Prohibiting and eliminating corporal punishment: a key health issue in addressing violence against children

Response to the WHO draft global plan of action to strengthen the role of the health system within a national multi-sectoral response to address interpersonal violence, in particular against women and girls, and against children

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May 2015

Summary

Corporal punishment – violence inflicted on children by parents, teachers, carers and others in the name of “discipline” – is the most common form of violence against children. It violates children’s right to respect for their human dignity and physical integrity, as well as their rights to health, development and education, and is associated with a wide range of negative health, developmental and behavioural outcomes for children that can follow them into adulthood. Its legality violates children’s right to equal protection under the law.

In drafting its global plan of action, the Global Initiative recommends that the World Health Organisation:

1. Specifically address corporal punishment under the “Overview of the global situation” in the introduction to the plan of action using the information provided below;

2. Explicitly include the obligation on states to prohibit corporal punishment of
The Global Initiative aims to act as a catalyst for the prohibition and elimination of corporal punishment of children across the world. Its aims are supported by UNICEF, UNESCO, the World Medical Association and many international, regional and national organisations; a full list of supporters is available on our website: www.endcorporalpunishment.org. The Global Initiative welcomes the opportunity to respond to the WHO draft global plan of action to strengthen the role of the health system within a national multi-sectoral response to address interpersonal violence, in particular against women and girls, and against children. This submission addresses three relevant sections of the zero draft plan – the Introduction, Chapter 3 (Proposed action for Member States, national and international partners, and the WHO Secretariat) and Annex 1 (Glossary of key terms). The annex to the submission summarises the Global Initiative’s review of research on the effects of corporal punishment.

1. Introduction to the draft plan

The zero draft global plan of action acknowledges in the introduction that “In many countries, violence is often considered an acceptable way of disciplining children.” Beyond this statement, direct reference to corporal punishment is notably lacking from the draft. Section 1.3 of the introduction, entitled “Overview of the global situation”, provides a number of opportunities to highlight the prevalence and damaging effects of corporal punishment:

**Magnitude.** Violence is now widely recognised as a public health problem and the huge scale of violence against children is coming to be understood. Corporal punishment has been acknowledged by UNICEF and the United Nations Secretary-General’s study on violence against children as the most common form of violence against children. UNICEF statistics collected in 62 countries between 2005 and 2013 found that on average about four in five children aged 2-14 had experienced violent "discipline" (physical punishment and/or psychological aggression) at home in the past month. On average, 17% of children experienced severe physical punishment (being hit on the head, face or ears or hit hard and repeatedly) at home in the past month. Children with disabilities and young children are especially vulnerable to corporal punishment. The Global Initiative can provide global and regional compilations of research on the prevalence of, and attitudes towards, corporal punishment; for more information email sharon@endcorporalpunishment.org.

**Health consequences.** There is no need to look for evidence of the negative effects of corporal punishment in order to know that it must be prohibited and eliminated – just as there

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1 Resolution WHA49.25 (2006)
is no need for research to show that violence against women is harmful to justify prohibiting and eliminating it. Protection of women, elderly people and children from all forms of violence, including all violent punishment is a human rights obligation. The Global Initiative emphasises that a focus on research into the harmful impact of violence on children must not distract from the immediate obligation to prohibit and effectively challenge it. Nevertheless, we recognise that research on the issue can be useful for advocacy. The Global Initiative has reviewed over 200 studies on the effects of corporal punishment which associate it with a wide range of negative health, developmental and behavioural outcomes for children that can follow them into adulthood – the Annex to this submission summarises the results of this research. In 2013, prominent international health organisations signed a statement in support of prohibition and elimination of all corporal punishment of children on the basis of evidence of the harmful effects of corporal punishment on children, adults and societies.\footnote{Statement by international health organisations in support of prohibition and elimination of all corporal punishment of children, 2013. Signatories include the International Association for Adolescent Health, the International Council of Nurses, the International Council of Psychologists and the World Federation of Public Health Associations. The full statement is available at www.endcorporalpunishment.org}

