

Endorsing the Joint Statement on Physical Punishment of Children and Youth

In response to Overture No. 20, 2018

Overture 20, 2018 was submitted by the Session of St. David and St. Martin in Ottawa, transmitted with the approval of the Presbytery of Ottawa, and referred to the Life and Mission Agency. The overture concerns the corporal punishment of children and asks the General Assembly to endorse the *Joint Statement on Physical Punishment of Children and Youth (Joint Statement)*.

This report contains the following sections:

Joint Statement on Physical Punishment of Children and Youth: definition, purpose and findings, recommendations, endorsement

- A. Criminal Code of Canada: Physical Punishment
- B. Canada and the United Nations Convention on the Rights of the Child
- C. What Overture No. 20, 2018 is Asking
- D. Presbyterian Church in Canada Statements about Physical Punishment and the Protection of Children
- E. Studying the Overture: Consultation with the Church
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Introduction

Children and youth are gifts from God and bearers of the Kingdom. The wellbeing of children and the care of their bodies, minds and souls should be at the forefront of the church's pastoral care.

The physical punishment of children and youth is an emotional and highly charged subject. Our thoughts and feelings about this matter are shaped by family customs, cultural traditions, and, perhaps most painfully, our own experiences of physical punishment as people who may have received and used physical punishment. In addition to the influence of these factors and experiences, the bible and the theology of the church as well as the laws and universal declarations adopted by Canada, such as the United Nations Convention on the Rights of the Child, contribute to the church's understanding.

A. The Joint Statement

The *Joint Statement* was developed by a coalition of six Canadian organizations led by the Children's Hospital of Eastern Ontario and endorsed by over 600 religious, medical and educational bodies. The document examines physical punishment in Canada from legal, developmental and human rights perspectives and provides examples of resources on effective parenting. Based on extensive and authoritative research, the document provides an overview of the developmental outcomes of using physical punishment on children and youth and concludes that:

The evidence is clear and compelling – physical punishment of children and youth plays no useful role in their upbringing and poses only risks to their development. The conclusion is equally compelling –parents should be strongly encouraged to develop alternative and positive approaches to discipline.

The text of the *Joint Statement* can be found at cheo.on.ca/en/physicalpunishment.

How is Physical Punishment defined in the *Joint Statement*?

The *Joint Statement* defines physical punishment as any action intended to cause physical discomfort or pain used to deter a child from repeating an action or behaviour, change a child's behaviour, or to 'teach a lesson'. Physical punishment may be administered directly with a hand or may be mediated by objects such as rulers or belts. Not all physical punishment involves striking children; such things as requiring a child to maintain an uncomfortable position, kneel on hard objects, or placing any offensive-tasting substance in their mouth are also examples of physical punishment.

Physical punishment should not be confused with protective physical restraint, which is the application of external control meant to protect the child or others from harm or pain. Protective restraint includes such actions as holding a child back from a busy road, moving a child's hand away from a hot stove, or holding a child who is causing pain to another.ⁱ

Likewise, self-defense, which is not intended to correct a behaviour, but to protect oneself from harm is not physical punishment.ⁱⁱ

The Purposes and Findings of the *Joint Statement*

The *Joint Statement's* stated purposes are

- to provide an understanding of the ways in which physical punishment can affect children's development
- to summarize the evidence of the risks of physical punishment
- to identify the factors that perpetuate the use of physical punishment
- to encourage caregivers to choose approaches to discipline that do not rely on physical punishment

The *Joint Statement* had a number of primary findings:

- Physical punishment is most likely to begin when a child's behaviour threatens a parent's sense of control.
- There is no clear evidence of any benefit that comes from the use of physical punishment on children and youth.
- There is strong evidence that physical punishment places children and youth at risk of injury, poorer mental health, impaired relationships with parents, weaker internalization of moral values, exhibition of antisocial behaviour, poorer adult adjustment and tolerance of violence in adulthood.
- Most parents believe physical punishment is unnecessary and harmful and few parents believe physical punishment is effective. The majority of parents believe the most common outcome of physical punishment is guilt or regret in the parent.
- Parents are more likely to use physical punishment if they approve of it, experienced it themselves as children, feel anger in response to their children's behaviour, are subject to depression, or are burdened by stress.
- Alternate ways to address discipline include improving a child's problem-solving skills, modelling and reinforcing positive behaviours, reducing personal and family stress, learning to recognize the things that trigger anger and creating strategies to address them.

