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

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

<table>
<thead>
<tr>
<th>About you</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual</td>
</tr>
</tbody>
</table>

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 concerned that smacking a child would be abolished as a last resort form of punishment for children as the bill appears to equate this with violent abuse of children. The assumption that the bill makes is that there is no difference between a child and an adult so, as you wouldn’t smack an adult without it being considered an assault, it is considered assault to smack a child. The fundamental thinking is flawed. Children and adults are not the same. Developmentally there is a massive difference between them and whilst it is possible to reason with an adult it is not necessarily so with a child. Children need boundaries and also need to be punished if they exceed them. This is necessary for the stability of society as well as for the individual child’s wellbeing or safety. Reasonable punishment does not involve beating a child senseless. This is already illegal but a gentle smack on a bottom may be the only punishment that the child responds to or acts as a deterrent in the case of future bad behaviour. The ‘naughty step’ or similar punishments have limited value in helping children recognise the seriousness of their behaviour and that consequences for their misdemeanours are far reaching. In countries where smacking has been banned as a form of reasonable punishment there has been a massive increase in the amount of violence committed by children against children, possibly because these children know that they will not be adequately punished for their crimes. Schools already struggle with discipline and this problem could become significantly worse if children are not trained at home to behave.
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. The law already protects children from unreasonable punishment and abuse. This bill will not eradicate abuse. It will criminalise loving, conscientious parents. It will also potentially jeopardise child safety by leading to an increase in the number of referrals made to police and social services about children who have been smacked. These will need to be investigated, children possibly being taken into care unnecessarily, while children who are being abused slipping through the net.

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)

Lack of resources within police forces and social services could mean that this might not be implemented properly without a shortfall in services elsewhere which could compromise the work that the police or social services do. It could also lead to family breakdowns as parents have to face children being removed from them, which has happened in other countries. This has a knock on effect on the whole of society. Another potential barrier is that it is extremely unpopular and does not have public support. It could also lead to more manipulative children being able to threaten their own parents if they don’t get their own way.

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)

Yes. As mentioned before, I am concerned that if children are not taught at home that their actions have sometimes unpleasant consequences then they will not necessarily develop into thoughtful, considerate adolescents and adults. This will affect the whole of society as has been seen in Sweden where child on child violence has increased. There could also be an increase in stress related problems among children who have to attend school with an
increasingly aggressive cohort of pupils. Parents who use reasonable physical punishment would be classed in the same way as parents who use unreasonable punishment. More children will end up in care and more lives will be ruined.

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

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)

A society in which children are not properly and lovingly punished for wrong doings is one in which all generations will suffer. Again, I cannot understand how a simply smack (physical punishment) can be equated with genuine violence or abuse. It is akin to me kissing my elderly aunt when I meet her and being found guilty of sexual assault. There are differences between them, just as there are such huge differences between adults and children that the two cannot be treated as equal in all contexts. This does not seem to be a bill that the Welsh people want as I have discussed it extensively with my friends and colleagues (I am a nurse) and have yet to hear one person say anything positive about it. It may be a bill that members of the Welsh assembly want but in general they are not speaking for the principality as a whole which brings into question their views on democracy.