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

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)

The bill is wrong-headed for the following reasons:

1. Although children are to be accorded rights as any human being, they are not the same as adults, and therefore must be treated as children. Extending human rights legislation to children as if they are the same as adults is a categorical fallacy.

2. For thousands of years parents have used reasonable corporal punishment to prevent or rectify misbehaviour. Just because some parents get it wrong, it is not a sufficient reason for banning a reasonable method of shaping a child's behaviour.

3. Small children, especially, are not able to understand complex verbal instruction or reprimand. A limited physical response is easily understood, when delivered by a loving parent in control of their emotions, i.e. not reacting out of anger.

4. We are all grateful for pain at some level: it tells us something is wrong with our bodies, so we make an appointment with the GP. Pain must not therefore be seen as something always to be avoided.
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 already sufficient legislation in place to prevent child abuse at the hands of an adult. Ongoing child abuse is a problem at the level of the enforcement of existing legislation, not at the level of the legislation itself.

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 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 law of unintended consequences must be scrutinised carefully here: the chance of a miscarriage of justice when a parent is prosecuted for lovingly disciplining their child must be recognised and avoided by throwing out this muddled bill.

A loving parent would then be removed from their child resulting in far more harm to the child than ever happened through physical discipline.

It is ultimately not in the interest of children to forge ahead with this.

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)
The resources needed to police this law could be enormous, especially as so much parental discipline takes place, rightly, behind closed doors.

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)