Recommendations of the *Joint Statement*

The *Joint Statement* outlined a number of recommendations based on the extensive research that was conducted. Among the recommendations are the following:

1. Public awareness strategies must be developed to inform all Canadians about the risks associated with physical punishment.

2. Provincial and territorial ministries that deliver health and social services must be mandated and positioned to provide education about the effects of physical punishment as well as effective approaches to discipline.
3. Organizations that serve children and families or provide relevant professional education must have policy and service responsibilities regarding physical punishment of children and youth (i.e. clear guidelines that parents and professionals can refer to and that the organizations serving children, parents, and associated professionals can also refer to and use to guide their actions).
4. Child welfare eligibility and investigative protocols must be reviewed and sufficiently resourced to ensure that they facilitate early supportive/preventative intervention and services (specifically, the *Joint Statement* advocates intervening through educating parents early on before violence escalates, with the aim of “building parenting competence” so less children have to be taken from homes).
5. Change the Criminal Code such that the physical punishment of children can no longer be justified by the Criminal Code of Canada.
6. As a shared responsibility of national provincial and territorial governments, collect reliable data about the attitudes of Canadians toward child and youth physical punishment, to assess the success of the recommended public awareness and education strategies, and where they can be improved.

Endorsement of the *Joint Statement*

There are no legal, financial or follow-up obligations associated with the endorsement of the *Joint Statement*. Many organizations use the *Joint Statement* and accompanying resources as the basis for their own education programs and purposes.

On the basis of the evidence that indicates physical punishment of children and youth plays no useful role in their upbringing and poses risks to their development, the researchers and the more than 600 religious, health, social services and educational institutions that endorsed the report to-date, believe parents should be strongly encouraged to develop alternative, positive approaches to discipline. Support for the *Joint Statement* has been broad and clear. Among the institutions that have endorsed the statement are university departments, hospitals, school boards in all provinces and territories, medical health officers across the country, coalitions of social workers and child protection agencies in Canada. Below are some examples of the calibre of the endorsing institutions:

Amnesty International Canada, Canadian Academy of Child and Adolescent Psychiatry; Canadian Association for Community Living; Canadian Association of Occupational Therapists; Canadian Association of Social Workers; Canadian Centre for Ethics in Sport; Canadian Council of Montessori Administrators; Canadian Council of Provincial Child and Youth Advocates; Canadian Dental Association; Canadian Federation of University Women; Canadian Foundation for Children, Youth and the Law; Canadian Institute of Child Health; Canadian Medical Association; Canadian Nurses Association; Canadian Paediatric Society; Canadian Physiotherapy Association; Canadian Psychological Association; Canadian Public Health Association; the Canadian Red Cross; and the First Nations Child and Family Caring Society of Canada (headed by Cindy Blackstock, who received the Cutting Edge of Mission Award from The Presbyterian Church in Canada in 2017).

Among the distinguished Canadians who have endorsed the *Joint Statement* are the following:

- The Honourable Louise Arbour: former UN High Commissioner for Human Rights; former Justice of the Supreme Court of Canada; former Chief Prosecutor of

- War Crimes for the International Criminal Tribunal for Rwanda and the former Yugoslavia;
- The Honourable Claire L'Heureux-Dubé: former Justice of the Supreme Court of Canada; President of the International Commission of Jurists, Geneva; Companion of the Order of Canada;
 - The Honourable Stephen Lewis: UN Special Envoy for HIV/AIDS in Africa; former Canadian Ambassador to the United Nations; former Deputy Executive Director, United Nations Children's Fund (UNICEF);
 - George Thomson: Executive Director, National Judicial Institute; former Deputy Minister of Justice and Attorney General of Canada; former judge Provincial Court, Province of Ontario;
 - Lieutenant-General The Honourable Roméo Dallaire: former Commander, United Nations Assistance Mission for Rwanda; Special Advisor on War-Affected Children to CIDA and to Department of Foreign Affairs and International Trade on non-proliferation of small arms; Member of Senate Standing Committee on Human Rights;
 - Dr. Cindy Blackstock: Executive Director, First Nations Child and Family Caring Society of Canada; Associate Professor, University of Alberta; recipient of the Cutting Edge of Mission Award from The Presbyterian Church in Canada;
 - Dr. Fraser Mustard: Founding President, Canadian Institute for Advanced Research; Co-author, The Early Years Study on brain development for the Children's Secretariat, Government of Ontario; Companion of the Order of Canada;
 - Dr. Richard Tremblay: Founding Director, Centre of Excellence for Early Child Development, University of Montreal; Professor of Psychology, Pediatrics and Psychiatry and Director, Research Unit on Children's Psycho-Social Maladjustment, University of Montreal; Canada Research Chair in Child Development; Director, Research Center on the National Longitudinal Survey of Children; Director, Knowledge Centre for Early Childhood Learning.

