

'HITTING CHILDREN IS WRONG.' EVALUATE THIS STATEMENT IN THE
FORM OF AN ADVISORY PAPER TO A RELEVANT GOVERNMENT
DEPARTMENT, ON THE NEED (OR OTHERWISE) TO BRING IN LEGISLATION
TO BAN THE PHYSICAL PUNISHMENT OF CHILDREN.

The current law in place in the UK, with respect to smacking children, is known as the law of 'reasonable chastisement.' This law permits, 'the use by parents of reasonable chastisement when disciplining their children.' That is, a parent is permitted to hit a child as a way of enforcing discipline providing the physical punishment is within moderate to reasonable limits.

There is however evidence which suggests hitting a child is both wrong and ineffective in its aim of teaching a child right from wrong. This evidence will be presented here in an effort to advise your government of the reasons legislation to ban the physical punishment of children should be established.

A ruling that UK legislation on the physical punishment of children violates the UN convention on the rights of the child and breaches Article 3 of the European Convention on Human Rights, means your government is required to amend the UK law.

Hitting children is wrong. It violates a child's human rights. Currently everyone in the UK except children is protected against physical violence by law. What gives us the right to discriminate against children in this way and deny them the protection available to everyone else as their right? It is argued that the law exists in its current form, in order to maintain what is seen as a parents right to administer physical punishment. But this legislation in favour of adults is ignoring the rights of the child. Protection from violence is a basic human right. This right has been used in order to legislate against domestic violence between a man and a woman. This protection is also a basic human right in which all children are entitled too, as they are people with rights as much as adults..

There are several arguments, which suggest that hitting children is wrong and evidence to support these arguments. Firstly hitting can cause serious physical harm to a child even accidentally. An adult is physically bigger and stronger than a child and therefore the likelihood of causing the child harm by physical punishment is great. Evidence from a study by the Department of Health (Nobes and Smith 1997) found from interviews of mostly mothers and few fathers in 402 families, that one in six children had been severely physically punished by their mothers. Severe physical punishment was identified as, 'involving the intention or potential to cause injury or psychological damage involving the use of implements and repeated actions over a long period of time' (Nobes and Smith 1997.) The study found that 77% of parents had hit their children in the year preceding the study. 38% of parents of children aged 4 and 27% of parents of children aged 7, admitted to hitting their children more than once a week. 75% of children had been hit before the age of 1. This evidence highlights that physical punishment of children is often not gentle and is occurring more frequently than it is perhaps commonly thought to be. This evidence alone clearly indicates that it is a common problem which needs to be more carefully considered in order to protect more children.

It is reported that even light blows as physical punishment have accidentally caused serious injury due to the inferior power and strength of the child. For example a clip round the ear has been known to burst ear drums and permanently damage a child's hearing. Even a simple smack may knock a child off balance possibly leading to head injury following a fall. (EPOCH ****). Injury as serious as paralysis has been reported due to nerve damage following a mild paddling. (Hunt 1996). If injuries such as these are known to occur accidentally or otherwise from mild smacking, surely evidence such as that found in the Nobes and Smith 1997 study suggesting this kind of punishment occurs frequently and is often more than a mild smacking, is cause for concern in relation to the safety of children and clear indicator that hitting children is wrong. It would after all be seen to be wrong to cause another adult such injuries, so surely due to the size and strength of the child compared to the adult, causing such injuries to a child is even more wrong.

Hitting children is also known to progress in some cases from hitting mildly, within the constraints of the current law of 'reasonable chastisement', to more serious child abuse, where a child is frequently beaten or otherwise abused causing great distress to the child, as well as endangering their life. It is noted by Hunt 1997 that, 'many parents are unaware of alternative approaches to managing a child's behaviour therefore when punishment doesn't accomplish a parent's goals it is liable to escalate and cross the fine line into becoming child abuse. Figures show that at least one child a week dies in the UK as a result of parental abuse (The Observer 29/09/02). With a ban on hitting children the number could be significantly reduced. Coupled with the ban parents could be given the significant education needed to advise alternative types of punishment through both measures smacking would be given less opportunity to escalate into child abuse.

