

Corporal punishment of children in Sweden

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Child population 1,977,000 (UNICEF, 2015)

Law reform has been achieved. Corporal punishment is unlawful in all settings, including the home.

Prohibition of corporal punishment

Home

Corporal punishment is prohibited in the home. In 1957, the law excusing parents who caused their children minor injury through corporal punishment was removed from the Penal Code. In 1966, the provision allowing “reprimands” was removed from the Children and Parents Code. However, these reforms did not explicitly prohibit all corporal punishment in childrearing.

Corporal punishment was explicitly prohibited in a 1979 amendment to the Children and Parents Code which states (art. 6.1): “Children are entitled to care, security and a good upbringing. Children shall be treated with respect for their person and individuality and may not be subjected to corporal punishment or any other humiliating treatment.” The prohibition is reiterated in Chapter 2 article 5 of the Instrument of Government – one of four laws which together make up the Constitution: “Everyone shall be protected against corporal punishment....”

The Penal Code punishes assault (the infliction of “bodily injury, illness or pain upon another”) with imprisonment up to two years, or if petty with a fine or imprisonment up to six months (Ch. 3 art. 5); aggravated assault is punished with imprisonment between one and six years (Ch. 3 art. 6).

The Government reported to the Universal Periodic Review of Sweden in 2015 that it had taken a proactive role in abolishing corporal punishment of children nationally and internationally and that it now “planned to create a national knowledge centre on violence against children to coordinate and compile knowledge and to support actors in their work against corporal punishment”.¹ Sweden is a Pathfinder country with the Global Partnership to End Violence Against Children, which was established in 2016. This commits the Government to three to five years of accelerated action towards the achievement of Target 16.2 of the Sustainable Development Goals. Within this context, the first ‘Solutions Summit’ was hosted in Stockholm in February 2018.

The UN Convention on the Rights of the Child was incorporated into domestic law in 2018, with the change taking effect from 1 January 2020.²

¹ 13 April 2014, A/HRC/29/13, Report of the working group, para. 137

² 11 November 2019, A/HRC/WG.6/35/SWE/1, National report to the UPR, para. 12

Alternative care settings

Corporal punishment is unlawful in alternative care settings under the Children and Parents Code (see under “Home”).

Day care

Corporal punishment is unlawful in alternative care settings under the Children and Parents Code (see under “Home”).

Schools

Corporal punishment was prohibited in gymnasiums (elite secondary schools) in 1918, in state-run secondary schools in 1928, and in all schools, including elementary schools, in 1958. Article 13 of the Act Prohibiting Discrimination and Other Degrading Treatment of Children and School Students 2006 protects students from all degrading treatment by staff members and management. The Education Act 2010 makes no provision for corporal punishment in Chapter 5 (safety and discipline), and Chapter 6 protects children in school from degrading, abusive and offensive treatment by staff.

Penal institutions

Corporal punishment is unlawful as a disciplinary measure in penal institutions under the Constitution (see under “Home”).

Sentence for crime

Corporal punishment is unlawful as a sentence for crime: there is no provision for judicial corporal punishment in criminal law and the Constitutional prohibition applies (see under “Home”).

Universal Periodic Review of Sweden’s human rights record

Sweden was examined in the first cycle of the Universal Periodic Review in 2010 (session 8). In its national report to the UPR, the Government noted that 2009 was the 30th anniversary of the complete prohibition of corporal punishment in Sweden but that some children still experience violence in the family.³ No recommendations were made specifically concerning corporal punishment of children.

The second cycle review took place in 2015 (session 21). During the review, Sweden referred to “its proactive role in abolishing corporal punishment against children in Sweden and internationally” and stated that it “planned to create a national knowledge centre on violence against children to coordinate, compile knowledge and support actors in work against corporal punishment”.⁴

Third cycle examination took place in 2020 (session 35). No recommendation was made specifically on corporal punishment of children.

Recommendations by human rights treaty bodies

Committee on the Rights of the Child

(6 March 2015, CRC/C/SWE/CO/5, Concluding observations on fifth report, paras. 25 and 26)

“The Committee is seriously concerned about the practice of solitary confinement of children in conflict with the law in remand prisons and police cells and about the large number of children in the latter, as

³ 22 February 2010, A/HRC/WG.6/8/SWE/1, National report to the UPR, para. 65

⁴ 13 April 2014, A/HRC/29/13, Report of the working group, para. 137

well as about the coercive and involuntary treatments inflicted on children with disabilities in mental health-care settings, in particular the use of restraining straps or belts for up to two hours, and of seclusion.

“With reference to the Committee’s general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, and its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee urges the State party to:

- a) immediately remove all children from solitary confinement, and revise its legislation to prohibit the use of solitary confinement in all circumstances;
- b) legally prohibit the use of straps or belts and of seclusion in mental health-care settings and in any other institution;
- c) ensure that children in all care institutions have access to an independent complaints mechanism, that the conditions in such institutions are regularly and effectively monitored, and that reports of cruel, inhuman or degrading treatment of detained children are promptly and impartially investigated;
- d) provide training to medical and non-medical staff on non-violent and non-coercive methods of care;
- e) standardize the reporting mechanisms of the police concerning children detained in police cells.”

Committee on the Rights of the Child

(26 June 2009, CRC/C/SWE/CO/4, Concluding observations on fourth report, para. 39)

“The Committee recommends that the State Party continue and strengthen its efforts to provide adequate assistance to children who are victims of child abuse, including through...

