Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill consultation

4 July 2019

Request for Information.

Thank you for your request received on 12 June in which you asked:

Dear National Assembly for Wales,

I write about consultation responses received by the Welsh Government to the Children (Abolition of Defence of Reasonable Punishment) Bill.

As a result, I would be grateful if you could provide information as to how many responses were from persons residing within Wales and how many responses were from persons living outside of Wales.

Thank you in advance for your assistance.

Yours faithfully,

Please see the response below:

The National Assembly for Wales’ Children, Young People and Education Committee conducted a public consultation on the Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill, as part of its Stage 1 consideration of the Bill’s general principles. The consultation ran from 2 April to 14 May 2019, with a total of 650 responses received.
We are currently in the process of carrying out the necessary redactions to the responses, in line with the Assembly’s privacy policy, before publication. Due to the large volume received, the intention is for responses to be made publicly available on the Committee's webpage in August, at the following address:

**Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill**

The summary data that we also intend to publish will provide you with the information requested. However, please note that the information on location will be incomplete. The consultation asked individuals only responding in a personal capacity to submit location information. Organisations or individuals who have made submissions in a professional capacity were not asked to provide post code information.

As there is planned publication of the information you have requested, we do not propose to provide the information at this stage as you will be able to view the information when it is published. Therefore, the information requested is exempt under section 22 of the Freedom of Information Act 2000. Further reasoning for the application of this exemption is set out in the Annex.

Yours sincerely

**Freedom of Information Manager**  
**National Assembly for Wales**
Your request has been considered according to the principles set out in the Code of Practice on Public Access to Information. If you have any questions regarding this response please contact me. If you feel you have cause for complaint, please follow the guidance below.

**Cause for concern or complaint with your FOI response?**

If you are dissatisfied with the Assembly's handling of your request, you can request an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Freedom of Information Manager at: Information-request@assembly.wales or in writing to The National Assembly for Wales Governance and Assurance Cardiff Bay Cardiff CF99 1NA

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Annex

Section 22

Section 22 of the Freedom of Information Act 2000 provides that:

(1) Information is exempt information if:
(a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not);
b) the information was already held with a view to such publication at the time when the request for information was made, and
(c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).

Section 22 is available if the public authority in question holds the requested information and intends for it to be published at some future date. However, in all the circumstances it must be reasonable to withhold the information until its planned publication.

As we are currently working on the information gathered as part of the consultation, including any redactions necessary in line with the Assembly’s privacy policy and our obligations under data protection law, with a view to publishing the requested information in August, we consider it reasonable to withhold the information requested at this stage.

Section 22 is a qualified exemption and as such the “public interest test” needs to be considered.

This test requires us to consider whether the public interest in disclosure at this earlier stage outweighs the public interest in withholding the information until the planned date of publication.

We cannot see any circumstances that suggest that there is a strong public interest in earlier disclosure of the information in this case. Accordingly, we are of the view that the public interest in adhering to the pre-existing arrangements, rather than diverting resource away from preparations for the publication of the information on the planned date of publication, outweighs any public interest in earlier disclosure.
As we intend to publish the information at a date in the near future, on this occasion in August, we would be happy to inform you when this has occurred.