Among the faith-based bodies in Canada that have endorsed the *Joint Statement* to date are the following:

The Anglican Diocese of Ottawa, Ontario; Canadian Catholic School Trustees' Association; Canadian Council of Reform Judaism; Canadian Friends Service Committee (Quakers); Canadian Unitarian Council; Catholic education bodies in Ontario, Manitoba, Alberta, and The Northwest Territories; Christian Children's Fund Canada; Evangelical Lutheran Church in Canada; Islamic Social Services Association Canada; Jewish Child and Family Services in Ottawa, Toronto, Winnipeg Edmonton, and Calgary; Presbytery of Ottawa (The Presbyterian Church in Canada); St David & St Martin Presbyterian Church (Ottawa, ON); The Salvation Army, Bethany Hope Centre, Central Eastern Division, Ottawa, Ontario; The United Church of Canada; and the Winnipeg Board of Jewish Education.

B. Criminal Code of Canada: Physical Punishment

Using non-consensual physical force against another person is considered assault under the *Criminal Code of Canada*, which legally protects all citizens.ⁱⁱⁱ However, Section 43 of the *Criminal Code* entitled "Correction of child by force" provides the following exception:

Every schoolteacher, parent or person standing in the place of a parent is justified in using force by way of correction toward a pupil or child, as the case may be, who is under his care, if the force does not exceed what is reasonable under the circumstances.

In 1994, the Province of Quebec removed the right of correction from the *Civil Code*. In 1999, the constitutionality of Section 43 of the *Criminal Code* was first challenged in Ontario's Superior Court of Justice on sections of the Canadian Charter of Rights and Freedoms. In its judgement, the provincial court recognized the "growing body of evidence that even mild forms of corporal punishment do no good and may cause harm." The provincial court's decision also observed that experts on both sides of the debate about physical punishment agreed that:

1. "Hitting a child under two is wrong and harmful ... has no value and can destroy a child's sense of security and self-esteem."
2. Physically punishing teenagers "is not helpful and potentially harmful."
3. "Corporal punishment using objects such as belts, rulers, etc. is potentially harmful both physically and emotionally and should not be tolerated."
4. "Physical punishment should never involve a slap or blow to the head."
5. "Corporal punishment that causes injury is child abuse."

The court's decision also acknowledged that no expert witness recommended physical punishment as a form of discipline. Nevertheless, the provincial court ruled that Section 43 of the *Criminal Code* was constitutional. The Ontario Superior Court's decision was upheld by the Ontario Court of Appeal. Its decision was appealed to the Supreme Court of Canada, which limited the definition of who may use physical punishment on a child, on what ages and body parts of children, and under what circumstances.

C. Canada and The United Nations Convention on the Rights of the Child (the *Convention*)

In 1991 Canada ratified the *Convention*, Article 3 of which states that "... in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration."

Under the terms of the *Convention*, the best interests of the child include protection from assault. By ratifying the *Convention*, Canada was obliged to put in place "all appropriate legislative, administrative, social and education measures to protect the child from all forms of physical or mental violence, injury or abuse" (Article 19).

Since 1991 the UN has called for the repeal of section 43 of our *Criminal Code* no less than three times and has expressed "grave concern" about Canada's inaction on this issue.

