place “all appropriate legislative, administrative, social and education measures to protect the child from all forms of physical or mental violence, injury or abuse” (Article 19). Such measures include provision of violence prevention, support and treatment programs. Article 28 obligates Canada to “ensure that school discipline is administered in a manner consistent with the child’s human dignity”.

The international Committee on the Rights of the Child, the treaty body that monitors nations’ implementation of the Convention’s principles “has stressed that corporal punishment of children is incompatible with the Convention”¹⁰⁴. It has recommended that ratifying nations review all relevant legislation to ensure that all forms of violence against children, however mild, are prohibited. With regard to Canada specifically, the committee recommended in 1995: “that the physical punishment of children in families be prohibited” and “that educational campaigns be launched with a view to changing attitudes in society on the use of physical punishment in the family and fostering the acceptance of its legal prohibition”⁹³. In October of 2003, at the second review of Canada’s compliance with its Convention obligations, the committee was:

... deeply concerned that [Canada] has not enacted legislation explicitly prohibiting all forms of corporal punishment and has taken no action to remove section 43 of the Criminal Code, which allows corporal punishment.

and recommended that Canada:

... adopt legislation to remove the existing authorization of the use of “reasonable force” in disciplining children and explicitly prohibit all forms of violence against children, however light, within the family, in schools and in other institutions where children may be placed¹⁰⁵.

The Supreme Court of Quebec has ruled that the Quebec Charter of Human Rights and Freedoms grants protection against “interferences with the fundamental attributes of a human being which violate the respect to which every person is entitled simply because he or she is a human being”⁹⁵ cited in⁹⁴. Furthermore, a report of the Quebec Commission on the Rights of People and the

^e recommended reading: Canadian Coalition for the Rights of Children (2002). *Protection and the United Nations Convention on the Rights of the Child*. Ottawa: Canadian Coalition for the Rights of Children. www.rightsofchildren.ca

Rights of Youth ⁹⁴ states that “corporal punishment violates the child’s dignity, partly due to the humiliation he or she is likely to feel, but mainly due to the lack of respect inherent in the act”.

In his submission to the United Nations General Assembly, the Special Rapporteur of the Commission on Human Rights noted that physical punishment is inconsistent with the Universal Declaration of Human Rights and called upon states “to take adequate measures, in particular legal and educational ones, to ensure that the right to physical and mental integrity of children is well protected in the public and in the private spheres” ¹⁰⁶.

How have other countries addressed the issue?

Increasingly, countries are taking proactive measures to ensure children’s rights to protection. Over recent decades, a number of nations have removed the defence of “lawful chastisement” or “reasonable force” from their criminal laws to give children the same protection from assault as adults. For example, Sweden repealed its defence in 1957, Finland in 1969, Norway in 1972 and Austria in 1977. Some nations have never had such a defence in their laws ¹⁰⁷.

A growing number of countries are taking further steps to clarify their positions and their laws on physical punishment. Since 1979, *at least 13 nations have explicitly abolished all forms of physical punishment* by parents and all other caregivers (Appendix B). The purposes of these laws have been: (1) to recognize in law children’s rights to dignity and physical integrity; (2) to set a clear standard of behaviour for caregivers and thereby to shift attitudes; (3) to establish a framework for parent education and support; and (4) to facilitate earlier and less intrusive intervention when child protection is required.

The effect of Sweden’s efforts is particularly informative. Following its 1957 repeal of the criminal defence to assault of a child, Sweden in 1979 became the first nation to explicitly ban physical punishment. This ban was accompanied by a national education campaign. Today, there is little public support for physical punishment. Sweden’s unequivocal declaration against physical punishment has led neither to an increase in long-term out-of-home care for children nor to a higher rate of prosecution of child physical assault cases ¹⁰⁸. Over recent decades, serious assaults against children have become uncommon, and fatal child abuse has become rare ^{108 109}. Children and youth are being socialized at least as well today as they were before the physical punishment ban was passed ¹¹⁰.

Over 100 nations have legally abolished physical punishment from their school systems. They have recognized it is an ineffective way to educate children and that it can cause physical and emotional harm (Appendix C).

Numerous professional organizations around the world have declared their opposition to physical punishment (Appendix D). Many work actively to assist parents and other caregivers to learn about child development and build repertoires of effective discipline strategies. Many also advocate for legislative reform.

Recommendations

1. Public awareness strategies must be developed to inform all Canadians about the risks associated with physical punishment.
 - 1.1 *A clear message* should be given consistently by governments at the national, provincial and territorial and local levels to all parents and caregivers, that hurting children and youth is not an acceptable method of managing their behaviour.
 - 1.2 *Universally available parenting education* programs should be offered to all parents and caregivers to provide guidance with regard to dealing effectively with children's and youths' behaviour, the normal stages of child development, parent-child conflict, and other key issues. National, provincial and territorial governments share responsibility for leadership—the shaping of policy and provision of resources—to assure that universal parenting education is provided across Canada.
 - 1.3 *Targeted prevention strategies* should be implemented for parents and parents-to-be in pre-natal classes, foster and adoptive parent preparation programs, and orientation programs for new Canadians. Information about physical punishment and effective discipline should be part of the curricula of babysitting courses, child and youth worker training programs, early childhood care and education studies, teacher training, and elementary and high school family studies and civics classes.
2. Provincial and territorial ministries that deliver education, health and social services are mandated and positioned to raise awareness and provide specific education about the physical punishment of children and effective approaches to discipline. Opportunities for this are present in a host of programs and services already in place, such as: elementary, high school and adult/continuing education; health services (hospitals, public/community health, health-related disciplines); and parent/family support programs, child welfare and social assistance.
3. Organizations that serve children and families or provide relevant professional education have policy and service responsibilities regarding physical punishment of children and youth.
 - 3.1 Child- and family-serving organizations should develop and proclaim clear positions regarding physical punishment.
 - 3.2 Professionals should help parents and caregivers understand the risks of physical punishment and assist them in replacing its use with effective disciplinary strategies.
 - 3.3 Professional training should include information about children's physical, psychological and social development, risk factors for and of physical punishment, and effective methods of guiding and socializing children.

