

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 If you choose the second or third option, a name is still required, but it will not be published.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

I feel it is the right of the parent or carer to discipline their own child the way they choose. I agree with present legislation that forbids shaking, smacking on the head and that an implement be forbidden. This is an essential safe guard. A parent should however have the right to smack a child with an open hand on the legs or bottom in response to unacceptable behaviour. This being followed by reassurance that the child is loved and will be forgiven for their behaviour. A parent should be free to exercise this authority in a public place or within their own home. If this above proposal was put through then many loving parents would be under suspicion and possible charge of assault. This, I find is a very disturbing likelihood if this Bill was to go through.

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

Unsure

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?

There would be no advantages. The present law should protect a child from excessive punishment.

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?

If this Bill was passed I feel children would be at greater risk. Instead of a parent or carer administering a smack immediately after the child has misbehaved, dealing with the matter and moving on, the situation could be drawn out till the child was home or out with the public eye (which is a society safe guard in its self) by which point the situation could escalate and the child would now be in a state of unnecessary anxiety. The parent unable to smack their child could then resort to verbal abuse which in my opinion can be very much more damaging than a quick smack on the bottom.

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

This would demand action from already stretched Social Services, Education Departments and the Police as careful monitoring and even more documentation would be required. This would demand a huge financial input if every potential 'abuse' situation be fully examined. What of the follow up care for the parents who may need support and counselling post accusation if they were proved innocent?

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?

Neutral (neither positive nor negative)

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?

No

Please explain the reasons for your response:

As I said already this Bill would have a huge impact on Social Services and other such resources. It would also put the general public in awkward situations not knowing when to report a smacking and if they would be liable for prosecution if they witnessed a smacking and did nothing about it. Family members would be expected to report on their own families.

Page 15: General

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

No. The present legislation is enough. School teachers, nurses and other groups working with children are all trained in Child Protection and know what to look out for and what to report.