**BRIEFING ON LESOTHO FOR THE   
COMMITTEE ON THE RIGHTS OF THE CHILD  
78th session, May – June 2018**

*From the Global Initiative to End All Corporal Punishment of Children, April 2018*

**This briefing provides an update on the legality of corporal punishment in Lesotho, in light of the Children’s Protection and Welfare Act Amendment Bill 2018. In Lesotho, corporal punishment of children is still lawful in the home, in alternative care and day care settings, and in penal institutions.**

**We hope the Committee, in its concluding observations on Lesotho’s second periodic report, will recommend that the Children’s Protection and Welfare Act Amendment Bill 2018 is amended and enacted as a matter of priority to explicitly prohibit all corporal punishment of children in all settings, including the home, and repeal any legal defences and authorisations to its use.**

**1 Lesotho’s** **reply to the List of issues**

* 1. Lesotho’s reply to the List of Issues mentions a Children’s Protection and Welfare Act Amendment Bill 2018 which would reportedly remove the “justifiable discipline of children” defence from the Act.[[1]](#footnote-2) Although this is a welcome step, there is no indication that the Bill would also repeal article 32 of the Penal Code Act 2010 which allows “lawful and reasonable chastisement of children”. Both of these provisions, as well as the provisions in the Prison Proclamation 1957 and in the Prison Service Rules 1957 regulating corporal punishment in penal institutions, must be repealed, and an explicit prohibition of all corporal punishment in all settings must be enacted.
  2. **We hope the Committee will remind the state party of its obligation to explicitly prohibit all corporal punishment of children in legislation and recommend that the Children’s Protection and Welfare Act Amendment Bill 2018 is amended as above and enacted as a matter of priority.**

*Updated briefing prepared by the Global Initiative to End All Corporal Punishment of Children*

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1. 14 March 2018, CRC/C/LSO/Q/2/Add.1, Reply to list of issues, para. 18 [↑](#footnote-ref-2)