

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 am content for this response to be attributed to me or my organisation

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 If you choose the second or third option, a name is still required, but it will not be published.

Nichola williams

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?

Fully 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

It is a progressive decision. As a society, we must start to think about the effect of physical punishment on the mental and physical wellbeing of children, and the implications for their futures. Discipline does not need violence; we don't use violence to rehabilitate prisoners, we don't encourage violence to correct the wrongdoings of our pets, we don't permit violence to resolve interpersonal conflicts at home or at work. So why do our most vulnerable members of society, as well as being those least able to speak up for themselves, not deserve this same protection? It is no more interfering in the role of parenting than the legal stance on murder and sex crime; children should be disciplined by their parents, but their parents and any adults in their lives do not and should not have any right to harm them. Physical punishment is physical harm with potential additional emotional consequences. It is time we make it clear in law that it is not acceptable. We can not expect to smack an adult to teach them their wrongdoings, so we certainly should not expect to smack a child.

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

No

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?

Protecting the physical and emotional wellbeing of children. Encouraging parents to find peaceful and more productive methods of discipline which in turn makes them feel more confident. Ensuring that excessive physical abuse or child abuse does not become disguised as accepted levels of physical punishment. Preventing future psychological illness which could have been exasperated by physical trauma during childhood. Encouraging the value of nonviolence from an early age (I believe this is exceptionally important - it has been shown in studies that children learn far more from experience and observation rather than instruction - to inform children that violence is wrong, but then to impose and support violence towards them, not only invalidates this lesson but it is then a risk that this child will become an adult that believes violence can be used as an acceptable method of dealing with conflict)

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?

I believe it is likely to receive criticism as being a law which interferes with family life. I also believe it will be argued that many children who received physical punishment not only grew into perfectly healthy adults, but benefitted from this punishment. I would argue that the notion of interfering in family life is moot; as previously stated, we all have liberties but harming others is not one of them. In fact, hitting children is, to my knowledge, the only form of violence to another person that isn't illegal. Secondly, to the argument of physical punishment proving sometimes effective and untraumatic, I would argue that (1) this is largely anecdotal and not scientifically proven (2) many victims of crime may find themselves untraumatised but this does not prevent it being a crime (3) just because one method can be effective it does not mean that there are not other, more appropriate methods and lastly, (4) it is largely untestable; many adults who proclaim to have been unaffected by physical punishment in childhood have no means of knowing the exact effects and whether their life would have been different otherwise. Whereas only the extreme cases would sadly entail long term consequences which are clearly attributable to the violence, many subtle cases which could be simple issues such as decreased confidence in childhood, lack of friendships, lack of trust in adults etc, can all lead to larger consequences, which are not directly attributed, but certainly could be influenced by, the aforementioned physical punishment method.

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

Unsure

Please explain the reasons for your response

Perhaps an initial increase in costs with regards to investigating cases of assault towards children.

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

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

It is possible that counselling or advisors could be needed to support those who require it. Parents especially, and those who have received physical punishment as a child themselves. I could perhaps forsee people who have received such punishments, who upon learning of its new criminality, needing help to come to terms with their experiences.

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

Page 15: General

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

I feel very strongly about protecting the welfare of children and I also feel very strongly that we need to understand that children are our future adult population. By tackling the problems children may face today, we secure not only our childrens' futures, but every generation to come as these values are passed on and built upon even further. Children deserve the most protection that we as a society can provide them with, and at the very least, they should expect to be safe. We enjoy laws which protect us from assault and abuse from others; this should not start in adulthood.