



Caribbean Coalition for the Abolition of Corporal Punishment of Children

Newsletter 7
September 2016



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Welcome to the September 2016 e-newsletter from the [Caribbean Coalition for the Abolition of Corporal Punishment of Children](#). We hope you find this update useful; please share it and if you have any comments, contributions or feedback, email us at info@endcorporalpunishment.org.

News and developments

Antigua and Barbuda: The Child Justice Act 2015 which was passed in October last year was published in the Gazette in March 2016. It explicitly prohibits corporal punishment as a sentence for crime for persons under 18 years of age, though further reform is required to formally repeal all legal provisions authorising judicial corporal punishment for persons under 18. (Also published were the Children (Care and Adoption) Act 2015, the Status of Children Act 2015 and the Domestic Violence Act 2015, but these do not prohibit corporal punishment of children nor

explicitly repeal the common law defence of “reasonable punishment”.)

Belize: In his 2015 report, released in March 2016, Ombudsman Lionel Arzu called for prohibition of all corporal punishment of children, including in the home, prisons and schools, stating “Domestic laws such as the Criminal Code (see Section 39) and the Prisons Act should be modified to bring them in alignment with the Convention on the Rights of the Child.” [Read more.](#)

Cayman Islands: A draft Education Bill 2016 is under discussion. It would prohibit corporal punishment in schools and in all early childhood care and education centres. The bill would repeal the Education Law (2010 Revision), which allows for corporal punishment, and states that corporal punishment and acts which are cruel, inhumane or degrading to a student shall not be administered in an educational institution (art. 25) or in any early childhood care and education centre (art. 22). The Bill was tabled in the Legislative Assembly in April 2016 and in May 2016 was deferred to next (2016/17) session.

Guyana: President David Granger came out in support of abolition of all corporal punishment in January, stating, “We need to remove all forms of corporal punishment from the school and in the home”. The President said a child who is taught to solve a conflict by violent means will continue that cycle, while nonphysical forms of discipline will foster psychological health. [Read more.](#)

The global context: In February 2016, the Mongolian Parliament passed the Law on Child Protection 2016 and the Law on the Rights of Children 2016, which prohibit the use of corporal punishment by parents, carers and others. With this reform, Mongolia became the 49th state to prohibit corporal punishment of children in all settings, including the home. Since the last CCACPC newsletter in January 2016, six states have expressed new commitments to prohibition: Micronesia, Mozambique, Namibia, Oman, the Seychelles and Sierra Leone. This brings the total number of states which have committed to prohibition to 57.

On 1-2 June 2016, the Austrian Government hosted the High Level Global Conference “Towards Childhoods free from Corporal Punishment” in Vienna. The conference, attended by representatives from 70 states, marked the 10th anniversary of the presentation of the UN Study on Violence against Children to the UN General Assembly, celebrating progress towards universal prohibition and elimination of all violent punishment of children and building momentum for further reform. Participants adopted a Resolution declaring legal prohibition “a critical foundation for changing social norms” and committing “to work collaboratively and

individually, at international, regional and national levels, to speed progress towards universal and effective legal prohibition of all violent punishment of children in all settings of their lives.” The Global Initiative to End All Corporal Punishment of Children prepared a [special report](#) ahead of the conference outlining how states can work collaboratively towards universal prohibition of violent punishment (see more below). [Read more](#).

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Advocacy resources

New resources from the CCACPC and Global Initiative to End All Corporal Punishment of Children

[New Caribbean progress briefing](#). This new CCACPC briefing published in April 2016 summarises the progress made towards prohibition in each Caribbean state and territory, and what remains to be done. Aiming to promote national action, it emphasises the many immediate opportunities for working to fulfil children’s right to protection in law from all corporal punishment in the penal system, care settings, schools and the family home. Hard copies are available for advocacy purposes: contact info@endcorporalpunishment.org.

[Special global progress report](#). The Global Initiative prepared a special progress report for the high-level intergovernmental conference hosted by the Austrian Government in Vienna in June 2016 (see above), and marking the 10th anniversary of the UN Study on Violence against Children. The special report outlines progress to date towards universal prohibition and elimination of all corporal punishment and looks at the additional context to speed progress presented by the new Sustainable Development Agenda 2030.

[New interactive global map](#). In April, the Global Initiative launched a new interactive map, showing progress towards universal prohibition of all corporal punishment. Hover over a country for information on the legality of corporal punishment, and click on it to go directly to our detailed country report. On touch screens, tap the country for information, and tap again to read the full report.

