

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 If you choose the second or third option, a name is still required, but it will not be published.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

Fully opposed

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

The existing protection under law is appropriate, and going further is therefore an unwarranted intrusion of the state into family life.

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

Yes (if so, please explain below)

Please explain the reasons for your response

The existing legislation is designed and functions to protect children from abuse. Going further represents an unwarranted intrusion of the state into family life.

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?

None - it would only serve to increase state intrusion into family life without materially increasing the protection offered to children under the current legislative framework. Such an intrusion would necessarily dilute the response of the state (social work, education, etc) in cases of abuse.

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?

The state would be further interfering in family life and it would further burden social work, education and health professionals, diluting their ability to respond to children at risk.

Page 11: Financial implications

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

Some increase in cost

Please explain the reasons for your response

In order to enforce this law, additional resource will be required in education, social work and policing - if this is not provided, the response to children significantly at risk will be diluted.

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?

Slightly negative

Please explain the reasons for your response

Certain religious perspectives include exhortations on parents to discipline their children, including through physical chastisement. This includes those with a traditional view of the Bible as authoritative for family life. The proposed bill would thus set up a conflict with a protected group holding to a traditional religious view.

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

Whilst an exemption could be provided for those of traditional religious beliefs, it is likely that such an exemption would go against the intent of the proposed Bill, so it would be better if the existing legislation were used retained, to ensure protection of children from physical abuse without the proposed Bill.

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?

No

Page 15: General

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

No Response