- f) public awareness-raising and education campaigns on the negative consequences of ill-treatment and preventive programmes, including family development programmes, promoting positive, non-violent forms of discipline.”

European Committee of Social Rights

(January 2016, Conclusions 2015)

“The Committee notes that there have been no changes to the situation which it has previously found to be in conformity with the Charter.”

European Committee of Social Rights

(January 2012, Conclusions 2011)

“The Committee notes that the situation which it previously found to be in conformity with the Charter has not changed.”

European Committee of Social Rights

(1 January 2001, Conclusions XV-2 vol. 2, pages 567-569)

“The Code of Parenthood and Guardianship expressly provides that children may not be subjected to corporal punishment or other degrading treatment.”

European Committee of Social Rights

(1 January 1981, Conclusions VII, page 90)

“In particular, the committee noted the efforts made in the legislative field through the enactment of legislation (in force since July 1979), to prohibit physical punishment or other injurious or humiliating treatment towards children....”

Prevalence/attitudinal research in the last ten years

A 2011 study which involved 2,500 parents of children aged 0-12 and 3,207 15-16 year olds, and was designed to follow up on similar studies carried out in 1980, 2000 and 2006, found that 92% of parents thought it was wrong to beat or slap a child. About 3% of parents had struck their child at some point during the past year, compared to 28% in 1980; 14% of 15-16 year olds said they had been hit by their parents at least once in their lifetime. Children with disabilities or chronic health problems were twice as likely to be beaten as children without disabilities. The study found no evidence that parents were replacing physical punishments with other humiliating punishments – rather, there was a strong connection between violent punishment and other humiliating treatment of children. The study examined various risk factors for experiencing corporal punishment and found that violence between adults in the family was the greatest risk factor: children in families where there was violence between adults were ten times as likely to be physically punished as children in families where there was no violence between adults.

(Janson, S. et al (2012), Corporal punishment and other humiliating behaviour towards children in Sweden – a national study 2011, Children's Welfare Foundation & University of Karlstad)

A survey of 1,697 students aged 12-16 found that 76.7% thought “a child should never be corporally punished”; 9.7% thought “a child can be corporally punished using mild forms of punishment (e.g. smacking)”. More than eight in ten (83.8%) disagreed that “parents have a right to use mild forms of corporal punishment on their children (e.g. smacking)”, and 93.6% agreed “children must be protected from all forms of violence”.

(UNICEF (2011), Nordic Study on Child Rights to Participate 2009-2010, Innolink Research)

A study of the relationship between gender and physical punishment in China, Colombia, Italy, Jordan, Kenya, Philippines, Sweden, Thailand and the US, which used interviews with around 4,000 mothers, fathers and children aged 7-10, found that in Sweden, none of the boys or girls had experienced severe corporal punishment (hitting or slapping the child on the face, head, or ears; beating the child repeatedly with an implement) by someone in their household in the past month, and none of the parents believed it was necessary to use corporal punishment to bring up their child. Nine per cent of girls and 6% of boys had experienced “mild” corporal punishment (spanking, hitting, or slapping with a bare hand; hitting or slapping on the hand, arm, or leg; shaking; or hitting with an object) by someone in their household in the past month.

(Lansford, J. et al (2010), “Corporal Punishment of Children in Nine Countries as a Function of Child Gender and Parent Gender”, International Journal of Pediatrics)

A 2009 review of the thirty years since the legislation was introduced showed that there has been a consistent decline in the use of physical punishment and the number of adults who are in favour of it. In the 1970s, around half of children were smacked regularly; this fell to around a third in the 1980s, and just a few per cent after 2000. Children who are still smacked experience this less often; 1.5% experience physical punishment with an implement. The reporting of cases of assault on children has increased since the 1980s, reflecting less tolerance within society for violence towards children. The review also notes that in 1981, just two years after the law was introduced, over 90% of Swedish families were aware of the prohibition on corporal punishment. The change in legislation was accompanied by a large public awareness campaign, with pamphlets distributed to every household with children and information printed on milk cartons.

(Modig, C. (2009), Never Violence – Thirty Years on from Sweden's Abolition of Corporal Punishment, Save the Children Sweden and Swedish Ministry of Health and Social Affairs)

A study carried out in 2007 examined five European countries: Sweden, Austria, Germany, France and Spain. Five thousand parents (1,000 in each nation) were interviewed about their use of and attitude towards corporal punishment, their own experiences of violence and their knowledge and beliefs about the law: 14% of Swedish parents said they had “mildly” slapped their child on the face, 17% on the bottom; 4% had given their child a “resounding” slap on the face, and 1.8% had beaten their child with an object. Over three quarters (76%) never used corporal punishment; 88% agreed “one should try to use as little corporal punishment as possible”, and 93% agreed that “non-violent child-rearing is the ideal”.

(Bussmann, K. D. (2009), The Effect of Banning Corporal Punishment in Europe: A Five-Nation Comparison, Martin-Luther-Universität Halle-Wittenberg)

[End Corporal Punishment](#) is a critical initiative of the [Global Partnership to End Violence Against Children](#). Previously known as The Global Initiative to End All Corporal Punishment of Children, we act as a catalyst for progress towards universal prohibition and elimination of corporal punishment of children. We track global progress, support and hold governments to account, partner with organisations at all levels, and engage with human rights treaty body systems.