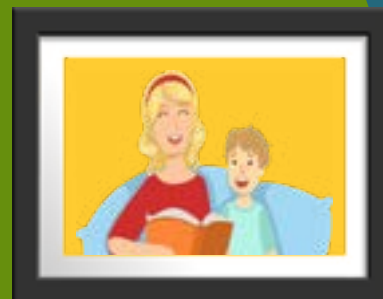
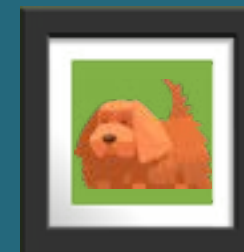
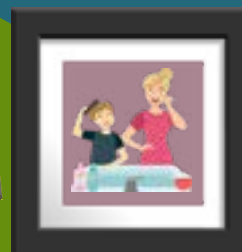
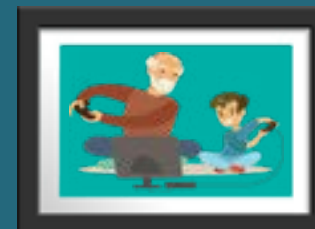
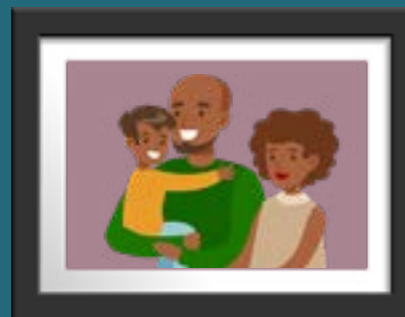


Ending physical punishment in Wales



Llywodraeth Cymru
Welsh Government



Questions
and
Answers

The Welsh Government is changing the law to help protect children.

It will mean from 21 March 2022 people can't physically punish children in Wales any more.

There are lots of types of physical punishment.

It can mean smacking, hitting, slapping and shaking. But there are other types too.

It isn't possible to give a set list of what makes up physical punishment because it can be anything where a child is punished using physical force.



1

Why is this happening?

All children and young people have rights. The United Nations Convention on the Rights of the Child (UNCRC) says:

You have the right to be protected from harm and being hurt. (Article 19)

This includes physical punishment.

Wales is one of a few places in the world where the law supports children's rights. It is at the heart of everything we do.

We are changing the law to further protect these rights.

2

What is the law now?

It's a bit of a grey area. Hitting a child is common assault. If a parent or other adult goes to court for common assault against a child, they could say it was reasonable punishment.

Using that to explain their actions is called **"the defence of reasonable punishment."**

It is already against the law to physically punish children in schools, children's homes, foster care and childcare.

3

How is the law changing?

From 21 March 2022 the defence of reasonable punishment will no longer exist.

All types of physical punishment will be against the law.

4

Who will this affect?

This will affect everyone in Wales who cares for and looks after children or young people.

5 Will the law affect people visiting Wales?

Yes. This law will affect visitors and tourists as well as anyone who lives in Wales

6 When the law changes what will happen if a parent physically punishes a child?

If a parent or someone caring for a child physically punishes them, they could be reported to the police. The police will look at the facts and decide what action to take.

As they do now, the police will think about two important things:

- are there enough facts or proof to charge the person?
- is it in the public interest to charge a person?

They will also think about the best interests of the child.

7 Is this going to make parents criminals?

Laws don't criminalise people. People choose to keep or break the law. If an adult physically punishes a child, they could be reported to the police. The police will look at the facts and decide what actions to take.



8 Does this mean children have the same protection from assault as adults?

Yes, from 21 March 2022, children will have the same protection from assault as an adult. But this will not stop a parent holding a child to keep them safe from traffic or from hurting themselves.

It doesn't stop parents cuddling their child, brushing hair or teeth, playing 'rough and tumble', or other things. This change to the law is only about ending physical punishment.

9 Have other countries done this too?

Yes. More than 60 other countries have done this.

Sweden did it in 1979.
Scotland did it in 2020.

11 Does physically punishing a child cause long-term harm?

In 2018 we asked an expert to look at all the research. It showed that physical punishment:

- may be harmful to children
- isn't any more effective at changing a child's behaviour than other methods



10 What do parents think about physically punishing children?

We asked parents and carers of young children if they agreed or disagreed whether it was sometimes necessary to smack a child.

Most of them disagreed.

In 2018 – **59%** disagreed.

In 2019 – **70%** disagreed.

12 Does this stop parents disciplining their children?

No. There is a big difference between discipline and physical punishment.

Discipline is about guiding children and teaching them how to behave well in life. You don't need to physically punish a child to do this.

13 Why do you say physical punishment and not smacking?

Smacking is just one example of physical punishment. There are other kinds of physical punishments.

This will help protect children from all of them.

14

What will this mean for public services, such as the Police, schools and Social Services?

Public services already have systems in place to protect children and these will carry on as before. We are working with all public services to help them get ready for the change in law.

15

What are you doing to support parents?

There's lots of support available for parents. Including:

- **Parenting. Give it time** is a campaign giving positive parenting tips and information
- **Local services** promoting positive parenting
- **Flying Start** and **Families First** offering help and advice

16

Where can parents get help and support?

Parents can also get help and advice from:

The **GP** or **health visitor**

[Parenting. Give it time](#) - the [parenting support page](#) offers links to further support and helplines.

Family Information Services ☎ 0300 123 7777

You can also get help at:

[Childline](#) ☎ 0800 1111

[MEIC](#) ☎ 08088 023456