MOTION:

“THE UK SHOULD BAN SMACKING OF CHILDREN”
Lloyds Scholars is a unique social mobility programme run by Lloyds Banking Group. Partnering with leading universities across the UK, we offer students from lower income households a complete package of financial support, paid internships, a business mentor and the opportunity to develop their employability skills.

For more information visit:

- www.lloyds-scholars.com
- @LloydsScholars
**INTRODUCTION**

While corporal punishment of children was heavily restricted in the UK by the Children’s Act of 2004, it remains legal for parents or guardians to use ‘reasonable chastisement’ to discipline under-18s in their care. The continued existence of this provision, however, remains highly contentious. In December 2013 Dr Maggie Atkinson, the Children’s Commissioner for England, re-opened the debate by stating her personal view that the UK government should seek a total ban, on the basis that it was ‘counter-evidential’ to forbid the use of violence against other adults but not children [Ref: Independent]. Supporters of a full ban on smacking, including campaigns groups such as the NSPCC, argue that the UK’s support for smacking has drawn censure from the UN and that its underlying principle of ‘might is right’ has no place in 21st century parenting [Ref: Yahoo News]. Yet others argue that parents should feel legitimate in using mild physical force to discipline their children and that a ban would represent excessive interference by the state into private family life. In 2011, following the London riots, Labour MP David Lammy argued that parents’ fears they would be prosecuted for smacking their children had contributed to social breakdown and a crisis in adult authority [Ref: BBC News]. Other politicians, including Mayor of London Boris Johnson and Justice Minister Chris Grayling, have offered their support for the current law and point towards strong public opinion on the issue [Ref: Daily Mail]. Should the government follow the lead of 22 other European countries and afford equal legal protection to children from physical force? Or is it important to defend the right of parents to exercise discipline in raising their children as they see fit?

---

**KEY TERMS**

- Corporal punishment
- Smack
**THE SMACKING DEBATE IN CONTEXT**

What is ‘reasonable chastisement’?
Under the Children Act 2004 parents, or those acting in loco parentis, are able to administer physical force provided it does not leave grazing, bruising, swelling or breaking of skin and cannot be used as a defence in serious assault charges [Ref: The Times] – in Scotland the use of an implement is expressly forbidden. In 2010 the Singleton Report tightened this up further, but upheld parents’ right to issue a ‘mild smack’ [Ref: BBC News]. Campaigners maintain, however, that even this current freedom exposes children to a range of potential harms and impairs child development [Ref: Al Jazeera], although the extent of this is heavily disputed [Ref: Herald Scotland]. As one supporter of the ban notes, this is a debate less about the evidential question of harm than it is about the principles: should society endorse and protect the use of force against children as part of modern parenting? [Ref: New Statesman].

Spare the rod, spoil the child?
Proponents of a ban argue that smacking based upon outdated notions of discipline: pointing towards corporal punishment’s increasing unacceptability in other aspects of life [Ref: politics.co.uk]. Furthermore it is maintained that it is less effective than other forms of discipline, and that the current law encourages unnecessary uses of force [Ref: Huffington Post]. As others note, however, there is no strong evidence to suggest the current law allows ‘violent assault’ against minors beyond its current provisions [Ref: Independent]. It is argued that the ban’s supporters are guilty of elevating personal preferences over parenting styles that are not necessarily any more or less enlightened than the non-violent alternatives they espouse [Ref: Telegraph]. Given the government states it does not ‘condone’ smacking as a method, are they justified in allowing it to be used?

The state and the family
For many the debate over smacking is about much more than the act itself. Attempts by politicians to associate restrictions on smacking with the London riots have been criticised by numerous campaigners as being simplistic and opportunistic [Ref: Guardian]. Nonetheless, several of the writers on both sides express a strong anxiety that the state has gone too far in undermining the authority of parents at the expense of protecting children who, after all, are widely accepted as needing adult supervision and guidance [Ref: spiked]. In practice, the ban’s implementation would remove what many perceive as a grey area yet would also require considerably more state intervention into child-care and family life. Should the government follow numerous other Western countries in acting to provide equality for potentially vulnerable children at the risk of criminalising adults? Or should society affirm the right of parents to administer appropriate discipline at their discretion, even if many may consider it distasteful?
ESSENTIAL READING

Should parents be banned from smacking their children?
Nermin Oomer Yahoo News 7 January 2014
Smacking children should be illegal, says Children’s tsar Maggie Atkinson
Emily Dugan Independent 27 December 2013
‘Nearly half’ of parents back corporal punishment
BBC News 16 September 2011

