

## TRANSCRIPT FOR *The Spanking Case (Part 3)*

After six years, the final decision of the Supreme Court was to uphold "Section 43", which means the court said Section 43 is fine and that it's OK for teachers, caregivers and parents to use a bit of force to teach and correct children. The court also said that Canadians are very confused about this area of the law, and that people need guidance and advice on when it's OK by law to use corporal punishment. So the judges also gave some guidelines about when spanking is okay by law. We aren't talking about beating or injuring children, because that is never legal. We're talking about a normal spanking where the child may cry but is not seriously hurt. Here are the five main guidelines:

1. The law protects parents who are using corporal punishment to teach children something. The spanking is supposed to help the child learn. It does not protect parents who use corporal punishment because they are angry or frustrated. If you are angry at your kid and spank him out of anger, the law doesn't protect you.
2. The law does not protect an adult who uses corporal punishment on a child who is not able to learn. Let's look at an easy example. If a six-month baby is crying at a restaurant, the adult wants the baby to stop. But the baby is too young to learn. Spanking will not correct that baby's behaviour - the baby is not able to learn. So someone who spanks or uses corporal punishment on a child who cannot learn from the experience is breaking the law, not protected by it.
3. Thirdly, the guidelines say corporal punishment is suitable only for children ages 2 - 12.
4. Next, the guidelines say an adult cannot use an object to hit a child, for example, a belt, a shoe, or a spoon. Only the hand.
5. Finally, number 5, it is against the law to hit a child on the head.

So, although corporal punishment of children is legal in Canada, it is legal only when it is used to teach a child and when it does not injure or damage the child.

**ANSWERS:** 1B, 2C, 3C, 4A, 5B, 6A, 7C, 8B, 9. head