

# Children Are Unbeatable! Newsletter England

Issue No. 8 – June 2012 (see [website](#) for previous issues)

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## Parliament and Government

### Wales

The last newsletter reported that a National Assembly motion urging the Welsh Government to ban smacking had been passed with a majority of votes last October, but not accepted by the Welsh front bench. The Welsh Ministers abstained (but Labour Assembly Members were allowed a free vote). The responsible Minister, while committed to “retaining the option of legislating at some future date”, stated that a great deal of preparatory work would be needed and legislation could not be brought forward in this term of the Assembly (which ends in 2016). Her preference was “not to criminalise but to promote positive attitudes and behaviour through our cultural levers...”

There remains strong cross-party support for legislating soon. CAU! and key supporting organisations in Wales made submissions during the consultative stage of the Social Services (Wales) Bill, arguing for inclusion of a ban on physical punishment. The Bill includes provisions on safeguarding children and children’s rights and will be introduced in the autumn. The Assembly has already adopted a [Measure](#) which requires Ministers to take account of the Convention on the Rights of the Child and provides extra pressure on the Government to make progress on this issue.

CAU! Cymru has a part-time coordinator, Anne Crowley, based in Children in Wales, who is working with a small strategy group of the major children's organisations in Wales to promote law reform within this term of the Assembly.

### **What you can do:**

This newsletter only goes to CAU! supporters in England: CAU! Cymru is separately coordinated. If any readers have supportive contacts in Wales, please send details to Anne Crowley ([crowley@kitered.demon.co.uk](mailto:crowley@kitered.demon.co.uk)).

### **Westminster**

The following Parliamentarians have now signed up in support of the aims of CAU!, bringing the total to 280:

- Lord Harris of Haringey (Labour)
- Baroness Crawley (Labour; former Government Whip and spokesperson)
- Lord Macdonald of River Glaven QC (Lib Dem; former Director of Public Prosecutions now practising at Matrix chambers)
- Rt Hon Lord Davies of Oldham (Labour; Shadow Minister for Wales, Treasury and Transport)
- Prof Lord Desai (Labour)
- Baroness Morgan of Drefelin (Crossbench; former children's minister)
- Lord Soley (Labour)
- Lord Storey (Lib Dem, former leader of Liverpool council)
- Lord Williams of Elvel (Labour)
- Lord Palmer of Childs Hill (Lib Dem)
- Naomi Long MP (Deputy Leader of the Northern Ireland Alliance Party)
- Owen Smith MP (Labour; Shadow Exchequer Secretary to the Treasury)

### **What you can do:**

We need to recruit as much parliamentary support as possible – please write to your MP (or friendly Peer) to ask them to support CAU! Here is all the information you need:

[www.childrenareunbeatable.org.uk/pdfs/caucampaignsheetMPapril07.pdf](http://www.childrenareunbeatable.org.uk/pdfs/caucampaignsheetMPapril07.pdf)

If you would prefer to email your MP, you can use this [website](#) (please include this link in your email: [www.childrenareunbeatable.org.uk/pages/signup-individuals.php](http://www.childrenareunbeatable.org.uk/pages/signup-individuals.php))

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## **Human rights pressure on UK**

### **UK Government criticised by other countries in Human Rights Council**

In the second cycle of the Universal Periodic Review of the UK in the Human Rights Council in Geneva on May 24, the Government was pressed hard by Finland, Norway, Sweden, Costa Rica and Hungary to ban physical punishment

completely, given the clear human rights obligation to do so. The opening UK statement by Justice Minister Tom McNally was that the law had been tightened regarding “reasonable punishment” and that the Government welcomed research showing that fewer parents now used physical punishment and was encouraging parenting programmes promoting alternative forms of discipline. A full Government response will be made in the autumn.

