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)

I am extremely concerned to see how the so called “anti-smacking” bill is being handled by the Welsh Assembly including by Labour party.

We don’t smack our children. My husband and I made the decision years ago that it wouldn’t be the right thing for our children’s personalities and particular needs.

However we are the exception.

Every parent we know would either use a very occasional light tap on hand or bottom as a last resort, or has done in the past. That reflects parents from a variety of strict multi-faith backgrounds, to parents of more liberal “hippy style” approaches, to everywhere in between.

Yet this bill seeks to not just rebuke but actually criminalise some of the most law-abiding, conscientious loving parents i can begin to describe.

We all want to stop child abuse. But, on the very day that the Welsh Assembly published it’s controversial bill, the Metropolitan Police issued a statement that they simply do not have anywhere near enough resources to investigate all the allegations of serious child sexual abuse they have at present, with statements from other forces around the country confirming that this is a serious national problem. Investigating parents for claims of occasional taps on
hands will only make it SO much harder for the authorities to deal with the horror of child abuse be it physical or sexual, this legislation will make it so much harder for the authorities to help those poor children trapped in such horrendous situations, so much harder to bring those abhorrent perpetrators to justice.

An occasional light tap on hand or bottom is not child abuse. That should be glaringly obvious. It is obvious to the vast majority of the population that the assembly is meant to be representing.

It is extremely concerning, not just to see this bill being attempted to be put through Parliament, but just how the labour party seem to be managing this.

for example, I gather that in launching this bill, the assembly quoted a survey stating 81% in favour of the legislation the party is trying to pass - but that this survey was from a self selecting group of around 270 who had already responded to their own consultation.

However, i gather that in a larger, more representative survey undertaken by the assembly during the talk parenting campaign, only 30% or the respondents supported a ban and 64% were against - but this survey seems to have been hidden and not quoted or used by the assembly or by the labour party.

This is not honest representation of the electorate!

This gives us as the electorate the appearance of manipulation and abuse of parliamentary process to attempt to progress poor legislation and personal opinions. I am sure all the individuals involved are caring and conscientious, we are not pointing figures at individuals but at how things are being presented or misrepresented.

The public consultation process leading up to this bill was, I have to say, absolutely appallingly biased in its design and construction. It was incredibly difficult to find some way within the very limited questions asked to voice objections to the proposed legislation - the questions were shockingly designed to presume support. It's been on my "to-do" list since looking at that consultation process to formally complain about it as it is a shocking abuse of power and manipulation of the electoral contrary to all that we hold so important about democracy. To see the Labour Party of all parties so involved in such poor and manipulative parliamentary and electoral practice is an utter travesty - I say that as a life long Labour supporter.

Apart from the extremely concerning way that facts are being misrepresented for personal opinion and agendas -

regarding the actual issue of what the bill is trying to criminalise: -
There is no actual evidence that occasional light smack in the form of a tap is harmful. The only studies that seem to be quoted are terribly flawed, without controlled variables, and assuming that correlation equals causation.

What can be harmful with any form of punishment, correction or discipline of a child is HOW it is administered. All forms of discipline, be they verbal correction or admonition, the naughty step, isolation in a bedroom, removal of privileges etc etc can be horribly abusive if done in the wrong way.

The existing legislation already provides enough power to authorities to act. I don’t believe the excuse of reasonable chastisement has been used to acquit a parent accused of child abuse. Adding the common practice of using very occasional light smacking to the legislation as a criminal offence will only make it much harder for authorities to investigate the kinds of child abuse cases that already are overwhelming the system.

Parenting is hard enough! Criminalising smacking will not help children. It will also not help parents who may be struggling from seeking help and from talking about their experiences and working out with others the best ways to parent. It will certainly put barriers to parents seeking support from the authorities if they are struggling. By all means let’s have honest open dialogue and discussion on parenting issues, including how to discipline.

Let’s appreciate and understand the variety of parental choices and opinions - as already mentioned, we do not use smacking, many parents we greatly respect do.

Criminalising such actions will be a barrier to this not an aid.

For our own experience - our children have sensory processing issues. For them I can see that a light tap is not the best way to communicate with them.

However, our own experience has led us to see that, rather than assume that everyone else should follow what we do, rather, that every family has to work out for itself what is the right way to raise their children.

