

# 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 If you choose the second or third option, a name is still required, but it will not be published.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 proposal is misguided. Children are not mini adults and therefore need to be treated differently. Having benefited from a short parenting course I have realised that parents in Scotland need support and encouragement to raise well nurtured children. Bringing up children is the most important thing we do. It is difficult to do it well. It is becoming increasingly difficult to do it well with social and economic factors and governmental policies reducing the amount of time parents can spend with their children. Criticism of parenting practice that undermines parental discipline will make the situation worse not better. Children need to be disciplined if they are to become productive members of society. Discipline can take many forms both positive and negative. Both positive and negative forms can be damaging to children. It would be undesirable and indeed impossible to legislate against all forms of harm against children. Actions can be carried out in stressful conditions where the same action could be seen as right or wrong depending on the circumstances and the children involved. Two examples of bad parental practice which do more harm than physical discipline: 1. Parents losing control and shouting at children leading to unruly children. 2. Parents using rewards so that their children act like mercenaries. I have often been praised for the behaviour of my 3 children. They have been lovingly disciplined by my wife and myself which from time to time has involved spanking. Excluding a couple of exceptions this has always taken place after the heat of the moment and as part of a conversation allowing the child opportunity to present their case. In my experience, limiting its use and utilising it after the heat of the moment is a very effective form of correction that I would not wish to deprive any parent of. I recognise the problem is that spanking often takes place in the heat of the moment when parents lose control. In this case it does almost as much harm as shouting but at least it usually brings the situation back under control quicker. Rather than restricting parent discipline we need to provide support to enable parents to stay in control. Advice on how to discipline in non-damaging ways. Encouragement when they don't get it right. Professional help when they need it. Also helpful would be a society which allows parents to spend plenty of quality time with their children by alleviating career and economic burdens. Supports the role of the extended family and community in raising children.

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**

Practical help. E.g. Parenting courses for all. Support to enable parents to stay in control. Advice on how to discipline in non-damaging ways. Encouragement when they don't get it right. Professional help when they need it. Also helpful would be a society which allows parents to spend plenty of quality time with their children by alleviating career and economic burdens. Supports the role of the extended family and community in raising children.

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?

It would limit that number of children who have been abused under the guise of discipline at the expense of the many who will become increasingly unruly by not being effectively disciplined to the detriment of society as a whole.

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?

Society will become increasingly unruly due to the lack of effectively disciplined.

## 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**

I would expect the extra enforcement to be broadly cost neutral being covered by our already over stretched police officers, social workers and health care professionals changing existing priorities. There would however be extra costs in running an unruly society.

## 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**

Overall for all of society this will have a negative effect as society becomes increasing unruly. As for specific groups it will likely have the most negative affect on men as boys are more likely than girls to be spanked so the lack of effective discipline will in time lead to a larger male prison population.

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

Only by positively discriminating by allowing physical punishment to be allowed for boys.

## 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

**Please explain the reasons for your response:**

In the short term yes, but in the longer term it will contribute to the break down of society. I.e it will not be sustainable socially or economically. One can also imagine situations where a unruly society causes considerable environmental impact.

## Page 15: General

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

Refocus your energy on making a positive change to society by supporting parents.