

Thunder Bay District Health Unit

MAIN OFFICE

999 Balmoral Street
Thunder Bay, Ontario
P7B 6E7
Tel: (807) 625-5900
Toll Free in 807 area code
1-888-294-6630
Fax: (807) 623-2369

GERALDTON

P.O. Box 1360
510 Hogarth Avenue
Geraldton, Ontario
P0T 1M0
Tel: (807) 854-0454
Speech: (807) 854-0905
Fax: (807) 854-1871

MANITOUWADGE

P.O. Box 385
Manitou Road
Manitouwadge, Ontario
P0T 2C0
Tel: (807) 826-4061
Fax: (807) 826-4993

MARATHON

P.O. Box 384
Library Building
Peninsula Road
Marathon, Ontario
P0T 2E0
Tel: (807) 229-1820
Fax: (807) 229-3356

NIPIGON

P.O. Box 15
Nipigon District Memorial
Hospital
125 Hogan Road
Nipigon, Ontario
P0T 2J0
Tel: (807) 887-3031
or (807) 887-2908
Fax: (807) 887-3489

SCHREIBER

P.O. Box 698
Jack Stokes Medical
Building
501 Scotia Street
Schreiber, Ontario
P0T 2S0
Tel: (807) 824-2413
Fax: (807) 824-2349

RECEIVED

FEB 01 2006

HEALTH SERVICES
REGION OF YORK
NEWMARKET

January 20, 2006

Dear Colleague:

re: Joint Statement on Physical Punishment – TBDHU Resolution 05-135

Repeal of Criminal Code Section 43 – TBDHU Resolution 05-136

At the Regular Board of Health Meeting of December 14, 2005, the Thunder Bay District Board of Health passed the above-noted resolutions, and respectfully requests your support of, and action on these resolutions.

Resolution 05-135 endorses the national *Joint Statement on Physical Punishment of Children and Youth* (Durrant et al., 2004). The *Joint Statement* is an initiative of the Central Hospital of Eastern Ontario and was developed in collaboration with six national bodies including the Canadian Public Health Association. This document summarizes the most recent research evidence on physical punishment and concludes that it is both harmful and ineffective, and recommends that all organizations serving children and families take action to end its use.

This seminal document has been critical in mobilizing action across the country to end the outdated practice of physical punishment. By endorsing the *Joint Statement*, over 150 organizations and notable individuals have affirmed that physical punishment has no place in guiding children's development.

Resolution 05-136 supports repeal of Section 43 of the Criminal Code of Canada. Section 43 allows physical punishment of children by teachers, parents, and those standing in the place of parents, and provides a defense to a charge of assault if the courts consider the punishment "reasonable under the circumstances."

The constitutionality of Section 43 was unsuccessfully challenged at the Supreme Court of Canada. Although the recent decision of the Supreme Court on Section 43 limits the punishment of children, it continues to send the message that physical punishment is acceptable for children between the ages of 2 and 12 years. This undermines efforts to educate parents about the problems that result from punitive force.

January 20, 2006

Additionally, Senator Celine Hervieux-Payette has introduced Bill S-21 to the Senate calling for the repeal of Section 43 which has now been referred to the Senate Committee on Legal and Constitutional Affairs. Repeal of Section 43 will send a clear message that Canadian children have the right to the same protection from assault as all other Canadian citizens, and our government will demonstrate that it does not condone spanking and hitting of children. This will strengthen efforts to promote non-violent methods of discipline.

The attached letter has been forwarded to the Honourable Minister of Justice, Mr. Irwin Cotler, requesting his support for the repeal of Section 43.

Your support of the positions taken in these motions will reinforce the message that public health seeks the elimination of physical punishment. Our efforts will be strengthened by an unequivocal government position on this issue.

