About you

Individual

1 The Bill’s general principles

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

— No

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)

1. This bill would criminalise loving parents who use wisdom and the knowledge of their own children in chastising them suitably, as upheld by the European Court of Human Rights. A mild smack is not abuse, any more than a doctor giving an immunisation is not an assault.

2. There is no evidence that mild and consistent physical chastisement causes damage to a child. (The Government admitted this in its consultation document last year.) On the contrary, for many generations, it has helped to produce well balanced, law abiding members of society. That is one of the reasons why there is major opposition from the public.

3. The Government expects it to cost £3.3 million for law enforcement, and has no idea of the costs for child protection services. Requiring police and social workers to investigate parents who smack is draining money and resources away from the already difficult task of identifying abuse.

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 1000 words)

No.
• The law already protects children who are really at risk of harm.
• Any punishment that is excessive is already against the law.
• The current law does not need to be changed, it needs to be enforced; there are not enough resources to adequately protect children in abusive family settings.

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 1000 words)

1. cost,
2. policing would be nigh on impossible, and take resources away from where needed
3. children will be traumatised to have their parents investigated and their family lives intruded into.

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 1000 words)

no

3 Unintended consequences

3.1 Do you think there are 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 1000 words)

• Removing the ‘reasonable chastisement defence’ will mean that a parent disciplining their child with a mild smack would be classed as assault. Banning smacking will inevitably catch ordinary loving parents and turn them into criminals.

• Enforcement would disrupt families. If a parent is penalised for smacking they could lose their job or even custody of their children. The potential trauma to any children in this scenario is unthinkable, and totally avoidable.

• The NHS has already said reports of smacking will be dealt with in the same way as abuse if reasonable chastisement is outlawed. Staff and patients who are parents could be labelled abusers.

• Turning smacking into abuse will bring confusion into the law against child abuse. This will endanger children who are truly at-risk.
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 1000 words)

It is a totally avoidable expense. There is no need to waste money on this Bill.

The opportunity cost means that other areas will lose out, to bring in legislation which really will harm children more than help them.

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)

Family life needs protecting, not further undermining.