
Beyond Anti-Smacking: A Series of Updates

Beyond anti-smacking: challenging parental violence and coercion

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The anti-smacking lobby concentrates on persuading parents not to smack and persuading the government to prohibit smacking by law. There is much evidence that smacking children is unnecessary and dangerous, and yet smacking continues to be widely practised and accepted in Britain. Our literature review found two underlying reasons for this contradiction: beliefs that children are human beings rather than full human beings and support for parents' rights over children's human rights. We suggest that the anti-smacking lobby's important work will have limited effect until it tackles these two issues, and make comparisons with debates on domestic violence against women to illustrate our argument. Copyright © 2003 John Wiley & Sons, Ltd.

UK Children Bill

The Children Bill has received Royal Assent to become the *Children Act 2004*. It creates the post of Children's Commissioner, new Local Safeguarding Children Boards, a duty of care for many agencies and makes it an offence to hit a child if it causes mental harm or leaves a mark on the skin.

Source: Hansard 15 November 2004

http://www.publications.parliament.uk/pa/cm200304/cmhansrd/cm041115/debtext/41115-01.htm#41115-01_spnew0

Reforms on hitting are muddled and unjust, warns NSPCC (UK) Reforms on hitting are muddled and unjust, warns NSPCC 2 November 2004

2 November 2004 The NSPCC (National Society for the Prevention of Cruelty to Children), the leading UK NGO specialising in child protection and the prevention of cruelty to children has criticised proposed amendments to the Children Bill for failing to protect children from physical assault. It warns that plans are badly thought-through, dangerous and unfair on children and parents alike. Parliament has rejected the NSPCC's call to abolish the outdated law which sanctions the physical punishment of children and denies them the same legal protection from assault as adults already enjoy. Instead, the House of Commons opted for a change in the law that defines an acceptable threshold of violence towards children. "Bad legal reform is worse than no legal reform and that is what these proposals amount to. Violence towards children is still legally acceptable - as long as you are careful not to leave a mark. The law needs to send out a clear message that it is just as wrong to hit a child as it is to hit an adult," says Mary Marsh, director and chief executive of the NSPCC. While actual bodily harm of a child will be made illegal, common assault of children by their parents will remain legal. The NSPCC is concerned that the reforms could create widespread confusion for parents about what forms of physical discipline are legally acceptable and which are not. The NSPCC also warns that there is likely to be an increase in the prosecution of parents. "Law reform on this issue should not be about prosecuting parents for committing minor assaults but should be about preventing them hitting in the first place. We need a law that says that violence towards children is wrong, to set a clear standard for non-violence in the family home and help us promote positive alternatives to hitting. "However,

we should take comfort from the fact that these reforms will have a very limited shelf-life.

The UK Government is bound by a range of international human rights' treaties which mean it is only a matter of time before children get equal protection from assault - no more, no less."

New Smacking Laws (UK)

New smacking laws may prove unworkable as doctors will not want, or will be unable, to give evidence when parents are prosecuted, an expert has warned. Professor Sarah Stewart-Brown, from Warwick Medical School, said the law for England and Wales was too ambiguous for doctors to offer judgements on. Lucy Thorpe, a policy adviser for the National Society for the Prevention of Cruelty to Children (NSPCC), said the ban would create "legal ambiguity, widespread confusion for parents and professional uncertainty for those working with children and families".

Source: BBC Online

<http://news.bbc.co.uk/1/hi/health/4023271.stm>

19 November 2004

British Medical Journal

The British Medical Journal looks at how health professionals will have to cope with the consequences of the new smacking legislation as they will be required to adjudicate on whether a punishment has left a mark or caused mental harm.

Source: *British Medical Journal*

http://bmj.bmjournals.com/cgi/content/full/329/7476/195?maxtoshow=&HITS=10&hits=10&RESULTFORMAT=&fulltext=smacking&andorexactfulltext=and&searchid=1100876083694_10831&stored_search=&FIRSTINDEX=0&sort

Statistics Canada

The organization **Statistics Canada** (<http://www.statcan.ca/start.html>) has released results of a study authored by Eleanor Thomas, "Aggressive Behaviour Outcomes for Young Children: Changes in Parenting Environment Predicts Changes in Behaviour." This study observed 2000 children

between ages 2-4, then studied again at ages 8-9. The study found that having parents who said they often used physical punishment or yelled at the child correlated with having a 39% higher score of bullying and other aggressiveness at age 2-4. By age 8-9 this correlated with 89% higher aggressiveness scores. Thomas noted that occasional physical or verbal reprimand was not considered a punitive, environment but that extremes of such parenting style did seem linked to developing aggressiveness in children as well.

We acknowledge the NSPCC Library & Information Service's CASPAR Email as the source for this news.

Thoughts on comparative data on Australia's educational participation and outcomes: OECD report *Education at a glance: OECD indicators - 2004* edition by Organisation for Economic Cooperation and Development

By Graham Vimpani

Although Australians aged 25- 64 years have one of the highest number of years in formal education of any OECD country (around 13 years – only Norway, the Netherlands, Denmark, Germany, Iceland do better) they have one of the highest rates (38%) leaving school below upper secondary (what do they do there??). They also have one of the highest rates of Tertiary education participation - 30% - with only the US, Japan, Canada, Norway, Sweden, and Finland doing better. Seems like more of us fall off the ladder of opportunity - seriously, doesn't this point to a very divided society in terms of educational experience/opportunity? I'd feel more confident about that conclusion if it wasn't for the fact that the group with less than upper secondary education is only around 12% in the US.

Only 61% of 25-64 year old Australians have attained at least upper secondary education compared to 76% in NZ, 64% in UK, 87% in US, 82% in Sweden. The trend line in educational attainment of this population group in upper secondary and post-secondary non-tertiary education is completely static for Australia over the period 1991 - 2002 unlike all other countries.