

GBV 55

Communities, Equality and Local Government Committee  
Gender-based Violence, Domestic Abuse and Sexual  
Violence (Wales) Bill : Stage 1

Response from: **British Association for the Study and Prevention of  
Child Abuse and Neglect (BASPCAN)**



**Dr John Devaney, Chair, BASPCAN**

**5<sup>th</sup> September 2014**

## **Introduction**

The British Association for the Study and Prevention of Child Abuse and Neglect (BASPCAN) is the largest multi-disciplinary association in the United Kingdom and Ireland for professionals and volunteers working in the field of child protection. It is the only multi-disciplinary association of its kind, bringing together personnel from all agencies who work in the field with children in need, and with those who are abused and neglected. The Association was established to protect children from suffering, or the likelihood of suffering, significant harm, ill-treatment, impairment of health or development by the encouragement and promotion of any methods, services and facilities calculated to safeguard and promote the welfare of such children. It aims to educate and inform the public at large, and in particular those persons professionally qualified in relevant fields, in all aspects and effects of abuse and neglect on children generally. We do this by multi-disciplinary collaboration and education. Membership is drawn from a range of professions and disciplines including paediatricians, police officers, social workers, health visitors and teachers. The Association has an active Wales Branch that has run a number of well attended events, including the Associations national Congress in 2009.

BASPCAN are grateful to the Communities, Equality and Local Government Committee for providing this opportunity to comment on the policy proposals set out in the consultation on the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill.

As a UK wide organisation BASPCAN are well placed to comment upon some of the proposals. As a professional Association we would support the intent of the proposed legislation in developing a holistic and effective response to promoting the safety of individuals at risk from gender based violence, domestic and sexual violence. We recognise that these issues are relevant to children as victims, as the children of adult victims and sometimes, unfortunately, when children enact violence or abuse onto other children.

In this context we would like to highlight one specific issue. As an Association dedicated to promoting the safety and well-being of children within their families and wider society BASPCAN would ask that the Assembly Government remove from law the defence of 'reasonable punishment'. This is for a number of reasons:

- The Explanatory Memorandum states that the Bill's overall intention is to create a stronger and more consistent focus on prevention of violence between family members (including parents and children), the protection of victims and support for all affected. While hitting children remains legal there can be no consistency of approach in either prevention or protection from violence and abuse.
- As an Association BASPCAN promotes the use of research evidence to inform both practice and policy development. Research evidence shows clear associations between physical punishment in childhood and a range of poor social, psychological and economic outcomes in later life. Being exposed to physical violence in the home increases the potential for some children to become victims in adulthood, or to perpetrate violence against others as an adult.

- We endorse the measures aimed at changing the social acceptability of interpersonal violence – for example by providing healthy relationships education in schools. We are concerned that this will be seriously undermined unless it is absolutely clear that using violence of any kind to control or punish others, whatever their age, is never acceptable.
- Successive Welsh Assembly Governments and the National Assembly for Wales have supported giving children ‘equal protection’ for over a decade and have in the past acknowledged that it is a human rights imperative under UN Conventions. There can be no excuse for delaying reform now the Assembly has devolved power to enact this measure.
- Internationally thirty nine countries have already banned the parental right to use physical chastisement. It is recognised that none of these countries took this step in response to public demand, however once the ban came into force rates of violence have fallen and none of the negative consequences predicted by opponents have actually occurred.

In introducing legislation to remove from law the defence of ‘reasonable punishment’ the Welsh Assembly Government has the opportunity to make a clear and unequivocal statement about the importance of children’s safety and the importance of supporting positive parenting practices. We hope that Wales will be the lead for the other countries in the United Kingdom and Ireland will follow.