In 2003, during the second review of Canada's compliance with the obligations of the *Convention*, the UN Committee on the Rights of the Child indicated it was "deeply concerned" that Canada had "not enacted legislation explicitly prohibiting all forms of corporal punishment and has taken no action to remove section 43 of the *Criminal Code*, which allows corporal punishment." The committee recommended that Canada "adopt legislation to remove the existing authorization of the use of "reasonable force" in disciplining children and explicitly prohibit all forms of violence against children, however light, within the family, in schools and in other institutions where children may be placed."^{iv}

In 2006, the UN Secretary-General's Study on Violence against Children concluded that all governments are ultimately responsible for the protection of children, and to fulfil their human rights obligation, states were called upon to end justification of violence against children, whether it be accepted as a tradition or disguised as a discipline.

D. What Overture No. 20, 2018 is Asking

The overture asks that The Presbyterian Church in Canada endorse the *Joint Statement* for a variety of reasons.

The overture observes that scripture (Matthew 15:26, 18:2–6, 19:14, Mark 9:37, 10:14–16, Luke 18:16) testifies to the dignity of children and youth and their special role as recipients of the kingdom of God.

The overture points to the overwhelming evidence that physical punishment places all children at risk for physical injury, poor mental health, impaired relationships with parents, weaker internalization of moral values, antisocial behaviour, poorer adult adjustment and a greater tolerance for violence, and there is no clear evidence of any benefit from the use of physical punishment on children.

The overture rightly points out the responsibilities of the The Presbyterian Church in Canada as part of the Truth and Reconciliation Commission process in Canada. The Presbyterian Church in Canada is a party to the Indian Residential Schools Settlement Agreement made between the Government of Canada, churches (Anglican, Catholic, Presbyterian and United) and organizations representing Indigenous people who were enrolled as children in the Canadian Indian Residential Schools System between 1879 and 1996. Physical abuse of First Nations, Inuit, and Métis children was a systemic problem at residential schools, many of which were run by the government and churches, including The Presbyterian Church in Canada.

In 1994, The Presbyterian Church in Canada confessed its complicity in the government’s policies of assimilation and the harm caused by taking Indigenous children from their homes and exposing them to environments in which many children endured physical and psychological punishment. Additionally, we prayed that God would “guide us in compassionate ways towards helping them to heal” (Section 6), and that “with God’s guidance our Church will seek opportunities to walk with Aboriginal peoples to find healing and wholeness together as God’s people”(Section 7).

One way we continue to walk with Indigenous peoples is by responding to the Calls to Action issued by the Truth and Reconciliation Commission. The following statement about the residential schools system was made in the prelude to Call to Action No. 6 in the Commission’s final report:

“In their mission to ‘civilize’ and Christianize, the school staff relied on corporal punishment to discipline their students. That punishment often crossed the line into physical abuse. Although it is employed much less frequently now, corporal punishment is still legally permissible in schools and elsewhere under Canadian law...The Commission believes that corporal punishment is a relic of a discredited past and has no place in Canadian schools or homes.”

Thus, the Commission’s sixth Call to Action reads: “We call upon the Government of Canada to repeal Section 43 of the *Criminal Code of Canada*.”

Hon. Murray Sinclair, Chairman of the Indian Residential Schools Truth and Reconciliation Commission and a member of the Senate of Canada, is a sponsor in the Senate of Bill S-206, which seeks to repeal Section 43 of the *Criminal Code*. During debate on the Bill in the Senate on March 7, 2017, Honourable Sinclair said that:

The violence that indigenous children experienced at the hands of their guardians at those schools became so much a part of their lives that it is often reflected in the way that they came to treat their own children. Residential schools in this country are clear evidence that child violence begets parental violence. Hitting children to change their behaviour simply does not work.

E. Presbyterian Church in Canada Statements about Physical Punishment and the Protection of Children

The Presbyterian Church in Canada has made various statements about physical abuse of children and forms of domestic violence. In 1973 the General Assembly approved several reforms the Government of Canada introduced to the penal code regarding corporal punishment, which had historically allowed the use of the strap on people incarcerated in Canadian prisons. However, the church has yet to speak on behalf of the most vulnerable in society in relation to corporal punishment of children at the hands of teachers and parents.

