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

Tystiolaeth i’r Pwyllgor Plan, Pobl Ifanc ac Addysg ar gyfer craffu Cyfnod 1 Bil Plant (Diddymu Amddiffyniad Cosb Resymol) (Cymru)

Evidence submitted to the Children, Young People and Education Committee for Stage 1 scrutiny of the Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill

CADRP-167

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)

Discipline of children by parents can be done in many different ways. Parents are in the better position to judge the necessary method of discipline, and government should be very careful not to introduce requirements that restrict a reasonable method of controlling their children which has been very effectively used for hundreds of years.

Once the method of family discipline in a controlled and beneficial way is prescribed by law, it is very likely that any physical restrictions will be considered by others to be “child abuse”.

There are already restrictions in place to ensure that what is known to be child abuse can be referred to statutory authorities, which can then enquire and deal with specific and limited instances.

Smacking in the majority of situations where it is presently used, is not child abuse; it is an effective and thankfully limited use of restraint and discipline.

A substantial majority of adults were smacked when they were children but do not believe their parents were child abusers. A similar large percentage are opposed to the criminalisation of smacking.
Smacking is appropriate for children who are not old enough to understand verbal warnings.

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 are better channels to help parents discipline children, and only use smacking as an urgent and last resort.

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)*

There will need to be very detailed guidance as to what is considered "smacking". Eventually any sort of discipline will be child abuse.

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)*

Once smacking is prohibited, social workers, teachers and police will be overburdened with responding to the appearance of what will be child abuse, but will still be a very effective way to guide children into better ways.

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)*

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)*
It is said that the law should be the same for children as for adults; this is not currently used as an argument for other laws. Parents do many things for their children that they would not do for an adult.

Sweden’s introduction of this measure has seen child-on-child violence increase since 1979 [the year of its introduction]