

Department of Health issues guidelines to British parents on how to smack their children

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Children's charities and pressure groups have condemned a new Department of Health consultation document, which outlines how parents can smack their children in an "acceptable" way.

The guidelines were issued in response to a ruling by the European Commission of Human Rights that an English court had breached article three of the European Convention on Human Rights by acquitting a man who had repeatedly beat his nine-year-old stepson with a three-foot cane. The English court had accepted the stepfather's defence that his attack constituted "reasonable chastisement".

Article three states, "No one shall be subjected to torture or inhuman or degrading treatment". The European Court upheld the child's complaint that his human rights had been breached. Under the current UK law, which dates back to 1861, a child can be hit, thumped or struck if the parent can satisfy a court that this constituted "reasonable chastisement".

The Department of Health document, which will become law, is meant to clarify how the defence of "reasonable chastisement" is defined, and when it can be used. Whilst the document contains measures that may *eventually* lead to a ban on hitting a child with an implement, such as a cane or belt, it states that parents may hit their children with their hands, provided the blows are not made to the head and do not leave marks. The document leaves open whether this rule should also apply to babies.

Defending the guidelines, Health Minister John Hutton told the BBC, "Parents in this country want the opportunity to be able to issue a mild rebuke to their children in the context of a loving, stable family relationship." He said that the upbringing of children

should be a private matter for parents.

Children's organisations have condemned the recommendations, however. Kate Harper of Save the Children Fund attacked the government's refusal to ban smacking, explaining that "years of experience show that smacking doesn't work. It can have a very detrimental outcome on a child's development.

"We have carried out extensive consultations with children on smacking and found that children see no distinction between smacking, hitting, slapping and a whack." In a report published by the charity, 19 out of the 76 children consulted said they had been smacked on the head, face or cheek.

The National Society for the Prevention of Cruelty to Children said, "We are hugely disappointed that the government's paper rules out the option of giving children the same legal protection from assault as adults."

The physical punishment of children has been banned in eight European countries: Sweden, Finland, Denmark, Norway, Austria, Cyprus, Croatia, Latvia and Italy. In addition, Germany, Bulgaria, Belgium and Ireland are all processing legislation to protect children from physical rebukes. Corporal punishment was outlawed 14 years ago in state schools in Britain, and last year in the private education sector.

Extensive studies on the detrimental impact of hitting children have been published within Britain and internationally. In the United States, where corporal punishment is legal in several states, one study published by the National Centre for Study of Corporal Punishment, *The Case Against Spanking: How to discipline your child without hitting*, reported critical findings:

* Frequent and harsh spanking is consistently found to be present in the lives of boys who are aggressive and disobedient, who lie, cheat, are destructive with their own and others' belongings and who associate with friends prone to delinquency.

* Spanking can cause young children to bottle up feelings of fear, anger and hostility. In later life these children are prone to suicidal thoughts, suicide and depression.

* Despite the age or gender of the child; the family's social class or ethnicity; whether the child was hit frequently or rarely, severely or mildly; whether there were high or low levels of interaction and affection in the home; and regardless of the degree to which specific situational variables may have mitigated the effects of punishment, spanking consistently contributes to lowered self-esteem.

* In toddlers, many punitive approaches, including spanking, do not result in compliance, but end simply in the administration of the punishment.

* Children who are physically punished are more likely to grow up approving of violence and use it to settle interpersonal conflicts. Even children who experience "normal" spankings (i.e., those which the government finds acceptable) are almost three times as likely to seriously assault a sibling, compared to children who are not physically disciplined.

* Younger children are hit most often; spanking slowly decreases until late adolescence. This contributes to feelings of helplessness and resentment that may lead to withdrawal or aggression towards caregivers.

* Corporally punished school children, especially those with emotional and academic disabilities, have suffered all types of injuries including welts, hematomas, damage to all external and many internal body parts and death.

In refusing to extend the legal protection enjoyed by adults to children, Labour has shown that it is bereft of any progressive approach to the pressures and strains of daily life. Moreover, the recommendations are in line with its broader attitude towards children. The government's response to the rise in youth crime—produced by social dislocation, growing poverty and family breakdown—has been to strengthen the powers of the state and overturn fundamental democratic and civil rights. Children as young as 10

may be tried in adult courts and imprisoned, subjected to "behaviour orders" and curfews.

Whilst the state's powers to criminalise and punish children has been extended, its responsibility for young people's social welfare is being eroded. In the sphere of health, education, counselling and general social services, there have been huge cuts. Increasingly, parents are forced to cope with the impact of this with little support or assistance.



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