



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

2020 anaw 3

An Act of the National Assembly for Wales to abolish the common law defence of reasonable punishment in relation to corporal punishment of a child taking place in Wales; and for connected purposes. [20 March 2020]

Having been passed by the National Assembly for Wales and having received the assent of Her Majesty, it is enacted as follows:

1 Abolition of common law defence of reasonable punishment

- (1) The common law defence of reasonable punishment is abolished in relation to corporal punishment of a child taking place in Wales.
- (2) Accordingly, corporal punishment of a child taking place in Wales cannot be justified in any civil or criminal proceedings on the ground that it constituted reasonable punishment.
- (3) Nor can corporal punishment of a child taking place in Wales be justified in any civil or criminal proceedings on the ground that it constituted acceptable conduct for the purposes of any other rule of the common law.
- (4) For the purposes of this section, “corporal punishment” means any battery carried out as a punishment.
- (5) In section 58 of the Children Act 2004 (c. 31) (reasonable punishment)—
 - (a) in subsection (1), after “battery of a child” insert “ taking place in England ”,
 - (b) in subsection (3), after “Battery of a child” insert “ taking place in England ”, and
 - (c) the heading becomes “ Reasonable punishment: England ”.