

Dr. Brian Brodie / Chair
The Canadian Medical Association
1867 Alta Vista Dr.
Ottawa, ON K1G 5W8

December 2, 2015

Retaining Canada's Section 43 Laws allowing for Constructive Physical Discipline

Dear Dr. Brodie:

I am writing to strongly urge you to **prevent** any repeal or alteration to Canada's parental spanking laws.

The **Keep 43 Committee of Canada** (www.keep43.ca) vehemently opposes policies that place ideology ahead of the protection and safety of children and family. To outlaw parents from reasonably enforcing their child's behaviour is **horrendously BAD policy**. World experiences have already resoundingly proven this.

Please consider that Canada's parental spanking laws are the most optimally balanced to protect children and families that exist on the planet. The present law in Canada provides children with complete protection from unreasonable punishment and abuse. Further, since the detailed Supreme Court of Canada rulings in 2004, there has been no evidence of any improper use of Sec.43 being made by the courts.

To repeal Sec.43, and thereby remove the defence of reasonable chastisement would **not** provide children with any more protection than they have under the existing legislation, while at the same time de-facto criminalizing the great majority of parents. Recent surveys indicate that 4 in 5 Canadian parents of preteen children may spank.

There is no science whatsoever that shows loving parents who may occasionally and moderately spank causes any measureable harm of any kind. It doesn't exist. In the absence of robust scientific evidence against the use of moderate physical correction, there is every reason to refrain from passing legislation which would not command widespread public support and for which there may be a high price to pay in terms of increased levels of child abuse and youth crime.

For example, Sweden was the first to experiment with this ideology in 1979. Once the first generation growing up under Sweden's spanking bans became teens, they were **SIX TIMES more violent** than the previous youth raised with normal spanking. Today, **child-on-child violence is up 2,500%**. Concurrently, within 10 years of the ban, **child abuse rose to triple the US per-capita rate and is up 1,400% today**. Rape of adults is up 700%, and rape of minors is now up 7,200% from pre-ban rates.

Further, once these bans had been in place for two decades or longer, these countries exhibited the greatest relative increases in alcoholism and the highest drug-induced death rates. It is blatantly obvious that the harms come by preventing parents from reasonably managing their child's behaviour, and not from allowing it.

A legal ban on the physical correction of children would inevitably lead to unnecessary police and social service investigations in families where children are at no risk of harm. In addition to the traumatic effect this would have on those families, it would vastly increase the caseload of social workers which could, in turn, lead to insufficient attention being given to children suffering serious abuse. Canada, with 35 million people, cannot afford to divert police and social resources to deal with the expected increases in youth violence and child abuse, along with the problems of increased alcoholism, drug abuse and associated mental health issues promoted by such bans.

It is unconscionable that anyone would even consider a policy to intentionally criminalize most parents when the evidence of the harms this inflicts is already so utterly clear.

In an area where family privacy and parental responsibility are at stake and the consequences are so far-reaching, it is vital that public policy should be pursued and legislation enacted only on the basis of rigorous objective evidence and not on the basis of opinions masquerading as science or ideological arguments.

As a society, our primary concern should always be the health, safety, stability and protection of children and family, and not the pursuit of misguided ideologies and non-existent panaceas. On behalf of the silent majority of conscientious, common sense and loving parents, we trust you will oppose harmful ideologies and instead, work for the protection of children and family, by supporting our existing laws.

Sincerely,

Harold A. Hoff
Chair / Child Protection Advocate & Researcher
Keep 43 Committee of Canada
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CC: Dr. Cindy Forbes, CMA President