



Recommendation 561 (1969)¹

Protection of minors against ill-treatment

Parliamentary Assembly

The Assembly,

1. Having learned with disquiet that a serious number of children suffer or die each year from what pediatricians call the "beaten child syndrome" ;
2. Noting that persons practising cruelty are generally drawn from the social strata which are most under-privileged from an economic and socio-cultural point of view ;
3. Having noted that alcoholism often leads parents to maltreat their own children ;
4. Having learned that the number of maltreated children is often particularly high in families living in unhealthy and over-crowded dwellings ;
5. Considering that in some countries the social services and the competent private organisations are prevented by lack of funds and often by lack of co-ordination from effectively combating cruelty to children ;
6. Noting that the fate of many maltreated children cannot be improved because those best placed to detect cruelty, in particular physicians, are in many cases bound by the obligation to observe professional secrecy or, where they have been relieved of this obligation by legislation governing maltreated children, they are too often reluctant to inform the authority legally responsible ;
7. Noting that severely punitive legal action against the persons practising cruelty cannot improve the lot of maltreated children and rarely changes the attitude of the culprits ;
8. Considering that effective measures against cruelty to children ought essentially to involve preventive action in the social field - together with help and treatment for parents where necessary,
9. Recommends that the Committee of Ministers invite member governments :
 - a. to take all necessary measures to ensure that the competent ministries and departments are aware of the gravity and extent of the problem of children subject to physical or mental cruelty ;
 - b. to introduce where it does not already exist legislation releasing physicians from the obligation of professional secrecy where maltreated children are concerned and requiring them to inform in writing, solely and immediately, the concerned administrative authority of cases detected by them, with a view to improving the fate of these children ;
 - c. to prohibit the administrative authority notified by the physicians from informing the police of a case of cruelty without having itself verified the physical and mental state of the child ;
 - d. to require the administrative authority and the social services to give their attention at the earliest opportunity to cases of maltreatment brought to their notice, by regular supervision of the family in question and by ensuring that the child receives proper care ;
 - e. to provide the social services with the necessary funds and personnel to enable them to take proper care of maltreated children and also to keep a watch on parents liable to commit such cruelty ;

1. Assembly debate on 30 September 1969 (9th Sitting) (see [Doc. 2628](#), report of the Committee on Social and Health Questions). Text adopted by the Assembly on 30 September 1969 (9th Sitting).



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- f.* to request the official services responsible for the care of maltreated children to co-ordinate their action as far as possible with the work undertaken by private organisations ;
- g.* to arrange as soon as possible for compulsory regular medical examination of all children who are not covered by such examinations at school.