

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 (Saesneg yn unig)	Evidence submitted to the Children, Young People and Education Committee for Stage 1 scrutiny
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Organisation: Royal College of General Practitioners

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)

Several hundred studies over decades have explored the links between parental physical punishment and child outcomes. Establishing causal links when randomised controlled trials are not

ethically feasible is a challenge. Longitudinal studies are limited by an inability to control all confounding variables, and so cannot categorically establish causal relationships. Most of the evidence to assess the link between physical punishment and child outcomes comes from correlational studies, many of which have been collected into meta-analyses. These often come to different and sometimes opposite conclusions. Despite these challenges, the potential risk to children's development was found in virtually all studies including when controlled for potential confounders.

Examples include:

- Impaired relationship with parents.
- Impaired child mental health.
- Impaired adult mental health.
- Increased risk of moral internalisation.

- Increased incidence of child aggression.
- Increased risk of being physically bullied.
- Increased delinquent or antisocial behaviour, reduced ability to manage situations verbally.
- Increased incidence of adult crime.
- Increased risk of abusing own child or spouse.

Overall, the balance of evidence supports the following conclusions:

- There is strong evidence that severe physical punishment and child abuse are harmful to child development.
- There is evidence that the way and conditions in which physical punishment is typically used by parents is correlated with a broad and enduring range of negative outcomes for children.
- No replicated peer-reviewed research has shown that parental physical punishment has positive effects on long-term developmental outcomes.
- Physical punishment is only effective in achieving immediate compliance in limited conditions and the same outcome can be achieved using isolation.
- The incidence of using physical punishment is higher in homes where domestic violence is also occurring.

Despite a wealth of evidence to suggest a correlation between parental physical punishment and negative outcomes for children, it is only possible to conclude that there is a correlation, not necessarily a causal link, between parental physical punishment and an increase in childhood problem behaviour and other outcomes. Supporters of a ban on physical punishment argue that replications of these correlations are enough to draw the conclusion that parental physical punishment is linked to childhood problem behaviour and that this evidence of the risk of harm is enough to support a ban.

The balance of evidence seems sufficiently clear and compelling to inform us that parental use of physical punishment of children plays no useful role in their upbringing and poses only risks to their development. With this in mind, parents should be encouraged to develop alternative positive approaches to discipline.

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 500 words)

It is the College's view that there is a need for legislation to deliver what this Bill is trying to achieve.

There are signs in the UK that the prevalence of physical punishment is decreasing and that public attitudes are changing, but there continues to be a diverse range of public attitudes and many people hold polarised, strongly held views.

Parents from both sides of the debate want to raise children who are secure, loving and confident, with a clear internal moral compass. The debate about parental physical punishment is often driven, at least in part, by value judgments about how children should or should not be raised, rather than by empirical evidence. It can be difficult to disentangle robust science from well-intentioned advocacy efforts.

Children's attitudes towards parental physical punishment vary but are generally negative. Younger children and those who have experienced physical punishment are more likely to support its use. Nonetheless, children view physical punishment as the most severe type of discipline and report that it hurts them both physically and emotionally. Some children associate it with angry parents who later regret their actions. Some describe feeling scared, sad and unloved and say that it negatively affected their relationship with their parents. Some children think that parental physical punishment encourages children to use physical violence and suggest that restricting privilege is a more effective form of discipline, being longer lasting, causing more inconvenience and giving the opportunity to reflect on their actions. The available evidence suggests that children believe that discipline and punishment, when explained and administered fairly, can play an important role in a child's healthy development.

There are concerns that parental physical punishment is linked to childhood behaviour problems through modelling and legitimising aggression and violence. Several psychological theories predict physical punishment will make children's behaviour worse not better. Social learning theory (Bandura 1977) suggests that smacking can teach children that aggressive action achieves a desired outcome and so they imitate their parents by acting aggressively with their peers.

Attribution theory (Grolnick, Deci, Ryan 1997) states that physical punishment will interfere with children's internalisation of moral reasons not to act in an aggressive or self-interested way. Attachment Theory (Bowlby 1980) suggests that parental use of physical punishment negatively affects the parent-child relationship and therefore decreases the child's willingness to internalise parents' values.

Parental physical punishment is a violation of children's rights according to the UN convention ratified by the UK. The UNCRC and the European Court of Human Rights have criticised the UK for not enforcing children's rights to be protected from all forms of physical

or mental violence. Specifically, it opposes the defence of 'reasonable punishment' pointing to the imprecise nature of this expression, saying that this undermines the law's ability to protect the rights of children. In contrast to the UK, 29 European states have prohibited the use of physical punishment in all settings and others have expressed a commitment to enacting full prohibition.

Some researchers conceptualise physical punishment and physical abuse along a continuum and do not think it is possible to distinguish 'non-abusive' physical punishment from physical abuse. Some studies suggest that physical punishment is linked to child abuse. It is relevant to note that most child physical abuse occurs in the context of 'punishment.'

It is a concern that when smacking fails, parents who rely on this method of discipline tend to intensify its use rather than change strategies. 85% parents express moderate to high levels of anger when smacking their children.

In place of physical punishment, professionals should promote positive, supportive and loving parental relationships with positive reinforcement to increase desired behaviour. Parents should be clear about what bad behaviour constitutes and what the consequences of it will be and why. They should deliver instructions calmly and with empathy and use consistency with strategies such as Time Out and removal of privileges for punishment. It is important to also note that verbal reprimands, where appropriate, should be directed towards the behaviour and not the child's character.

There is a well organised campaign for those opposed to the smacking ban. This group is concerned that good parents will be turned into criminals, but evidence from countries who have this ban in place does not suggest this should be a concern. Advocates of physical punishment suggest that criminal and anti-social behaviour is caused by a lack of discipline. They believe that physical punishment may be used to control the short-term behaviour of the child and to reinforce the authority of the parent. However, there is no evidence to suggest physical punishment is more effective than other methods of discipline.

The emerging consensus of professionals is that parents should be supported in learning non-violent, effective approaches to discipline. Children need the same protection in law that adults enjoy.

It is important to recognise that a society which wants to achieve no physical punishment of children needs to provide adequate support for parents. We must ask how what would be considered assault towards an adult, can be acceptable to a much smaller, more vulnerable human who is defenceless and reliant on their parent to teach right from wrong. The change in the law would send a clear message that physical violence towards children is wrong on any level. This will help to change attitudes over time and may help to stop parents smacking their children in anger, in the knowledge that this is a hard line that must not be crossed.

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 500 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 500 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 500 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 500 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)

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