**Progress in countries and gaps.** Corporal punishment continues to be legally and socially accepted in the majority of states worldwide, remaining lawful in some or all settings. As at May 2015, \textit{46 states have achieved full prohibition} of corporal punishment of children in all settings, including the home. In the other 152 states, corporal punishment is lawful in some settings of children’s lives: in penal institutions (64 states), in schools (73 states), in day care and alternative care settings (146 states) and in their own homes (152 states). Corporal punishment, including in some cases flogging, caning and amputation, is lawful as a sentence for crime for children in 37 states. The Global Initiative can provide detailed and up to date \textit{global and regional tables} of the legality of corporal punishment of children in each setting (in the home, alternative care settings, day care, schools, penal institutions and as a sentence for crime), and \textit{individual reports for every state} worldwide, with details of relevant laws, recommendations of human rights treaty bodies and summaries of prevalence research; for more information email sharon@endcorporalpunishment.org.

2. **Chapter 3 of the draft plan (Proposed action for Member States, national and international partners, and the WHO Secretariat)**

All corporal punishment violates children’s right to respect for their human dignity and physical integrity, as well as their rights to health, development and education. Its persisting legality in a majority of states worldwide violates their right to equal protection under the law. Prohibition and elimination of corporal punishment of children in all settings including their homes is a well-established human rights obligation, with wide consensus among human rights bodies calling for express and comprehensive prohibition in law.

The Committee on the Rights of the Child has consistently made this clear: General Comment No. 8 (2006) on the right of the child to protection from corporal punishment consolidates and confirms the obligation to prohibit and eliminate corporal punishment in all settings of children’s lives; General Comment No. 13 (2011) on the right of the child to freedom from all forms of violence highlights the short- and long-term effects of violence,
including corporal punishment, on children’s health and development; General Comment No. 15 (2014) on the right of the child to the highest attainable standard of health reiterates states’ obligation to take all appropriate legislative, administrative, social and educational measures to eliminate corporal punishment; and the Committee systematically recommends prohibition of all corporal punishment during its examination of states’ implementation of the Convention. Many states have also received recommendations to prohibit corporal punishment of children from the Committee on Economic, Social and Cultural Rights, as well as the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of Persons with Disabilities, the Committee against Torture, the Human Rights Committee, and during the Universal Periodic Review of their human rights records. Regional human rights bodies, such as the European Committee of Social Rights and the African Committee of Experts on the Rights and Welfare of the Child, are also clearly recommending prohibition of corporal punishment in all settings.

The General Assembly, in “Resolution 63/241 Rights of the child” (13 March 2009) condemns all forms of violence against children and urges states to fully respect the rights, human dignity and physical integrity of children and to prohibit and eliminate any emotional or physical violence or any other humiliating or degrading treatment. In particular, it urges states to protect children from all forms of violence or abuse by all those who work with and for children and to take measures to promote constructive and positive forms of discipline and child development approaches in all settings. Subsequent General Assembly and Human Rights Council resolutions have reiterated the recommendation to prohibit and eliminate all forms of violence against children in all settings.

Chapter 3 of the zero draft global plan of action outlines proposed action for Member States, national and international partners and the WHO Secretariat. Objective 1 in both sections B (violence against women and girls) and C (violence against children) of this chapter aims to strengthen leadership, advocacy and governance of the health system in addressing these forms of violence. Given the human rights imperative to prohibit all corporal punishment of children, the Global Initiative recommends the inclusion in Objective 1 of the immediate obligation on states to prohibit corporal punishment of children in all settings including the home, in line with international human rights standards. Proposed actions for national and international partners, and the WHO Secretariat, should include advocacy and support for universal prohibition and elimination of all corporal punishment of children.

