**Submission to Standing Senate Committee on Human Rights: Effective Implementation of Canada's International Obligations re the Rights of Children**
January 22, 2007

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*All truth passes through three stages. First, it is ridiculed. Second, it is violently opposed. Third, it is accepted as being self-evident.* Schopenhauer

Madam Chairman, Honourable Senators:

Thank you for the invitation to appear before your committee. Our submission relates principally to articles 19, 42, 43 and 44 of the UN Convention on the Rights of the Child (the Convention); section 43 of the Criminal Code, the section that justifies the use of reasonable force (RF) by parents and others for the correction of children; and the January 2004 majority judgment of the Supreme Court of Canada (SCC).

**1. Principle facts to note about s. 43:**
it is a defence to assault;
it grants a power or privilege; not a right;
it came into our Code in 1892;
it is based on centuries-old English common law;
it has never been subject to a full parliamentary debate;
court decisions show it is used to justify corporal punishment (cp) – not restraint/control;
it justifies cp as rightful, not simply as excusable;
parents can delegate this power of assault to anyone having care of their child;
until the 2004 SCC decision, it justified quite serious assaults on children; **(Ft.1)**
children are the only class of persons who can be legally assaulted for correction;
it has been criticized by various government-sponsored reports since 1976;
punishment allowed by s. 43 can escalate to severe injury;
in 1993/94, the Conservative government of Prime Minister Mulroney took steps to repeal s. 43 but these were abandoned when that government was defeated in late 1993.

**2. Principle facts to note about the Convention:**
Canada played a leading role in drafting and promoting it. The federal government ratified it in 1991 and it was subsequently approved by all provinces;
In 1993, the government designated November 20 of each year as National Child Day to commemorate the Convention's adoption by the UN General Assembly;
article 19 requires Parties to protect children from *all* forms of physical or *mental* violence, injury *or* abuse (emphasis added);
article 42 requires Parties to make the Convention *widely* known, by appropriate and *active* means to adults and *children alike* (emphasis added);
article 43 establishes a Committee on the Rights of the Child (the UN Committee) to examine progress made by Parties in implementing the Convention and make general recommendations;

article 44 requires Parties to report on progress made in implementing the Convention and make their reports widely available to the public;
members of the UN Committee are elected by the Parties and must be experts of 'high moral standing and recognized competence' in areas covered by the Convention;
the UN Committee has recommended that Canada repeal s. 43 and has expressed 'deep disappointment' that it has not done so.

**3. Why has Canada not heeded UN Committee recommendations to repeal s. 43?**
Attitude of the public: Corporal punishment as a method of discipline has a long historical and legal tradition. This stems largely from children's lack of power and the belief that basically they are the property of their parents. *Laws always begin by recognizing existing relations between individuals. They convert a mere physical fact into a legal right.* (J.S. Mill) In some religious groups, it stems from the view that children are *born in sin, having inherited a disobedient nature from Adam… and are naturally inclined toward rebellion, selfishness, dishonesty, aggression, exploitation and greed.* (James Dobson, Focus on the Family). **(Ft.2)** Children must be physically punished for disobedience in order to learn respect for God and authority at home, school, work, and the law. The values taught should not be questioned. Some Canadians defend s. 43 on these various grounds.

Others defend s. 43 because they view cp as normal and see challenging it as reflecting badly on their parent's – or their own – methods of discipline. To some, accepting that cp has negative effects may cast doubt on the comforting notion that 'I was hit and I'm OK'. Children want and need to believe their parents do the best for them. Still others simply accept cp as an unquestioned tradition. Added to these justifications is the fear of some that repeal will result in criminal prosecutions for 'minor' hitting and for using reasonable force to restrain and control children. This fear has been exaggerated by opponents of repeal and is unfounded.

Public opinion is turning against cp. We ask your committee to recommend repeal in your present study and in the one to be held on Bill S-207. We believe that such a recommendation could be the beginning of the end for this 1892 defence to correctional assaults on children.

Action by NGOs: Until recently, there has not been a concerted effort in Canada to challenge public attitudes about cp. This began to change in the 1970s – sparked by the 1979 UN International Year of the Child, the 1982 Charter of Rights and Freedoms, and the 1989 Convention ratified by Canada in December 1991.