In 2005 The Presbyterian Church in Canada committed to providing safe environments for all persons, including children, youth, vulnerable adults, and those who minister to and with them, when it adopted the *Leading with Care* policy. The Church committed to the following pledges in *Leading with Care*:

- We will prevent abuse of children/youth/vulnerable adults.
- We will protect the vulnerable in our midst.
- The Presbyterian Church in Canada affirms that the protection of all children, youth and vulnerable adults is a spiritual, ethical and legal imperative.

F. Studying the Overture: Consultation with the Church

Extensive consultation with the church about this matter was conducted. The *Joint Statement* and some interview questions were distributed to Presbyterians living in every presbytery. Great care was taken to ensure that consultation was conducted with a cross-section of people in the church and especially with those who had experience as youth workers, ministers, diaconal workers, camp staff, teachers, physicians, nurses, social workers, theologians working in the colleges of the church, academics and lawyers. People connected to ministries with Indigenous peoples, people from visible minorities, newcomers to Canada and members of the denomination's committees were intentionally over represented among those who were invited to participate in the consultation process. More intensive interviews and conversations were held with people in and outside The Presbyterian Church in Canada who had specialized knowledge and experience.

For some of those consulted, physical correction was a difficult topic to read about and consider. Gratitude is owed to those who were consulted for their candid, sincere and courageous responses, which demonstrated the depth of thought and care people showed in their responses to the *Joint Statement*. Respondents spoke and wrote in compelling and thoughtful ways about how faith, the Bible, theology and experience informed their discernment on this matter and the theological reflections that were received are incorporated into the section on the Bible and theology below. Many noted that their thinking and practice have evolved with time, experience and education.

The overwhelming majority of people who were consulted (125 people) enthusiastically supported The Presbyterian Church in Canada endorsing the *Joint Statement*. Almost without exception, people said they found the research compelling and the resources helpful. A very small minority (representing about 3%) of the respondents raised concerns about the research, conclusions and recommendations of the *Joint Statement* and suggested a nuanced or limited endorsement for a variety of reasons. A few people believed the *Joint Statement* should not be endorsed.

People appreciated that the *Joint Statement* was well written, educational and came with an extensive bibliography that made it an "empowering resource" that, in the words of the Strategic Plan, was "relevant, contextual and missional." A number of people said that the research and findings of the report resonated with their experience; for example, people repeatedly said they had used corporal punishment out of fatigue and frustration, not because they felt it was effective or a desirable way to relate to their own children or the children in their care.

Many articulated that they saw endorsing the *Joint Statement* as another way to fulfill the sentiments in the Confession the Church made in 1994 to Indigenous people for our role in Indian Residential Schools. A significant number of people said that they saw the *Joint Statement* as a natural and logical extension of the sentiments the church has already expressed in the *Leading with Care Policy*.

The leaders of the church's National Indigenous Ministry Council (NIMC) were asked especially for their input into the response to this overture, and a draft was also circulated to the members of the Council. On the matter of physical punishment of children, respondents noted that the Cree, Dakota and other Indigenous cultures used non-physical ways to discipline and teach children, and that, "Traditionally, our people did not believe in hitting children as it was believed it could ruin the spirit of the child. But from a very young age, children were taught the right way to live and to be." It was recalled by one Indigenous leader that a Jesuit priest was quoted as saying about the Innu people (relatives of the Cree) in Eastern Canada that, "these savages will not so much as raise their voices at their children, and if you do, they will come down hard on you." One Indigenous minister wrote: "We use a lot of love and attention and affirmation about their worth and value. Love and attention seem to work the best for them. We give them hope that they are the leaders and elders of the future."

One member of the NIMC noted that the Canadian experience has repeatedly taught us that children who are physically punished within the home or school sometimes flee. Tragically, these children often end up homeless, missing or murdered.

Biblical and Theological Reflection

Everyone consulted was asked to reflect on the *Joint Statement* from a biblical and theological perspective. The theological reflections from the church were often dynamic and very thoughtful, as the respondents drew upon scripture, the nature of God, the ethical implications of the sacraments and the church's faith statements.

