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

Tystiolaeth i’r Pwyllgor Plant, Pobl Ifanc ac Addysg ar gyfer craffu Cyfnod 1 Bil Plant (Diddymu Amdiffyniad 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

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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)

Children are very precious and vulnerable. All abuse of children must be punished. However to criminalise smacking is detrimental to the child. All children need love, encouragement and praise, but also discipline and firmness. A child feels secure in a living environment where boundaries are clearly understood and kept to. To take away the threat of a smack is detrimental to the child. This is because where there is no threat of punishment (reasonable and loving chastisement) the child will often ignore parental instruction and will suffer as a result (eg be put in danger, learn to disrespect authority, etc). Of course there are other means of discipline, such as the withdrawal of privileges (eg naughty steps, being grounded) but all means need to be used wisely. I want to emphasise that the best was is to always have a positive, healthy home environment of love. In my view this includes occasional physical discipline (proportionate and not done in anger). It would be foolish and very difficult for the government to police and criminalise parents who smack their children in love. I understand that the reason for such legislation is to try to combat the terrible abuse of children. However I do not think that bringing in this new law will help, but rather hinder. I believe that the existing law needs to be applied with more rigor. I believe that if a new law banning smacking is introduced there will be too many cases brought to the courts (cases that are for “light smacking”). This might mean that the real cases of serious abuse would take longer to go through the court system and worse still, such a time delay could, mean that abuse continues.
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)

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)

A 2017 ComRes poll found that 76% of Welsh adults were against criminalising smacking, while only 11% were in favour. This highlights the fact that to introduce a bill contrary to public opinion would indicate to the public that politicians are not prepared to listen. This is a big consideration for the government and a potential huge barrier. One I believe that ought to be respected.

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)

See above

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)

No. The moral implications far outweigh any financial consequences. To introduce the new bill may have financial implications in terms of increased costs with increasing amount of police time etc involved in managing the new proposals. But a better way would be to implement the existing laws designed to protect children with more rigor and if this means higher costs this should be considered. For moral considerations should always outweigh financial considerations.
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)*

No