



Llywodraeth Cymru  
Welsh Government

# Bil Plant (Diddymu Amddiffyniad Cosb Resymol) (Cymru)

## Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill

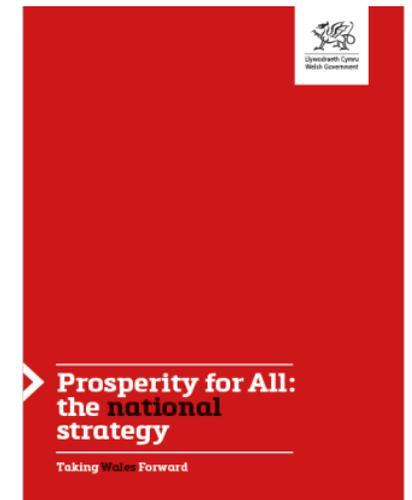
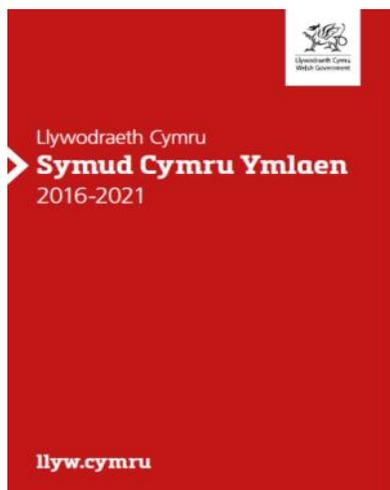


# Overview & Update on the Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill

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The Welsh Government's commitment to seek cross party support to end the defence of reasonable punishment was set out in “**Taking Wales Forward**”, the Programme for Government (September 2016)

And reaffirmed in “**Prosperity for All**” – the national strategy.



The Bill is to ensure that Children's rights are protected in Wales

- United Nations Convention on the Rights of the Child
  - Article 19: protection from violence, abuse and neglect by parents or anyone who looks after them
- Rights of Children and Young Persons (Wales) Measure 2011
  - Welsh Ministers have due regard to the Convention when making decisions

- Availability of the defence - already restricted under section 58 of the Children Act 2004
- Currently applies in respect of both the criminal and civil law.
- If enacted the defence will no longer be available within Wales to parents or those acting in loco parentis, as a defence to a charge of common assault or battery.
- Does not create a new criminal offence.
- Remove a loophole which exists for settings not covered by the earlier changes to the law about corporal punishment in educational settings.

# Update on the progress/timetable of the Bill

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- Bill Introduced – 25<sup>th</sup> March 2019
- Stage 1 - NAFW consultation and evidence gathering - March to June 2019
- Stage 1 reports from CYPE, Constitutional, Legislative Affairs and the Finance Committee published – 2 August 2019
- Stage 1 general principles debate in the Senedd – 17 September
- Stage 2 – Amendment stage by CYPE Committee – 24 October
- Stage 3 & 4 National Assembly amendments and approval vote – likely to be December
- Royal Assent – expected February 2020

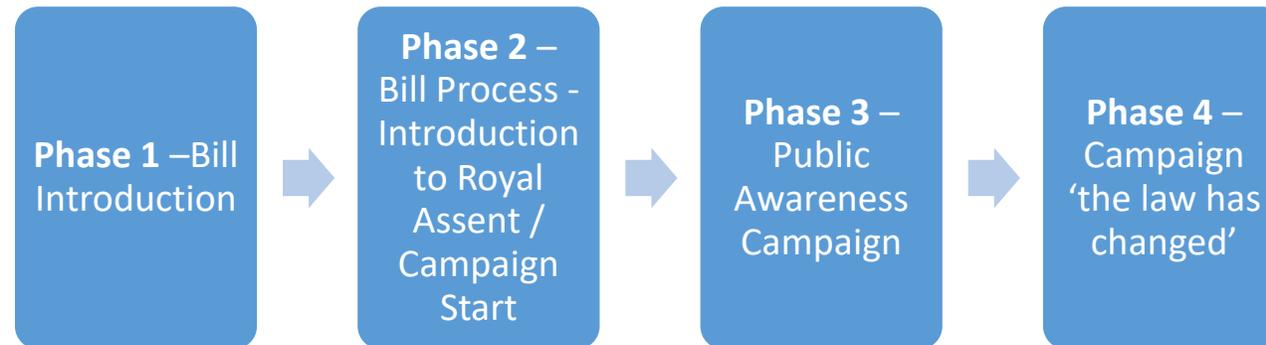
- Evidence sessions in the Children, Young People and Education Committee
  - Alastair Birch from ADEW
  - Huw David from WLGA Health and Social Care
  - Sally Jenkins from AWHoCS
  - Allison Hulmes, National Director for BASW Cymru
- Work done towards estimating potential impacts on Social Services
- Involvement of Social Services in the Strategic Implementation Group and the task and finish groups
- Daniel Jones' article in the Professional Social Work magazine

