



## Grit senator wants to ban spanking

By Brian Lilley

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OTTAWA - Members of Canada's Senate are once again looking to make spanking illegal.

Liberal Sen. Celine Hervieux-Payette has tabled bill S-204 which would repeal section 43 of the Criminal Code. Section 43 allows teachers, parents or a person standing in the place of a parent to use force as a means of discipline "if the force does not exceed what is reasonable under the circumstances." Force could include picking up a child and removing them from a situation against their will.

"The goal of my bill is to educate parents and guardians, rather than punish them," Sen. Hervieux-Payette told fellow Senators as she introduced her bill last June.

"Parents do not own their children. Children are individuals. Their protection should therefore take precedence over the protection of adults and over the imaginary risk of legal action against them."

While Hervieux-Payette claims that no parents have been criminalized in the 26 countries that have outlawed corporal punishment, two parents in Sweden were recently sentenced to nine months in prison.

According to reports, the parents were found to have spanked their three oldest children. Sweden outlawed spanking in 1979. In addition to nine months behind bars the parents were ordered to pay 25,000 kronor to each child. In total, the fine equals roughly \$11,000.

Removing section 43 of the Criminal Code could open parents in Canada up to similar punishment, according to critics of the move. Prison terms for assault in Canada can run up to five years.

In 2004, the Supreme Court upheld the ability of teachers and parents to use corporal punishment, including spanking, but placed restrictions on what is considered reasonable. The majority ruling from the court held that teachers should not spank children but could use force to remove children from classrooms or other situations.

The court also ruled that parents cannot use physical force against teenagers or infants and could not include rulers, belts or other instruments such as weapons. The result of the

ruling is that an open-handed smack on a child's rear end remains legal if it does not leave a lasting effect, such as an injury, but a smack on the head is illegal.

Andrea Mrozek, communications manager for the Institute of Marriage and Family Canada, told QMI Agency the law should be left alone.

"It is not the responsibility of government to act as a parent. Responsible parents know the difference between spanking as discipline and abuse," Mrozek said. "Research does not show that spanking, done appropriately, harms children."

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*T 613.565.3832 f/t 613.565.3803 1.866.373.4632*

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