



## Bill S-251 addresses Call to Action #6 of the TRC Report

### Senator Kutcher gives second reading speech on bill to repeal Section 43 of the criminal code

**Ottawa, October 6, 2022** – Bill S-251 entered second reading in the Senate chamber today with a speech given by the bill's sponsor, Senator Stan Kutcher.

Bill S-251 calls for the repeal of section 43 of the criminal code, which states “every parent, schoolteacher and person standing in the place of a parent is justified in using force by way of correction of a pupil or child...if the force does not exceed what is reasonable under the circumstances.”

While this section is subject to restrictions from a 2004 Supreme court ruling, societal perceptions have shifted and more research has shown the harms of physical discipline, leading to continued advocacy for the repeal of section 43.

Repeal of Section 43 is Call to Action #6 in the Truth and Reconciliation Commission's 2015 report. Since the report's release, only 13 of the 94 Calls to Action have been completed.

There have been 18 efforts to repeal section 43 of the criminal code both historically and recently. Former senator and TRC chair Murray Sinclair was the last to champion its repeal. However, in the five years that have passed since this issue was last debated in parliament, a growing collection of evidence has shown corporal punishment's negative impacts on the mental health of children, as well as their cognitive development.

Canadians are calling for change. A variety of evidence-based programs are available to promote effective parenting techniques leading to positive and healthy outcomes for children that do not include corporal punishment.

Follow Bill S-251, *An Act to repeal section 43 of the Criminal Code (Truth and Reconciliation Commission of Canada's call to action number 6)*, through Parliament via [LEGISinfo](#).

#### QUOTES

“Simply put, in a modern and equitable Canada, there should be no special legal protection for hitting children. I believe the repeal of Section 43 is a necessary step in our continued evolution towards the type of society we strive to be, one that provides safe and secure environments for the next generations to grow and thrive.”

- Senator Stan Kutcher

“On the basis of the clear and compelling evidence — that the physical punishment of children and youth plays no useful role in their upbringing and poses only risks to their development — parents should be strongly encouraged to develop alternative and positive approaches to discipline.”

- Joan Durrant, Ron Ensom, and Coalition on Physical Punishment of Children and Youth

#### For more information:

Lauren Stokes  
Office of Senator Stan Kutcher | Senate of Canada  
343-551-7189 | [lauren.stokes@sen.parl.gc.ca](mailto:lauren.stokes@sen.parl.gc.ca)