### **UK remains in violation of European Social Charter**

In its [conclusions](#) on the latest report from the UK on compliance with the European Social Charter, the European Committee of Social Rights (ECSR) repeated its 2005 finding that the situation in the UK is not in conformity with Article 17 of the Charter as corporal punishment is not prohibited in the home. The Committee patiently responds to the UK’s defence of the “reasonable punishment” defence; it also quotes its 2001 General Observation which stated: “The Committee does not find it acceptable that a society which prohibits any form of physical violence between adults would accept that adults subject children to physical violence.” The ECSR notes that although the criminal law will protect children from very serious violence in the home, “it remains the fact that certain forms of violence, which fall under the definition of ‘reasonable chastisement’ are permitted. Therefore, the Committee holds that the situation is not in conformity with the Charter as not all forms of corporal punishment are explicitly prohibited in the home” (Conclusions XIX-4, 2011)

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### **Child protection**

Sefton, Southend and South Gloucestershire Local Safeguarding Children Boards have signed up to support the aims of CAU! This brings the number of supporting LSCBs in England to 36.

### **What you can do**

- If you come into contact with an LSCB which has not yet decided to support CAU! (see the [full list](#) of supporting LSCBs under “Local Safeguarding Children Boards”) please encourage them to consider (or revisit) this decision.
- If you sit on an LSCB, please ask the chair to place CAU!’s renewed invitation to support its aims on the board meeting agenda. Contact Pat Gordon-Smith on 07528 275646 or [pat.gsmith@yahoo.co.uk](mailto:pat.gsmith@yahoo.co.uk) if you would like any information or materials to present to the chair and board.
- Tell us about any local or national possibilities for the Alliance to discuss changing the law on physical punishment with child protection professionals, and to encourage their support for the Alliance. Opportunities might include conferences, training sessions or informal meetings.

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## **Domestic violence**

Children Are Unbeatable! is currently asking domestic violence organisations to sign a statement which sets out reasons why the legality of physical punishment of children undermines efforts to combat adult domestic violence. Women's Aid was the first domestic violence organisation to sign and in its April newsletter other members of the Violence Against Women and Girls Coalition to add their signatures.

### **What you can do**

- Encourage organisations working on domestic violence to sign the statement. For more information contact [rachel@childrenareunbeatable.org.uk](mailto:rachel@childrenareunbeatable.org.uk).

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## **“Restraint” in penal settings**

The Children's Rights Alliance for England (CRAE) has been granted leave to appeal the judicial review concerning children who suffered unlawful and painful restraint in secure training centres. The Court of Appeal case will be heard in October 2012.

### **What you can do**

Contact CRAE on [restraint@crae.org.uk](mailto:restraint@crae.org.uk) if you know a child who has experienced painful or degrading forms of restraint during a custodial sentence, in school or in any other setting.

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## **Physical punishment in madrasas**

No legal measures are planned to stop madrasas and other part-time schools assaulting children under the defence of “reasonable punishment,” a delegation from the Muslim Institute, Children Are Unbeatable! and Churches' Network for Non-Violence were informed by officials at the Department for Education in May.

The officials said the Government was reluctant to give the children in these schools the protection applying to every other form of education and day-care because it would interfere with local discretion. The Government was also of the view that community and faith-based interventions were more effective than legal regulation.

The delegation, led by Dr Siddiqui from the Muslim Institute, submitted that failure to protect these children was gross discrimination, as well as a breach of the Government's legal obligations to take active measures to prevent all forms

of child abuse. The Minister would be held responsible for any future scandal where a child was harmed because of the failure to regulate. The current estimation is that there are upwards of 5,000 madrasas in the UK, involving hundreds of thousands of children.

This represents an alarming backward step by the government, which until now has expressed its intention to prohibit physical punishment in all educational and care settings for children, including madrasas and Sunday schools.

### **What you can do**

- Write to Michael Gove or your MP to express concern about the Government's failure to ban physical punishment in all educational and care settings for children including madrasas and Sunday schools.