[Corporal punishment of children: review of research on its impact and associations](#). Updated June 2016, the Global Initiative’s review of research on the

impact of corporal punishment includes evidence from a major recent analysis of five decades of research on the issue, and includes more than 250 studies which show links between corporal punishment and a wide range of negative outcomes that can persist into adulthood, including direct physical harm, negative impacts on physical and mental health, education and family relationships, increased aggression, violence and antisocial behaviour. The review is available in full and summary form.

New UNICEF report

[*Current State of Legislation in the Eastern Caribbean and British Overseas Territories from a Children's Rights Perspective*](#). A new UNICEF report reviews the legislative framework, including the legality of corporal punishment, and identifies the most important legislative reforms and amendments for children in each country and territory covered by the study. The report identifies abolition of corporal punishment as a “main issue pending” in Grenada, St Kitts and Nevis, St Lucia, St Vincent and the Grenadines, Monserrat and elsewhere. Recommendations to Antigua and Barbuda, for example, include explicit prohibition of “all corporal punishment in all settings, including the home and all settings where adults have authority over children”.

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Using the UN human rights systems

This section of the newsletter lists the next examinations of Caribbean states by UN treaty bodies and under the Universal Periodic Review and summarises the outcomes of recent examinations.

When their state is examined, NGOs and national human rights institutions can contribute to the process by submitting information, with the aim of encouraging the body to recommend prohibition of corporal punishment. Recommendations made to states add to the pressure on governments to work for prohibition and are powerful tools for NGOs and NHRIs to use in their advocacy. The CCACPC can provide advice and support on using the UN human rights system and its recommendations to advocate for prohibition.

Contact elinor@endcorporalpunishment.org for more information.

Details of exact deadlines for sending information on each country are posted on the [individual country reports](#) on the Global Initiative to End All Corporal Punishment of Children's website when they become available.

[Antigua and Barbuda](#) was reviewed at the 25th session of the Universal Periodic Review (UPR) in May 2016; it received two recommendations to prohibit corporal punishment of children, which were not supported by Government. Noting the recommendations, it stated corporal punishment of children is an "issue that appeared in laws and for which time would be required in order to change the views of Antiguan." Antigua and Barbuda will be examined by the Committee on the Rights of the Child in January 2017.

[Barbados'](#) list of issues for its forthcoming examination by the Committee on the Elimination of Discrimination Against Women will be adopted in November 2016; it will be examined by the Committee on the Rights of the Child in January 2017.

[Haiti](#) was examined by the Committee on the Rights of the Child at its 71st session in January 2016; the Committee expressed concern at the lack of clarity in the law on corporal punishment and at the widespread use of violent punishment against children, and recommended explicit prohibition in all settings together with appropriate monitoring, awareness raising and promotion of non-violent childrearing and discipline. Haiti's overall human rights record will be reviewed at the 26th session of the UPR in October/November 2016.

[Jamaica](#) will be examined by the Human Rights Committee in October/November 2016.

[Suriname](#) was reviewed at the 25th session of the UPR in May 2016; it accepted a recommendation to raise public awareness about the harmful effects of corporal punishment and another to prohibit corporal punishment in the private and the public sphere, but claimed all forms of corporal punishment are prohibited under articles 360-363 of the Penal Code. Our information indicates that these provisions punish maltreatment but do not explicitly prohibit corporal punishment – we are seeking further information.

[St Lucia](#) was reviewed at the 24th session of the UPR in November 2015 and received five recommendations to prohibit corporal punishment. At the 31st session of the Human Rights Council in February/March 2016, the Government accepted four of the five recommendations.

[St Vincent and the Grenadines](#) was reviewed at the 25th session of the UPR in May 2016, following which it “noted” three recommendations to prohibit corporal punishment of children in all settings. It will be examined by the Committee on the Rights of the Child in January 2017.

[Trinidad and Tobago](#) was reviewed at the 25th session of the UPR in May 2016; prohibition of corporal punishment in all settings outside the home was acknowledged and two recommendations to prohibit corporal punishment in the home were made. The Government “noted” the recommendations but stated “it has traditionally been accepted as a legitimate form of discipline for youngsters in the Caribbean...”.

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“There was a time when [corporal punishment] was typical. People thought, spare the rod and spoil the child, but I think that is ancient and backward.”

President of Guyana David Granger, reported in *Kaieteur News*, 24 January 2016

Note: The CCACPC is supported by the Global Initiative to End All Corporal Punishment of Children (www.endcorporalpunishment.org).

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