### 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: Newport Mind

### 1 The Bill’s general principles

#### 1.1 Do you support the principles of the Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill?

— Yes

#### 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 Act will protect children’s rights and improve safeguarding for all children in Wales
- Adults are currently protected from physical punishment in Wales. The current act does not protect children in the same way, which is putting the most vulnerable members of society at risk
- There is research that evidences the ineffectiveness of physical punishment and the harm it causes to children
- Physical abuse is listed as a category in the Adverse Childhood Experiences (ACEs). Research shows that children who have experienced ACEs are more likely to adopt health-harming and anti-social behaviours in adult life
- Children flourish in encouraging environments with positive adult role models. Using physical punishment does not provide children with either.
- By modelling healthy coping strategies when dealing with periods of heightened emotion, parents/carers can show children positive ways of coping during pressing times; alternatively, using physical punishment shows a child that striking out during stressful situations is
acceptable behaviour, which could lead to the child using similar coping skills during play with others.

- Physical punishment is known to effect positive attachment and emotional regulation of children. This, similar to ACEs, can lead to health-harming and anti-social behaviours in later life.

- There are currently Non Violent Resistance (NVR) programmes offered to parents via CAMHS and Families First, which highlights that professionals within both statutory and voluntary services believe there are better alternatives to physical punishment.

- By removing the ‘reasonable punishment’ defence, Wales will acknowledge the human rights of children, and will be consistent with the ‘due regard’ duty in the rights of Children & Young Persons (Wales) Measure 2011.

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)

Yes. Reasons are as follows:

- The United Nations Convention on the Rights of the Child (UNCRC) stated that children should have the same legal right as adults from assault. As a result of this, Welsh Government must remove any legal opposition to this.

- By having a ‘reasonable punishment’ defence in place, professionals are conflicted when promoting health messages to families, as they cannot consistently state that physical punishment is unacceptable.

- Public messages alone is not enough to end the use of physical punishment. Evidence from the 54 states worldwide who have already changed the law shows this.

- Physical punishment is a public health issue, as it has the potential to cause long-term harm and has no benefits. As Wales has previously introduced public health laws, such as using seat belts when traveling in vehicles and banning smoking in public places, Wales has a duty to implement laws against this public health issue.
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)

Although we do not feel there are any tangible barriers to implementing the Bill, the implementation of the following could improve any potential barriers found

- Targeted public information for all professional working directly with children. This should include schools, health visitors, Families First, Flying Start, GPs etc.
- Targeted public information for parent/ carers
- Targeted public information for children & young people
- Clear information for parents on the consequences of physical punishment
- Clear information for professionals on the consequences of physical punishment
- Availability of NVR programmes/ positive parenting programmes
- Clear referral pathways for professionals to NVR programmes/ positive parenting programmes

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)

Yes. We feel that although there are some potential barriers and extra considerations to be made, they do not outweigh the need for this Bill to pass

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. We feel that there could potentially be an increase of referrals by professionals to statutory services (i.e. Children’s Social Services) during the initial transition period of the Bill. This sudden increase could potentially overwhelm services; however, appropriate and targeted education for services, as well as an increase in awareness and funding for alternative provisions, such as NVR programmes and positive parenting programmes, would improve if not remove this barrier
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 cost to the Children’s emotional wellbeing is greater than the potential cost of implementing the Bill

- The financial implications longer term have not been considered. We feel that by implementing this Bill, ACEs will be reduced, which would reduce the need for statutory mental health services in later life. This would lead to a reduction in spending within these areas, allowing money to be spent elsewhere.

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)

Service users at Newport Mind have reported to staff the negative impact that physical punishment has had on their mental health in both childhood and in later adult life. Newport Mind continue to support individuals who have experienced physical punishment, through our Adult teams and our Children and Young People’s Service. This Bill will improve not only the mental wellbeing of the future generations, but will aid current staff when working to improve the mental health of all of our service users, including children, young people and parent/carer.