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### **Faith groups**

The last newsletter reported on the US cases of children killed by parents allegedly following the disciplinary instructions of fundamentalists Michael and Debi Pearl's book *To train up a child*. Since then Christians who disagree with the Pearl's biblical interpretation have posted counter arguments backed by theological research: two useful examples are <http://whynottrainachild.com/> and <http://samuelmartin.blogspot.se/2012/05/pen-is-mightier-than-punch.html> .

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### **Across the world**

#### **Caribbean progress**

Curaçao – a Caribbean country within the Kingdom of the Netherlands – has achieved prohibition of corporal punishment of children in all settings, including the home. Curaçao's 40,000 children are the first in the Caribbean region to be fully protected by legislation from corporal punishment.

Caribbean religious leaders and children's organisations united in calling for an end to all forms of corporal punishment of children in a new [report](#) published by the Global Initiative to End Corporal Punishment in collaboration with the Global Movement for Children in Latin America and the Caribbean. The report charts progress in prohibiting and eliminating this form of violence against children in the region, including a high level of support among faith groups.

For further information about the Global Initiative or to receive its newsletter, contact [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org).

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## Research

### Parenting

A Department for Education [study](#) on *How is parenting style related to child antisocial behaviour?* found that a negative parenting style was clearly associated with more severe child antisocial behaviour. Positive parenting practices include praise and rewards and parental involvement; negative parenting practices include corporal punishment, lack of consistency in discipline and failure to monitor the child. The study said the findings “remained true even after a range of child and family socioeconomic factors were taken into account”. Children of parents who were in the top quarter of reported use of negative discipline showed twice the rate of severe child behaviour problems, compared to the children of the other parents. The study concluded “that it is appropriate to offer parents parenting programmes that have been shown to reduce coercive parenting practices, improve positive parenting, and reduce child antisocial behaviour.” It did not mention outlawing corporal punishment.

### The roots of domestic violence

A [report](#) by the US-based International Center for Research on Women and the Brazilian Instituto Promundo studying adult men in Brazil, Chile, Croatia, India, Mexico and Rwanda found that those who had experienced violence, including corporal punishment, during childhood, were more likely to perpetrate intimate partner violence, hold inequitable gender attitudes, be involved in fights outside the home or robberies, pay for sex and experience low self-esteem and depression, and were less likely to participate in domestic duties, communicate openly with their partners, attend pre-natal visits when their partner is pregnant and/or take paternity leave.

### Poll on law reform

An Angus Reid [opinion poll](#) of more than 2,000 British adults, conducted in February 2012, found that 63% are opposed to banning parents in the UK from smacking their children. There was a difference between those who had been smacked themselves as children, who were more likely to oppose a ban, and those who had not been smacked as children, who were more likely to support prohibition. A third (32%) said they would support a ban on parents smacking children.

### Physiological effects of childhood abuse

A new [study](#) published by the US National Academy of Sciences found that MRI scans of the brains of people who had been subjected to maltreatment in childhood, including corporal punishment, had significantly less volume than expected in the hippocampus area of the brain, which is involved in memory and emotion. The research identifies child maltreatment as the leading preventable cause of adult mental illness.

## **The history of corporal punishment**

A BBC documentary on the history of corporal punishment in Britain is now available online ([part 1](#), [part 2](#), [part 3](#)).

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## **And finally...**

Supporters of Children Are Unbeatable! are often reluctant to engage in media coverage of the campaign because of the aggression and wild misinformation perpetrated by the pro-smacking lobby. “It never did me any harm”, “Thousands of loving parents will be dragged into the courts and their children taken into care”, “Sweden has more cases of child abuse and bullying since it banned smacking”, “This is a smug middle-class, white, European campaign completely out of touch with the lives of most parents”... These are just some of the allegations made when – as it invariably does – the topic hits the headlines.

Children Are Unbeatable! needs speakers and writers to support the campaign. We are planning to hold media-training sessions in the autumn of 2012. If anyone is interested in attending, please contact [rachel@childrenareunbeatable.org.uk](mailto:rachel@childrenareunbeatable.org.uk).

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