



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

2020 anaw 3

## 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 ”.

### Commencement Information

II S. 1 in force at 21.3.2022, see s. 5(2)

**Changes to legislation:**

There are currently no known outstanding effects for the Children (Abolition of Defence of Reasonable Punishment) (Wales) Act 2020, Section 1.