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 Amddiffyniad 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-617

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)

The inter-relational experience is something that is quite unique and parents who have nurtured their children day by day are fully aware that a mild smack as a discipline is simply not abuse. In fact, The European Court of Human Rights has upheld the legal defense of reasonable chastisement in principle.

Consistently there is simply no evidence to justify criminalizing parents. An occasional & light infrequent smack in the context of a loving parent-child relationship is not harmful in any way to the child. The Government itself has admitted this in its consultation document last year.

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)

Absolutely not.

Children are already protected from abuse by our existing law and any excessive punishment is already against the law.
What is needed is not a change in our current law but for what is already there to be enforced.

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)

To remove the ‘Reasonable Chastisement Defense’ would mean a parent discipline their child by use of a ‘mild smack’ would be classed as an assault and would mean a loving, caring parent would turn them into a criminal!

Enforcement would then cause a break-up of a family with the inevitable consequences. The NHS has already stated that reports of smacking would be dealt with in the same manner as abuse if ‘reasonable chastisement’ is removed from the law. This would inevitably mean NHS Staff as well as parents would be ‘criminalised’ by labeling them as abusers.

This could be quite dangerous for 'at-risk' children in that it would cause confusion in the law against child abuse.

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)

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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)

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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)

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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)

If we don’t provide children with a spiritual and moral framework they will go in search of their own.

A child without values is at the mercy of everybody else’s values.