

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 If you choose the second or third option, a name is still required, but it will not be published.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

Light smacking is not the same as abuse, this bill would treat it as such so criminalising many loving and caring parents. Already over-stretched social services would have to investigate and document such alleged abuse. This may well lead to real cases of child abuse being missed in the mountains of paperwork generated.

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

Genuine child abuse is already a criminal offence, there is no need to change the law in this way. It is wrong to say that children have not equal protection. That is only true when light and loving physical discipline is defined as assault - it is not and should not be deemed to be so.

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 are no advantages.

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?

The bill defines smacking "however light" as abuse, as already stated loving parents become criminals if this bill becomes law.

Resources that could otherwise be employed to deal with genuine child abuse will be needlessly diverted. Vulnerable children and abusive (when properly defined) parents may well go undetected by overstretched social workers.

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

If this bill becomes law, thousands of so called abusive parents will need to be investigated and even prosecuted. This will necessarily involve significant additional expense.

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

Many who belong to faith communities hold that light physical discipline, if required, is appropriate. Such may become the subjects of suspicion and undeserved attention.

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

The Bill should not be passed.

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:

See the reasons already cited above.

Page 15: General

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

Smacking, when carried out in a loving parent child relationship, does not constitute abuse - it should not be so classified.

Society suffers when child discipline is neglected. Although smacking a naughty child is not the only, or indeed a caring parents first response, it is wrong to implement legislation that would remove the option to do so if and when the parent feels it is necessary. That choice should be left to the parent without state interference.

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