Sincerely,



Connie Bryson
Chair
Thunder Bay District Board of Health

encl

copy: Thunder Bay District Children Organizations (list attached)

K. Boshcoff, MP, Thunder Bay – Rainy River

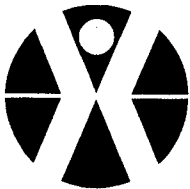
J. Commuzzi, MP, Thunder Bay – Superior North

M. Gravelle, MPP, Thunder Bay – Superior North

B. Mauro, MPP, Thunder Bay – Atikokan

Ontario Public Health Units

Member Municipalities



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January 20, 2006

The Honourable Irwin Cotler
Minister of Justice
Parliament Buildings
Ottawa ON K1A 0A6

Dear Mr. Cotler:

**re: Repeal of Criminal Code Section 43
TBDHU Resolution 05-136**

Physical punishment of children is a public health concern. It is a form of violence that violates children's rights to physical integrity and endangers their mental and physical health. The Thunder Bay District Health Unit advocates for the prevention of all forms of violence including the physical punishment of children, and specifically advocates for education on effective discipline that does not harm a child. Section 43 of the Criminal Code justifies the use of force by teachers and parents to correct children and thereby conflicts with the goals of Thunder Bay District Health Unit to promote non-violent discipline.

Although the recent decision of the Supreme Court of Canada on Section 43 limits the punishment of children, it continues to send the message that physical punishment is acceptable for children between ages two and 12. This undermines efforts of health units and other family-focused organizations across the province to educate parents about the problems that result from punitive force.

Senator Celine Hervieux-Payette has introduced Bill S-21 to the Senate calling for repeal of Section 43 which has now been referred to the Senate Committee on Legal and Constitutional Affairs.

Repealing Section 43 will send a clear message that Canadian children have the right to the same protection from assault as all other Canadian citizens. By repealing Section 43 our government will demonstrate that it does not condone spanking and hitting of children, and it will strengthen our efforts to promote non-violent methods of discipline. It will also bring Canada into step with other progressive nations that have adhered to the United Nations Convention on the Rights of Child and eliminated comparable defenses in their laws.

January 20, 2006

The Thunder Bay District Board of Health urges you to support the repeal of Section 43, as demonstrated in the attached Resolution 05-136, which was carried at the Regular Board of Health Meeting of December 14, 2005.

Sincerely,



Connie Bryson
Chair
Thunder Bay District Board of Health

copy: Thunder Bay District Children Organizations (list attached)

K. Boshcoff, MP, Thunder Bay – Rainy River

J. Commuzzi, MP, Thunder Bay – Superior North

M. Gravelle, MPP, Thunder Bay – Superior North

B. Mauro, MPP, Thunder Bay – Atikokan

Ontario Public Health Units

Member Municipalities

TBDHU Resolution 05-135

Joint Statement on Physical Punishment of Children and Youth

WHEREAS the Thunder Bay District Board of Health believes that it is a community's responsibility to ensure the healthy development of its children;

WHEREAS Public Health has a goal in the Child Health Mandatory Core Program to increase the percentage of children and youth who meet physical, cognitive, communicative and psychosocial development milestones; and

WHEREAS studies indicate the utilization of physical punishment is still widely used and may have serious consequences for children; and

WHEREAS Public Health has a role in conjunction with other community agencies to educate potential and actual caregivers of children about the potential negative consequences of physical punishment and methods of positive discipline; and

WHEREAS the Ontario Public Health Association (OPHA) and the Canadian Public Health Association (CPHA) have resolved to endorse the Joint Statement on Physical Punishment of Children and Youth (September 2004); and

WHEREAS the national Joint Statement on Physical Punishment of Children and Youth (September 2004) sets out a clear position against the use of physical punishment based on a review of the most recent literature;

THEREFORE BE IT RESOLVED that the Thunder Bay District Board of Health endorse the Joint Statement on Physical Punishment of Children and Youth (September 2004);

BE IT FURTHER RESOLVED that the Thunder Bay District Health Unit write a letter encouraging other organizations in Thunder Bay and District that work with children to endorse the Joint Statement on Physical Punishment of Children and Youth (September 2004)

AND FURTHER THAT copies of this resolution be sent to all local Members of Parliament, local Members of Provincial Parliament, all provincial health units, and District organizations that work with children, and all Member Municipalities for support.