One of the early recommendations to repeal s. 43 came from the Canadian Assn. of Social Workers in a 1974 letter to the then Minister of Justice. **(Ft.3)** It called for repeal primarily on the basis that legal approval of cp encourages child abuse. The Canadian Nurse's Assn. made a similar request to the Law Reform Commission in 1979. Replies referred to insufficient social consensus to remove s. 43; that s. 43 had nothing to do with abuse; and that 'loving punishment' was sometimes necessary. **(Ft.4)**

Since then, NGOs have become more active. The Repeal 43 Committee was formed in 1994 and submitted its brief to the Minister of Justice and other Ministers advocating repeal. Over 170 organizations listed on our website have written the government advocating repeal either

individually or by open letters. **(Ft. 5)** In 1998, a constitutional challenge to s. 43 was launched by the Canadian Fdn. for Children, Youth and the Law. An umbrella group 'Coalition for Family Autonomy', made up of Focus on the Family (Canada), Realwomen, Canada Family Action Coalition, and the Home School Legal Defence Assn. Canada intervened to uphold s. 43. The Canadian Teachers Fdn. also intervened for this purpose. In 2003, the Children's Hospital of Eastern Ontario initiated a *Joint Statement on Physical Punishment* calling for children to be given equal protection from assault. Over 230 organizations have signed this Statement.

Government response: In the late 1970s, a Senate committee began a study on childhood experiences and later criminal behaviour. Its 1980 report, *Child at Risk*, recommended that s. 43 be reconsidered. The Dept. of Justice wrote a lengthy memo on s. 43 that recommended repeal and was discussed at a federal-provincial conference in 1978. After the defeat of the Liberal government in 1979, there was not further action on s. 43 until 1990 and the Conservative government of Prime Minister Mulroney.

After signing the Convention in 1990, Prime Minister Mulroney jointly initiated and co-chaired the1990 World Summit on Children, established a Children's Bureau at Health Canada to ensure the Convention be taken into account in government policies, undertook a study of s. 43, and in 1993, Minister of Justice, Kim Campbell, recommended its abolition with an 18-month delay in implementation. Meetings with NGOs and officials were held to develop a strategy to educate the public on this change in the law. Unfortunately, this initiative ended when the Mulroney government fell in October 1993. **(Ft.6)**

Various government sponsored reports recommended review or repeal. **(Ft.7)** MPs have sponsored nine Private Member's Bills to repeal s.43, the most recent one, S-207, has now been referred to your Committee. Federal ministers of justice, however, have failed to show leadership on the issue and PMBs originating in the Commons have either died or been blocked.

The constitutional challenge to s. 43 resulted in a split decision by the SCC in January 2004. Before the decision, federal ministers of justice replied to letters advocating repeal mainly by claiming that courts had no difficulty in interpreting s. 43, the factors taken into account by courts were quite clear, and reflected community standards of reasonableness**. (Ft.8)** The SCC decision and the new criteria set out in the majority opinion do not substantiate this. The factors are now changed and a different community standard identified. Ministerial replies since this decision now justify s. 43 mainly on the grounds that it is constitutional and consistent with the UN Convention. **(Ft.9)** Even if the majority decision on constitutionality were correct, this would not make s. 43 good public policy.

**4. Section 43 of the Criminal Code and Article 19 of the Convention**

*(Numbers in brackets refer to paragraphs in majority judgment.)*

Children are entitled to respect and dignity as a fundamental human right. Hitting shows a lack of respect and is an affront to personal dignity whether or not physical harm results. A 'slap in the face' is a common byword for showing disrespect. 'Minor' assaults are a violation of a child's dignity and self-respect just as they are to an adult. Whether or not dignity has been offended must be appraised from the point of view of the person hit – in this case the child – not, as the majority held, from the point of view of a adult acting on behalf of the child. *(53,68)*

Prior to the Convention, international declarations on children, such as the 1924 Geneva Declaration by the League of Nations, focused on the duty of adults to protect children rather than on children being entitled to respect and physical integrity as a fundamental right of their own. Furthermore, these declarations did not carry the same weight as conventions, which are binding in international law and used to interpret domestic laws and guide the development of common law. The Convention has been a major factor in persuading some 17 countries to end legal approval for corporal punishment of children.

The Convention, however, is not legal*ly* binding in Canada because this requires its specific incorporation into our domestic law, and this has not been done. Nonetheless, it has great moral weight, having been ratified by every country in the world, save two. Article 19 prohibiting all violence against children can be easily implemented by repealing s. 43. Repeal is clearly within federal jurisdiction, would complement and strengthen provincial child protection legislation, help prevent abuse, and requires simple legislative action.

