

Children Are Unbeatable! Newsletter England

Issue No. 5 – May 2011 (see [website](#) for previous issues)

If you do not want to receive further issues of the newsletter, please inform Miranda Horobin at info@endcorporalpunishment.org.

Contents

[Parliament and Government](#)

[Child protection](#)

[“Restraint” in penal settings](#)

[Faith groups](#)

[Young supporters](#)

[Across the world](#)

[Research](#)

[And finally...](#)

Parliament and Government

Since our last newsletter, support for the campaign in Parliament has continued to grow. New supporters include Lib Dem peer and practising barrister Lord Marks of Henley-on-Thames QC. We have also gained support from a large number of Labour peers, including former ministers Rt Hon Baroness Jay of Paddington, Rt Hon Lord Knight of Weymouth and Rt Hon Lord Warner. Other new Labour supporters include the Baroness Prosser (Deputy Chair of the Equality and Human Rights Commission), Lord Morris of Handsworth (former member of the Commission for Racial Equality), Baroness Blood MBE (Trustee of Barnardo's UK, Chair of Barnardo's Northern Ireland), Baroness Drake, Lord Evans of Parkside, Lord Gavron, Lord Giddens, Baroness Healy of Primrose Hill, Baroness Liddell of Coatdyke, Rt Hon Lord McAvoy and Rt Hon Lord Morris of Manchester.

A number of existing supporters have joined the House of Lords, including Labour peer Baroness Lister of Burtersett CBE (Compass management committee) and Lib Dem peers Baroness Kramer (former MP for Richmond Park) and Baroness Randerson (Member of the National Assembly for Wales).

What you can do

We need to reach as many parliamentarians as possible - please write to your MP to ask them to support the Children Are Unbeatable! Alliance. Here is all

the information you need:

www.childrenareunbeatable.org.uk/pdfs/caucampaignsheetMPapril07.pdf

If you would prefer to email your MP, you can use this website:

www.writetothem.com (please include this link in your email:

www.childrenareunbeatable.org.uk/pages/signup-individuals.php)

[Return to contents](#)

Child protection

Project LSCB

The number of Local Safeguarding Children Boards endorsing the Alliance's aims continues to grow with two more, Bury and Rochdale, signing up since the previous newsletter. There are now 31 supporting LSCBs – just over one-fifth of the total.

39 LSCBs have declined to endorse CAU!'s aims. Nine boards provided no reason for their decision, and two raised concerns about how a ban on smacking might be policed. The remaining 28 declined because of doubts about their entitlement to support a campaign for law reform – 15 of these stressed the very strong support for the aims of CAU! among board members.

In fact, the official guidance, *Working Together to Safeguard Children*, confirms LSCBs' powers to engage in any activity conducive to their objectives of protecting children from harm and ensuring that they have safe and effective care. It also stresses the need for Boards to have a separate identity and an independent voice.

The concerns of LSCBs about legal remit also reflect the complexity of these bodies, which may comprise up to 30 people all dealing with competing responsibilities within the local authority, pressure from parent organisations and the need to juggle a number of sensitive working relationships. We should take great heart that 31 boards have navigated these difficulties to formally endorse CAU!'s aims, as we should from the expression of personal support by members of other boards and from the fact that only two boards cite concerns related to a ban on smacking in their reasons for declining.

We are encouraging the 80 undecided LSCBs to consider signing up to the aims of the Alliance.

What you can do

- Encourage your LSCB to support the Alliance – especially if they have not yet made a decision (you can see a full list of supporting LSCBs on the website: <http://www.childrenareunbeatable.org.uk/pages/supporters.php>)
- 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.

Contact Pat Gordon-Smith on 07528 275646; pat.gsmith@yahoo.co.uk

[Return to contents](#)

“Restraint” in penal settings

Our last newsletter reported investigations by the Children’s Rights Alliance for England (CRAE) into the deliberate use of pain in secure training centres for children (STCs). CRAE has now applied for judicial review of the Justice Secretary’s refusal to inform the children of opportunities to seek redress for their potentially unlawful treatment.

Lawyers at the Howard League for Penal Reform have published a dossier on children who have suffered injuries, such as broken bones, bruises and knocked out teeth, as a result of restraint in STCs during the year April 2008 - March 2009. The report, [Twisted: The Use of Force on Children in Custody](#), claims staff in privately run centres are unlawfully using a "touch and hold" policy to make children aged 12 to 15 comply with instructions. The legal team spoke to young offenders who said that STC staff were known to sometimes goad young people into situations that result in use of restraint. They also heard that the threat of force is routinely used to make young people do whatever the staff tell them. One 17-year-old quoted in the report said: "One of the officers spoke to me through my door and said that they were 'going to make me scream later.'"

The Children's Commissioner for England has also called for the abolition of the use of pain to control children in penal institutions. The call comes in a [report](#) published by the Office of the Children's Commissioner documenting the views of 89 young people in conflict with the law.

Children Are Unbeatable! acknowledges the distinction between lawful restraint and physical punishment and supports legal clarifications of adults’ powers to restrain children where these are necessary, but it believes that the painful restraints used in STCs are not justified, as well as sometimes being clearly punitive in intent. The Government maintains that physical punishment is banned in STCs (because section 65 of the Criminal Justice Act 1967 prohibits it in any prison “or other institution to which the Prison Act 1952 applies” and the Prison Act empowers the Secretary of State to provide for STCs). However there is no explicit prohibition of physical punishment in the STC regulations nor of the deliberate use of pain as a restraint technique. Both prohibitions are urgently needed.

