

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 If you choose the second or third option, a name is still required, but it will not be published.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 feel the intention is extremely laudable and one that I can support whole-heartedly as something that any decent society should aspire to. But I have difficulty in seeing how it can be thoroughly introduced across all of society at once, without many people becoming instantly criminalised because of how they bring up children. I feel that a lot of support would be needed to help parents/carers/responsible adults to unlearn old behaviours and learn new ones that exclude physical punishment. I can also see difficulty in defining physical punishment to the satisfaction of those at both ends of the relationship. It feels like an extension of the school belting issue, which was resolved despite lots of anxieties about kids running wild and teachers having no sanction over children. There is a wider issue about how to build a society where punishment is not part of growing up, but encouragement and support for children to become caring and mature adults becomes the norm. This will take generations, but we must do it for the sake of our future children and for the benefit of our future society.

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

Without a national standard, defined in law, the desire to exclude physical punishment would be bogged-down in uncertainty and legal challenges and doubt.

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?

- 1) happy children becoming sane adults who don't hurt their own children
- 2) a society where punishing people to make things happen becomes unacceptable
- 3) a society which works out how to manage positive relationships between the generations, which will also help manage other types of relationships - eg between the sexes.

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?

- 1) potential criminalisation of some parents
- 2) anxiety by parents/carers/etc that they won't be able to 'control' children in their care
- 3) lack of experience in caring without violence

Page 11: Financial implications

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

Broadly cost-neutral

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?

Negative

Please explain the reasons for your response

Removing parental violence from child care will conflict directly with some religious and belief systems. But human rights are stronger than the rights of your beliefs.

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

Close and detailed discussions with those holding beliefs and values MAY help them accept the validity of violence-free child-rearing; but some are unlikely to do so, especially the more fundamentalist or 'charismatic'.

If it comes to the point that childrearing in Scotland is incompatible with certain types of practice seen as essential or core to a religion or belief, then larger discussions about the acceptability of such religions or beliefs in society may need to be had. But that's a failure, if it comes to that...

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:

can't see any social, economic or environmental costs, but large social benefits for all of society.

Page 15: General

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

This bill focuses only on physical punishment; but mental or emotional punishment is equally harmful and damaging to children, parents/carers and society; both in the short-term and long-term. A wider social discussion is needed about a move towards a society where punishment of all kinds is seen as a failure in child-rearing and where positive, pro-active, pro-social ways of living are developed, supported and encouraged.