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 Amdiffyniad 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-533 | CADRP-533

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 don’t feel it is for the state to decide how a parent should punish their child. Whilst I accept there are circumstances in which it could be harmful to use physical punishment, there are also all sorts of non physical punishments that are equally damaging.

Removing the defense of reasonable chastisement; a defense which can only be used where there is no evidence of lasting physical impact, does not make sense, as any damage is psychological when physical punishment is not used appropriately in the same way behavioral punishments are damaging psychologically when used inappropriately yet there is no suggestion of banning behavioral punishments.

I fully support prosecution of parents where actual bodily harm is caused, as is already the case, but extending the law further is a non-sensical double standard.

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 ability to prosecute for causing actual bodily harm is already available.

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)

It would be impossible to police appropriately and could disrupt family functioning.

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 I think the bill could cause disruption in families due to unwarranted state interference.

It would also take the spotlight off families where there is coercive control using psychological and behavioral punishments, just because they are not using physical punishment.

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)

This reduces parental freedoms in an area which has not been clearly justified as the harm caused by reasonable chastisement, (not including ABH) has not been shown to be more damaging to a child than many forms of behavioral punishment.
It only becomes an issue where physical punishment is not in the context of a loving family, and in this context psychological punishment could cause much more harm.