What you can do

Contact [CRAE](#) if you know a child who has experienced painful or degrading forms of restraint during a custodial sentence

[Return to contents](#)

Faith groups

All are welcome to attend a public vigil which will be held during the conference *Faith and vision into action - ending corporal punishment of children* organised by the Churches' Network for Non-violence. The vigil will take place at 6pm on 23 August 2011 at St Bene't's Church, Cambridge. Further information about the vigil and conference: info@churchesfornon-violence.org and www.churchesfornon-violence.org

[Return to contents](#)

Young supporters

In preparation for the conference, *Faith and vision into action - ending corporal punishment of children* (see above), the Churches' Network for Non-violence invites groups of children and young people to tell them their ideas about physical punishment and how it can be stopped.

A set of free activities for groups are provided, including discussion and creative activities and are suitable for children of different ages and various sizes and types of groups (including schools, youth groups and faith groups). Children and young people of all faiths and none are welcome to take part. Following the activities, one or two members of each group involved will form part of a team of children and young people who will meet to develop a resource on corporal punishment of children and to present it at the conference. Please contact info@churchesfornon-violence.org for more information and to access the activities.

The Global Initiative to End All Corporal Punishment of Children has published a new [guide](#) to children and young people's participation in actions against corporal punishment worldwide. It includes information and examples of how children all over the world are taking action against corporal punishment, a section on the problems sometimes faced by children who take action and possible solutions, and links to further resources. The guide is aimed primarily at adults working with children against corporal punishment.

See CAU! children's website www.childrenareunbeatable.org.uk/children for information about CAU! for children and young people.

[Return to contents](#)

Across the world

The African Child Policy Forum and the Global Initiative, in collaboration with the African Committee of Experts on the Rights and Welfare of the Child, held a Strategic Consultation in Burkina Faso, attended by key stakeholders from across Africa. The objectives were to review progress towards the elimination of physical punishment across Africa and identify opportunities, challenges and effective strategies. The results are provided in a detailed [Strategic Plan](#).

At the fourth League of Arab States High Level Conference on the Rights of the Child, held in Morocco, December 2010, the "Marrakesh Declaration" was adopted declaring determination to "enforce existing legislation and

promulgate laws that incriminate the violation of the rights of the child and protect the child against all forms of exploitation, violence, neglect and ill-treatment especially with regards to female circumcision, sexual exploitation, early marriage, corporal punishment and trafficking of children...”.

The South Asia Initiative to End Violence Against Children (SAIEVAC) has published the Report of the Technical Workshop on Legal Reform and Corporal Punishment, held in November 2010 in Kathmandu, Nepal. At the three day workshop over a hundred participants from Governments, NGOs and civil society developed action strategies for each country to promote law reform to prohibit corporal punishment in all settings, including the home.

To sign up for the newsletter of the Global Initiative to End Corporal Punishment, contact info@endcorporalpunishment.org

[Return to contents](#)

Research

NSPCC report on children’s experience of violence

The NSPCC has published a [report](#) on a 2009 survey of the childhood experiences of 18-24 year-olds and the current experiences of 11-17 year-olds. 11.5% of the 18-24 year olds reported that they had experienced “severe” physical violence from an adult during childhood, including being hit, kicked, beaten or attacked with a weapon. Of the 11-17 year olds, 6.9% had been physically attacked by an adult during childhood.

Disciplinary measures in poor and middle-income countries

UNICEF launched its first large scale analysis of research on child discipline within the home at a meeting of the UN Human Rights Council. [Child Disciplinary Practices at Home](#) surveyed mothers or primary caregivers of children aged 2-14 in 35 low- and middle-income countries on a range of violent disciplinary practices, including shouting, name calling, shaking and hitting. On average 75% of children experienced physical punishment and/or psychological aggression, with 17% on average experiencing severe physical punishment. Most caregivers (more than three out of four) do not consider physical punishment necessary in childrearing. In most countries no significant links were found between violent discipline and socio-demographic characteristics such as wealth, living arrangements, education and household size or the personal characteristics of the child (aside from age: the prevalence of violent discipline was greatest for children aged 5-9). The report concludes that it is not enough to promote changes in attitudes towards corporal punishment, a comprehensive strategy against violence to children is needed, of which a key component is law reform to prohibit all forms of physical punishment.

Number of assaults on children significantly increase (again)

Last year, newsletter No. 3 reported research by [Cardiff University](#)’s Violence and Society Research Group which showed that the numbers of under-11 year-olds treated for serious violence in Accident and Emergency Departments in England and Wales had risen by 8% between 2008 and 2009.

The latest research shows that the number of children under 11 who are treated for assaults in 59 A&E departments has risen by another 20% in the past year. As with the previous year, this contrasts with other age groups, where the number of incidents has fallen (particularly in the teenage age-group). The group's director Professor Jonathan Shepherd said the latest figures show a "disturbing upward trend in violence against children".

[Return to contents](#)

And finally...

Early years – your help needed

Pat Gordon-Smith is embarking on a review of support for CAU! in the early years sector and would like to hear from any supporters involved. Please contact her with information about guidance, policies and practices relating to smacking and physical punishment used by individual early years practitioners, settings, services and organisations. She is also very keen to know of informal support for a ban that could lead to a formal endorsement, and would be happy to discuss making presentations about the Alliance to early years organisations, settings and services across the country.

Contact Pat Gordon-Smith on 07528 275646; pat.gsmith@yahoo.co.uk

[Return to contents](#)