**5. Section 43 of the Criminal Code and Articles 43 and 44 of the Convention**
Article 43 of the Convention establishes the UN Committee on the Rights of the Child to examine progress made by Parties in implementing the Convention. The Committee consists of ten experts elected by the Parties. They must be of 'high moral standing' and have recognized competence in the fields covered by the Convention. Article 44 requires Parties to report on their progress every five years. Canada has made two reports and the Committee has twice recommended repeal in light of article 19. In June 1995, it recommended that physical punishment of children in families be prohibited. In October 2003, it stated it was *deeply concerned that [Canada] has taken no action to remove section 43 of the Criminal Code*. The government does not appear to have made these reports widely available to the public as required by art. 44.

Surprisingly, the recommendations by the UN Committee are not even mentioned in the majority judgment of the SCC. Instead, the majority refers to recommendations of the committee monitoring the *International Covenant on Civil and Political Rights*: a Covenant that does not deal specifically with children's rights and that does not express an opinion on cp by parents. *(33)*. While the majority accepted the recommendation of the Covenant's committee against cp by *teachers,* it ignored the UN Committee's recommendation against legal approval of cp by *parents*.

**6. Section 43 of the Criminal Code and Article 42 of the Convention**
Article 42 requires Parties to make the provisions of the Convention widely known to *adults and children alike*. Laws affecting children must be clear so that children, parents and the general public can understand and strive to uphold the rights children have under the Convention. If your Committee agrees that art. 19 requires Canada to repeal s. 43 and the government does so, then this change in the law can be made quite clear to all concerned. If, on the other hand, the criteria for legal cp set out by the majority decision of the SCC stand, then these criteria should be made widely known – but this would contradict the UN Committee, Health Canada, and cause the following problems:

Firstly, since the SCC decision violates art. 19 as interpreted by the UN Committee, the government would be publicizing a law that according to the Committee, violates the Convention.

Secondly, some of the SCC criteria are quite unclear and would be difficult for parents, children and the public to understand. Child protection authorities rely on the public to report children in need of protection and children *themselves* should be able to recognize and report maltreatment. How would the public – including children – determine:

what force is 'minor', and does it cease to be 'minor' if frequently inflicted;
whether a parent is angry, frustrated or has an abusive personality;
whether a child has a disability or 'some other contextual factor' relevant to cp;
what context and circumstances justify punishment;
whether punishment is punitive and wrongly focuses on the gravity of the child's offence;
whether the 'offence' in fact warrants punishment. *(24,25,35,40)*

Thirdly, the three criteria that are clear (age limitations, no objects, no blows to the head) *(37)* include an age criterion that is totally arbitrary and unsupported by research. Arbitrary age distinctions may be inevitable for voting, car licenses, purchase of alcohol etc but these do not involve matters of fundamental human rights. Physical integrity *is* such a right and allowing cp of children from age 2 to 12 years not only violates this right but also leaves this very vulnerable group of children at risk of injury. 'Minor' cp can easily escalate to abuse as shown by Canadian and Ontario incidence studies of reported abuse and neglect. These found that 69% - 85% of reported and substantiated physical child abuse cases involved attempts at physical discipline. These number at least 10,000 each year in Ontario – and are *reported* cases only. The cp allowed by s. 43, in fact, raises the 'reasonable prospect of harm, which the majority judgment holds is not allowed by the section. *(30)*

Those who strongly believe in hitting as necessary correction are not going to accept minor force to express 'symbolic disapproval' as a meaningful limitation. *(24)*. They believe hitting must cause pain to have an effect. Without pain, as the Quebec court said in a leading 1951 decision, 'the whole purpose [of s. 43] would be lost'. **(Ft.10)** 'Pain', writes James Dobson, is 'a marvelous purifier'. **(Ft.11)** For parents who follow his advice, this limitation is quite unrealistic. For other parents, justifying minor force simply opens the door to more serious assaults if minor hitting doesn't 'work'. These parents are then caught in a situation in which s. 43 has approved 'minor' force but then exposed them to prosecution if this minor force doesn't achieve its aim.

The government has a duty to help *prevent* these assaults by ending the defence that contributes to their occurrence. Realwomen and the Canada Family Action Coalition questioned even these clear criteria, saying that prohibiting objects was 'culturally insensitive', contrary to the advice of 'many child-rearing experts', and suggesting that age limitations were mere 'political correctness'.