In section B on violence against women and girls, prohibition and elimination of corporal punishment should also be highlighted as a key element in ending domestic violence. The home can never be free from violence so long as physical punishment of children is legally and socially acceptable. Furthermore, research suggests that settings in which

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6 For example, European Committee of Social Rights, Association for the Protection of All Children (APPROACH) Ltd. v. France (Complaint No. 92/2013), Decision on the Merits adopted 12 September 2014, published 4 March 2015; and in its regular monitoring of states’ implementation of the European Social Charter and Revised Charter the Committee systematically concludes that states where corporal punishment is not prohibited in all settings are not in conformity with the Charter

7 For example, following its 24th session in December 2014, the African Committee of Experts on the Rights and Welfare of the Child recommended prohibition of all corporal punishment in all settings to Guinea, Mozambique, Sudan and Ethiopia

corporal punishment is prevalent tend to be settings in which partner violence is prevalent, and studies have found associations between men experiencing harsh corporal punishment as a child and perpetuating “dating violence” as an adult (see the Annex below for more details).

3. Annex 1 of the draft plan (Glossary of key terms)

Given the prevalence of violence inflicted on children by adults that is currently described or justified as punishment or “discipline”, and social attitudes that seek to separate this form of violence from “maltreatment” or “abuse”, it is recommended that corporal punishment be specifically addressed in the definitions of child maltreatment and violence against children contained in the glossary of key terms.

In addition, it is recommended to include a definition of corporal punishment in the glossary of key terms. The definition of corporal or physical punishment adopted by the Committee on the Rights of the Child in its General Comment No. 8 (2006) is the key reference point – “any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light”.

According to the Committee, this mostly involves hitting (“smacking”, “slapping”, “spanking”) children with the hand or with an implement (a whip, stick, belt, shoe, wooden spoon, or similar) but it can also involve, for example, kicking, shaking or throwing children, scratching, pinching, biting, pulling hair or boxing ears, forcing children to stay in uncomfortable positions, burning, scalding or forced ingestion (for example, washing children’s mouths out with soap or forcing them to swallow hot spices). Non-physical forms of punishment that are cruel and degrading and thus incompatible with the Convention include, for example, punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child. In the view of the Committee, corporal punishment is invariably degrading.

Conclusion and recommendations

As the most common form of violence against children, corporal punishment represents a significant public health issue which causes physical and psychological harm to children and is associated with a wide range of other negative health, developmental and behavioural outcomes for children that can follow them into adulthood. The legality of corporal punishment in the majority of states worldwide is a breach of international human rights law. In light of this, the Global Initiative recommends that in drafting the global action plan the World Health Organisation:

(1) Explicitly address corporal punishment in the “Overview of the global situation” in the introduction to the plan, particularly under ‘Magnitude’.

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11 Committee on the Rights of the Child (2006), General Comment No. 8 on “The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment (arts. 19; 28, para. 2; and 37, inter alia)”, para. 11
‘Health consequences’ and ‘Progress in countries and gaps’, using information provided in this submission;

(2) In Objective 1 of sections B and C of Chapter 3:
   a. Underline the immediate obligation on states to prohibit corporal punishment of all children in all settings including the home, in line with international human rights standards;
   b. Urge national and international partners and the WHO Secretariat to support and promote prohibition and elimination of all corporal punishment of children;
   c. Include prohibition of corporal punishment as a key element in ending family violence;

(3) In the glossary of key terms:
   a. Include corporal punishment in the definitions of child maltreatment and violence against children;
   b. Include the definition of corporal punishment set out above.

Briefing prepared by the Global Initiative to End All Corporal Punishment of Children
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May 2015
Annex: Health consequences of corporal punishment of children – summary review of research on the effects of corporal punishment

The message from research is very clear – corporal punishment of children carries multiple risks of harm and has no benefits. A major 2002 meta-analysis of 88 studies found associations between lawful corporal punishment by parents and ten negative outcomes. This is consistent across cultures; in a systematic comparison of 17 studies which included 60 comparisons of the effects of physical punishment in different cultural contexts, there was no evidence of differences in the effects of corporal punishment due to cultural context, including because of its perceived normativity.