The benefits of a complete ban can already be seen in Sweden. The first country to bring in a ban on hitting children in 1979. Figures for Sweden stating that between 1981 and 1996 only four children were reported to have been killed by their parents. These figures are strong evidence that banning the wrong practice of smacking children can have a significant positive effect on reducing amounts of child abuse, which the UK could surely benefit from.

Another reason that hitting can be said to be wrong, comes from evidence found in several reports, that indicate physical punishment is not only ineffective in reaching its goal, but is also wrongly teaching a child violent behaviour and suggesting that this type of behaviour is the way to deal with situations in which someone behaves in a way you don't like. The American Psychological Association researched the area and concluded that, 'physical punishment may induce obedience in the short term, but over time increases the probability of aggressive and violent behaviour during both childhood and adulthood.' The study by Nobes and Smith 1997 carried out for the Department of Health found that frequently aggressive children were four times more likely to have been severely punished at home than those children who were rarely aggressive. It does seem therefore from the evidence found

in these studies, as well as others, (The Australian National Commission on Violence 1990 and Strauss 1994,) that experiencing violent and aggressive behaviour in the home is a significant predictor of displaying aggression in a range of situations in later life. A study by Straus, Sugarman and Giles-Sims (1997), clearly demonstrated that the more children were physically punished for antisocial behaviour, the more antisocial their behaviour became. Hitting children teaches them to become hitters themselves, as an adult figure is very influential in a child's life. Adults are looked up to and their behaviour copied as it is seen as the correct way to behave. Thus an adult using physical punishment to discipline a child is wrong not only in the sense that they are violating the child's human rights and causing physical harm, but also in that, through their physical punishment of the child, they are demonstrating to the child that it's OK to hurt someone smaller than yourself and hitting is the appropriate method of demonstrating to others your frustrations and solving your problems.

A British study found that, 'the best predictors of having a criminal record by the age of 20 was having been hit once a week at age 11 and having a mother who strongly believed in corporal punishment (Landsberg 1996).

Other research demonstrates that hitting a child as physical punishment for wrong doing and to instil discipline is not effective in its aim anyway. It is claimed that physical punishment overwhelms a child with hurt and anger and therefore leads the child away from realisation of what they have done wrong and fails to teach the child anything about what they did wrong and why. It is therefore usually ineffective in preventing the child from misbehaving in the same way again. The child knows they have done wrong but physical punishment is very ineffective in teaching a child why they have done wrong. A more effective way of getting the child to understand and teach discipline is verbal correction and reasoning with the child. This method is not only more effective than hitting the child, but keeps the child safe at the same time.

It has been argued that because smacking is ineffective the first time at producing 'well behaved' children that punishment may escalate and become child abuse. (Quote ****).

There are instances in which hitting a child can be claimed not to be wrong, but these instances are when hitting or grabbing a child is for their own safety. For example to move the child away from the danger of a car in the road or from burning themselves on a hot stove in the house.

The evidence presented in this report clearly demonstrates that hitting a child is not only wrong, but ineffective in achieving its goal. Surely these two things coupled together are enough to advise you that banning the hitting of children would be a worthwhile law to pass in the UK. The evidence reviews suggests that a ban of hitting children would not only be of great benefit to children, protecting their rights but also valuable to the public as a whole in attempting to reduce levels of violence and criminal behaviour within our society. A survey carried out by the NSPCC showed that the majority of people in England and Wales, that is 58% of people support a change in the law protecting children from being hit, provided parents are not prosecuted for trivial smacks, (NSPCC 2002). The way to enforce a law against hitting children, without compromising the position of a parent in disciplining their children has been demonstrated already in eight countries across Europe, who has already enforced the law. The purpose of the law has been to educate adults in alternative ways to discipline a child without compromising their safety and human rights. The purpose of the law should not be to punish parents, but protect our children. If parents were perhaps notified of the research which suggests physical punishment is ineffective and may lead to more violent behaviour and advised that the purpose of such a law would be to protect children rather than punish parents, I feel a ban would not be refuted and would ultimately be a very effective way of developing our societies social attitudes and protecting our children from the painful and humiliating practice of violating a child's human rights, that is physical punishment.