TBDHU Resolution 05-136

Repeal of Section 43 of the Criminal Code

WHEREAS the Thunder Bay District Board of Health believes that it is a community's responsibility to ensure the healthy development of its children;

WHEREAS Public Health has a goal in the Child Health Mandatory Core Program to increase the percentage of children and youth who meet physical, cognitive, communicative and psychosocial development milestones; and

*WHEREAS studies indicate the utilization of physical punishment is still widely used
and may have serious consequences for children; and*

WHEREAS Public Health has a role in conjunction with other community agencies to educate potential and actual caregivers of children about the potential negative consequences of physical punishment and methods of positive discipline; and

WHEREAS Section 43 of the Criminal Code justifies the use of physical punishment of children between the ages of 2 and 12; and

WHEREAS Ontario Public Health Association (OPHA) is implementing an advocacy strategy for Repeal of Section 43;

THEREFORE BE IT RESOLVED that the Thunder Bay District Board of Health support the repeal of Section 43 of the Criminal Code and write to the Minister of Justice indicating the Thunder Bay District Health Unit's position;

BE IT FURTHER RESOLVED that copies of this resolution be sent to all provincial health units, local Members of Parliament, local Members of Provincial Parliament, and District organizations that work with children, and all Member Municipalities for support.

Anishnawbe Mushkiki Aboriginal Health
Access Centre
29 Royston Court
Thunder Bay, ON P7A 4Y7

Association of Early Childhood Educators, Ontario –
Thunder Bay Branch
Ms. Judy Hole
R.R. #1
Kakabeka Falls, ON P0T 1W0

Beendigen Inc.
103 – 100 Anemki Drive
Thunder Bay, ON P7J 1A5

Catholic Family Development Centre
380 Dufferin Street
Thunder Bay, ON P7B 1N6

Children's Aid Society of the District of Thunder Bay
1110 Jade Court
Thunder Bay, ON P7B 6M7

Communities Together for Children
Ontario Early Years Centre – Thunder Bay –
Atikokan
Northwood Park Plaza
425 Edward Street N.
Thunder Bay, ON P7C 4P7

Children and Family Centre
Confederation College
1450 Nakina Drive
P.O. Box 398
Thunder Bay, ON P7C 4W1

Dilico Ojibway Child and Family Service –
Child Welfare Program
200 Anemki Place
Thunder Bay, ON P7J 1L6

Family Services Thunder Bay
544 Winnipeg Avenue
Thunder Bay, ON P7B 3S7

Faye Peterson Transition House
P.O. Box 10172
Thunder Bay, ON P7B 6T7

Footsteps Family Centre
Our Lady of Charity School
370 County Blvd
Thunder Bay, ON P7A 7P5

George Jeffrey Children's Treatment Centre
507 N. Lillie Street
Thunder Bay, ON P7C 4Y8

Harbour View Child Care Centre
Suite 103, Podium Level
189 Red River Road
Thunder Bay, ON P7B 1A2

Harbour Youth Services of Thunder Bay
117 Cumberland Street N. – 2nd Floor
Thunder Bay, ON P7A 4M3

Integrated Services for Northern Children
Thunder Bay District Office
213 – 1703 Victoria Avenue E.
Thunder Bay, ON P7C 1C8

Kinderplace Childcare Centre
P.O. Box 21056-640 River Street
Thunder Bay, ON P7A 3S0

Lakehead Regional Family Centre
283 Lisgar Street
Thunder Bay, ON P7B 6G6

Little Lions Waldorf Day Care & Kindergarten
Ms. Kim Campbell
211 Clarke Street
Thunder Bay, ON P7A 2M1

Mahmowenchike Family Development Centre of
Thunder Bay Inc.
229 Pacific Avenue
Thunder Bay, ON P7C 2R5

Metis Nation of Ontario
Thunder Bay Metis Nation Community Centre
226 May Street S.
Thunder Bay, ON P7E 1B4

Nanabijou Child Care Centre
Lakehead University
955 Oliver Road
Thunder Bay, ON P7B 5E1