The Global Initiative has reviewed more than 200 studies showing associations between corporal punishment and a wide range of negative health, developmental and other outcomes; there is no evidence of any positive outcomes. A longer working paper on the review of research on the effects of corporal punishment is available; for more detailed information please contact info@endcorporalpunishment.org. The effects of corporal punishment of children identified in the review include the following:

1. Direct physical harm

Corporal punishment kills thousands of children each year; the intent to discipline or punish has been shown to be a common precursor in many child homicide cases, while a recent Finnish study found that the decline in physical punishment since prohibition was achieved in 1983 was associated with a similar decline in the number of children who were murdered.

Many more children sustain injuries and physical impairments as a direct cause of corporal punishment and the majority of cases commonly referred to as “abuse” are cases of corporal punishment. For example, a major Canadian study found that nearly three quarters (74%) of all cases of “substantiated physical abuse” were cases of physical punishment and 27% of “substantiated emotional maltreatment incidents” were initiated as a form of punishment. Most cases of physical abuse involved forms of violence typically used as punishments: just over half (54%) involved children being slapped or “spanked”, 30% involved children being shaken, pushed, grabbed or thrown, 21% involved children being hit with objects and 8% involved children being punched, kicked or bitten. In the US, a study of 2,788 families with children born between 1998 and 2000 found that families in which children aged one were “spanked” were about 33% more likely to be involved with Child Care...
Protective Services before the child was aged 5 than families in which one-year-olds were not spanked.\textsuperscript{19}

It should also be noted that all physical punishment, however “mild” and “light”, carries an inbuilt risk of escalation: its effectiveness in controlling children’s behavior decreases over time, encouraging the punisher to increase the intensity of the punishment.\textsuperscript{20} The risk of escalation is increased by the fact that adults who inflict physical punishment are often angry: their anger can increase the level of force used beyond what was intended, and their intent may be retaliatory as well as punitive.\textsuperscript{21} All ten of the studies on child protection in the abovementioned major 2002 meta-analysis found that corporal punishment was significantly associated with physical “abuse”,\textsuperscript{22} later studies have found similar associations.\textsuperscript{23}

2. Mental harm and indirect physical harm

Corporal punishment is emotionally as well as physically painful and its links to poor mental health in childhood are clear. In a major meta-analysis, all 12 studies found that corporal punishment is significantly associated with a decrease in children’s mental health, including with behaviour disorders, anxiety disorders, depression and hopelessness.\textsuperscript{24} Other studies have found associations with higher stress-levels and heightened reactions to potentially frightening events,\textsuperscript{25} as well as links to a variety of mental health problems including depression, low self-esteem, hostility and emotional instability.\textsuperscript{26} A study in Canada which used data collected in 2012 from a nationally representative sample of more than 23,000 adults found that experiencing corporal punishment before the age of 16 was associated with mental disorders depression, bipolar disorder, anxiety disorder, alcohol and drug abuse or dependency, phobias, eating disorders, low self-esteem, hostility, emotional instability and thinking about or attempting suicide.\textsuperscript{27}

These associations hold true in adulthood: in a meta-analysis on mental health in adulthood, all eight studies found an association between corporal punishment in childhood and poor mental health later in life, including low self-esteem, depression, alcoholism, self-harm and suicidal tendencies.\textsuperscript{28} A nationally representative US study also found associations with