4. Child welfare eligibility and investigative protocols must be reviewed and sufficiently resourced to ensure that they facilitate early supportive/preventive intervention and services.
 - 4.1 Intervention should be proactive and educational and begin earlier in the violence escalation cycle.
 - 4.2 An aim of early intervention should be to build parenting competence to reduce the need for removal of children from their families and for criminal prosecution of parents.
5. The physical punishment of children can no longer be justified by the Criminal Code of Canada.
 - 5.1 Children in Canada must be given the same protection from physical assault as that given to Canadian adults and to children in a growing number of countries. Our children's rights to physical integrity and dignity must be recognized in our law.
 - 5.2 Canadian laws must be consistent in communicating a clear standard of caregiving and consistent with Canada's 1991 ratification of the United Nations Convention on the Rights of the Child.
 - 5.3 The law should not contradict the growing and persuasive body of research evidence that physical punishment has no benefit and poses only risk to children and youth. The effectiveness of public education messages to this effect will be limited as long as they are undermined by the Criminal Code.
6. Reliable baseline and ongoing data should be collected at the national level on Canadians' attitudes toward and use of physical punishment, so that the impact of public awareness and education strategies can be assessed. This too should be a shared responsibility of the national, provincial and territorial governments.

Conclusion

Physical punishment has been consistently demonstrated to be an ineffective and potentially harmful method of managing children's behaviour. It places them at risk of physical injury and interferes with parents' and caregivers' goals of healthy psychological adjustment, socialization, moral internalization, non-violence, and positive adult-child relationships. Its use is a violation of children's rights to physical integrity and dignity.

In order to reduce the prevalence of physical punishment of children and youth, three broad national initiatives must be undertaken. First, public awareness campaigns must deliver a clear message consistently and persistently that hurting children as punishment is unacceptable and places them at risk of physical and psychological harm. Second, public education strategies must be launched to increase Canadians' knowledge of child development and effective parenting, and existing programs

supported. Third, the Criminal Code of Canada must provide the same protection to children from physical assault as it gives to adults; and the Government of Canada must meet its obligations under the United Nations Convention on the Rights of the Child.

Appendix A

Sample resources for parents and caregivers ^f

The purpose of this statement is to provide current and authoritative information about the risks and the ineffectiveness of physical punishment of children and youth. Effective discipline is an important part of raising well adjusted, respectful and responsible children.

The following are examples of resources that may provide information about effective discipline and effective parenting. They may be found within parents' and caregivers' reach in many communities. The first section lists reading references, video and audiotapes, and websites, which may be found in libraries, parent or family resource centres, community health centres, family and educational book stores or sections in general book stores, pediatricians' and family physicians' offices, and on the Internet. The second section lists some of the places and services where parents in many communities may find information and support.

Reading and audiovisual references

Printed material

Canter, L., & Canter, M., *What to do when your child won't behave: A practical guide for responsible, caring discipline*. 1994, Santa Monica, CA: Lee Canter & Associates.

Christophersen, E.R., & Mortweet, S.L., *Parenting that works: Building skills that last a lifetime*. 2003, Washington, DC: APA Life Tools.

Clarke, J.I., Gradous, D., Sittko, S., & Ternand, C., *Help! For parents of children 6 to 12 years* (Vol. 5). 1986, San Francisco, CA: Harper & Row Publishers.

Coloroso, B., *Kids are worth it! Giving your child the gift of inner discipline* (2nd ed.). 2001, Toronto, ON: Penguin Books.

Covey, S.R., *Seven habits of highly effective families*. 1997, New York, NY: Golden Books.

Crary, E., *Without spanking or spoiling: A practical approach to toddler and preschool guidance* (2nd ed.). 1993, Seattle, WA: Parenting Press, Inc.

Crary, E., *365 wacky, wonderful ways to get your children to do what you want*. 1995, Seattle, CA: Parenting Press, Inc.

^f Endorsement of this joint statement by organizations and individuals does not extend to these resources. They are listed to be helpful to parents and caregivers who want to learn more about discipline specifically and parenting generally. Those seeking assistance are advised to assess the credibility and suitability of a resource or service they are considering, and to specifically ask about its position with regard to physical punishment.

Faber, A., & Mazlish, E., *How to talk so kids will listen & listen so kids will talk*. 1999, New York, NY: Avon Books, Inc.

Favaro, P., *Smart parenting: An easy approach to raising happy, well-adjusted kids*. 1994, Chicago, IL: Contemporary Books, Inc.

Galinsky, E., & David, J., *The preschool years: Family strategies that work—from experts and parents*. 1988, New York, NY: Times Books.

Glenn, H.S., & Nelsen, J., *Raising self-reliant children in a self-indulgent world: Seven building blocks for developing capable young people* (2nd ed.). 2000, Roseville, CA: Prima Publishing.

Gordon, T., *Teaching children self-discipline at home and at school: New ways for parents and teachers to build self-control, self-esteem, and self-reliance*. 1989, New York, NY: Times Books.

Greenspan, S.I., & Salmon, J., *The challenging child: Understanding, raising, and enjoying the five “difficult” types of children*. 1995, Don Mills, ON: Addison-Wesley.

Hyman, I.A., *The case against spanking: How to discipline your child without hitting*. 1997, San Francisco, CA: Jossey-Bass.

Ingersoll, B., *Your hyperactive child: A parent’s guide to coping with attention deficit disorder*. 1988, New York, NY: Main Street Books.

Kaiser, B., & Rasminsky J., *Meeting the challenge: Effective strategies for challenging behaviours in early childhood environments*. 1999, Ottawa, ON: Canadian Child Care Federation.

Kurcinka, M.S., *Raising your spirited child: A guide for parents whose child is more intense, sensitive, perceptive, persistent, energetic*. 1998, New York, NY: Harper Collins.