## Update on the work in progress of the task and finish groups and work-streams

- Strategic Implementation Group
  - Parenting Expert Advisory Group
  - Data Collection and Monitoring Group
  - Out of Court Disposals and Diversion Scheme Group
  - Operations, Processes, Guidance and Training Group

# Communications Strategy – Phases

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There are 5 strands to this phase of the communications – from Introduction to Royal Assent:

1. Digital Communications and Social Media
2. Public Relations
3. Media / press
4. Stakeholder Engagement
5. Targeted and Harder to reach audiences

## 1. Digital Communications and Social Media

### Website

- Useful information and resources on the Bill including:
- Bill explainer video
- FAQs
- Easy read/ young people's FAQs
- Timelines showing the journey of reasonable punishment
- Timeline showing countries that are taking steps to end physical punishment

### Social Media Campaign

- Keep momentum going on DM's twitter account and building around key Bill milestones.
- Quotes from experts, professionals, parents on why they support the Bill.

“As Children’s Commissioner, I am proud of our Government’s determination to give children equal protection in the law from assault. This Bill recognises children as individual rights holders and recognises the importance of safe family life, free from physical harm.”

**Sally Holland**

Children’s Commissioner for Wales

**#ChildrenWalesBill**

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



## 2. Public Relations

- Sector specialist press activity
- Target specific publications to raise awareness of the Bill with key stakeholders

## 3. Media / press

- Ongoing media work around key Bill milestones
- Focus on the Deputy Minister
- Examples of activity – articles, live twitter chats, podcasts, interviews on current affairs programmes, press releases, media interviews, video clips

## 4. Stakeholder Engagement

- Expert Stakeholder Group (ESG)
- Stakeholder e-bulletin
- Stakeholder Resources

## 5. Targeted and Harder to reach audiences

### **Children and Young People**

We have asked *Children in Wales* to develop an engagement strategy for children and young people. There was general consensus at the July Expert Stakeholder group that awareness-raising amongst children should be embedded in a wider context of children's rights / ongoing activity / ongoing programmes – and that it needed to be kept simple.

### **Targeted and Harder to Reach Audiences**

We have contracted a specialist agency with the objective of developing an engagement strategy for BME and Faith Groups, and then deliver that strategy after RA.

# Phase 3 - Public Awareness Campaign Planning

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- Campaign planning
- Creative Development
- Testing
- Comms mix - above the line and below the line methods

- **Data Collection & Monitoring Task and Finish group set up in June**
- **Aim: consider methods for collecting data across organisations to monitor the impacts of the legislation on public services.**
- **Representation includes:**
  - Police
  - social services
  - CPS
  - CAFCASS
  - HMCTS
  - NHS Safeguarding
- **Met for the second time in September**

- **Children, Young People and Education Committee**
  - Recommended identifying robust methods for capturing meaningful data.
  - Recommended the establishment of a baseline for the number of cases of physical punishment of a child.
- **Finance Committee**
  - Recommended prioritising establishing a baseline cost for referrals to Social Services
  - Recommended ensuring a clear link between estimated referrals to the police for offences that previously would have been covered by the defence of reasonable punishment.
- **Constitutional and Legislative Affairs Committee**

- **Police and Social services: priority services for collection of a baseline**
- **Members conducted a mapping exercise to:**
  - Gain a better understanding of the current process,
  - Identify how this may differ if the law changes; and
  - Identify key points for potential data collection.

- **Met with the regional data representatives for Social Services**
  - Identified a plan and timescale to move forward
  - Explore options for adding local fields to recording of referral
  - Include figures for origin of referral
  - Include figures for outcome

- **Definitions**
  - What exactly are we trying to measure – increase at front door?  
Increase on investigations? Increase in LAC?
- **Duplication**
  - Referrals logged against each individual at risk (i.e. cloned for siblings)
- **Different systems**
  - Different processes for recording as well as governance.

- **Identify what we would ideally like to measure**
- **Review options in regional workshops**
- **Present possible options back to the national reporting subgroup**
- **Confirm final reporting requirements with Task and Finish Group**
- **Begin implementing collection in time for April 2020**