Ogden Day Care Centre
600 McKenzie Street
Thunder Bay, ON P7C 4Z3

Our Kids Count
Northwood Park Plaza
425 Edward Street N.
Thunder Bay, ON P7C 4P7

Rural Family Resource Centre
4509 Oliver Road
Murillo, ON P0T 2G0

Rural Roots Children's Centre
Nor'wester View Elementary School
1946A Mountain Road
Thunder Bay, ON P7J 1C8

Schoolhouse Playcare Centre of Lakehead Inc.
St. James School
243 St. James Street
Thunder Bay, ON P7A 3P1

Step by Step Child Care Centre
2118 Arthur Street E.
Thunder Bay, ON P7E 5N8

Thunder Bay Boys and Girls Club
706 McTavish Street
P.O. Box 27093
Thunder Bay, ON P7C 5Y7

Thunder Bay Indian Youth Friendship Society
401 Cumberland Street N.
Thunder Bay, ON P7A 4P7

Thunder Bay Multicultural Association
17 Court Street N.
Thunder Bay, ON P7A 4T4

(Thunder Bay) Supervised Child Access and Exchange
Program
The Family Centre
283 Lisgar Street
Thunder Bay, ON P7B 6G6

Integrated Services for Northern Children (ISNC)
Box 670
Nipigon, ON P0T 2J0

North of Superior Programs
Box 670
Nipigon, ON P0T 2J0
ATTENTION: Kathy Pelletier & Kathy Sault

Brass Bell Early Years Centre
RR #1
Dorion, ON P0T 1K0
ATTENTION: Hilary Paulsen

The Family Place
Box 457
Nipigon, ON P0T 2J0
ATTENTION: Colleen Kjellman

Beardmore Family Resource Centre
Box 245
Beardmore, ON P0T 1G0
ATTENTION: Rhonda Turbide

Integrated Services for Northern Children
P.O. Box 610
Longlac, ON P0T 2A0
ATTENTION: Margie Rondeau

Thunderbird Friendship Centre
P.O. Box 430
Geraldton, ON P0T 1M0
ATTENTION: Lynda Nayanookesic/Chantal Barrett

Greenstone Infant/Child Development Program
P.O. Box 70
Geraldton, ON P0T 1M0
ATTENTION: Alane Collins

Greenstone Rural Resource/Ontario Early Years
Centres
P.O. Box 70
Geraldton, ON P0T 1M0
ATTENTION: Antoinette MacIver

Geraldton Day Care Centre
P.O. Box 70
Geraldton, ON P0T 1M0
ATTENTION: Bonnie O'Quinn

Friends of the North Day Care Centre
P.O. Box 604
Longlac, ON P0T 2A0
ATTENTION: Bonnie O'Quinn

Nakina Kids N' Us
P.O. Box 28
Nakina, ON P0T 2H0
ATTENTION: Cassie Harris

Family Resource Centre
P.O. Box 70
Geraldton, ON P0T 1M0
ATTENTION: Terri Faubert

Integrated Services for Northern Children
P.O. Box 842
Marathon, ON P0T 2E0
ATTENTION: Kerry-Lynn Cornish

Integrated Services for Northern Children
P.O. Box 207
Manitouwadge, ON P0T 2C0
ATTENTION: Dana McGuire

Maamaa aki niniijaansag (Children of Mother
Earth Daycare Centre)
P.O. Box 156
Heron Bay, ON P0T 1R0
ATTENTION: Dauphine Nabigon

Manitouwadge Nursery School
P.O. Box 3063
Manitouwadge, ON P0T 2C0
ATTENTION: Sharon O'Neill

Marathon Children and Family Centre
P.O. Box 1270
Marathon, ON P0T 2E0

North of Superior Programs
52 Peninsula Square
P.O. Box 849
Marathon, ON P0T 2E0
ATTENTION: Diane Dubois

Northshore Early Intervention and Prevention
Program
14 Hemlo Drive, Confederation College Bldg.
P.O. Box 910
Marathon, ON P0T 2E0
ATTENTION: Marion McKnight

Superior Speech Services
P.O. Box 669
315 Scotia Street
Schreiber, ON P0T 2S0
ATTENTION: Karen Figliomeni