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

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**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)*

While the State has an important role in ensuring the safety of Children this does not give the State to determine every minutia of how parents bring up their children. The relationship between parents and children is a unique one and the State can never be equipped to decide the details. S a general rule Children are not wards of the State except in Totalitarian States. Is it not the case that the European Court of Human Rights has upheld the defence of reasonable chastisement? The purported evidence that a light smack for correction is harmful to children is at best disputable and it would depend on which experts you quote. Having been a teacher in the past I soon learned that Educational theory is always disputable depending on which books you read – the same is true of child psychology. Criminalising non-abusive behaviour as abusive on the basis of such disputed evidence is unwise, at best. Further, this will be a drain on overstretched resources and is bound to allow more actually abused children to fall through the net. Those who abuse their children will often seek to hide what is going on and the need is to root them out rather than to broaden the net to make non-abusive behaviour to be considered abusive. The key is in the current law, “reasonable” and there is amble precedent in case law to deal with what is ‘reasonable’ therefore the principle of the law to deal with abuse it already available which means in principle this additional law is not only unnecessary but will lead to the prosecution of normal loving parents.
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. There is absolutely no need for this legislation. The law is already clear on abuse and it is already illegal and therefore need to be properly enforced. Excessive punishment is already illegal and this law will fail to deal with those who are already falling through the net. In effect, this law punishes all parents for the failure of the current system rather than addressing the failures of the current system. Further, it removes the distinction of a light smack from an excessive belting as both become illegal and therefore assault. The letter of the law is what will stand and the letter will treat both as illegal and therefore parents will be libel to lose their children (and in certain profession) loose their jobs as child abusers for a light smack. Therefore, no, there is no need for this law – proper enforcing of the current laws is what is required.

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)

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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)

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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 1000 words)

The removal of the defence of ‘reasonable chastisement’ will class a light smack as assault which will criminalise loving parents. This, as I said in 1.3 above, is libel to lead to parents losing custody of their children and potentially their jobs, for nothing more than a light smack. How on earth this could be good for the children is beyond me! Is it not the case that the NHS has said hey would treat a smack in the same way as abuse? How many parents will become frightened if a child accidentally hurts themselves in a way that may look like a smack? They may be afraid of taking their child to hospital? Considering a light smack will become assault against a child and therefore child abuse will this not confuse and conflate a
light smack with child abuse? To consider the two the same is ludicrous and will ultimately endanger the poor children who are being abuse as resources a used dealing the a parent who lightly smacks a child.

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)

Resources will be diverted from where there is real need and be diverted against loving parents who administer a light smack.

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)

This proposed bill is an invasion into family life that is unreasonable and you can be assured at the next election I will be voting for a candidate who will seek to revoke it if passed or will be against the bill if it has not been passed. Having two children, as parents, we know what discipline works for our children and for the State to intrude upon that is unacceptable. The State has the right and indeed the duty to protect its citizens from abuse and where abuse is found they must intervene. However, to criminalise a light smack as assault and therefore abuse will be profoundly damaging to family life and ultimately to the children the law is meant to protect. Any claim of light enforcement of such a law is deceptive as its enforcement would have be carried out as per the law not political claims and promises. I oppose this law and see it as an affront to family life.