Scripture

Most respondents framed the matter of the physical punishment of children and youth in the larger context of how the bible (especially Jesus's teachings and the pastoral teaching in the Epistles) instructs the people of God to treat one another and to deal with anger and conflict. Among the texts that people referenced in this regard were Matthew 5:22-25 and Matthew 18:15-18 that speak of anger, patience and reconciliation. 1 Corinthians 13 was frequently cited as a reminder to parents that the love they were obliged to show in the "high and holy duty" God placed on them as parents was often stretched by circumstances and frustration, but that Christian love is patient, kind and not irritable. It was noted that love is not just a sentimental feeling, but an intentional way of behaving, acting, reacting towards and dealing with those whom we love. Similarly, the treatment of love in Galatians 5 and the fruits of the spirit listed in that passage were mentioned as qualities parents should model for children. Likewise, people cited Colossians 3 as a passage that contained instructions about behaviour and family life that parents are instructed to embrace (e.g. compassion, kindness, humility, gentleness and patience) or reject (e.g. anger and rage) in order to have constructive "holy" relationships. People recalled that Jesus rebuked the use of violence by his followers at the time of his arrest (Matt. 26:51-54; Luke 22:49-51; John 18:10-11) and that Jesus called peacemakers "the children of God" (Matthew 5:9).

On the specific matter of the physical punishment of children, almost every person commented on the verses in the Book of Proverbs (13:24; 20:30; 22:15; 23:13-14; 29:15) that permit and even advocate the physical punishment of children. All but a couple of respondents raised significant questions about these texts and their historical uses. It was observed that in the Book of Proverbs

there are a number of instances where beating adults with rods is encouraged, which the church today would not condone and has protested. So it was asked why the church would not advocate for the same treatment for children.

The majority of people deftly moved beyond simply proof texting. Rather they put passages from the Book of Proverbs in conversation with other biblical texts and the fullness of Jesus' ministry, with robust and generative results.

Some people read the passages from Proverbs in light of certain "texts of terror" that preserve stories of destructive parental actions, such as Jephthah offering his daughter as a sacrifice (Judges 11:28-40). In contrast, some people interpreted the Proverbs passages in light of the Golden Rule (Matthew 7 and Luke 6), which puts the adult and child in a respectful relationship. Likewise, James 1:19-20 and Ephesians 4:26-27 and other passages about sin and anger were used to interpret the Proverbs passages.

Frequently respondents put the passages from Proverbs in dialogue with 1 Timothy 4:11-12, which reads, "These are the things you must insist on and teach. Let no one despise your youth but set the believers an example in speech and conduct, in love, in faith, in purity."

Some respondents noted that, while it was culturally normative at times in some biblical communities to regard children as having little worth, Jesus saw childhood as the means of entering the kingdom of God (Mark 10:13-16, Mark 9:42) and he held children in high regard in the faith community. Similar insights were yielded from readings of Deuteronomy 6:4-9 and 31:12, in which children are named as valued members of the family and faith.

There were intriguing reflections on Matthew 18:2-6 in which Jesus says, "If anyone causes one of these little ones to stumble," questioning whether the long term effects of physically punishing a child could cause children to become violent and harmful to others in turn. The *Joint Statement* points out that physical punishment of children almost always leads to significant impairment of the parent/child relationship. Trust is strained and distance is created by the use of physical punishment.

Theology

Unsurprisingly, respondents spoke of God's loving and gracious nature. People readily drew upon images in the Book of Isaiah and the Psalms where God is seen as a providing, caring, supporting parent and shepherd and the people as God's children and flock. If children sometimes learn about the nature of God from what they see in those who care for them and teach them (primarily parents and teachers), then any punishment that inflicts bodily pain or harm particularly as the result of anger or frustration translates directly or indirectly into child's concept of God. Such understandings of God will be very difficult to replace as a child matures.

People noted the preferential care Christ showed for the weakest in society as germane to this discussion about how the weakest in families, congregations, homes and churches should be treated. Greater care, mutual respect, and understanding of the developmental abilities of a child in any given situation should be the foundation of any care-giving relationship.

One person wrote compellingly about the implications of the incarnation as a reminder that human bodies have value. Flesh matters and must not be harmed, and this is an important consideration in regard to physical punishment.

The Sacraments

Many talked or wrote about the implications of our covenantal understanding of baptism on our stance on the physical punishment of children. Baptism is a means of grace, through which we experience the grace, mercy, forgiveness, and tenderness of God. We do not deserve it and we cannot earn it, but we are recipients of all these divine gifts in baptism. When human beings are defiant and wayward, God responds with acceptance and a warm embrace. The lost is found and restored; what is broken is made whole; and those who deserve wrath are offered forgiveness. The love that is shown to us in baptism, in turn, shows us how to love our children.

