As a Canadian psychologist who has studied corporal punishment of children and law reform for three decades, I have followed with great interest the prohibition Bill currently before the Scottish Parliament. I have listened to the recent hearings of the Equalities and Human Rights Committee and feel obliged to refute many, if not all, of the arguments made by Dr. Robert Larzelere. For the sake of brevity, I will focus on four of his most outrageous claims.

First, Dr. Larzelere stated that the rate of child abuse in Canada has declined by 40% since our Supreme Court set out limits on the definition of “reasonable force” in 2004. His implication was that restricting corporal punishment to children of certain ages, certain parts of the body, etc., protects children better than a full prohibition. There is absolutely no evidence that this is the case.

There have been only three national studies of child maltreatment conducted in Canada – the Canadian Incidence Studies of Reported Child Abuse and Neglect carried out in 1998, 2003 and 2008.¹ The data show that the number of child abuse investigations did not change between 2003 and 2008 - and the number was higher in 2008 than it was in 1998, six years before the Supreme Court’s decision. The following table provides the figures.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Investigations</th>
<th>Rate per 1,000 Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>1998</td>
<td>135,261</td>
<td>21.47</td>
</tr>
<tr>
<td>2003</td>
<td>235,315</td>
<td>38.33</td>
</tr>
<tr>
<td>2008</td>
<td>235,842</td>
<td>39.16</td>
</tr>
</tbody>
</table>

When an investigation concludes, a decision is made whether to substantiate. As the following table shows, the substantiation rate per 1,000 children declined by 24% between 2003 and 2008 but remained much higher than it was in 1998.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Substantiated Investigations</th>
<th>Rate per 1,000 Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>1998</td>
<td>58,012</td>
<td>9.21</td>
</tr>
<tr>
<td>2003</td>
<td>114,607</td>
<td>18.67</td>
</tr>
<tr>
<td>2008</td>
<td>97,458</td>
<td>14.19</td>
</tr>
</tbody>
</table>

Therefore, there is no evidence supporting Dr. Larzelere’s assertion that the Supreme Court’s 2004 decision to limit rather than prohibit corporal punishment reduced child abuse in Canada by 40%.

Second, Dr. Larzelere stated that the Canadian Supreme Court considered the evidence “more thoroughly than any country has ever done before or since.” To make such a statement, one would have to be deeply familiar with the legal decisions of every

country in the world, and all the work that led up to them. I have not seen any publications by Dr. Larzelere or anyone else to support his statement. In any case, it is very important to recognize that since 2004, studies on the impact of corporal punishment on children’s health and development have accumulated at an exponential rate. Over the past 15 years, dozens of studies have been carried out and they show, virtually without exception, that corporal punishment carries substantial risks to children’s physical and mental health. None of those studies was considered by the Supreme Court of Canada.

Third, Dr. Larzelere stated that there was a “six-fold increase in child abuse” in Sweden in the 15 years following the 1979 prohibition. I have studied Sweden in depth since 1994, living there for extended periods to examine societal trends since the 1979 corporal punishment ban was passed. There is no evidence that child abuse increased in Sweden following the ban. Dr. Larzelere is citing reporting statistics, not substantiation rates. Reports are not equivalent to actual rates of maltreatment. During the 1980s and 1990s, child abuse reporting increased in many countries. For example, in the early 1960s, it was estimated that about 300 children were being maltreated in the US. That number increased to 3 million by 1993. It would be extremely simplistic to conclude that the US rate of child maltreatment increased by 1,000% over that period. Mandatory reporting laws, public education campaigns and a growing awareness of child maltreatment led to dramatic increases in reporting in many countries. A study conducted by Sweden’s National Council for Crime Prevention of child assaults in the 1990s concluded that, “there has been an increase in the propensity to report cases of assault on young children . . . It is this increase that is responsible for most, if not all, of the rise in the number of such offences reported to the police.”

An increase in reporting is one of the aims of prohibition. Even so, the number of cases of suspected abuse increased only by a factor of four between 1980 and 2000. A study of child physical abuse reports in Sweden between 1986 and 1996, found an internationally low rate of substantiated abuse (0.5/1,000 children). The authors concluded that “the lower rates [of child physical abuse in Sweden] in comparison to other western societies has partly to do with the institution of the Swedish anti-spanking law in 1979 and the norms and traditions surrounding it.”

Fourth, based on an anecdote, Dr. Larzelere implied that parents living in countries with corporal punishment bans are unable “to say ‘no’ to their children.” There is no evidence to support this claim. For example, in a comparison of Swedish and American fathers, “the hypothesis that … Swedish fathers would obtain lower scores for … assertive discipline was not confirmed.” In a study of parents of preschoolers, it was concluded

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that “it is not valid to label the Swedish parent as permissive”.7 As these and hundreds of other studies illustrate, there are many ways to teach and guide children successfully. Parents who stop using corporal punishment do not stop parenting their children altogether.

Most of the arguments made by Dr. Larzelere are not supported by evidence. To the contrary, there is a great deal of evidence demonstrating that prohibitions are followed by positive change.

I would be happy to answer any questions you might have about these issues or to provide supporting documentation.

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