

Eliminating corporal punishment
– a worthy aim for the current
United Nations Secretary
General's Study on Violence
Against Children.

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Corporal Punishment of Children

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UN Secretary General's Study

Outcomes can be viewed on

www.endcorporalpunishment.org

Most countries have a child protection system yet:

- 77 of these states still allow caning or whipping of children in the penal system
- 89 still allow teachers to beat children
- Many child protection workers turn a blind eye to corporal punishment
- Countless thousands of children are injured in the name of punishment.

Abolishing corporal punishment

- 100 states have prohibited corporal punishment of children in schools
- 99 have prohibited it in their penal system
- Only 17 have completed the task of prohibiting it in the home.

Explicit bans

At least 14 countries in Europe have enacted explicit bans on corporal punishment by parents and all other carers: Sweden (1979); Finland (1983); Norway (1987); Austria (1989); Cyprus (1994); Denmark (1997); Latvia (1998); Croatia (1999); Germany (2000); Bulgaria (2000), Iceland (2003); Romania (2004); Ukraine (2004), Hungary (2002).

Additional European progress

Supreme Court judgments in Portugal (1994) and Italy (1996) have declared all corporal punishment to be unlawful, but this has not yet been confirmed in legislation. And six more states have committed themselves to full law reform in the near future: Netherlands, Greece, Lithuania, Luxembourg, Slovakia and Slovenia.

Beyond Europe

- In 2000 Israel removed the common law defence and its Supreme Court declared all corporal punishment to be unlawful.
- In Latin America there are bills to prohibit corporal punishment in the family before parliaments in five countries – Brazil (where the Bill passed the House of Representatives unanimously in January and is now in the Senate), Costa Rica, Colombia, Peru and Uruguay.
- South Africa has prohibited all corporal punishment outside the family and a proposal to take the logical last step is currently being debated.
- There are also private member's bills to prohibit corporal punishment in the family before Parliaments in Canada and here in New Zealand.

Purpose of law reform

- To set a standard and send a clear message
- Not to prosecute more parents
- Prosecutions should only proceed when it is in the best interests of the child.

UN Secretary General's Study

Paulo Pinheiro said A major aim for the Study must be to challenge social norms which condone any form of violence against children and end legalized violence. It is impossible to do so without including corporal punishment. This has to be seen as a starting point: we cannot demonstrate a serious commitment to violence prevention and child protection while states continue to authorize corporal punishment in the home, in schools and other institutions and in penal systems.

Controversy

- *“I have to say I have been surprised at the controversy aroused in some quarters by my statement, made after the regional consultations, that the study report will certainly recommend a universal ban on all corporal punishment. Surely, it would be strange indeed if the “expert” leading a study on violence against children would suggest that it is OK to hit children? ...*
- *The fact is, I could not look those many children I have met around the world in the eyes and say that I had decided they were worthy of less legal protection from assault than myself or other adults. Really, it is absurd...”*

Children's declaration in Bangkok

We believe that corporal punishment must be banned – in the home, schools and the justice system. Children should be treated the same as adults, with respect, dignity and fairness.

Conclusion

New Zealand's has a unique opportunity in 2006.