

Further evidence from Barnardos on Justice (Sexual Offences and Trafficking Victims) Bill

Hi Stephen,

Thank you for this. I have checked the evidence that the Crown Prosecution Service gave to the Welsh Children, Young People and Education Committee on this matter. You can access the transcript of the evidence session here: <https://record.senedd.wales/Committee/5520>.

The relevant sections are 132 and 133 and I have copied them below:

Sian Gwenllian AM

Okay. We've mentioned this, namely the risk of malicious reporting against parents involved in private family law cases. This happens now, of course. Is that going to increase if we change the law?

Barry Hughes, Chief Crown Prosecutor for Wales

There is greater potential for it to increase. I think the numbers, again, will be tiny, and dwarfed by the number of cases where we have to deal with the fallout between a relationship breakdown between partners—whether they be living within the same house or living in different houses. Regrettably, there are times when children are used as part of this ongoing dispute. Getting into the subtleties of the father, say, smacking the child in a way that was reasonable chastisement or was not reasonable chastisement is probably part of a much bigger piece here. I can see it potentially arising. It's not something that would cause me concern, simply because we already have a well-developed approach to dealing with the way in which we evaluate the evidence from parties who may well have a particular position that they want to reinforce, sometimes through exaggeration of basic facts and sometimes through fabrication.

I trust this is helpful.

Best wishes,

Trása