

28 January 2025

Children's Wellbeing and Schools Bill – Amendment NC10

Abolition of common law defence of reasonable punishment

Written evidence in support of amendment NC10, submitted by Dr Anja Heilmann

I welcome this important amendment and would like to submit the following evidence in support.

I am an academic and lead author of two evidence reviews on the physical (or corporal) punishment of children.^{1,2} Currently I am leading a research project on physical punishment in the UK, funded by the Nuffield Foundation.³ I would like to highlight to the Committee some initial findings from this work. Further details can be found in our full Research Briefing,⁴ which is available here: https://www.ucl.ac.uk/epidemiology-health-care/sites/epidemiology_health_care/files/ucl_briefing_physical_punishment_april_2024.pdf

Executive summary

1. Corporal punishment is still common in the UK. Among children aged 10 years, more than one in five still experienced physical punishment in 2020/21.
2. Corporal punishment is common in all social groups. Prevalence is highest for pre-school children and declines as children get older.
3. Research has consistently shown that corporal punishment can harm children's development and wellbeing and is not effective in improving children's behaviour.

¹ Heilmann A, Kelly Y and Watt RG (2015): *Equally protected? A review of the evidence on the physical punishment of children*. London: NSPCC. Available at: <https://learning.nspcc.org.uk/research-resources/2015/equally-protected/>

² Heilmann A, Mehay A, Watt RG, Kelly Y, Durrant JE, van Turnhout J and Gershoff ET (2021): *Physical punishment and child outcomes: a narrative review of prospective studies*. *The Lancet*, 398(10297), 355-364. Available at: [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(21\)00582-1/abstract](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(21)00582-1/abstract)

³ www.nuffieldfoundation.org/project/physical-punishment-and-child-outcomes-uk

⁴ Heilmann A, Lacey R, Kelly Y, Pells K, Hollingworth K and Sifaki M (2024): *Physical punishment of children in the UK. Research Briefing*. University College London. Available at: https://www.ucl.ac.uk/epidemiology-health-care/sites/epidemiology_health_care/files/ucl_briefing_physical_punishment_april_2024.pdf

Background

According to the WHO, corporal punishment is a major concern from both human rights and public health perspectives.¹ The UN Committee on the Rights of the Child has stated unequivocally that protection from corporal punishment in all settings, including in the family home, is a basic human right of every child.²

Rigorously conducted evidence reviews have consistently shown that corporal punishment can harm children's development and wellbeing, and has no beneficial effects. Most worryingly, it is associated with an increased risk of more serious forms of abuse.^{3,4}

Research findings

Our research team at University College London has examined UK data on the prevalence of corporal punishment, how it is related to family characteristics, and how it has changed over time. Data shown here are from large, representative UK cohort studies: the Millennium Cohort Study and Understanding Society.

Does corporal punishment vary by child age and sex?

Data from the Millennium Cohort Study collected from 2004 to 2008 show that corporal punishment of any frequency was most common for 3-year-olds (70% for boys and 64% for girls) and decreased as children got older. Boys experienced more physical punishment than girls (Figure 1).

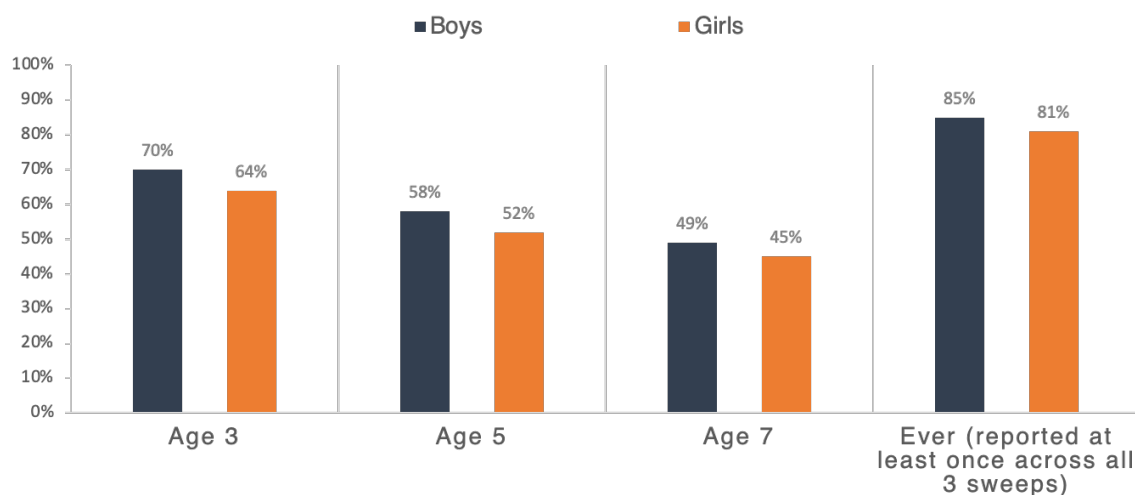


Figure 1. Prevalence of corporal punishment by age and sex, Millennium Cohort Study. The Millennium Cohort Study follows the lives of around 19,000 children born in 2000-02 across the whole UK (data collected 2004-2008).

¹ World Health Organization (2021): Corporal punishment and health. Available: <https://www.who.int/news-room/fact-sheets/detail/corporal-punishment-and-health>

² United Nations Committee on the Rights of the Child (2006): Forty Second Session. General Comment No. 8: The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment. Geneva: United Nations. Available at: <https://digitallibrary.un.org/record/583961?ln=en>

³ Heilmann A, Mehay A, Watt RG, Kelly Y, Durrant JE, van Turnhout J and Gershoff ET (2021): Physical punishment and child outcomes: a narrative review of prospective studies. The Lancet, 398(10297), 355-364. Available at: [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(21\)00582-1/abstract](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(21)00582-1/abstract)

⁴ Gershoff ET and Grogan-Kaylor A (2016): Spanking and child outcomes: Old controversies and new meta-analyses. J Fam Psychol, 30(4), 453-69.

