

GBV 36

Communities, Equality and Local Government Committee

Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill :
Stage 1

Response from: Emeritus Professor Jo Sibert OBE MD FRCPCH

5th September 2014

The Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill should remove the 'reasonable punishment' defence for physical punishment of children in Wales.

I have been a paediatrician managing and dealing with abused children for 40 years, much of my experience being in Wales finishing as Professor of Child Health, Cardiff University. I have 50 scientific papers related to the medical aspects of child protection.

I feel very strongly from my experience that the defence of reasonable chastisement should be removed. I have had experience of it being used in criminal cases against the best interests of the child and it leading to children being inappropriately returned to their parents. Perhaps as important, is the influence this defence has on social workers and other professionals in not taking seriously significant bruising in children. Many do not seem to realise that serious abuse is preceded by bruising that is not dealt with properly and considered reasonable chastisement.

In our study of physically abused babies in Wales (1) we found that a third of those returned home were re-abused over a three year period. Many of these cases were related to bruising not considered significant. I would be happy to give further information from my research experience.

1. Ellaway B A, Payne E H, Rolfe K, Dunstan F D, Kemp A M, Butler I, Sibert J R Are abused babies protected from further abuse? Archives of Disease in Childhood 2004; 89:845-846

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