Even more people reflected on the generous and broad implications of the vows congregations and parents make during baptism to nurture the faith of children. Congregations promise to encourage, teach and pray for children, as well as support their families. These vows include participation in protecting the physical and spiritual wellbeing of children. The whole church is called upon to extend loving-kindness to each child, as if each were our own child. Baptism implies that no matter the state or condition of a child and regardless of a child's behaviour, our response to children must be guided, accompanied, and shaped by unconditional love. Such love is the most powerful force of correction and transformation.

Likewise, some pointed out that, in many congregations, children are welcomed at the Lord's Table. Children are no less worthy of the sacrament of God's love, and at the same time, will have different understandings of God than adults do. In faith, as in all things in life, there are stages of understanding and development. Recognizing the effects of developmental stages in terms of how we can most effectively raise, teach, discipline, and form our children in Christian love is an important feature of our faith. This study shows that physical punishment is detrimental to children's development and at the same time points out that parents and caregivers who resort to physical punishment of children most often do not adequately understand or take into account a child's developmental stage or ability. Recognizing that children receive and understand God's love differently than adults, due to their age and ability, but no less profoundly, is a core value in opening the Lord's Table to children. In the same way, recognizing that children cannot always understand or meet an adult's expectation of behaviour, due to age or ability, is an essential component of responding to children with patience, creative and constructive correction, and loving discipline rather than with physical punishment or harm. Children at all stages of development are worthy of our best efforts of love, even as God graciously receives them at the Table.

Presbyterian Church in Canada Faith Statements

Questions 122 – 133 of the Large Catechism are related to the fifth commandment to honour parents. Question 122 summarizes the fourth to tenth commandments (which relate to our duties to one another) as “to love our neighbour as ourselves, and to do to others what we would have them do to us.” This places the fifth commandment to honour parents in the context of mutual concern, reciprocal respect and care.

The catechism includes “not only natural parents, but all superiors in age and gifts...over us in place of authority” (Q 124) in the definition of parents who are to be honoured in the fifth commandment, which would include teachers covered in Section 43 of the *Criminal Code*. The catechism proceeds to say that parents and all superiors are required “to love, pray for, and bless their inferiors; to instruct, counsel, and admonish them; countenancing, commending, and rewarding such as do well; and discountenancing, reproofing, and chastising such as do ill; protecting, and providing for them all things necessary for soul and body: and by grave, wise, holy, and exemplary carriage, to procure glory to God, honour to themselves, and so to preserve that authority which God hath put upon them” (Q. 129). The *Joint Statement* points out that physical punishment can include depriving a child of basic bodily and psychological needs, which is contrary to the requirements of those entrusted with the care of children outlined in the catechism.

And while the catechism does not specifically forbid corporal punishment overtly, the physical correction of children, Q 130 about the sins of superiors includes the sin of “correcting them unduly” and provoking them to wrath. It warns people in positions of authority (including authority over children) of being dishonourable because of injustice or behaviour that is excessively rigorous.

One minister of the church wrote that, “the catechism is proactively concerned about the weak, not just here [in the sections about the commandment to honour parents] but in other areas as well.”

Using language carefully in this discussion is also theologically significant. The *Joint Statement* invites us to consider the difference between correction and discipline on one hand, and punishment in which any form of physical force or neglect is employed on the other. Our own tradition advocates strongly for proper discipline within the context of pastoral care for members and ministers. The discipline of children is necessary if we are to love them as we ought and raise them well. However, discipline is not synonymous with physical punishment. In fact, some would argue that physical punishment of any kind is contrary to effective, loving and corrective discipline.

Some respondents referred to *Living Faith* (8.2.4), which affirms that, “Parents in caring for their children are mediators of God’s love and discipline.” People concluded that if parents are mediators of the love and discipline of God, then the church must teach, promote and encourage a style of parenting that is loving, caring, correcting and gracious. We desire that children develop a spiritual life that imagines God and love as not punitive, non-violent and loving.