Leach, P., *Your baby & child: From birth to age five* (2nd ed.). 1989, New York, NY: Alfred A. Knopf.

Nelsen, J., Lott, L., & Glenn, H.S., *Positive discipline A to Z: 1001 solutions to everyday parenting problems*. 1993, Rocklin, CA: Prima Publishing.

Riera, M., & Di Prisco, J., *Right from wrong: Instilling a sense of integrity in your child*. 2002, Cambridge, UK: Perseus Publishing.

Shore, P., Leach, P., Sears, W., Sears, M., & Weininger, O., *Teaching your child positive discipline*. 2002, Toronto, ON: The Parent Kit Corporation.

Turner, S., *Something to cry about: An argument against corporal punishment of children in Canada*. 2002, Waterloo, ON: Wilfred Laurier Press.

Wolfe, J., *I'm three years old: Everything your three-year-old wants you to know about parenting*. 1998, New York, NY: Becker & Mayer Books.

Video and audiotapes

Alvey, Kerby T.: *Yelling, Threatening & Putting Down: What To Do Instead*. Gold Bell Productions, P.O. Box 171103, Salt Lake City, UT 84117-1103 (801-272-3670). (videotape)

Bavolek, Stephen J.: *Shaking, Hitting, Spanking: What To Do Instead*. Gold Bell Productions, P.O. Box 171103, Salt Lake City, UT 84117-1103 (801-272-3670). (videotape)

Coloroso, Barbara: *Winning at Parenting . . . without beating your kids*. kids are worth it!, inc., P.O. Box 621108, Littleton, CO 80162. (videotape, audiotape)

Faber, Adele & Mazlish, Elaine: *How to Be the Parent You Always Wanted to Be*. Faber/Mazlish Workshops, P.O. Box 1072, Carmel, NY 10512. (audiotapes and book)

Lynn, Kathy: *Discipline: Steps to Success*. Parenting Today, 2762 Wall St., Vancouver, BC, V5K 1A9. (audiotapes)

Websites

The following websites are a rich source of information about parenting, families, child care and the health and development of children. These sites also provide links to other websites where even more information may be found.

Canadian Association for Young Children www.cayc.ca

Canadian Association of Paediatric Health Centres www.caphc.org

Canadian Child Care Federation www.cccf-fcsge.ca

Canadian Council on Social Development www.ccsd.ca

Canadian Institute of Child Health www.cich.ca

Canadian Paediatric Society www.cps.ca

Canadian Public Health Association www.cpha.ca

Child Welfare League of Canada www.cwlc.ca

Family Service Canada www.familyservicecanada.org

Health Canada www.hc-sc.gc.ca

Invest in Kids www.investinkids.ca

National Youth in Care Network www.youthincare.ca

Community information and support services for parents

Parenting courses are offered by some family resource centres, family service agencies, community health centres and school boards. They provide information on child and adolescent development, the parenting role, communicating with children and youth, effective discipline strategies, and other issues related to raising children. They usually provide reference materials. Access to professional consultation on parenting problems and referral to other parenting services may be available.

Parent support groups are often provided by the same organizations as above, as well as by some children's mental health services and pediatric hospitals. Their format is small-group professionally-guided discussion, and their atmosphere is respectful and supportive. These groups enable parents to identify their needs, share their concerns, learn from and support one another, reduce feelings of isolation and ineffectiveness, gain skills and confidence, and learn about resources and services in their community.

Child care centres, day care and home care programs, preschools and after-school programs in a variety of forms are depended upon by parents to provide reliable away-from-home care for their children. These programs, for the most part, must meet provincial and territorial government standards. Most programs affiliated with organizations and supervised by professionals provide parenting information. Some can provide guidance with regard to particular parenting issues and problems and make referrals to community services.

Parent-child play groups and physical activity programs are offered by family resource centres, community health centres, recreational programs and private parent groups. They provide opportunities for parents to have fun with their children, learn new skills together and strengthen family relationships. They also provide opportunities for parents to get together, share experiences and form informal support networks.

Family physicians and pediatricians are able to provide parenting guidance or make referrals to community services for particular parenting needs and problems.

Public health, community health centres and family resource centres offer a variety of services and programs for parents and families, as well as information on community resources.

Aboriginal and First Nations child and family service agencies provide child welfare services according to provincial and territorial child welfare legislation to Aboriginal children. First Nations child and family service agencies provide services to residents on-reserve and in some cases off-reserve, whereas Metis and Urban Aboriginal family service agencies provide services off-reserve only. Increasing numbers of these agencies are working toward establishing tribal child welfare laws in keeping with treaties or other self-government agreements. A list of these agencies is available on-line at www.fncfcs.com.

Native friendship centres, Metis and Inuit organizations offer a range of support, educational and recreational services within a cultural framework. Information and concrete supports related to parenting, school, health and other family needs are offered in respectful and practical ways.

Multicultural, ethnocultural and immigrant centres and services provide a range of assistance to new Canadian parents and families, ethnic and cultural groups. Information and concrete supports related to parenting, school, health and other family needs are offered in respectful and practical ways.

Provincial and territorial child welfare/child protection services are able to provide parents with information about local parenting resources. A growing number of native, Aboriginal and First Nations communities in Canada are responsible for their own child welfare/protection services, which they provide in keeping with their culture and traditions. Some child welfare services operate parent or family support programs of their own, as well as supervised parent-child access and visitation.

Parent help/support lines and crisis/distress lines operated by a variety of professional services have been growing in number and popularity. Callers speak with a professional or trained volunteer able to provide parenting information and guidance and referrals to other resources. These phone services operate on a provincial and territorial, regional or local basis. The national Parent Help Line operates on a 24-hour basis and can be reached, toll-free, at 1-888-603-9100.

Child and youth help/support lines are available in some Canadian communities. Children and youth with concerns about physical punishment can call local child and youth help lines or the national Kids Help Phone which operates 24-hours a day, toll-free, at 1-800-668-6868.

