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

About you
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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)

1. Every other person in Wales has protection from being struck. Children are smaller and more vulnerable. They should have more, not less, protection than adults.

2. I have studied physical punishment as an academic for 30 years, so I am deeply familiar with the literature.

   Physical punishment has been demonstrated to have solely negative outcomes for children in virtually every study that has examined its effects, regardless of where the study is conducted, the age of the children, or the outcomes measured. It consistently and robustly predicts higher levels of aggression in children, weaker parent-child relationships, more mental health problems, and a substantially high risk of physical injury. These outcomes come at a very high social and economic cost.

3. The is no evidence that physical punishment has any positive effects whatsoever. Hitting people never has positive effects. Some studies have asked children what it feels like to be smacked. Many say that they feel weak, powerless, resentful, vengeful, rejected, and unloved.
Being hit always has negative impacts on relationships, no matter the age of the person being hit. We know so much more about children's neurological emotional and social development now than we did when these archaic defences were enacted. We know that children thrive when they are securely attached to caregivers they trust. Being hit erodes trust and attachment, compromising children's mental health.

4. There are much more constructive ways of managing conflict with children that teach them important skills in non-violent conflict resolution. Hitting them undermines that process. As a Child-Clinical Psychologist, I created a parenting program to help parents learn these skills and teach them to their children. This program is being implemented successfully in 36 countries. Regardless of language, culture or faith, parents want to learn these skills and value them tremendously.

5. Laws permitting or justifying physical punishment contradict public education aimed at ending it. Many parents rely on the defence to justify their violence and resist change. The law tells us what is 'right'. The current law tells caregivers that hitting children is the right thing to do. For parents who believe in hitting, the law trumps the public education message.

6. In countries where physical punishment has been prohibited, changes in attitudes and behaviour have been rapid and positive. I have lived in Sweden many times over the past 3 decades to learn about the impact of the Swedish ban. I have traveled to New Zealand three times to understand their law and its impact. There have been only positive effects in these and other countries. I have summarized the empirical data from Sweden, New Zealand and Germany in this paper, published in the Oxford Handbook of Children and the Law:


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. Just as we try to teach parents that they need to provide clear messages in order for children to understand what is expected, we need to give adults clear messages. If public heath messages are telling them that physical punishment is unnecessary and harmful, but the law is telling them that it's acceptable and justifiable, they are not getting a clear message. Laws set standards. The minimum standard for child protection and child health should be that they cannot be intentionally hurt by adults.

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)
My studies of the implementation of prohibition in Sweden have shown that there were no barriers there because there was consensus that children have fundamental rights to protection, like everyone else. The main barrier in New Zealand was misinformation disseminated by unrepresentative groups with an interest in maintaining their right to hit children. Changes in both Sweden and New Zealand have been very positive - although those same groups continue to spread misinformation about both countries, creating barriers in other countries.

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)

The Bill itself is a statement of principle demonstrating that the government is taking the responsibility to lead on this issue of basic human rights. The barriers will be overcome by providing clear information about the purpose of the Bill and providing support to parents. The vast majority of parents do not want to hit their children and they feel guilty and regretful afterward. The government can support them by enriching their knowledge of child development and constructive, positive discipline.

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)

No. There is no evidence of negative consequences in any of the 54 countries that have prohibited physical punishment. On the contrary, approval and use of physical punishment have declined and there is no evidence that prosecutions or child apprehensions have increased.

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's good to see that the government is investing in parenting support. This is critical, as healthy parent-child relationships are the foundation of a healthy society. As parents understand more about child development, they understand the uselessness and harm of hurting children.
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)

I am impressed by Wales' leadership on this issue, demonstrating its commitment to children’s rights, health and well-being. Wales is inspiring other countries to follow its lead. As a Canadian, I will hold up the Welsh example to my own government as an example of strong leadership on this issue.