

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-287	CADRP-287

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?

— 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)

Adults are already protected from physical punishment, this legal anomaly means that the smallest and most vulnerable members of Welsh society have less protection than adults. Abolishing the defence is long overdue. • There is extensive research evidence that physical punishment is ineffective, and it can cause considerable harm.

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)

Experience from the 54 states worldwide who have already changed the law shows that public education alone won't end the use of physical punishment. • It's a question of Human Rights. International human rights bodies, including the UN Committee on the Rights of the Child, have stated clearly that children should have the same legal right to protection from assault as adults and governments must remove any legal defences that allow them to be physically punished. • While the law apparently condones physically punishing children by having this defence, it's impossible to promote the message that it's unacceptable. • The law sets standards and governments often introduce new laws to address key public health issues, as with smoking in public spaces and using seat belts in cars. Physical punishment has the

potential to cause long term harm and has no benefits, so it's a public health issue on which Welsh Government needs to act. • The current law fails to protect vulnerable children who are at risk, meaning that intervention happens after children have been hit or hurt. Clarity in the law would help make sure they aren't hit or hurt in the first place.

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)

There will not be any real barriers to implementing the Bill. Welsh Government have done a lot of background work and this is clear in the Bill's Explanatory Memorandum. There are some things that might need to be addressed to make implementation easier. These might include:

a well-resourced public information strategy, using face-to-face contact and universal services, not just targeted programmes such as Flying Start and Families First funding

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 Explanatory Memorandum shows that Welsh Government has given consideration to many issues.

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)

Welsh Government has given a lot of attention to considering all the possible consequences of changing the law.

- All the consequences of a change in the law aren't always obvious at the start, so there needs to be a way of monitoring implementation and working with organisations and public bodies before the law comes into effect as well as in the early years after implementation. • Some families and communities may be harder to reach with information and support, Welsh Government needs to make sure that they receive the information they need. • In not one of the countries that have prohibited physical punishment of children has the scaremongering of campaigners who don't want the law to change been shown to be justified, or the law changed back.

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 Explanatory Memorandum sets out the costs Welsh Government anticipates will come as a result of changing the law.

Changing the law will mean far fewer children will experience any physical punishment because their parents will be guided by the law. It will also mean that people working with families can give a clearer message or intervene earlier. This will mean spending less on more costly interventions later as well as savings in the huge cost of providing services that children who have experienced ACEs such as physical abuse might need longer terms – into adulthood even. Figures obtained from the Early Intervention Foundation by the NSPCC found that the overall financial cost of late intervention with children and young people to Wales was £1.15bn in 2014/15.

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)

No thank you