



10 March 2022

Dear Colleague

Children (Abolition of Defence of Reasonable Punishment) (Wales) Act 2020

This letter is to inform you that the [Children \(Abolition of Defence of Reasonable Punishment\) \(Wales\) Act 2020](#) (the Act) will come in to force in Wales on Monday 21 March 2022.

The overarching objective of the Act is to protect children and their rights by prohibiting physical punishment in line with the Welsh Government's long standing commitment to the United Nations Convention on the Rights of the Child (UNCRC). From 21 March, all types of physical punishment will be illegal in Wales. The defence of reasonable punishment will no longer be available to parents or those acting with parental responsibility as a defence to assault and battery against a child.

The defence currently applies in respect of both the criminal and civil law. It will be removed under the criminal law in respect of the common law offences of assault and battery and under civil law in respect of the tort of trespass against the person. This will be the first time the core criminal law will differ between Wales and England.

The change in law will give children in Wales the same protection from assault as adults and will also apply to visitors to Wales. The change in law does not affect a parent's ability to discipline their child by providing boundaries, support and guidance so they learn appropriate behaviour. In addition, the Act will not interfere with a parents' ability to physically intervene to keep a child safe from harm, or help with day to day activities such as dressing or hygiene and cleanliness. Parents and carers undertake many and frequent physical interventions to nurture and protect children. This is quite distinct from the use of force to cause some degree of pain, discomfort or humiliation.

Ahead of the law changing on 21 March 2022, the Welsh Government has been working with key stakeholders including the police, social services, health, education and others to ensure the new law will be implemented in the best way possible. A Strategic Implementation Group has overseen three task and finish groups working to implement the Act looking at processes, guidance and training, parenting support and monitoring future impacts on the police, social services, the Crown Prosecution Service and other public services. A comprehensive multi-media stakeholder engagement and public awareness campaign is also underway, and this will continue into future years.

The Act is part of a much wider package of support for children and their parents. This includes the [Parenting. Give it time](#) campaign which offers ideas to encourage good behaviour and positive alternatives to physical punishment. Targeted support through programmes such as [Flying Start](#) and [Families First](#) also offer parenting support and advice alongside universal services provided by, for example, midwives, health visitors, general practitioners and family information services.

The Deputy Minister for Social Services Julie Morgan MS announced on 20 September 2021 that £2.9m, over four years, will be available to local authorities in Wales to fund positive parenting support, through the out of court parenting support grant. It will mean that in cases where the police decide it is appropriate to offer an out-of-court disposal there will be an option of offering support to help avoid re-offending. This will, however, depend on individual circumstances.

The aim – through the combined effect of the law change, integrated engagement and awareness raising campaign and support for parents – is to bring about a further reduction in the use and tolerance of physical punishment of children.

I would like to acknowledge the support and expertise of all those individuals, representatives and organisations (of which there are many) who have contributed and worked with the Welsh Government to implement the Act over the last few years.

I have included a number of links below that you may find helpful. These links include various resources about ending physical punishment in Wales, information on support for parents and information for practitioners.

This letter has been published on the Welsh Government website. Please could you consider circulating to any of your colleagues, staff and any other individuals or organisations who you think would benefit from this important information. If you have any questions please contact me at endphysicalpunishment@gov.wales

Yours sincerely



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Further Information on ending physical punishment

- Information and resources about ending physical punishment for the general public can be found at: [Ending physical punishment of children | GOV.WALES](#)
- Resources for organisations and practitioners including briefing for stakeholders, explainer video and information sheets for different sector workforces, can be found at: [Ending physical punishment in Wales | GOV.WALES](#)
- Implementation task and finish groups: [Children \(Abolition of Defence of Reasonable Punishment\) \(Wales\) Act 2020 Implementation Groups | GOV.WALES](#)
- Wales Safeguarding Procedures detail the essential roles and responsibilities for practitioners to ensure that they safeguard children who are at risk of abuse and neglect. [safeguarding.wales](#)
- Wales Safeguarding Procedures (Practice Guides). A practice guide specific to dealing with cases of physical punishment of children can be found here: [Social care Wales \(safeguarding.wales\)](#)
- Out of Court Parenting Support Grant Guidance. This guidance is intended to: support local authorities in administering the Out of Court Parenting Support Grant; and provide advice for the police, Youth Offending Teams and local authorities on the referral pathway for parenting support provided in conjunction with an out of court disposal: [Out of Court Parenting Support Grant: guidance | GOV.WALES](#)
- Parenting. Give it time offers positive parenting practical hints, tips and expert advice to encourage good behaviour from children and alternatives to physical punishment. Their parenting support page offers links to further support and helplines. [Parenting. Give it time](#)
- Universal parenting support and advice is provided by midwives, health visitors, GPs and [Family Information Services](#)
- Early help programmes such as [Flying Start](#) (if you live in a Flying Start area) and [Families First](#)