It has helped us to see that children vary enormously in their responses to verbal and non-verbal communication and appreciate that for some children, they need physical reinforcement of verbal instructions/commands/warnings - a light tap on hand or bottom is just that - it is not abuse, it is not harm, it is not “hitting”, far from it!

It is tactile reinforcement of the verbal input by the parent.

How do we classify what counts as a smack?

How about tapping your child’s shoulder to get their attention if having to correct them? or putting a hand on their shoulder to turn them towards you as you speak? what is the difference between that and a “smack”? One is still using physical contact during a discipline process. What exactly is the difference?
One risks making loving parents fearful of ANY physical contact during discipline - can we hold a child by the shoulders when talking to them? – and to not communicate physically with one’s child when correcting IS abusive, to withhold that affirmation and feedback of love that a child needs when corrected as much if not more than any other time.

My wonderful mother was a church organist. I used to love, from an extremely early age, being allowed to sit next to her as she played in church, fascinated by the movements of her hands and feet. Occasionally while sat there cuddled next to her while she played, I would get a nudge from her elbow or leg, or a tap of her foot on mine to lovingly remind me that this just wasn’t the time to be pulling faces at friends in the congregation or starting to climb around - she could of course not tell me verbally while in full flow of playing! under this law, that would be using physical methods for correction, would be a criminal offence? How ridiculous is that! If you say that it would not count as an offence - then just what is the difference between that and a parent occasionally using a light tap on hand or bottom?

My husband and I are extremely tactile with our children, we are constantly cuddling, rubbing their backs, tapping their legs, communicating with them physically in so many wonderful ways as we talk or play. And as they have sensory processing issues, they respond so well to so much physical touch and input, its a vital lifeline for their daily lives. Obviously while we in physical communication in such ways at times we are giving words of guidance or discipline as well as all the other words we speak with them - does the meaning of our physical contact with them thus change because of a corrective phrase or word of discipline?

If I am tapping out a beat or tune on my child’s back or thigh for example (as we so often do in play or just while sat cuddling, reading, watching TV together and all the things we do as a family), and our conversation includes instruction not to do something or a word of correction, does that same physical action then constitute physical correction, or a “smack”. and how can that possibly, possibly be criminal! yet that physical action is just the same - its a tap.

you may feel that isn’t relevant, you make thing that is pushing a point, but it certainly isn’t. Just how can this legislation possibly be safely and justly be reinforced if the "offence" cannot be clearly defined or established - it cannot be.

I appreciate it would be hard for those who have committed many years to bringing this legislation to accept that it is poorly thought through and far from appropriate use of criminal law, that it would actually risk harming children that they seek to desire to protect. But harm them it would.

From detracting resources from areas of such genuine need, to needlessly criminalising parents and exposing loving families, nuclear and extended, to the terribly destructive and irreparable trauma of social services or police investigations, to taking attention away from the clear facts that it is HOW a punishment is implemented that can be far, far more potentially damaging to a child than a mere occasional light tap.
in the interests of child protection, of true protection of our democratic process, of honestly representing the electorate rather than enforcing personal ideas, of enabling freedom of choice and respecting the diversity of opinions of others, and just of sheer common sense, please ensure that this bill is not passed and does not become criminal law.

I trust you will read and act on the email in the spirit in which it is sent, it takes a lot of courage to put one’s head above the parapet and seek to challenge parliamentary process and actions, especially those of a party one has always supported.

But in the interests of protecting that democratic process, as well as the children and families we are meant to be helping, I am constrained to write.

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.

(1) - There is no actual evidence that occasional light smack in the form of a tap is harmful. The only studies that seem to be quoted are terribly flawed, without controlled variables, and assuming that correlation equals causation.

What can be harmful with any form of punishment, correction or discipline of a child is HOW it is administered. All forms of discipline, be they verbal correction or admonition, the naughty step, isolation in a bedroom, removal of privileges etc etc can be horribly abusive if done in the wrong way.

(2) - The existing legislation already provides enough power to authorities to act. I don’t believe the excuse of reasonable chastisement has been used to acquit a parent accused of child abuse. Adding the common practice of using very occasional light smacking to the legislation as a criminal offence will only make it much harder for authorities to investigate the kinds of child abuse cases that already are overwhelming the system.

