

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY M. TADIER OF ST. BRELADE
ANSWER TO BE TABLED ON TUESDAY 14TH NOVEMBER 2017**

Question

Further to the call from all four of the U.K.'s children's commissioners for a ban on smacking children, will the Chief Minister outline his policy position on the matter?

Answer

Corporal punishment of a child is treated as a criminal assault in Jersey, however under Article 79 of the Children (Jersey) Law 2002 the defence that corporal punishment was reasonable can be raised by a parent or a relative, or someone else with care of the child who has permission of the parent, and where no more than a hand is used.

The United Nations Committee on Rights of the Child have, however, recommended that UK prohibit as a matter of priority all corporal punishment in the family, including through the repeal of all legal defences, such as "reasonable chastisement". As UK has extended its ratification of the UNCRC to Jersey, this includes Jersey.

The issue of smacking has therefore already been considered by CAVA in June 2017 (Ministers for Health, Education, Housing, Social Security, Home Affairs). The Ministers have instructed officers to undertake a review of the matter in consultation with the Jersey's Children's Commissioner at the point at which they are appointed.