FOR
Ban smacking of children...now
Lindsay Whittle Huffington Post 10 September 2013
Smacking: an acceptable form of child abuse
Siobhan Courtney Al Jazeera 16 March 2013
Dear Chris Grayling: I was smacked as a child and it did do me harm
Glosswitch New Statesman 4 February 2013
Why David Lammy is wrong about smacking
Zoe Williams Guardian 30 January 2012

AGAINST
Chris Grayling: I smacked my children when they were badly behaved
Gerri Peev Daily Mail 4 February 2013
So smacking kids is wrong – and doping them is right?
Cristina Odone Telegraph 3 February 2013
I was smacked as a child. It shouldn’t be illegal
Ellie Rose Independent 5 October 2012
Parents should be free to smack – David Lammy
BBC News 24 January 2012

IN DEPTH
How the nationalisation of parenting stoked the riots
Jennie Bristow spiked 17 July 2012
Slap happy
Vicky Allan Herald Scotland 7 November 2010
This had the smack of good sense my lords
Simon Jenkins The Times 7 July 2004
**BACKGROUNDERS**

- Smacking your child – a place for the law?
  Alicia Jones *Current Legal Issues Blog* 13 January 2014
- ‘I do not smack my sons’ Nick Clegg
  LBC 12 December 2013
- ‘One year on: assessing the state of the nation’
  *Battle of Ideas* 20 October 2012
- Does smacking kids make them mentally ill?
  *NHS Choices* 3 July 2012
- Physical punishment of children
  *Department of Education* 1 June 2012
- Should smacking be banned?
  Bonnie Gardiner *YouGov* 22 February 2012
- Smacking ban led to riots - Lammy
  LBC 29 January 2012
- The Chief Adviser on the Safety of Children
  Sir Roger Singleton *HM Government* March 2010
- Is it legal? A parent’s guide to the law
  *Family & Parenting Institute* October 2007
- Sweden’s smacking ban: more harm than good
  *Christian Institute* 2004
- Children Act 2004
  *HM Government* 2004
- A Generation Without Smacking: the impact of Sweden’s ban on physical punishment
  *Save The Children* January 2002
- Issue brief: Corporal Punishment
  *Politics.co.uk*

**ORGANISATIONS**

- Family & Parenting Institute
- NSPCC
- The Children’s Commissioner for England
IN THE NEWS

Mother filmed smacking child admits assault
Guardian 10 January 2014

Scottish ministers have ‘no plans to ban smacking’
Scotsman 29 December 2013

Nick Clegg: I do not smack my sons
Daily Mail 12 December 2013

Child smacking: dispute over opportunity for Wales ban
BBC News 21 June 2013

Smacking does children no harm if they feel loved, study claims
Telegraph 18 April 2013

Smacking breaches international law, charity claims
Telegraph 22 January 2013

Boris hints at government support over smacking
Total Politics 30 January 2012

Liberal elite stigmatize the working class for smacking, says David Lammy
London Evening Standard 30 January 2012

Should the law on smacking be relaxed?
Channel 4 News 29 January 2012

School smacking loophole to be closed
BBC News 30 March 2010

‘Missed chance’ on smacking ban
BBC News 25 October 2007

SMACKING:
“The UK should ban smacking of children”
Debating Matters because ideas matter. This is the premise of the Institute of Ideas Debating Matters Competition for sixth form students which emphasises substance, not just style, and the importance of taking ideas seriously. Debating Matters presents schools with an innovative and engaging approach to debating, where the real-world debates and a challenging format, including panel judges who engage with the students, appeal to students from a wide range of backgrounds, including schools with a long tradition of debating and those with none.

Debating Matters engages a wide range of individuals, from the students who take part in the debates, the diverse group of professionals who judge for us, the teachers who train and support their debaters, and the young people who go on to become Debating Matters Alumni after school and help us to continue to expand and develop the competition. If you enjoyed using this Topic Guide, and are interested in finding out more about Debating Matters and how you can be involved, please complete this form and return it to us at the address below.

Debating Matters Competition
Academy of Ideas Ltd
Signet House
49-51 Farringdon Road
London
EC1M 3JP
“A COMPLEX WORLD REQUIRES THE CAPACITY TO MARSHALL CHALLENGING IDEAS AND ARGUMENTS”

LORD BOATENG, FORMER BRITISH HIGH COMMISSIONER TO SOUTH AFRICA