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-84	CADRP-84

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)

1. There is no demonstrable reason for the Bill. It is born out of a political conviction, not a real need

2. There is not majority support for this measure, in spite of the erroneous claims in the explanatory memorandum. Repeated independent polls have overwhelmingly rejected the idea of removing the defence of reasonable chastisement.

3. There is great evidence that such a measure actually increases child abuse, particularly child on child. This has been shown to be the case in Sweden. It has also been shown to lead to increasing violence in schools. It will cause even more teachers to want to leave their jobs! Again, the explanatory memorandum is misleading: it is more a polemic justifying the measure.

4. Smacking, carried out by a loving parent for correction and protection, is not child abuse. It is an expression of love to direct them into the right way.

5. We have to treat children and adults differently, for their protection. The law itself recognizes this duty of care, therefore to say we must treat children as adults is patently absurd. Restricting children's movements to keep them in the house is protection, not

kidnapping. Feeding children a balanced diet and denying them ice cream for every meal is not restricting their personal freedom. In the same way discipline and correction is not abuse, but care.

6. It would do nothing to stop real abuse of children, which is not carried out by loving parents, but those who have no regard for the law in any event. But it would criminalize those who truly love their offspring.

7. Our police and social workers are already overstretched. To massively increase their workload to investigate simple cases of child discipline by a caring parent would be a 'criminal' waste of resources. If a child said at school that 'Mummy smacked me when I stole the sweets' the teacher would have an obligation to report a criminal offence - not of theft by the child, but assault by the parent! This is total madness.

8. The effect will be that children can do what they want as parents will be left with no sanctions. A recipe for anarchy.

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. See answers to Question 1.2.

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)

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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)

Yes.

1 Undue strain on police and social workers, leading to more leaving and more mental breakdowns.

2 Police and social workers would be forced to act against their conscience, when they know they are arresting parents who are acting in their children's best interest.

3 Meanwhile they would have less time to deal with real crimes.

4 This would be a massive waste of public money for no demonstrable benefit.

5 Vast numbers of law-abiding parents would suddenly become criminals.

6 Once again it would confirm the public view that democracy means we elect governments to do the opposite of what we want.

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)

Yes. There is a a vast underestimate of the cost to the courts of all the prosecutions that could occur. If it is not intended to prosecute all parents who smack their children, why introduce the legislation if it is not to be used?

The huge cost of dealing with disturbed children as a result of having parents classified as criminals is not included.

The unquantified costs have not been included as costs at all - because unquantified does not mean that are not expected to exist! These costs could easily run into millions.

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)

Why is this Bill being introduced?

The justification seems to be 'to regularize dealing with children', so that they are treated the same at home as at school (not a goal that has any rationale), and that children are treated the same as adults (again not a logical or sane idea). Also that 'children's rights are protected'. What about their right to a safe and loving environment? This is a nebulous and invented goal that has no substance.

There is no desire or appetite for this legislation in the country as a whole. It is a political correct and doctrinaire measure and has nothing to do with the real welfare of children.