Churches and other religious communities may be able to provide some assistance with parenting needs and problems. Parents may feel comfortable in speaking with clergy, pastoral counsellors, or family support volunteers to ask for guidance or referral for particular parenting issues and problems.

Community information services, lines and directories are found in many urban centres. They generally have information about a broad range of community services.

Community libraries offer many resource materials for parents such as those described earlier in the section on reading and audiovisual references on parenting.

Parenting conferences and lectures are organized in many communities from time to time. They may offer particular perspectives on parenting issues, and usually provide participants with information about community parenting and family resources.

Appendix B

***Nations that have prohibited physical punishment in all forms and in all settings*^g**

Sweden

Physical punishment was banned in all schools and childcare settings in 1962. The Penal Code defence for physical punishment of children was repealed in 1957. Physical punishment was explicitly prohibited in 1979.

The parent or guardian shall exercise necessary supervision in accordance with the child's age and other circumstances. The child may not be subjected to physical punishment or other injurious or humiliating treatment. (*Parenthood and Guardianship Code, 1979*)

This provision was amended in 1983 to include an affirmation of children's rights.

Children are entitled to care, security, and a good upbringing. Children are to be treated with respect for their person and individuality and may not be subjected to corporal punishment or any other humiliating treatment. (*Parenthood and Guardianship Code, 1983*)

Finland

Physical punishment was banned in schools in 1914. The defence of "lawful chastisement" was removed from the Criminal Code in 1969. Physical punishment was explicitly prohibited in 1983.

A child shall be brought up in the spirit of understanding, security and love. He shall not be subdued, corporally punished or otherwise humiliated. His growth towards independence, responsibility and adulthood shall be encouraged, supported and assisted. (*Child Custody and Rights of Access Act, 1983*)

Norway

Physical punishment was banned in schools in 1936. The Criminal Code defence for physical punishment was repealed in 1972. Physical punishment was explicitly prohibited in 1987.

The child shall not be exposed to physical violence or to treatment which can threaten his physical or mental health. (*Parent and Child Act, 1987*)

^g sources: Boyson, R. (2002). *Equal Protection for Children: An Overview of the Experience of Countries that Accord Children Full Legal Protection from Physical Punishment*. London: National Society for the Prevention of Cruelty to Children; and website of the Global Initiative to End All Corporal Punishment of Children www.endcorporalpunishment.org.

Austria

Physical punishment was banned in all schools in 1974. The criminal defence of “reasonable” punishment was repealed in 1977. Physical punishment was explicitly abolished in 1989.

The minor child must follow the parents’ orders. In their orders and in the implementation thereof, parents must consider the age, development and personality of the child; the use of force and infliction of physical or psychological suffering are not permitted. (*section 146a, General Civil Code, 1989*)

Cyprus

Physical punishment of children was banned in 1994 in a law that prohibits all forms of violence within the family.

Any unlawful or controlling behaviour which results in direct actual physical, sexual or psychological injury to any member of the family [is prohibited]. (*Violence in the Family Law: Prevention and Protecting Victims, 1994*)

Denmark

Physical punishment was banned in schools in 1967. It was completely abolished in 1997.

A child has the right to care and security. He or she shall be treated with respect as an individual and may not be subjected to corporal punishment or other degrading treatment. (*Parental Custody and Care Act, 1997*)

Latvia

Physical punishment was explicitly abolished in 1998.

A child shall not be treated cruelly, tortured or physically punished, and his or her dignity or honour shall not be violated. (*Law on Protection of the Rights of the Child, 1998*)

Croatia

Physical punishment was explicitly abolished in 1998.

Parents and other family members must not subject the child to degrading treatment, mental or physical punishment and abuse. (*Family Act, 1998*)

Israel

The Israeli Parliament (Knesset) removed the common law defence of “reasonable chastisement” in 2000. A ruling of the Supreme Court in the same year outlawed all violence in child rearing.

[Physical punishment] injures [the child’s] body, feelings, dignity and proper development. Such punishment distances us from our goal of a society free of violence. Accordingly, let it be known that in our society, parents are now forbidden to make use of corporal punishments or methods that demean and humiliate the child as an educational system. (*Justice D. Beinisch, Supreme Court, 2000*)

Germany

Physical punishment was prohibited in schools and residential care facilities in the 1970s. It was completely banned in 2000.

Children have a right to be brought up without the use of force. Physical punishment, the causing of psychological harm and other degrading measures are forbidden. (*Civil Law, 2000*)

Bulgaria

Corporal punishment appears to be unlawful according to the Child Protection Act of 2000. It is not yet clear how this law is interpreted.

Every child has a right to protection against all methods of upbringing that undermine his or her dignity; against physical, psychical or other types of violence; against all forms of influence, which go against his or her interests. (*Article 11.2, Child Protection Act, 2000*)

Iceland

Physical punishment was abolished in the Children's Act, passed in March 2003 and entered into effect on November 1, 2003.

It is the parents' obligation to protect their child against any physical or mental violence and other degrading or humiliating behaviour. (*Article 28, Children's Act, 2003*)

Ukraine

A new Family Code came into force in January 2004, banning all corporal punishment.

Romania

A new Law on Protection and Promotion of the Rights of the Child in Romania prohibits all corporal punishment. The law passed both Chambers of the Romanian Parliament on June 15, 2004. It will come into force on January 1, 2005.

Other legal developments

Italy

Physical punishment was banned from schools in 1928. In 1996, the Court of Cassation (Supreme Court) declared that physical punishment can no longer be considered lawful.

The very expression 'correction of children', which expresses a view of child-rearing that is both culturally anachronistic and historically outdated, should in fact be re-defined, abolishing any connotation of hierarchy or authoritarianism and introducing the ideas of social and responsible commitment which should characterise the position of the educator vis à vis the learner.

This law has not yet been confirmed in legislation.

