

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".)

Professional with experience in a relevant subject

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 If you choose the second or third option, a name is still required, but it will not be published.

Barry Mitchell

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

Instinctively I believe it is wrong to physically punish children. I also believe that it is wrong that the only people that are not fully protected by the law from assault are children. Crucially as someone that has worked in education in the area of additional "social, emotional and behavioural" needs I believe that punishment does not work for long term pro-social behaviour change. This view is supported by evidence and furthermore evidence tells us that physical punishment of children has both short and long term negative impacts on individual children, their families and 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

I believe that a change in the law is the best way to change attitudes and culture by making it very clear that our society does not believe in physical punishment of 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?

A reduction of the harm caused to children, families and society by use of physical punishment. Happier children, more harmonious families leading to a more comfortable society. Over the long term a reduction in mental health problems, substance misuse and crime. Parents would learn and use more positive parenting approaches. The protection of children's wellbeing and a reduction of physical abuse of children.

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?

It is important that families that are struggling have access to support, education and different strategies to avoid legal sanctions against struggling parents that are trying their best. We don't want to demonise people that have made one mistake. Short term difficulties may arise as families adapt to finding new ways to address conflict.

Page 11: Financial implications

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

I believe that short term there may be increased cost of public awareness campaigns, investigation of reported incidents and training for positive parenting approach educators. I don't know what figure these costs would come to. Over the long term there would be a reduction in costs as there would be less

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

pressure on mental health services, criminal justice services, additional support services in education and so on.

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

Please explain the reasons for your response

All children will receive equal protection so there will be no excuse for mistreatment of any group of children.

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

Ensuring that vulnerable parents and those that require extra support are given what they need. For example extra visits from health, social work or education to help the development of positive family interactions from an early age. Training and support tailored to different groups and cultures. Awareness raising that the purpose of the law change is to support behaviour and attitudinal change not to punish or make an example of parents.

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:

I don't believe it will be a huge cost and should ensure savings in the long term. It should contribute to an improved environment.

Page 15: General

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

Public awareness is crucial. It being presented as supportive for parents is important. Teaching all about brain science, emotional intelligence, conflict resolution, parenting and so on would

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help. Schools should move to non-punitive approaches to behaviour as much as possible. Schools modelling restorative, nurturing approaches could be effective models for parents to learn from. Widespread publication of evidence that punishment does not work. A change in language used by politicians about behaviour in schools would also help as would more knowledge amongst popular journalism.