

9. 5. 19

Children and young  
People Education Committee  
National Assembly for  
Wales Cardiff Bay  
CF99 1NA

To the Children and young People Education  
Committee.

I would like to bring to your  
attention that smacking is not abuse or a  
Crime but love and Correction. In God's  
wisdom the bottom is a well padded area;  
for a firm but not too hard a smack.

When I was 7 year of age. Early one  
Morning I was up before everyone as I  
was an early riser. Before my Father was  
up I lit a parkway fire. When my  
Father got up and realised what I had  
done. He gave me one firm smack;  
which corrected me and I never played  
with fire again and "Always respected authority".

As I could of burned myself or Cause a  
fire in the house. As I was too young  
to see the danger. Also it is a fact  
that in Sweden smacking was banned  
in 1979. Then Child on Child Violence  
increased. I would like to bring  
to your attention also that 76% of Welsh  
Parents are against Criminalising Smacking.

Also if smacking is Criminalised it is going

to waste the time of Social Workers and police. When they are far more needed were real problems and Crime is taking place. As trivial reports are going to cause real cases of abuse to be missed.





Children, Young People and Education Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

2 April 2019

Dear members of the committee,

**The Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill**

I urge you to consider arguing against, and ultimately voting against, the Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill, as it progresses through the Assembly.

I responded to the consultation in April 2018, and would like to explain my views in more detail here.

I acknowledge that there has been a change in what society generally considers reasonable punishment. Many people no longer consider smacking, and other forms of corporal punishment, to be acceptable, and this change was used to justify the consultation into the present bill.

However, rather than focus on changing what constitutes reasonable punishment as a defence to common assault, both the consultation and the bill propose to remove the defence altogether.

I believe this leap both misrepresents the view within society, and will have adverse consequences for parents and their children.

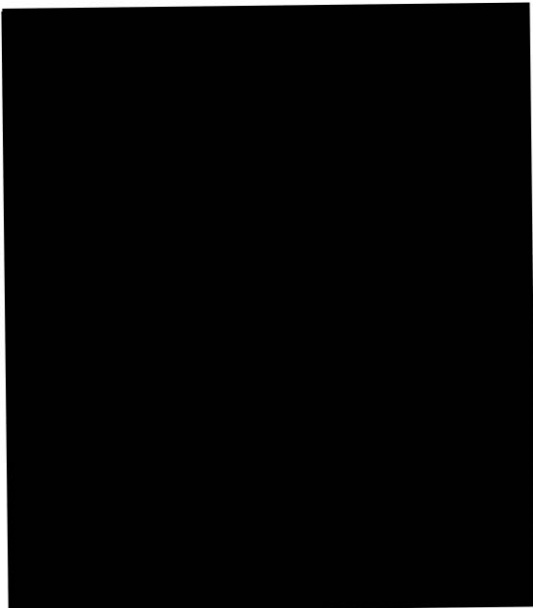
Whilst many in society now consider smacking no longer acceptable, that does not mean that society now considers all actions taken by a parent against their child as unacceptable. Yet many of these other actions would be regarded as common assault. For example, I doubt many people would consider it unacceptable for a parent to use a reasonable degree of force to drag their uncooperative child to their room, yet this would likely be considered common assault. Removing the defence to common assault therefore makes such actions unlawful, and therefore goes much further than the change in society demands.

I believe most people agree with me that whilst it is unacceptable for an adult to drag another adult somewhere (common assault), they would find it entirely reasonable for a parent to use a reasonable degree of force to drag their uncooperative child to their room (reasonable punishment). The difference is the context of a parent disciplining their child, acting in their best interests, and using a reasonable degree of force. The law as it currently stands recognises this different context by providing the defence of reasonable punishment. What constitutes reasonable punishment is not precisely defined, and is therefore capable of adapting to the context. For example, in the context of a parent leaving visible bruising on the child's arm, dragging a child might not be regarded as reasonable punishment. Similarly, what constitutes reasonable punishment is capable of adapting over time; caning was regarded as reasonable punishment in the past, but is not today.

I believe we should leave it to the courts, guided if necessary, to determine what constitutes reasonable punishment from time to time.

If it becomes unlawful for a parent to take any action against their child that might presently be regarded as common assault, then because this will be contrary to what most people in society consider reasonable, many parents, knowingly or otherwise, will break the law. That may well result in more work for the police investigating alleged incidents. On the other hand, if such a change in the law becomes well understood and changes behaviour, it is my view that parents will find it harder to enforce a reasonable level of discipline, essential to the learning and development of their children, not because they can no longer smack their children, but because they can no longer take any action that might presently be regarded as common assault, such as using a reasonable degree of force to drag an uncooperative child to their room.

I hope you share my concerns and will represent them at the Assembly.



To: Committee Consultation  
Children, Young People and  
Education.  
Welsh Assembly,  
CARDIFF.

I have no access to online so am writing to you,  
direct, with my comments about criminalizing  
smacking, abolishing Defence of Reasonable Punishment.  
My concerns are:

1. 1/2. The present law is sufficient, in that physical harm is classed as an offence i.e. the so-called 'smack' was 'hitting with force'.
- A light smack is used as the last defence for dealing with a difficult and often distressed situation, plus removal from the situation. It is an indication of loving, parental discipline, not child abuse. (I can think of teacher smacks, My general observations of today's children myself!) are that they 'do' what they like, when and how they like with little concept of right from wrong. They need time with a parent or



admit to 'talk things through' following a smack and to reason out why they have done wrong and how to behave in future, with suggestive assistance from parents.

- Thinking back to home/school, many of the older 60's were probably smacked, suffering no harm; they would not say their teachers/parents were criminals!
  - Whilst governments can stipulate/dictate how to parent, parents should be allowed to decide whether to smack or not. There are parent groups, many run by schools or churches to suggest ways of disciplining children other than 'smacking'. Parenting is an important and oft-neglected skill these days!
2. 1. Social workers and police would be overwhelmed and severe, real abusive situations missed. Investigations of children take long hours.
3. 1. Does such a ban stop child violence - not so! See Sweden.
- A 'smack' is often to avoid immediate danger - children's safety could be at risk.
  - Loving parents could be wrongly accused by neighbours or relatives - reputations could be damaged unnecessarily.
  - If I, or others, visit Chepstow or Monmouth and smack we could be criminalised BUT not in Wodaston, Lydney or Aime! Unbalanced law.