Lastly, making these criteria widely known to the public would contradict the efforts of Health Canada (limited though they many be) to discourage cp. Spanking, its pamphlets declare, is a bad idea. If so, it would hardly be good public policy for ministers of health and justice to 'educate'

the public by advising that while it is now illegal to hit a 23 month old, it is quite legal to hit a child one month older.

**7. Section 43 and the SCC judgment on constitutionality**
The majority of the SCC upheld s. 43 on the grounds that it did not violate the Charter. Justices Arbour, Deschamps and Binnie, dissented. This is particularly significant in view of the reputation of these judges and the fact that they dissented in a court that apparently strives particularly hard to achieve unanimity. All three agreed that s. 43 violates s. 7 or 15 of the Charter.

The majority judgment deals with a number of points of Charter interpretation, most of which are unnecessary to review here. But four arguments accepted by the majority are highly relevant because they are commonly used to oppose repeal. In our opinion, they are not valid arguments.

The first is that 'minor' hitting, qualified by the new criteria of the majority judgment, reflects a Canadian consensus on cp. The second is that s. 43, qualified by these criteria, is clear law that can be understood by all concerned. The third is that repealing s. 43 would result in criminal prosecutions for minor spanks and slaps and that this would have dire consequences for the family. The fourth is that repeal would also result in prosecutions for using reasonable force for the simple purpose of restraining and controlling children.

**8. The majority reasons for accepting the above four arguments are not convincing**
a) Canadian consensus and s. 7 of the Charter: This Charter section guarantees that no one may be deprived of security of the person except in accordance with principles of fundamental justice. One of these principles is that laws must be 'in tune with contemporary consensus'. *(2,8,36,38,39)* The majority held there was such a consensus.

However, best selling parenting books by, for example, James Dobson, advise parents to use a switch, belt or paddle on children as young as 15 months for 'willful disobedience'. And the punishment must hurt. **(Ft. 12)** Other parenting books advise against any cp whatsoever. Judges, including appeal judges up to the time of the SCC decision, have held severe spankings, hitting with objects, and even hitting on the head, to be quite acceptable. They have tended to use the 'nature of the offence calling for correction' as the standard against which to measure the reasonableness of cp; a standard now eliminated by the SCC. *(35)* There does not appear to be a Canadian consensus on the definition of RF. (The larger question of whether human rights depend on 'consensus' is not addressed.)

b) Clarity of the law and s. 7 of the Charter: Another principle of fundamental justice is that criminal laws must not be vague or arbitrary and must be reasonably clear to set an 'intelligible standard' so the public can understand them. The majority held s. 43 meets this standard. Criminal and other laws, it said, are 'thick with the notion of 'reasonableness' and therefore reasonable force was just as intelligible in s. 43 as in these other laws. *(4,14,16,26-29)* This comparison is not persuasive because with these other laws there is an objective standard for measuring the amount of force used. (eg, force for self-defence must be proportionate to the force used by the aggressor). Now that the 'gravity of the child's offence' has been removed, the public is left with confusing and arbitrary SCC criteria as the new standard. The public cannot be

expected to read a SCC decision in an attempt to understand the scope of this new 'reasonableness' standard.

In discussing the *de minimis* rule to prevent trivial offences from being prosecuted, the majority wrote that *de minimis* was 'equally or more vague than the reasonableness defence offered by s. 43'. *(44,63)* This is also not convincing. There is an essential distinction between clarity in the *law* and discretion in *enforcement*. If s. 43 is repealed, the law will be clear: hitting children for correction will be just as illegal as hitting adults. Whether enforcement by prosecution should follow would be subject to discretion, just as it is in other offences such as spousal assaults, theft, property damage, or shoplifting.

c) Discrimination, s. 15 (1) of the Charter and the 'blunt hand' argument This section of the Charter guarantees equal protection of the law without discrimination based, among other things, on age. The majority agreed that s. 43 did indeed deprive children of equal treatment. But this was not discriminatory, it said, because prosecuting parents for every minor spank or slap 'risks ruining lives and breaking up families'.*(62)* Section 43 therefore contributes to a stable and secure family home and actually *benefits* children. In effect, it does not discriminate against children, but *for* them. *(51,58,60,68)* (Apparently, prosecuting parents for other criminal offences does not carry this risk.)

This blunt hand argument ignores the *de minimis* rule against prosecutions for trivial offences; the policy of prosecuting only where it is in the public interest; and the right of provincial Attorney Generals to issue guidelines to help Crown prosecutors determine when prosecution is appropriate. Because of these checks on inappropriate prosecutions, the assumption that prosecutions for minor slaps/spankings will be a serious problem is alarmist and quite unrealistic.

