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

CADRP-357

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)

The word punishment in the heading of the bill creates a negative connotation. Reasonable physical correction may be more appropriate language.

As a parent and grandparent, there times when an unruly child throws a tantrum and the only way to correct them and calm them down is to give them a gentle smack on the bottom. This is not “punishment” but an act of love. Unlike adults, children don’t always understand reasonable verbal arguments. They need to be shown that No means No by reasonable physical correction.

We see an increase in the use of knifes by teenagers and teachers having difficulty controlling pupils at school. Eroding the rights of parents to discipline their children and even sending those parents to prison is not going to help this situation and indeed will likely exacerbate it.

Loving discipline as a loving parent early on gives the child boundaries between acceptable and non-acceptable behaviours. Occasionally, physical corrective is needed. I was smacked as a child and it did me no harm. My parents did it because they loved me.

Young people and children are more and more confused about “right” and “wrong” and sadly we see too many young lives lost to suicide through bullying by peers either online on in
person. Sweden banned smacking in the 1970s and has since then seen an increase in child-on-child violence.

The current law on child abuse and assault is sufficient to deal with abuse or excessive physical violence. To make smacking of a child by a loving parent or guardian a criminal offence is a step too far and is not good for social behaviour in our society.

I therefore respectfully ask you to reject this Bill.

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 1.2

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)

How will parents be monitored especially in their own home?

Will the focus on charging loving parents create more Care Proceedings and removal of children?

Do Social Services have the resources to deal with this?

How will the police deal with malicious reports?

Will smacking in public lead to an immediate arrest and detention of the parent?

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 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 - depriving children of their loving parents

Increasing child poverty and deprivation if a parent loses their job as a result of a smacking conviction e.g. a teacher; police officer; nurse; child minder etc. etc.

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)

The financial implications across society are incalculable and disproportionate to the supposed evil being addressed by this Bill for example

Police

Social Services

Doctors

Benefits Agency

Legal Aid

Courts

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