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TO

Amend the Children and Young Persons Act 1933 to remove any existing defence which justifies the corporal punishment of children and to give children the same protection as adults under the law on assault.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Amendment of the Children and Young Persons Act 1933

- (1) Section 1 of the Children and Young Persons Act 1933 (c. 12) (cruelty to persons under sixteen) is amended as follows.
- (2) In subsection (7), at the beginning there is inserted “Subject to subsection (8) of this section,” 5
- (3) After subsection (7), there is inserted—
 - “(8) Corporal punishment given to a child by, or on the authority of, any person, including a parent or guardian, cannot be justified in any proceedings on the ground that it was given in pursuance of a right exercisable by the person. 10
 - (9) Any reference to giving corporal punishment to a child is to doing anything for the purpose of punishing that child (whether or not there are other reasons for doing it) which, apart from any justification, would constitute battery.
 - (10) However, corporal punishment shall not be taken to be given to a child by virtue of anything done for reasons that include averting— 15
 - (a) an immediate danger of personal injury to, or
 - (b) an immediate danger to the property of, any person (including the child himself).
 - (11) For the purposes of subsections (8) to (10) “child” means a person under the age of eighteen years. 20

2 Short title and extent

- (1) This Act may be cited as the Corporal Punishment of Children (Abolition) Act 2003.
- (2) This Act extends to England and Wales only.

Corporal Punishment of Children (Abolition) Bill

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supported by
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