Belgium

In 2000, a new clause was added to the constitution to confirm that children have an absolute right to moral, physical, psychological and sexual integrity.

South Africa

The law commission reviewing child care legislation has delivered a draft law that includes a provision that effectively prohibits all physical punishment.

The Parliamentary Assembly of the Council of Europe

The Parliamentary Assembly of the Council of Europe recommended, on June 24, 2004, a Europe-wide ban on corporal punishment of children. It noted that:

According to the European Committee of Social Rights, in order to comply with the European Social Charter and the Revised Social Charter, states must ban all forms of corporal punishment and any other forms of degrading punishment or treatment of children. (*Recommendation 1666 [2004]*)

Appendix C

Nations that have prohibited physical punishment in their schools^h

| | | |
|------------------------|---------------------------|---|
| Albania | Haiti | Norway |
| Algeria | Honduras | Oman |
| Andorra | Hong Kong | Papua New Guinea |
| Armenia | Hungary | Philippines |
| Austria | Iceland | Poland |
| Azerbaijan | Iran, Islamic Republic of | Portugal |
| Bahrain | Iraq | Qatar |
| Belarus | Ireland | Romania |
| Belgium | Isle of Man | Russian Federation |
| Bosnia and Herzegovina | Israel | Saint Helena |
| Bulgaria | Italy | Samoa |
| Burkina Faso | Japan | San Marino |
| Cambodia | Jordan | Saudi Arabia |
| Cameroon | Kazakhstan | Serbia and Montenegro |
| China | Kenya | Slovak Republic |
| Colombia | Korea, DPR | Slovenia |
| Congo | Kuwait | South Africa |
| Costa Rica | Latvia | Spain |
| Croatia | Libyan Arab Jamahiriya | Suriname |
| Cyprus | Liechtenstein | Sweden |
| Czech Republic | Lithuania | Switzerland |
| Denmark | Luxembourg | Taiwan |
| Djibouti | Macedonia ⁱ | Thailand |
| Dominican Republic | Malawi | Trinidad & Tobago |
| Egypt | Maldives | Turkey |
| El Salvador | Malta | Uganda |
| Eritrea | Mauritius | Ukraine |
| Estonia | Moldova, Republic of | United Arab Emirates |
| Ethiopia | Monaco | United Kingdom of Great Britain and Northern Ireland |
| Finland | Mongolia | Uzbekistan |
| France | Morocco | Viet Nam |
| Georgia | Namibia ^j | Yemen |
| Germany | Netherlands, The | Zambia |
| Greece | Netherlands Antilles | Zimbabwe |
| Guinea-Bissau | New Zealand | |

Note

In Canada, physical punishment has been prohibited in the schools of British Columbia, New Brunswick, Nova Scotia, Prince Edward Island, Newfoundland, Yukon, Northwest Territories and Nunavut. See section on federal legislation in joint statement for a summary of the Supreme Court's decision regarding its use by teachers.

In the United States, physical punishment has been abolished in schools in 28 states.

In Australia, it is prohibited in all schools in New South Wales and Tasmania, as well as the state schools of the Capital Territory, South Australia and Victoria.

^h source: website of the Global Initiative to End All Corporal Punishment of Children www.endcorporalpunishment.org

ⁱ legislation is in the process of going through Parliament

^j Supreme Court ruling declared school physical punishment unconstitutional and unlawful

Appendix D

Some organizations that have documented their opposition to physical punishment

Canadian organizations

The Canadian organizations listed in Appendix E and on the cover have documented their opposition to physical punishment of children by endorsing this statement. Many more than are listed oppose physical punishment.

International organizations^k

Consortium for Street Children
 Defence for Children International
 International Federation of Medical Students' Associations
 International Federation of Social Workers (IFSW)
 International Society for the Prevention of Child Abuse and Neglect (ISPCAN)
 NGO Group for the Convention on the Rights of the Child
 OMCT – World Organisation Against Torture
 UNESCO
 UNICEF
 World Congress on Family Law and the Rights of Children and Youth, 2001

Organizations in other nations^k

Action for Children & Youth Aotearoa, New Zealand
 Activating Bridgebuilders, Finland
 African Caribbean Family Mediation Service
 African Network for the Prevention and Protection of Child Abuse and Neglect (ANPPCAN Regional Office Kenya)
 Africans Unite Against Child Abuse
 Albanian Children's Rights Network
 Americans for Constitutional Protection of Children
 Association of Directors of Social Services, UK
 Association of Educational Psychologists, UK
 Association of Lawyers for Children, UK
 Association pour la Lutte contre le Travail des Enfants au Niger
 Barnardo's, UK
 Børnerådet – National Council for Children in Denmark
 Boys and Girls Welfare Society, UK
 Brainwave Trust, New Zealand

^k source: websites of the Global Initiative to End All Corporal Punishment of Children www.endcorporalpunishment.org and "Children are unbeatable!" www.childrenareunbeatable.org.uk

Bridgend & District Resource for Children with Disabilities, UK
Brighton Unemployed Centre Families Project, UK
British Agencies for Adoption and Fostering UK
British Association for Community Child Health
British Association for Early Childhood Education
British Association of Psychotherapists, Child & Adolescent Training Committee
British Association of Social Workers
British Association of Social Workers – Northern Ireland
British Association for the Study & Prevention of Child Abuse & Neglect
CECODAP, CRC Coalition, Venezuela
Carers UK
Catholic Child Welfare Council, UK
Catholic Children's Society (Arundel & Brighton, Portsmouth and Southwark)
Catholic Children's Society (R.C. Diocese of Nottingham)
Catholic Children's Society (Westminster)
Center for Effective Discipline, USA
Center for Non-Violent Education and Parenting, USA
Central Union for Child Welfare, Finland
Centre for Child Rights, Somaliland
Centre for Human Rights, Republic of Macedonia
Centre for the Protection of Children, Kyrgyzstan
Child Poverty Action Group, UK
Child Protection Alliance, The Gambia
Child Protection Service, National Public Health Service Wales
Child Safe Wales
Child Workers in Asia, Thailand
Children 1st / Parentline (The Royal Scottish Society for the Prevention of Cruelty to Children)
Children of the Andes, United Kingdom
Children Law UK
Children in Northern Ireland
Children in Scotland
Children's Agenda, New Zealand
Children's Fund of the Slovak Republic – Defence for Children International, Slovak Section
Children's Human Rights Centre of Albania
Children's Law Centre, Northern Ireland
Children's Legal Centre, UK
Children's Rights Alliance for England
Coalition Against Child Labour, Pakistan
Coalition Camerounaise des ONG pour les Droits de l'Enfant, Cameroon
Colectivo Mexicano de Apoyo a la Ninez, Mexico
Communities That Care, Wales
Community Practitioners' and Health Visitors' Association
Coordinadora de Instituciones Privadas Pro los Ninos Ninas y sus Derechos, Honduras