G. Conclusions and Recommendations

The Presbyterian Church in Canada affirms God’s call to justice. As explained in *Living Faith* (8.4), God is always calling the church to seek the justice in the world that reflects the divine righteousness revealed in the Bible. Justice is seen when we:

- deal fairly with each other
- strive to change customs and practices that oppress
- seek to protect the rights of others and protest against everything that destroys human dignity.

This justice to which the church is called:

- seeks the best way to create wellbeing and fairness in society
- is concerned about education, health, rights and responsibilities
- involves the protection of human beings
- requires fair laws justly administered
- opposes prejudice and rejects discrimination on such grounds as race, age, status, or ability
- stands with our neighbours in their struggle for dignity and respect
- demands the exercise of power for the common good

The *Joint Statement* upholds these faithful principles. It is in line with the spiritual and ethical imperatives of the gospel, as well as our understanding of the dignity of children and youth and their inherent value as beloved children of God.

Research and lived experience reveal the destructive results of physical punishment on the mental, physical and spiritual health of children. Physical punishment also breaks the sacred parent-child bond. *The Joint Statement* is an empowering educational resource that helps people in the church learn about the important matter of the treatment of children and helps the church fulfill the pledges the church made in *Leading with Care* to train and support church workers who may be caregivers.

A Christian Theological Statement in Support of the Truth and Reconciliation Commission's Call to Action No. 6 created at a gathering of ecumenical theologians sponsored through the School of Religion at Queen's University concludes that:

“A full reading of scripture in light of the revelation of Jesus Christ, who embraced and welcomed children, is incompatible with physical punishment. Scripture constantly invites the people of God to imagine a better future. We affirm the following biblical principles: children are sacred gifts from God; fully human and deserving of dignity and respect; blessed with gifts, wisdom and strengths that enrich the common good; vulnerable persons deserving nurture, protection and justice; and individuals with growing moral and spiritual capacities.”

Call to Action No. 6 of the Truth and Reconciliation Commission on Indian Residential Schools calls for the repeal of Section 43 of the Criminal Code of Canada. Endorsing the *Joint Statement* helps the church live out the commitments we made in the Confession to walk the path of reconciliation with our Indigenous brothers and sisters.

For the reasons outlined above, the following recommendations are presented.

Recommendation No. 2 Adopted/Defeated/Amended

That the Church endorse the *Joint Statement on Physical Punishment of Children and Youth*.

Recommendation No. 3 Adopted/Defeated/Amended

That the *Joint Statement on Physical Punishment of Children and Youth* be circulated to congregations, worshiping communities, missions, camps, presbyteries, synods and colleges.

Recommendation No. 4 Adopted/Defeated/Amended

That congregations, worshiping communities, missions, camps, presbyteries, synods and colleges

take steps to increase awareness in their communities about the impact of violence, including physical punishment, in homes, families, institutions and communities and to encourage healthy, effective and non-violent approaches to discipline in raising children and youth.

Recommendation No. 5 Adopted/Defeated/Amended

That in line with the Calls to Action No. 6 of the Truth and Reconciliation Commission and the church's endorsement of the *Joint Statement on Physical Punishment of Children and Youth*, the Moderator of the General Assembly write to the Prime Minister and Minister of Justice advocating the full protection of children, including the repeal of Section 43 of the *Criminal Code of Canada*.

Recommendation No. 6 Adopted/Defeated/Amended

That the prayer of Overture No. 6, 2019 requesting the Church to endorse the *Joint Statement on Physical Punishment of Children and Youth* be answered in terms of this report.

ⁱ These are examples of what punishment is *not* that are explicitly named in the Joint Statement itself; see p. 2 of the statement, the section, “What punishment is *not* “ found at www.cheo.on.ca/en/physicalpunishment, Accessed 6 February 2019.

ⁱⁱ Self-defense is also explicitly named as not being punishment; see *ibid*, 2.

ⁱⁱⁱ For the definition of assault in Canada’s Criminal Code, see <https://laws-lois.justice.gc.ca/eng/acts/c-46/section-265.html>. Accessed 6 February 2019.

^{iv} A copy of the report on Canada’s progress from the Committee on the Rights of the Child may be downloaded at: https://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=CAN&Lang=EN. Accessed 6 February, 2019.