



Llywodraeth Cymru
Welsh Government

RESEARCH, DOCUMENT

The Children (Abolition of Defence of Reasonable Punishment) (Wales) Act 2020: first data release

An overview of data relating to the monitoring of The Children (Abolition of Defence of Reasonable Punishment) (Wales) Act 2020.

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Revision note

'The Children (Abolition of Defence of Reasonable Punishment) (Wales) Act 2020: first data release' has been revised due to an error identified in the data. Revised figures have been included in the '[The Children \(Abolition of Defence of Reasonable Punishment\) \(Wales\) Act 2020: Data release for March 2022 to March 2023](#)' release and accompanying tables. Please note that the 'The Children (Abolition of Defence of Reasonable Punishment) (Wales) Act 2020: first data release' release has not been updated.

Background

The Children (Abolition of Defence of Reasonable Punishment) (Wales) Act (the Act) received Royal Assent in March 2020 and after a two-year implementation period, came into force on 21 March 2022.

The overarching objective of the legislation is to help protect children's rights by prohibiting the use of physical punishment against children, through the removal of the defence of reasonable punishment. This means that the defence is no longer available within the territory of Wales to parents or those acting in *loco parentis* (acting with parental responsibility), as a defence to a charge of common assault and battery on a child in their care.

Section 3 of the Act requires Welsh Ministers to prepare, and lay before the Senedd, two reports on the effect of the Act. These must be produced as soon as practicable three and five years after the Act came into force (2025 and 2027).

The Welsh Government has started to collect data from local authorities, the police, and the Crown Prosecution Service in order to measure the impact that

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the Act has on public services. This report summarises data collected to date.

Main findings

Out of Court Parenting Support Grant: 21 March to 30 September 2022

The Out of Court Parenting Support Grant has been offered by the Welsh Government to local authorities since March 2022. The grant was created in preparation for the Act coming into force. It funds bespoke parenting support which the police can refer people to as an alternative to prosecution, in cases where the police decide it is appropriate to offer an out of court disposal.

Local authorities record data about the number of referrals for parenting support received from the police, take up and completion rates and outcomes for individuals. Demographic data and data about requests for the intervention through the medium of Welsh is also collected. A summary of this data for the first six months since the Act came into force is presented below. The data should be interpreted with caution given that it relates to six months only. All numbers are rounded to the nearest five.

During the six months following the Act coming into force, there were 55 referrals for out of court parenting support across Wales by the police.

Of the 55 referrals, 55 people chose to take up the offer of parenting support, and of those, 20 have so far partially completed the sessions, and 30 have fully completed the sessions.

35 of the individuals referred have been recorded as having a positive outcome as determined by a questionnaire issued by local authorities and completed by those taking up the parenting support. A positive outcome is defined as an

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improvement in the child's behaviour, or in parental wellbeing or efficacy.

Five requests for parenting support through the medium of Welsh were made.

Referrals to social services: April 2021 to March 2022 (baseline data)

The Welsh Government monitors the number of contacts to social services and the number of assessments completed by social services that relate to physical punishment of children. These metrics were introduced as part of the **Performance and Improvement Framework for Social Services** and have been collected since April 2021, one year before the Act came into force. This will allow for comparisons of numbers before and after the Act came into force.

In the year before the Act came into force, there were 3,245 contacts to social services recorded where physical punishment of children was a factor. In around half of these (1,635) physical punishment was recorded as the only factor.

In the year before the Act came into force, there were 1,627 assessments recorded by social services where physical punishment of children was a factor. In almost half of these (722) physical punishment was recorded as the only factor.

Crown Prosecution Service

The Crown Prosecution Service (CPS) in Wales are able to monitor the number of cases relating to the Act which are referred to them, as well how many of these cases are charged, and what the outcomes of these cases are.

It is not currently possible to publish figures relating to referrals to the CPS in Wales, as the number reported is fewer than five, posing a risk to personal

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information being disclosed.

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Views expressed in this report are those of the researchers and not necessarily those of the Welsh Government.

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