Czech Society for Child Protection, Czech Republic
 Defence for Children International, Angola
 Défense des Enfants International – Section Suisse, Switzerland
 East Anglia Diocesan Children's Society, UK
 End Physical Punishment of Children, New Zealand
 End Physical Punishment of Children, USA
 Enfants Solidaires d'Afrique et du Monde, Benin
 Family Care (Scotland)
 Family Rights Group, UK
 Fostering Network, UK
 Free the Kids!, USA
 Fundación PIDEE, Chile
 Grupo de Iniciativa Nacional por los Derechos del Niño, Peru
 Halley Movement, Mauritius
 Health Services Research Unit at Department of Public Health, University of Oxford, UK
 High/Scope UK
 Hong Kong Committee on Children's Rights
 Human Rights and Equal Opportunity Commission, Australia
 Human Rights Without Borders, Chad
 Hutt Rape Counselling Network, New Zealand
 Independent Board of Advisors of the Parliament of Georgia
 Information and Research Centre for Children's Rights in Albania
 Institute of Humanistic Science, USA
 IPPA – The Early Childhood Organisation, Ireland
 Irish Society for the Prevention of Cruelty to Children, Ireland
 Korea Welfare Foundation
 LACRI – Child Studies Laboratory, Institute of Psychology, University of São Paulo, Brazil
 Ludwig Boltzmann Institute of Human Rights, Austria
 Macedonian National Child Rights Coalition
 Mannerheim League for Child Welfare, Finland
 Massachusetts Citizens for Children, USA
 Medical Women's Federation, UK
 NCH, UK
 NCH Cymru (Wales)
 NCH Scotland
 NGO Coalition on the CRC, The Gambia
 National Association of Early Years Professionals, UK
 National Association for Primary Education, UK
 National Association of Probation Officers, UK
 National Association of School Psychologists, USA
 National Association of Social Workers in Education, UK
 National Association of Youth & Community Education Officers, UK
 National Childminding Association (including Childminding in Business Ltd), UK
 National Children's Bureau, UK

National Children's Rights Committee, South Africa
National Coalition to Abolish Corporal Punishment in Schools, USA
National Council for the Child, Israel
National Council of Women of Great Britain
National Education Association, USA
National Institute for Social Work, UK
National Society for the Prevention of Cruelty to Children, UK
National Society for the Prevention of Cruelty to Children Cymru/Wales
National Task Force for Children, Jordan National Union of Students United Kingdom, UK
National Youth Agency, UK
New Zealand Human Rights Commission Newark Play Association, UK
Nobody's Children Foundation, Poland
Northern Ireland Foster Care Association
Northern Ireland Women's Aid Federation
One Parent Families Scotland
Pakistan Council on Family Relations
Parents and Teachers Against Violence in Education, USA
People Opposed to Paddling Students, USA
Polish Forum for Child's Rights
Promoting Effective Parenting, UK
Red por los Derechos de la Infancia en Mexico
Religious Society of Friends (Quakers) in Britain
Réseau Nigérien pour l'Enfance, Niger Right From The Start, UK
Rights of Women, UK
Royal College of General Practitioners, UK
Royal College of Midwives, UK
Royal College of Nursing, UK (many of the RCN's Professional Nursing Forums/Groups)
Royal College of Paediatrics and Child Health, UK
Royal College of Psychiatrists, Child and Adolescent Psychiatry Faculty, UK
Royal Cornwall Hospitals Trust, Child Health Directorate, UK
Royal Institute of Public Health, UK
St. John Ambulance, National Headquarters, UK
Sarangbang Group for Human Rights, Korea Save the Children Latvia
Save the Children Romania
Save the Children Spain
Save the Children Sweden
Save the Children UK
Scottish Alliance for Children's Rights
Scottish Child Law Centre
Scottish Childminding Association
Scottish Human Rights Centre
Shetland Islands Council, Social Care Service
Society for the Protection of the Rights of the Child, Pakistan

South Wales Child Protection Forum
The Alliance of Parents & Schools, UK
The Children's Trust, UK
The Churches Network for Non Violence, UK
The Mental Health Foundation, UK
The Methodist Church, UK
The Violence Initiative, UK
Uganda Girl Guides Association
UK Public Health Association
UK Youth, UK
UK Youth Parliament
Ulster Quaker Service Committee
United Reformed Church, UK
Welsh Women's Aid
Who Cares? Scotland
Women's Aid Federation of England
Women's Support Network, UK
Working Families, UK
Working with Men, UK
World Organisation for Early Childhood Education, UK Nation Committee
Youth Human Rights Group, Kyrgyzstan
Youth at Risk, UK
YouthLaw Tino Rangatiratanga Taitamariki, New Zealand
Yugoslav Child Rights Centre

