

# 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 If you choose the second or third option, a name is still required, but it will not be published.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 aim of this proposal is to promote and safeguard the health and well-being of children and young people.." The proposal misses the point entirely when it comes to protecting children. It concentrates on eliminating one aspect of abuse by restricting parental capacity. Bad parents would still be bad parents; good parents are restricted in their options for discipline.

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 aim of this proposal is to promote and safeguard the health and well-being of children and young people..." Put the resources into providing skills and training for parents in good parenting. Keep their options open. The more skillful parents are at being parents, the more robust they can make decisions on when to use which method of discipline e.g. positive reinforcement; restriction of freedom; physical chastisement.

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?

(Note: this is a poor question as it is designed to give a bias result; question is bias by implying that all physical punishment is equivalent to assault)

Very limited.

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?

(Note: this is a poor question as it is designed to give a bias result; question is bias by implying that all physical punishment is equivalent to assault)

In general physical punishment does not need to be viewed as assault. In those cases where it is wrongly, or excessively, administered it is already a crime. Concentrating on this with create problems in two ways:

1. Directing the focus, of those in a position to spot child abuse, towards physical punishment and away from the less obvious but less obvious emotional and psychological abuse.
2. Stretch resources looking at reasonable chastisement, and leave relatively little to spot the real concerns.

Good parents will be criminalised at the expense of poor parents who obey the letter of the law but do not give the love and attention to children they need to grow.

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 am not the person to answer this question.

## 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)

**Please explain the reasons for your response**

This is primarily about parenting.

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:**

The bill will have an impact on the parenting of children. It will therefore impact on the coming generations and the citizens they become.

## Page 15: General

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

The portrayal of smacking as assault, in this consultation, is clear bias and will not provide a fair representation of public opinion.

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

For this issue, spend the countries time and resources on helping parents to be better, not criminalising good parents with bad.

Smacking is one part of good parenting. It provides a different message to other discipline mechanisms and can (but does not have to) be used as part of teaching a child about right and wrong.