\textsuperscript{21}Durrant, J. E. et al (2004), \textit{Joint Statement on Physical Punishment of Children and Youth}, Ottawa: Coalition of Physical Punishment of Children and Youth
\textsuperscript{22}Gershoff, E. T. (2002), op cit
\textsuperscript{23}For example, Clément, M. E. et al (2000), \textit{La violence familiale dans la vie des enfants du Québec}, Québec: Institut de la Statistique du Québec
\textsuperscript{24}Gershoff, E. T. (2002), op cit
\textsuperscript{28}Gershoff, E. T. (2002), op cit
These negative effects on mental health may also impact on physical health. Associations have been found between corporal punishment and children feeling that their health was poor, experiencing physical illnesses such as asthma, suffering injuries and accidents, being hospitalised and developing habits which put their health at risk, such as smoking, fighting with others and alcohol consumption. This effect may also continue into adulthood. One study found an association between experiencing corporal punishment in childhood and developing cancer, asthma or cardiac disease as an adult. Other studies have found similar links with suffering from migraine and developing alcohol-related problems, cardio-vascular disease, arthritis and obesity.

3. Impaired cognitive development

Research suggests that corporal punishment can have a negative impact on children’s cognitive development due to the effect of early experiences of fear and stress on the developing brain. Results from neuroimaging studies suggest that experiencing harsh physical punishment may reduce the volume of the brain’s grey matter in areas associated with performance on a scale used to measure intelligence in adolescence and adulthood. Studies have found associations between corporal punishment and lower IQ scores, smaller vocabularies, poor cognitive abilities and poor school marks. These associations have been found for school and parental corporal punishment. The effects may be lifelong, with some studies finding children who experienced corporal punishment being less likely to graduate from college and to have high status and highly paid jobs.

36 Tomoda A. et al (2009), “Reduced prefrontal cortical gray matter volume in young adults exposed to harsh corporal punishment”, Neuroimage, 47, 66-71
4. Negative behavioural and other outcomes

In addition to the impact that corporal punishment can have on children’s health and development, it has also been associated with a number of negative behavioural effects including increased aggression in children, being aggressive towards their peers, approving of the use of violence in peer relationships, bullying and experiencing violence from their peers, using violent methods to resolve conflict and being aggressive towards their parents. Although corporal punishment is associated with immediate compliance, it does not contribute to the child’s long-term compliance to the desired behaviour but in fact makes it less likely that they learn the lessons adults want them to learn. This can result in poor moral regulation and increased delinquent and antisocial behaviour in both young and older children, which persists into adulthood, with studies associating corporal punishment of children with violent, antisocial and criminal behaviour as adults. Corporal punishment and partner violence in particular are closely linked – the two kinds of violence often coexist and experiencing corporal punishment as a child increases the chance of both being a victim of and perpetrating intimate partner violence as an adult. A US study involving nearly 2,000 families found that parents in households where intimate partner violence was perpetrated were twice as likely to inflict corporal punishment on their children. A study published in 2014 used UNICEF data from 85,999 mothers and caregivers of 2-14 year olds in 25 low- and middle-income countries and found that women who believed that husbands were justified in hitting their wives were more likely to believe that corporal punishment is necessary to rear children and were more likely to report that their child had experienced “violent discipline” (psychological aggression and/or physical punishment) in the home in the month prior to the survey than women who did not believe that husbands were justified in hitting their wives.

49 Gershoff, E. T. (2002), op cit
50 Gershoff, E. T. (2002), op cit
54 Taylor, C. A. et al (2012), op cit
Corporal punishment has also been found to **severely damage the parent-child relationship**, teaching children to fear and avoid their parents: children report feeling hurt, angry and frightened of their parents after being physically punished.

**Conclusion**

The evidence that corporal punishment is harmful to children, adults and societies is overwhelming, while no studies have found evidence of any benefits. As well as causing direct physical harm to children and impacting negatively in the short- and long-term on their mental and physical health and development, corporal punishment is also linked to other kinds of violence in societies, including partner violence, and is seen to impair moral internalisation, increase antisocial behaviour and damage family relationships. Prohibition of corporal punishment therefore represents a low-cost effective public health measure for the prevention of physical harm and mental illness and to aid developmental, educational and behavioural outcomes for children and ultimately for adults.

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