Appendix E

Canadian organizations that have endorsed the joint statement

Airdrie Family Services Society; Airdrie, Alberta
Aisling Discoveries Child and Family Centre; Scarborough, Ontario
Alliance for Children and Youth of Waterloo Region; Ontario
Amnesty International Canada
Association des CLSC et des CHSLD du Québec
Association des centres jeunesse du Québec
Association of Early Childhood Educators; Ontario (AECEO)
BC Association of Social Workers (BCASW)
BC Children's Hospital, Child Protection Unit; Vancouver, BC
BC Institute Against Family Violence (BCIFV)
Boys and Girls Clubs of Canada/Clubs Garçons et Filles du Canada
Canadian Association for Community Living (CACL)/Association canadienne pour l'intégration communautaire (ACIC)
Canadian Association of Family Resource Programs (FRP Canada)/l'Association canadienne des programmes de ressources pour la famille (FRP Canada)
Canadian Association of Social Workers (CASW)/Association canadienne des travailleuses et travailleurs sociaux (ACTS)
Canadian Child Care Federation (CCCCF)/Fédération canadienne des services de garde à l'enfance (FCSGE)
Canadian Council of Montessori Administrators (CCMA)/Le Conseil canadien des Administrateurs Montessori (CCAM)
Canadian Council of Provincial Child and Youth Advocates (CCPCYA)
Canadian Council on Social Development (CCSD)/Conseil canadien de développement social (CCDS)
Canadian Foundation for Children, Youth and the Law
Canadian Institute of Child Health (CICH)/Institut canadien de la santé infantile (ICSI)
Canadian Nurses Association (CNA)/Association des infirmières et infirmiers du Canada (AIIC)
Canadian Paediatric Society (CPS)/Société canadienne de pédiatrie (SCP)
Canadian Psychological Association (CPA)/Société canadienne de psychologie (SCP)
Canadian Public Health Association (CPHA)/Association canadienne de santé publique (ACSP)
Canadian Red Cross/Croix-Rouge canadienne
Carleton Place & District Memorial Hospital; Ontario
Catholic Children's Aid Society of Toronto; Ontario
Catholic Family Services of Saskatoon; Saskatchewan
Catholic Social Services; Edmonton, Alberta
Centre for Children and Families in the Justice System of the London Family Court Clinic; Ontario
Centre de santé communautaire de l'Estrie (CSCE); Cornwall, Ontario
Child Welfare League of Canada (CWLC)/Ligue pour le bien-être de l'enfance du Canada (LBEC)
Child & Youth Friendly Ottawa (CAYFO)/Ottawa: L'Amie de la Jeunesse (CAYFO); Ontario

Child & Youth Health Network for Eastern Ontario/Le Réseau de santé des enfants et des adolescents pour l'est de l'Ontario

Children's Aid Society of the City of Kingston and County of Frontenac; Ontario

Children's Aid Society of the County of Lanark and the Town of Smiths Falls; Ontario

Children's Aid Society of Halifax; Nova Scotia

Children's Aid Society of London and Middlesex; Ontario

Children's Aid Society of Ottawa/La Société de l'aide à l'enfance d'Ottawa; Ontario

Children's Aid Society of Owen Sound and the County of Grey; Ontario

Children's Aid Society of Peel; Ontario

Children's Aid Society of Toronto; Ontario

Children's Aid Society of the United Counties of Stormont, Dundas & Glengarry/La Société d'aide à l'enfance des comtés unis de Stormont, Dundas et Glengarry; Ontario

Children's Hospital of Eastern Ontario (CHEO)/Centre hospitalier pour enfants de l'est de l'Ontario (CHEO); Ottawa, Ontario

City of Ottawa Public Health/Ville d'Ottawa, Santé publique; Ontario

Comité hospitalier de protection de l'enfance du CHUL (CHUQ); Sainte-Foy, Quebec

Community Safety and Crime Prevention Council of the Waterloo Region; Ontario

Council of Canadian Child and Youth Care Associations

Council for the Prevention of Child Abuse of Windsor and Essex County (CPCA); Ontario

Crossroads Children's Centre; Ottawa, Ontario

Developmental Disabilities Association; Richmond, BC

Direction de la santé publique de Montréal-Centre; Quebec

Directorate Military Family Services (DMFS)/Direction des services aux familles des militaires (DSFM)

Earls court Child and Family Centre; Toronto, Ontario

Early Years Council of London and Middlesex; Ontario

Family and Children's Services of Guelph and Wellington County; Ontario

Family Education Centre; Brampton, Ontario

Family Enrichment & Counselling Services; Fredericton, New Brunswick

Family Service Canada/Services à la famille-Canada

Family Service Durham; Ontario

Family Service London; Ontario

Family Service Saskatoon; Saskatchewan

First Call: BC Child & Youth Advocacy Coalition

First Nations Child & Family Caring Society of Canada/Société de soutien à l'enfance et à la famille des Premières nations du Canada

Fondation de la Visite, Montréal-Nord; Quebec

Foresters Prevention of Child Abuse Fund

Halton Child and Youth Services (HCYS); Burlington, Ontario

IWK Health Centre; Halifax; Nova Scotia

Invest In Kids Corporation/Investir dans l'enfance

Janeway Children's Health and Rehabilitation Centre, Child Protection Co-ordinating Committee, St. John's; Newfoundland

