

# Home Office Advisory Group

## Minutes

**Wednesday 26 February 2020**

### **Welsh Government: Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill**

AH Introduced SaC and NJ who attended from Welsh Government to discuss the current status of Bill and the potential impacts and implementation of the legislation.

SaC referred to the paper circulated to Members before the meeting which set out background and Bill details. She highlighted that royal assent is expected in March and legislation will come into force in March 2022 which will allow working through of implementation issues.

Noted the focus on comms work to raise with public awareness of the legislation and what it means, particularly for parents and carers. Planning is underway for a high intensity awareness campaign as it is a change in the criminal justice law, and it is a matter of natural justice that steps should be taken to inform the public about the change to the greatest extent possible. Welsh Government has committed £2.2m to awareness raising. There is also a separate positive parenting campaign (Parenting. Give it Time), funded by Welsh Government, to provide advice on positive parenting, including alternatives to physical punishment. There is also a Strategic Implementation Group in place to consider how to implement the legislation most effectively.

SaC referenced that there are four task and finish groups working to advise the Strategic Implementation Group on aspects of implementation. Concerns have been expressed, for example, about the potential impact on the police and social services, and about the potential criminalisation of parents. In light of this, one group is considering data collection and monitoring of the impact; another is looking at out of court disposals and diversion schemes to understand what is currently in place and what might be developed as an option for cases of parental physical punishment where diversion from the criminal justice system might be appropriate.

The CPS is also looking at how to adapt their guidance, particularly the Charging Standard for Offences against the Person, to account for the future difference in respect of parental physical punishment between Wales and England. There is already a reference included in the Code for Crown Prosecutors (in a general sense, referring to need to consider differences between Wales and England).

Members questioned how cross border issues would be managed and how the law change will work with corporate parents.

AH asked what impact assessments have been carried out on how it may affect different communities so those, such as RAS where smacking may be a cultural norm, are not disproportionately affected.

Welsh Government are working with a specialist organisation to engage with harder to reach communities and audiences, and this organisation has already carried out a scoping exercise with a number of communities on how we can best engage with them about the implementation of the legislation. Welsh Government confirmed that while we have identified RAS as a key audience, we have not yet been able to find a way in to communicate with them; NJ committed to speak with Home Office colleagues on how to access to the RAS audience.

JH flagged opportunities for information gathering such as the forthcoming ACEs report on RAS children. JH offered help with engagement.

PM believes there is a strong understanding in Wales amongst the forces who are ready to put out a press release at the right time led by Gwent CC Pam Kelly supported by PLU. This work has also been taken to Policing Partnership Board.

Welsh Government has written to HO Minister to note the Bill passed. AH suggested the correspondence should continue through implementation.

**Action:** Wales Team to share SaC and NJ contact details for Members to follow up on points raised.

**Action:** NJ to contact Wales Team to establish access to RAS group.