The majority buttressed its blunt hand argument by quoting the 1969 *Ouimet Report* cautioning against using the criminal law to control 'anti-social behaviour'.*(60)* Examples of anti-social behaviour, as outlined in recent UK legislation, involve noisy neighbours, unsupervised children, swearing in public, littering etc. Such offences do not involve fundamental human rights and are simply not in the same category as assault. The comparison is not valid.

The majority also used the 1984 Law Reform Commission's Working Paper #38 in which a majority of Commissioners reluctantly recommended that s. 43 be retained because of the blunt hand argument. *(60)* However, a minority rejected this recommendation on the grounds that enforcement policies can prevent inappropriate prosecutions. They recommended that s. 43 be ended because it 'heightens the potential for abuse that resides in all of us'.

Both these reports were published over 20 to 40 years ago. The justice system has evolved since then with programs such as diversion and restorative justice. There are many more creative ways of dealing with cp by parents than by 'criminalizing' it through resorting to criminal prosecution. When it comes to making choices on s. 43, we need to balance the known harm of cp against the speculative harm of inappropriate prosecutions. We submit that the former harm far outweighs the latter. The aim of clarity in the law and avoiding inappropriate criminal prosecutions can best be achieved by repealing s. 43 and adopting realistic prosecution guidelines than by trying to apply new judicial criteria that are confusing and arbitrary.

d) S. 43 and restraining and controlling children: The majority holds that s. 43 is needed for such actions as placing an unwilling child in a chair for a 'time-out' or removing a child from a classroom. *(40,62)* Section 43 can indeed be used for these purposes but a review of judicial decisions show that it rarely, if ever, is so used. Virtually every case on s. 43 deals with cp.

The Coalition for Family Autonomy argued that without s. 43, removing a screaming child from a shopping mall could result in criminal prosecution. The Canadian Teachers' Fdn. argued that teachers sometimes need RF for guiding a child in a line-up or placing a pupil on a school bus and that without s. 43, they could be charged with assault. The CTF is on record as opposing corporal punishment by teachers and the majority held that s. 43 can no longer be used by them as a defence for cp. *(40)* CTF support for s. 43 is therefore based on this alleged need to use RF for restraint and control.

The fact that parents and teachers must sometimes use RF to restrain and control children is commonplace and long recognized by the common law. Both Blackstone and Halsbury, authorities on English common law, differentiate between force for correction and force for restraint/control as two distinct common law defences. Repealing s. 43 would end the Code's justification for cp but leave these two defences in tact, as s. 8(3) of the Code preserves all common law defences unless altered or inconsistent with other federal laws.

The power of teachers to use RF for restraint and control is recognized not only by the common law but also by provincial education acts and s. 25 (force authorized to uphold the law) and s. 38 (trespass and defence of property) of the Code. If, in spite of these defences, the power of teachers and parents to use RF for restraint and control is not thought sufficiently clear, s. 43 could be amended to specifically allow this power while clearly prohibiting cp. We think this unnecessary but it could be considered if this is the only way to end s. 43 as a defence to cp.

e) S. 43 and protecting children from danger: Other situations are often cited by opponents of repeal as needing the s. 43 defence. These include pulling a child out of traffic and putting an unwilling child in a car seat. But since these are situations in which a child is being protected from danger, the questions of assault and s. 43 are irrelevant. Assuming the force is reasonable, these actions do not amount to assault because assault is defined as the *unconsented* use of force and the law *implies* consent where the force is necessary for the child's safety. The argument that without s. 43 these actions would be assault is wrong and simply a red herring.

**9. Other problems with the majority judgment**

a) UN Committee calls for repeal: As indicted under heading 5, the recommendations of the UN Committee are not even mentioned in the majority judgment. *(33,34)* The Committee is set up to interpret the Convention and while its interpretation is not legally binding on our courts, it should be given due respect by Parliament.

