

- Fewer than 15 per cent of births are attended by skilled health personnel in Afghanistan, Bangladesh, Chad, Ethiopia and Nepal.
- In Djibuti and Niger, a typical female has less than 3.5 years of schooling and fewer than half of all children are enrolled in primary school.
- More than 60 per cent of the population of Afghanistan and Papua New Guinea lacks access to safe drinking water, and more than 70 per cent lack access to safe water in Ethiopia and Somalia.

#### Further information

*State of the World's Mothers 2006: Saving the Lives of Mothers and Newborns* (Save the Children USA, May 2006) [http://www.savethechildren.org/publications/mothers/2006/SOWM\\_2006\\_final.pdf](http://www.savethechildren.org/publications/mothers/2006/SOWM_2006_final.pdf)

#### THE NATIONAL YOUTH COMMISSION [NYC] INQUIRY

The National Youth Commission [NYC] inquiry is the first independent inquiry into youth homelessness since the Human Rights and Equal Opportunity Commission [HREOC] inquiry completed by Commissioner Brian Burdekin in 1989. With some 33,000 homeless young people in Australia without a safe place to call home each night, the current inquiry is examining why youth homelessness continues to be a major problem in Australia. It will gather evidence on the issue of youth homelessness and seek input from all stakeholders including service providers, government agencies, community organizations and homeless young people.

The members of the NYC are:

- Major David Eldridge from The Salvation Army (Chair of the NYC);
- Ms Narelle Clay AM, CEO of Southern Youth and Family Services in Wollongong;
- Associate Professor David MacKenzie from The Institute for Social Research, Swinburne University of Technology; and
- Father Wally Dethlefs who was one of the three Commissioners of the HREOC inquiry in 1989 ("The Burdekin Inquiry").

The inquiry is underway with first round hearings already held in Hobart, Townsville, Adelaide, Melbourne, Sydney, Brisbane, Canberra, Darwin, Geelong, Warrnambool and Wagga Wagga. If you missed the hearings, you can still participate by sending in a written submission (closing date: 15 June 2007) or by doing an on-line submission via the NYC website. Further information about the inquiry and ways to participate can be found on the NYC website: [www.nyc.net.au](http://www.nyc.net.au)

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## The Netherlands has become the 17th European State to Ban Corporal Punishment by Parents and Carers

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Source: CRINmail <http://www.crin.org/resources/infoDetail.asp?ID=12712>

On 6 March 2007, a new law prohibiting all corporal punishment by parents and carers was passed in the Senate. The law amends the provisions in the Civil Code on parental authority so that article 1:247 now states (unofficial translation):

“(1) Parental authority includes the duty and the right of the parent to care for and raise his or her minor child. (2) Caring for and raising one’s child includes the care and the responsibility for the emotional and physical wellbeing of the child and for his or her safety as well as for the promotion of the development of his or her personality. In the care and upbringing of the child the parents will not use emotional or physical violence or any other humiliating treatment.”

Article 1:248 of the Code applies article 1:247 to all other persons acting in loco parentis.

The Cabinet agreed to proceed with prohibition in February 2005, following a government-commissioned study on the experiences of abolition in other European countries. Department of Justice press releases at the time the “Bill to contribute to the prevention of emotional and physical abuse of children or any other humiliating treatment of children in care and upbringing” was introduced to the Cabinet stressed that the primary purpose of the new law is “to set a standard”. It emphasised that the law would bring the Netherlands into compliance with the UN Convention on the Rights of the Child and article 17 of the European Social Charter, and address the recommendations made to the Netherlands government by the Committee on the Rights of the Child and the European Committee of Social Rights.

Now that the law has been passed, a government Communication Plan to inform parents and the general public about the ban is being prepared. The law is expected to come into force by the summer.

At least 16 countries in Europe have enacted 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 (2004), Greece (2006); Netherlands (2007). In addition, a Supreme Court judgment in Italy (1996) declared all corporal punishment to be unlawful, but this has not yet been confirmed in legislation. At least six more states have committed themselves to full law reform in the near future: Lithuania, Luxembourg, Portugal, Slovakia, Slovenia, Spain.

The pace of reform is gathering momentum in light of the UN Secretary General's Study on Violence against Children, which recommended in its final report prohibition in law of all corporal punishment of children by 2009. Many more governments across the world have committed themselves to full prohibition, including at least a further six in Europe.

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## **NEW ZEALAND: Anti-smacking bill becomes law. May 16, 2007**

[16 May 2007] - A controversial law effectively banning parents from smacking their children has been passed by New Zealand's parliament. The *Crimes (Substituted Section 59) Amendment Bill* was passed overwhelmingly by a vote of 113 to seven.

The legislation amends the New Zealand's Crimes Act, to remove the provision that allowed parents to use "reasonable force" to discipline their child. But the changes - first proposed in 2005 - stirred huge concern from conservative groups worried that it would make criminals of parents. To allay fears, a clause was added giving police the power "not to prosecute complaints.. where the offence is considered so inconsequential there is no public interest in proceeding with a prosecution." The amendment brokered by Prime Minister Helen Clark and National's leader John Key that ended the battle over the bill to amend the law on smacking was passed by Parliament on May 3 on a vote of 117-3.

The bill's promoter, Green MP Sue Bradford, said she could happily back Mr Dunne's amendment as it did not define the nature and level of force people could legitimately use against their children. Parliament also accepted, by 116 votes to four, an amendment that commits the Government to reviewing the law two years after it comes into force. Smacking is banned in some European countries, but is not in most parts of the world. New Zealand is the first English-speaking common law country to ban physical punishment.

## **Defence for Children International Annual Report 2006**

### **Executive Summary**

The year 2006 marks an important period of growth and consolidation within the Defence for Children International (DCI) movement. Earlier in the year, DCI welcomed three new DCI sections, DCI Italy, DCI Niger, and DCI Mauritius (formerly an associated member) to the movement. DCI's 46 national sections and associated members continued to be active at the national and regional level, in the areas of child labour, juvenile justice, education in children's rights, street children, and violence against children, among others. At the International Secretariat (IS), this period has been characterised, most specifically, by the launch of a Strategic Plan of Action for the coming three years with a special focus on juvenile justice.

DCI was able to develop and implement a significant part of its Strategic Plan of Action (2006-2008). This included for example: preparing and disseminating reports on the 42nd and 43rd Sessions of the Committee on the Rights of the Child, focussing on juvenile justice related issues; providing input to and planning the follow-up of the Committee's General Comment No.10 on Children's Rights in Juvenile Justice; participating actively in key networks including the Inter-Agency Panel on Juvenile Justice and the NGO Advisory Panel to the UN Study on Violence Against Children, and producing a bi-monthly newsletter on juvenile justice.

One of the most significant events of year was DCI's Regional Consultation on Juvenile Justice in Africa which took place October 30 – November 3 2006, in Nairobi, Kenya. Key outcomes of the meeting included the training of African DCI sections on advocacy and lobby strategies, on international juvenile justice standards, and on the preparation of alternative reports to the UN Committee on the Rights of the Child. DCI also developed a Regional Action Plan on juvenile justice, as well as the mechanisms for intra-regional cooperation and communication.

DCI ends the year with a more united movement, particularly at regional level, led by a stronger and more stable Secretariat. Whilst challenges remain, particularly in the areas of fundraising and visibility of the movement, DCI faces 2007 with several interesting opportunities for further growth and development