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

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<th>Tystiolaeth i’r Pwylgor Plant, Pobl Ifanc ac Addysg ar gyfer craffu Cyfnod 1 Bil Plant (Diddymu Amddiffyniad Cosb Resymol) (Cymru)</th>
<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

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 haven’t come across any evidence to justify criminalising smacking of children by their parents. The majority of parents (speaking from my experience as I work in a Primary School) are caring individuals with their child’s best interests at heart, who know what does and doesn’t constitute abuse, and have found that a light, occasional smack in the context of a loving parent-child relationship is not harmful. Backing this up, the government admitted this in its consultation document in 2018; in addition the European Court of Human rights has upheld the legal defence of reasonable chastisement in principle.

#### 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. There is a whole raft of excellent legislation in place to protect children from abuse, and any punishment in excess is already prohibited.
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)

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)

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. Making light smacking into ‘abuse’ and a criminal offence, will bring confusion into the law against child abuse. This will be dangerous for at-risk children, especially as children's and social services are already stretched to capacity. Taking away the 'reasonable chastisement defence' will mean that a parent disciplining their child, often for the child's own safety and the safety of others, with a mild smack, would be classified as assault. Banning smacking will inevitably catch ordinary loving parents and turn them into criminals.

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)