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 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

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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)

Think carefully. You are trying to impose “protection against abuse of children” onto EVERY family structure. It should strike you that this is an exaggerated response to a genuine challenge. As a secondary teacher of over 30 years experience in Powys schools I completely understand your concern - but it is an overreaction. It assumes every parent or carer of children is the same, reacting in the same set of situations, at every level: all are tarred with the same brush, viz. a light smack equals a cruel beating. This is an unjustifiable interpretation. It also leads to a host of social, political and moral problems. It criminalizes parents who genuinely believe a swift smack clarifies the situation. Many are seeking to protect the child from dangerous willfulness - and, trust me, children can be very willful indeed and need an immediate indication that “this is not a game, you are going to hurt yourself or a sibling or friend).

Politically it can seem very "positive" and "protective of the child" but in reality it injects distrust into society, provides a feeding ground for snoopers and gossips, and is almost impossible to police ACCURATELY. One needs to prove intent to harm, a very slippery concept after just one smack. Who will interpret the intentions of the parent? The Law already protects children from violence. Bruises, cuts, evidence of malnutrition, these are clear evidence of child cruelty. but where you wish to take us is a very tangled knot of issues. It has
been tried in other countries: you know the results. I won't use Orwellian language but be very careful. Your good intentions, if successful, will change family structures. You will hear stories of children smirking and telling their parents;"You can't touch me, it's the law." Trust me, they said it in 1988 in the school where I was teaching when we were told we could not even touch a child for any reason (except to protect them from imminent danger). Some simply said, "GBH, sir, GBH". Ah, a little looseness here, a little slackening there, and the whole structure begins to unravel. Undisciplined children turn into selfish brats and worse. Life is not a bed of roses, you can't have your own way all the time, and children need a reality check from time to time. Sometimes the fastest, cleanest and clearest way of doing that is a smack.

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. See above. Sufficient legislation is in place now.

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)

Yes. 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)
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)