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)

I consider the abolition of the defence of reasonable punishment to be an unnecessary intrusion into family life, will criminalise loving parents, overwhelm social workers and the police with trivial reports, and incur unnecessary expenditure, when funds are needed elsewhere. I can find no conclusive evidence that banning smacking is necessary. Your own report fails to find a link between reasonable chastisement and damage to a child, just a presumption of this by researchers. Physical abuse is unacceptable, but I do not consider that smacking is physical abuse. Children need discipline. I was smacked as a young child by my parents, and occasionally felt it necessary to smack my own children. They in turn have done so with my grandchildren. None has been physical abuse. We were/ are not child abusers whilst disciplining our children, just responsible parents. My children, now adults have grown to be well behaving, law abiding citizens. Warning children of danger before they understand verbal warnings is necessary, there are times when a mild slap on the leg is effective for this, and has sometimes been necessary.

This policy does not have public support, 76% of Welsh adults were against a change in the law in 2017. This may be a reduction from a survey in 2015, but the majority of Welsh adults were against this just 2 years ago. I can see absolutely no reason for the State to intervene into family life on a matter like this without clear evidence of a need. The current law against
child abuse provides sufficient protection for children, prevention of child abuse is where the State should focus its efforts.

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)

I do not believe there is any need to remove the defence of reasonable punishment, so consider the proposed Bill to be unnecessary. No change in the law in connection with child discipline is necessary. There are examples of loving parents being criminalised in New Zealand, I fear the same will occur in Wales should this Bill become law. Parenting is a difficult task. There is no need to allow family life to be subjected to intrusion by police or social workers on matters of mild chastisement such as a gentle slap.

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)

I consider the Bill will be unenforceable. I recall some years ago when leading a club of 6-10 year olds placing my hand down to stop a child from kicking another. I succeeded in preventing the kick, but as his leg met my hand there was noise, and he accused me of slapping him. I simply prevented him kicking another child. Should this Bill become law, I could have been accused of violence, the word of an adult against a child, police and social worker involvement, and without reasonable chastisement as a defence, a possible charge against a Volunteer at a Children’s Club.

There will be malicious complaints from children and members of the public, police and social workers will spend time investigating matters, spending public funds, on a political expedient, an unproven view that smacking causes damage to children. I am afraid the damage criminalising loving parents will cause far more damage to family life.

Your own report fails to find a link between ‘reasonable chastisement’ and damage to a child.

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)

Not at all.
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)

Evidence from New Zealand records families separated by criminalising parents over smacking.

Evidence from Sweden indicates that child on child violence has increased since they instigated a similar bill in 1979.

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)

There are far more important matters associated with childhood deprivation, and genuine child abuse, deserving of public expenditure than the costs associated with putting this proposed Bill into action.

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 Bill is without merit, and I believe will cause more harm than good.