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

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<th>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</th>
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**About you**

Organisation: Independent Psychology Associates

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 Bill is based, in part, on the false assumption that children are the same as adults and must be treated in the same way. This disregards the vulnerability and developmental needs of children as well as the responsibility of parents to protect their children and meet their needs. If this Bill is passed it opens the door to the erosion of other important laws that protect children.

The Bill is also based on the false claim that reasonable chastisement is ineffective. This conflicts with research evidence. Punishment that is proportionate and timely is unquestionably effective and can prevent future harm of many kinds. It is also less harmful than alternative 'mind games' that confuse children, causing them psychological distress over lengthy periods of time.

The Bill erroneously conflates child abuse with effective, loving parenting.

The Bill conflicts with the view of the majority of the general population who do not wish to see a law that bans a parent from using reasonable chastisement. It is undemocratic.

The Bill seeks to enable the criminalisation of loving parenting.
The Bill assumes that the 'State' is better placed to determine how best to parent children than parents. This is a dangerous assumption, which is not supported by the evidence which clearly indicates that most parents use reasonable chastisement and do a very good job of parenting.

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.

It is difficult to be clear about the intention of the Bill as appears to be driven, primarily, by an ideological perspective. If, as some have claimed, the Bill aims to protect children it is important to note that there is an extensive body of child protection law that can be used to protect children from child abuse, including unreasonable chastisement. Further, if passed rather than protect children the Bill would actually harm their development and family life.

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)

Yes.

The cost to social services will be immense.

Social services are unable to meet existing needs within society. There is ample evidence of widespread child abuse of the most extreme form, which social services and the police have been unable to stop due, in part, to lack of resources. This would exacerbate the problem as precious time and resources would be consumed on unnecessary investigations. Again, this will lead to more children being harmed who would otherwise have had the protective support of key agencies.

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.

The Bill lacks realism.
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)

If passed the Bill will do harm to many children. Children’s development will suffer and there will be an increase in challenging behaviour among children.

If passed the Bill will lead to the criminalisation of good parents.

If passed the Bill will interfere in family life and damage families. Ultimately, this will undermine society.

If passed the Bill will add to the burden on existing support services causing them to be less effective when dealing with genuine concerns.

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)

It is inexcusable that resources are being diverted to this ideological agenda when so many children in Wales are being abused.

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 is a dangerous Bill for children, families and society at large. No doubt, there are many who have supported a move towards the removal of the defence of reasonable chastisement with good intentions. The reality is, however, that UK legislators have managed over the course of generations to find a balance between the rights/responsibly of parents and the important role that the State has in protecting children. If Wales alters this balance would be a mistake. The biggest cost, sadly, will be paid by children.