

# Canada should remove section of Criminal Code that permits physical punishment of children

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To promote good parenting, Canada should remove section 43 of its Criminal Code because it sends the wrong message that using physical punishment to discipline children is acceptable, argues Dr. John Fletcher, Editor-in-Chief, CMAJ (*Canadian Medical Association Journal*) in an editorial.

Section 43 of the Criminal Code of Canada states "...a parent is justified in using force by way of correction...if the force does not exceed what is reasonable under the circumstances."

The debate over whether spanking children is acceptable as a disciplinary tool for parents or whether it is violence against children is heated and ongoing. Although spanking was an accepted form of discipline for past generations, attitudes have shifted.

"So heated is this debate, and so long-running, that the question of whether spanking is morally 'right or wrong' is probably intractable," writes Dr. Fletcher. "A more promising line of enquiry, however, is whether the [physical punishment](#) of children is effective."

A [recently published analysis](#) in [CMAJ](#) that summarizes 20 years' of research on the topic suggests that physical punishment of children can result in increased [childhood aggression](#) and [mental health issues](#) in adulthood.

Rather than making spanking of children a crime, emphasis should be placed on educating parents on alternative forms of discipline. This could be done through parenting programs, which have been successful in teaching [positive parenting](#) and helping improve children's behaviour, offering them in the early years and when children enter school.

"Surely any bias should be toward protecting children, who are the most vulnerable," Dr. Fletcher writes. "To have a specific code excusing parents is to suggest that assault by a parent is a normal and accepted part of bringing up children. It is not. While section 43 stands, it is a constant excuse for parents to cling to an ineffective method of child discipline when better approaches are available. It is time for Canada to remove this anachronistic excuse for poor parenting from the statute book."

**More information:** [www.cmaj.ca/lookup/doi/10.1503/cmaj.121070](http://www.cmaj.ca/lookup/doi/10.1503/cmaj.121070)

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