Does corporal punishment vary by social background?

The Millennium Cohort Study data show that corporal punishment is common across all social groups, with little variation by household income (Figure 2).

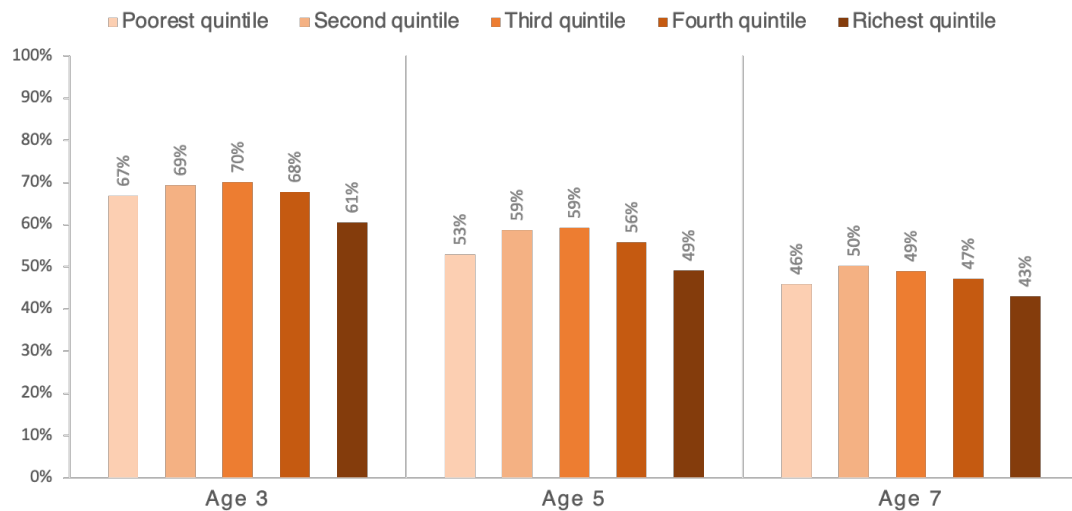


Figure 2. Corporal punishment by age and household income, Millennium Cohort Study (data collected 2004-2008).

Trends over time

The most recent data on the prevalence of corporal punishment in the UK come from Understanding Society and refer to 10-year-old children. Since 2013/14, the reporting of physical punishment by either mothers or fathers has declined. However, in 2020/21, it was still reported for 22% of all 10-year-olds in the UK (Figure 3).

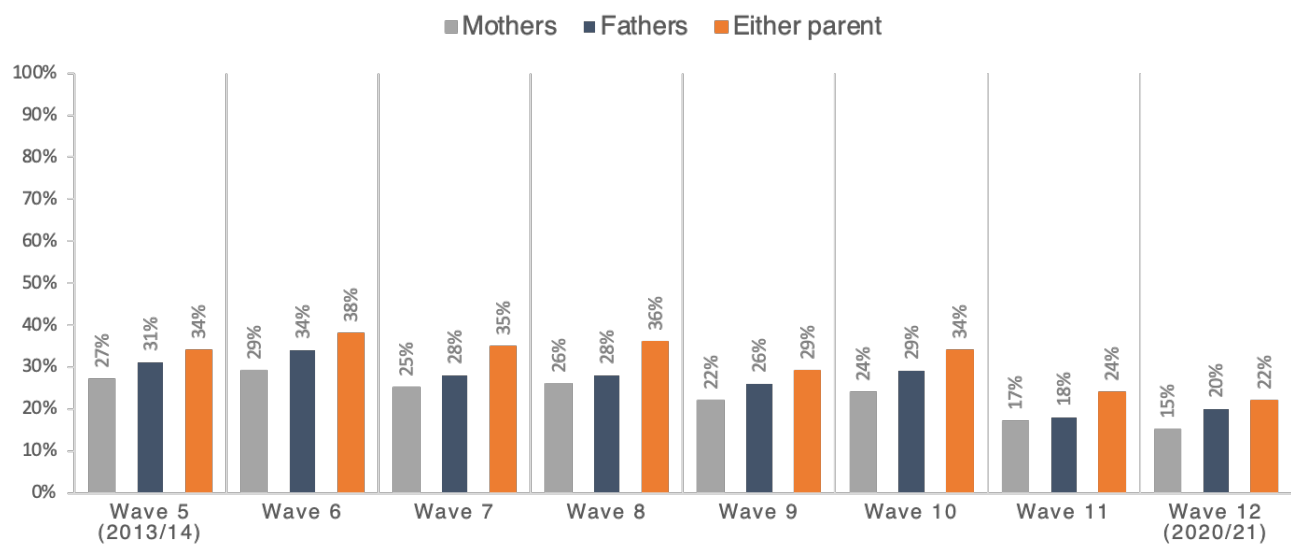


Figure 3. Prevalence of corporal punishment 2013/14 to 2020/21, reported for children aged 10 years. Data from Understanding Society, a UK household panel study that follows the same households annually. If a child in the household is 10 years old at the time of the survey, both parents are asked if they use physical punishment as a way of disciplining that child.

Conclusion

Corporal punishment is still common in the UK. Given that corporal punishment violates children's rights, and in light of the large body of existing research on its detrimental outcomes for children, I believe it is time to remove the outdated defence of reasonable punishment and for children in England to be given the same protection from physical assault that adults have. I strongly support this amendment.