

Views on International SpankOut Day – End Corporal Punishment of Children

Introduction

Established in 1979, Against Child Abuse (ACA) has been committed to eliminating all forms of child abuse in Hong Kong and promoting a caring and non-violent environment for the optimal growth and development of children.

Every year on 30 April is the International SpankOut Day, which aims at arousing society's attention to ending corporal punishment of children and to promote positive parenting. In order to let the public understand children's views on corporal punishment, we invited members of the “Joyful Kids” Children Group to express their feelings through paintings.

The United Nations Convention on the Rights of the Child has been extended to Hong Kong since 1994. States parties must ensure that children enjoy basic human rights, including the right to life, the right to development, the right to protection and the right to participation. Articles 28(2) and 37(a) of the Convention stipulate that States parties shall take all appropriate measures to ensure the right of children to be free from torture or other forms of cruel, inhuman or degrading treatment or punishment, including corporal punishment. The United Nations Committee on the Rights of the Child urges the States parties to explicitly prohibit corporal punishment in the home, school, institution and all other settings by law.

According to the Child Protection Registry of the Social Welfare Department, there were 1,367 newly reported cases of child abuse in 2021, a record high, with the highest rate of physical abuse, accounting for 44% of the total. From our work experience, most of the physical abuse involves corporal punishment, and it is even caused by corporal punishment accumulated over time. The situation is worrying. A number of child deaths or serious abuses are reflecting the need for legislation to total ban corporal punishment of children. On this issue, we have the following opinions:

1. Corporal punishment is prevalent and passed down from generation to generation

In today's Hong Kong society, many parents or caregivers still regard corporal punishment as one of the methods to discipline their children, and corporal punishment of children is still common in families. From February to April 2019, ACA conducted a random questionnaire survey among children and parents in Hong Kong to collect their views on corporal punishment. The results showed that 50% of the children interviewed had been corporally

punished by their parents and 55% of the interviewed parents had corporally punished their children. Among them, 65% of the parents had also experienced corporal punishment in childhood.

In addition, from November 2021 to January 2022, ACA conducted a questionnaire survey on “Concerning Children's Mental Health Status”. The results showed that nearly 50% of the children interviewed had been subjected to corporal punishment by their parents or caregivers in the past; 60% of the interviewed parents or caregivers had used corporal punishment on their children in the past, and nearly 80% of the interviewed parents or caregivers had also experienced corporal punishment by parents or caregivers on the grounds of discipline when they were children. The survey also found that childhood experiences of corporal punishment by parents or caregivers can influence how they discipline their children, creating a vicious cycle.

2. Corporal punishment has far-reaching effects

Corporal punishment of children does not help discipline, on the contrary, it will bring harm, and may cause damage to children's physical and mental health, and even death. Even mild corporal punishment of children by parents or caregivers can easily escalate unwittingly to violent levels. Children regard their parents as role models, and parents' behaviour can have a profound impact on them. Researches show that children who have been abused and beaten are more likely to use violence to release stress and solve problems, and are more likely to become abusers when they grow up, which will bring harm to the next generation.

Antoinette Laskey, Professor of Pediatrics, pointed out that researches over the past decade have provided increasing evidence to prove that corporal punishment is not only ineffective, but is harmful to children, affecting their brain development, promoting unsociable, uncontrollable, violent, anti-social and aggressive behaviour. According to our 2019 questionnaire survey, more than 70% of children and nearly 60% of parents agreed that corporal punishment was useless, and nearly 70% of children and parents even expressed that corporal punishment had a negative impact on them, leading to alienation of parent-child relationship and physical and psychological harm. Our survey in 2021-2022 also found that corporal punishment affected the parent-child relationship and mutual intimacy, making discipline more difficult.

3. Legislation to total ban corporal punishment of children

Law is the baseline for protecting children, and corporal punishment is a violent act that should be fully prohibited by legislation, including at the family level. By the end of 2021, 63 states around the world have full prohibition of corporal punishment of children. Among them, Japan and Republic of Korea have passed legislation in 2020 and 2021 respectively after a series of serious and high-profile cases of child abuse in their countries in recent years. Corporal punishment harms the growth and development of children, and safeguarding the best interests of children is the shared responsibility of the government, society and families. ACA urges the Government to legislate to prohibit corporal punishment in its entirety.

4. Promote Positive Parenting

In the process of child growth and development, parents and caregivers need to give them proper nurture and discipline, but must use positive and non-violent methods. If parents and caregivers are equipped with parenting knowledge and skills early, it is believed that corporal punishment or child abuse incidents can be effectively reduced. ACA recommends that the Government allocates more resources to promote non-violent discipline and strengthen parent education in the community, so as to equip parents and caregivers with the ability of positive discipline, and provide appropriate assistance to families at risk as soon as possible.

Conclusion

Children are entitled to basic rights. Providing children with a safe growing environment and comprehensive protection requires the coordination of legislative, administrative, social and educational measures. The focal point of legislation to total ban corporal punishment is to convey that corporal punishment is a so-called method of discipline that is not accepted by the society, and how to deal with offenders may depend on the nature and circumstances of the incidents.

Against child Abuse

28 April 2022