

Consultation on the Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill

Tystiolaeth i'r Pwyllgor Plant, Pobl Ifanc ac Addysg ar gyfer craffu Cyfnod 1 (Saesneg yn unig)	Evidence submitted to the Children, Young People and Education Committee for Stage 1 scrutiny
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Organisation: Royal College of Nursing Wales

1 The Bill's general principles

1.1 Do you support the principles of the Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill?

Yes

1.2 Please outline your reasons for your answer to question 1.1

(we would be grateful if you could keep your answer to around 1000 words)

The traditional defence of 'reasonable punishment' works against the aims which we and any modern Government should share: the encouragement of positive parental discipline in all families, and assurance of effective child protection in the few cases where it is needed. The existence of the 'reasonable punishment' defence is an out-dated legal anomaly, and it is right that children and young people should have the same protection from corporal punishment as adults do.

Clarity in the law will also help Registered Nurses such as Health Visitors, School Nurses and Children's Community Nurses to give clear advice to parents. It would eliminate the current potential for confusion over what is acceptable and provide a clear basis for child protection.

The UN's Committee on the Rights of the Child has called on the UK to remove the reasonable punishment defence on several occasions, and RCN Wales welcomes Welsh Government leading the way in the UK in implementing this.

1.3 Do you think there is a need for legislation to deliver what this Bill is trying to achieve?

(we would be grateful if you could keep your answer to around 500 words)

Yes

2 The Bill's implementation

2.1 Do you have any comments about any potential barriers to implementing the Bill? If no, go to question 3.1

(we would be grateful if you could keep your answer to around 500 words)

The Royal College of Nursing Wales is not aware of any barriers to implementing the Bill. It is important however that nurses and health professionals working with children, young people and their families are supported with the appropriate information and education opportunities to enable them to be confident in delivering clear and consistent messaging.

Guidance on what health professionals should do if they witness a child being subjected to physical punishment should be issued. Information and guidance should also be made available for Health Visitors, School Nurses and other professionals to share with parents, carers and guardians in order to help educate and raise awareness amongst the public.

This work should be part of a wider, longer-term piece of work focussed on celebrating children's rights, including the right not to be punished with physical force.

2.2 Do you think the Bill takes account of these potential barriers?

(we would be grateful if you could keep your answer to around 500 words)

N/A – there are no perceived barriers to implementation.

3 Unintended consequences

3.1 Do you think there are there any unintended consequences arising from the Bill? If no, go to question 4.1

(we would be grateful if you could keep your answer to around 500 words)

No

4 Financial implications

4.1 Do you have any comments on the financial implications of the Bill (as set out in Part 2 of the Explanatory Memorandum)? If no, go to question 5.1

(we would be grateful if you could keep your answer to around 500 words)

No

5 Other considerations

5.1 Do you have any other points you wish to raise about this Bill?

(we would be grateful if you could keep your answer to around 1000 words)

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