

Children (Equal Protection from Assault) (Scotland) Bill

Page 2: About you

Are you responding as an individual or on behalf of an organisation?

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Member of the public

Please select the category which best describes your organisation

No Response

Please choose one of the following; if you choose the first option, please provide your name or the name of your organisation as you wish it to be published.

I would like this response to be anonymous (the response may be published, but no name)

Please insert your name or the name of your organisation. If you choose the first option above, this should be the name as you wish it to be published. If you choose the second or third option, a name is still required, but it will not be published.

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. We will not publish these details.

Page 7: Your views on the proposal

Q1. Which of the following best expresses your view of the proposal of giving children equal protection from assault by prohibiting all physical punishment of children?

Partially supportive

Q1. Which of the following best expresses your view of the proposal of giving children equal protection from assault by prohibiting all physical punishment of children?

Please explain the reasons for your response

I am opposed to the use of physical force as a punishment, but I would not wish to see a parent who smacked a toddler on the hand to keep it from touching a fire or a stove - and please don't tell me that a child can be watched 24/7 - even parents have to blink occasionally.

Q2. Could the aims of the proposal be better delivered in another way (without a Bill in the Scottish Parliament)?

No

Please explain the reasons for your response

I have very little faith in voluntary agreements, and I shudder to think of the legal challenges to any scheme that was not enshrined in a well-drafted law.

Q3. What do you think would be the main advantages, if any, of giving children equal protection from assault by prohibiting all physical punishment of children?

Clarity, for one thing.

Protection from "interpretation" by professionals which lead to the return of children to the custody of parents/carers who have physically abused them.

Also, I hope that the legislation would make physical bullying a criminal offence - no ifs, buts, or maybes, and would make adults (e.g. teachers) who fail to act guilty of a criminal offence - perhaps wilful neglect.

Q4. What do you think would be the main disadvantages, if any, of giving children equal protection from assault by prohibiting all physical punishment of children?

It depends on the definition of "punishment". If the only way that a child can be prevented from hurting him/her self or another is by hitting or grappling with him/her, there should be a defence in law for the person using physical force.

Page 11: Financial implications

Q5. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have?

Significant increase in cost

Please explain the reasons for your response

A lot of children will have to be taken into care if this measure is implemented, and a great deal of parental education on alternative methods of discipline will be needed. Money well spent!

Page 12: Equalities

Q6. What overall impact is the proposed Bill likely to have on the following protected groups (under the Equality Act 2010): race, disability, sex, gender re-assignment, age, religion and belief, sexual orientation, marriage and civil partnership, pregnancy and maternity?

Positive

Please explain the reasons for your response

Anything which prevents physical abuse will be beneficial to minority groups, particularly if penalties are severe enough to actually deter abusers.

Q7. Could any negative impact of the proposed Bill on any of these protected groups be minimised or avoided?

No Response

Page 14: Sustainability of the proposal

Q8. Do you consider that the proposed Bill can be delivered sustainably i.e. without having a disproportionate economic, social and/or environmental impact?

Yes

Please explain the reasons for your response:

A non-violent society will clearly be beneficial in the long term. If we want it, we have to be prepared to pay for it.

Page 15: General

Q9. Do you have any other comments or suggestions on the proposal?

Please put the provisions to implement the proposal in place before any law comes into force, especially the necessary educational ones.