(3) - Parenting is hard enough! Criminalising smacking will not help children. it will also not help parents who may be struggling from seeking help and from talking about their experiences and working out with others the best ways to parent. It will certainly put barriers to parents seeking support from the authorities if they are struggling. By all means lets have honest open dialogue and discussion on parenting issues, including how to discipline.

Lets appreciate and understand the variety of parental choices and opinions - as already mentioned, we do not use smacking, many parents we greatly respect do.

Criminalising such actions will be a barrier to this not an aid.
(4) An occasional light tap or smack is not abuse! It is tactile reinforcement of a verbal command or direction, which many parents find helpful communication tool especially with younger children when verbal processing not yet so well developed.

(5) How do we classify what counts as a smack?

How about tapping your child’s shoulder to get their attention if having to correct them? Or putting a hand on their shoulder to turn them towards you as you speak? What is the difference between that and a “smack”? One is still using physical contact during a discipline process. What exactly is the difference?

One risks making loving parents fearful of ANY physical contact during discipline - can we hold a child by the shoulders when talking to them? - and to not communicate physically with one’s child when correcting IS abusive, to withhold that affirmation and feedback of love that a child needs when corrected as much if not more than any other time.

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You may feel that isn’t relevant, you make thing that is pushing a point, but it certainly isn’t. Just how can this legislation possibly be safely and justly be reinforced if the “offence” cannot be clearly defined or established - it cannot be.
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)

Yes! see above.

terrible waste of authorities resources which are already overstretched with Metropolitan and other police forces admitting on the day that the Bill was published that they do not have the resources to investigate all the reports of suspected serious sexual abuse - the consequences of this Bill would not only criminalise normal loving caring parents, but also significantly dilute the availability of authorities to investigate and deal with the horror of true child abuse - this Bill would therefore significantly risk harming children for that reason alone.

also please see point (5) above - how does one possibly classify exactly what is a smack? how does one define what kind of physical contact is or isn’t legal during disciplining or protecting a child from danger - pushing a child's hand away from a hot kettle - isn’t that the same as a smack, it's the same physical action. how do we classify what counts as a "smack"?

how about tapping your child's shoulder to get their attention if having to correct them? or putting a hand on their shoulder to turn them towards you as you speak? what is the difference between that and a "smack"? One is still using physical contact during a discipline process. What exactly is the difference?

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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)

NO! please see above!

it is the pushing ahead of personal agendas and doesn't reflect the electorate.

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)

yes please see answers above
likely to harm children not help
dilution and diversion of already severely limited resources of authorities away from dealing with the horror of true child abuse
horror of criminalisation of genuine kind loving parents, horror of needless invasion of family life by authorities be they police or social services and the long term scars and mistrust that this produces.
fear of physical contact by parents and carers during discipline and in dealing with children, at the very time that children need loving physical contact the most.

We all want to stop child abuse. But, on the very day that the Welsh Assembly published its controversial bill, the Metropolitan Police issued a statement that they simply do not have anywhere near enough resources to investigate all the allegations of serious child sexual abuse they have at present, with statements from other forces around the country confirming that this is a serious national problem. Investigating parents for claims of occasional taps on hands will only make it SO much harder for the authorities to deal with the horror of child abuse be it physical or sexual, this legislation will make it so much harder for the authorities to help those poor children trapped in such horrendous situations, so much harder to bring those abhorrent perpetrators to justice.

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)

oh most certainly - please see what already said about the dilution and deviation of already overstretched and inadequate levels of resources to deal with true child abuse.

We all want to stop child abuse. But, on the very day that the Welsh Assembly published its controversial bill, the Metropolitan Police issued a statement that they simply do not have anywhere near enough resources to investigate all the allegations of serious child sexual abuse they have at present, with statements from other forces around the country confirming that this is a serious national problem. Investigating parents for claims of occasional taps on hands will only make it SO much harder for the authorities to deal with the horror of child abuse be it physical or sexual, this legislation will make it so much harder for the authorities to help those poor children trapped in such horrendous situations, so much harder to bring those abhorrent perpetrators to justice.
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)

please see previous responses.