b) Meaning of justified: Section 43 declares that RF is 'justified' – not merely tolerated or excused. As the previous SCC *Ogg-Moss* decision clearly stated, 'justified' refers to *rightful* conduct. The use of this word in s. 43 labels cp as right and proper discipline. Meanwhile Health Canada pamphlets declare that 'it's never okay to spank children. It's a bad idea and it doesn't

work.' (1997); 'Never spank! It simply doesn't work.'(2004). **(Ft.13)** (Health Canada doesn't stress the issue of rights. Would it approve spanking if it did 'work'?) The majority brushes aside the significance of 'justified' and dismisses its importance in legitimizing the acceptance of cp. *(64,65)*

c) Psychological harm: The criteria set out in the majority judgment seem mainly concerned with bodily harm *(30)* and mention psychological harm only once and then only in relation to teenagers. *(45)* The risk of psychological harm to younger children from spanking and slapping is apparently not recognized. Research at McMaster University (published in 1999 and hence not before the courts in the constitutional challenge) points to an association between spanking/slapping and a lifetime prevalence of anxiety, alcohol abuse and other problems. **(Ft.14)** Even if minor cp did not have these consequences, frequent 'minor' hitting and threats of hitting surely have a negative effect on a child's quality of life.

d) Parliamentary debate: The majority seems to assume that s. 43 has been debated in Parliament. *(1,51,54)* There has been no such debate. There should be. The research and social policy issues relevant to s. 43 would be better dealt with in parliamentary committee and debate than in court applications limited to affidavit evidence, research prior to 1998, restrictions on presenting argument, and concerned mainly with fine points of Charter interpretation.

**10. Your Committee's Interim Report *Who's In Charge Here?***

The question of enabling legislation to incorporate international human rights obligations in domestic legislation is beyond our expertise and we cannot comment on this. However, all the other Suggestions for Reform made on pages 6 to 7 of the Report are excellent and long overdue. We heartily endorse them and complement the committee on its examination of these issues.

One suggestion we can make relates to article 19 of the *Child Friendly Version of the Convention*. The Convention prohibits 'physical or mental violence, injury or abuse…' This is wider than referring only to 'abuse and neglect' as in the *CFVC*. Further, the term 'abuse' can be interpreted very subjectively and its meaning will not be clear to children. Stating that no one has a right to hit or threaten to hit a child or to bully or call a child insulting names would probably be better understood by children.

**Conclusion:** Respect for human rights must begin in childhood – in homes and schools where a child's right to respect, dignity and physical integrity are recognized and upheld. Showing disapproval by hitting teaches that hitting is acceptable. This is not a foundation for building a world in which human rights are respected and disputes settled in peaceful ways. This is not a criticism of individual parents who use physical punishment. Most are simply following a method of discipline long sanctioned by law and tradition. It is the *law justifying this tradition* that we object to. Ending this law could be a significant step forward in advancing human rights for all. Canada could show leadership to other common law countries around the world by repealing this unjust and harmful defence.

**Footnotes**

1. Repeal 43 Committee, Brief to Minister of Justice and other Ministers, April 1994, Appendix B *Judicial Decisions in which S. 43 was a Successful Defence* (Decisions prior to 1992); Repeal 43 Committee website www.repeal43.org The Law chapter, *Table of Acquittals* (Decisions from 1990-2002)

2. James Dobson, *Parenting Isn't for Cowards*, 1987, Word Publishing, p. 200-201 Dr. Dobson, Ph.D., describes himself as a Christian psychologist, p. 287. The theme of his various parenting books is the need for children to be compliant and respect authority. The references to this are too numerous to note here. He founded Focus on the Family in 1977 and is its International President. He has been described by Time magazine as a powerful figure on the religious right for whom the Republican Party 'isn't right enough'.

3. Canadian Assn. of Social Workers, letter to Minister of Justice, Otto Lang, Ap.1974

4. Hon. Otto Lang, letter, April 1974; F. C. Muldoon letter, March 1980

5. Repeal 43 Committee website; www.repeal43.org Supporting Organizations chapter

6. Repeal 43 Committee website; Political Response chapter

7. Repeal 43 Committee Brief, 1994 Appendix F

8. Hon Anne McLellan, letter Feb 1998

9. Hon Irwin Cotler, letter May 2005

10. *Campeau v. The King*, 1951, 103 C.C.C. 355. Quebec Court of Appeal p. 361

11. James Dobson, *Parenting Isn't for Cowards*, 1997, Inspirational Press p. 353

12. James Dobson, *The Strong-Willed Child*, 1997, Inspiration Press, p. 51-52
*The New Dare to Discipline*, 1992 Tyndale House, p. 72, *The New Strong-Willed Child*, 2004, p. 104

13. Health Canada, *Nobody's Perfect*, 1997, *What's Wrong with Spanking?,* 2004

14. Harriet MacMillan, *Slapping and spanking in childhood and its association with lifetime prevalence of psychiatric disorders*, Oct 1999, Can. Medical Assn. Journal, p.805