Janice Berger & Associates; Newmarket, Ontario
Jewish Family and Child Service of Toronto; Ontario
John Howard Society of Sudbury; Ontario
Justice for Children and Youth
Kids Help Phone/Parent Help Line / Jeunesse, J'écoute/Assistance Parents
kidsLINK; St. Agatha, Ontario
Kingston General Hospital; Ontario
Kootenay Region Branch of the United Nations Association in Canada; Castlegar, BC
LaMarsh Centre for Research on Violence and Conflict Resolution
L'Hôpital Sainte-Justine, Pédiatrie Sociale; Montreal, Quebec
London Middlesex Child Abuse Council; Ontario
Manitoba Child Care Association
McMaster Children's Hospital, Child Advocacy and Assessment Program; Hamilton, Ontario
Military Family Resource Centre of the National Capital Region (MFRC-NCR)/Centre de ressources pour les familles des militaires – région de la capitale nationale (CRFM-RCN); Ottawa, Ontario
National Council of Women of Canada (NCWC)/Le Conseil national des femmes du Canada
National Youth In Care Network (NYICN)
New Brunswick Association of Social Workers (NBASW)/L'Association des travailleurs sociaux du Nouveau-Brunswick (ATSNB)
NorWest Community Health Centres; Thunder Bay, Ontario
Office of the Children's Advocate; Manitoba
Oliver School Centre for Children; Edmonton, Alberta
Ombudsman, Legislative Assembly, Province of British Columbia
Ontario Association of Child and Youth Counsellors (OACYC)/Association Ontarienne des conseillers à l'enfance et à la jeunesse (AOCEJ)
Ontario Association of Children's Aid Societies (OACAS)/Association ontarienne des sociétés de l'aide à l'enfance (AOSAE)
Ontario Association of Social Workers (OASW)/L'Association des travailleuses et travailleurs sociaux de l'Ontario (ATTSO)
Ontario Early Years Centres of London-Fanshawe, London North Centre and London West
Ontario Prevention Clearinghouse (OPC)/Centre ontarien d'information en prévention (COIP)
Ottawa Community Committee on Child Abuse (OCCCA)/Comité communautaire d'Ottawa sur la violence faite aux enfants (CCOVE); Ontario
Overbrook-Forbes Community Resource Centre/Centre de ressources communautaires Overbrook-Forbes; Ottawa, Ontario
Pacific Community Resources; Vancouver, BC
Parenting Education Saskatchewan
Parenting Today Productions Inc.; Vancouver, BC
Pediatricians of the Health Care Corporation of St. John's; Newfoundland
Perth and Smiths Falls District Hospital; Ontario
Physicians for Global Survival (Canada)/Médecins pour la survie mondiale (Canada)
Provincial Advisory Committee on Child Abuse (PACCA); Manitoba

Repeal 43 Committee

Roberts/Smart Centre; Ottawa, Ontario

Sandy Hill Community Health Centre/Centre de santé communautaire Côte de sable; Ottawa, Ontario

Saskatchewan Institute on Prevention of Handicaps

Save the Children Canada/Aide à l'enfance – Canada

Secwepemc Child and Family Services; Kamloops, BC

Services à la Famille Restigouche; Campbellton, New Brunswick

SMARTRISK/SAUVE-QUI-PENSE

Somerset West Community Health Centre/Centre de santé communautaire de Somerset West; Ottawa, Ontario

South East Ottawa Centre for a Healthy Community/Centre du sud-est d'Ottawa pour une communauté en santé; Ontario

Sparrow Lake Alliance (SLA); Ontario

Stollery Children's Hospital, Child and Adolescent Protection Centre; Edmonton, Alberta

Success By 6 Saskatoon; Saskatchewan

The Canadian Association for Young Children (CAYC)/L'Association Canadienne pour les Jeunes Enfants

The College of Family Physicians of Canada/Le Collège des médecins de famille du Canada

The Family Centre of Winnipeg; Manitoba

The Montreal Children's Hospital – MUHC, Child Protection Committee/L'Hôpital de Montréal pour enfants – CUSM, Comité de la protection de l'enfant; Quebec

The Society for Children and Youth of BC (SCY)

Toronto Child Abuse Centre; Ontario

Toronto Public Health; Ontario

University of British Columbia, Department of Paediatrics; Vancouver, BC

Voices for Children

West Kootenay Early Childhood Diversity Education Group; Kaslo, BC

Westcoast Child Care Resource Centre; Vancouver, BC

Western Ottawa Community Resource Centre/Centre de ressources communautaires d'Ottawa ouest; Ontario

Westside Community Clinic; Saskatoon; Saskatchewan

Winnipeg Children's Hospital, Child Protection Centre; Manitoba

Wood's Homes; Calgary, Alberta

YMCA Canada

YWCA Canada

Yorktown Family Services; Toronto; Ontario

YouthNet/Réseau Ado; Ottawa, Ontario

Yukon Family Services Association

Appendix F

Canadians who have endorsed the joint statement by invitation

Dr. John P. Anderson former Director, Child Protection Service, IWK Grace Health Centre, Halifax

Dr. Katherine Covell Director, Children's Rights Centre, University College of Cape Breton

Dr. Peter Jaffe Founding Director, Centre for Children and Families in the Justice System of the London Family Court Clinic

The Honourable Stephen Lewis UN Special Envoy for HIV/AIDS in Africa; former Canadian Ambassador to the United Nations; former Deputy Executive Director, United Nations Children's Fund (UNICEF)

Anne McGillivray Professor, Faculty of Law, University of Manitoba

Dr. Marcellina Mian President, International Society for Prevention of Child Abuse and Neglect; former Director, Suspected Child Abuse and Neglect Program, Hospital for Sick Children, Toronto

Dr. Fraser Mustard Founding President, Canadian Institute for Advanced Research

Dr. Dan Offord Founding Director, Offord Centre for Child Studies (formerly the Canadian Centre for Studies of Children at Risk); Camp Director, Christie Lake Camp

Senator Landon Pearson Past President, Canadian Council on Children and Youth; Advisor on Children's Rights to the Minister of Foreign Affairs

George Thomson Executive Director, National Judicial Institute; former Deputy Minister of Justice and Attorney General of Canada; former judge Provincial Court, Province of Ontario

Dr. Marc Tourigny Associate Professor, Department of Psychoeducation, Faculty of Education, University of Sherbrooke

Dr. Richard Tremblay Founding Director, Centre of Excellence for Early Childhood Development, University of Montreal

Dr. Nico Trocmé Director of Centre of Excellence for Child Welfare and of the Bell Canada Child Welfare Research Unit, University of Toronto

Dr. Susan Turner author, *Something to Cry About: An Argument against Corporal Punishment of Children in Canada*, University of Victoria

Dr. David Wolfe Academic Director, Centre for Research on Violence against Women and Children, University of Western Ontario

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