

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 If you choose the second or third option, a name is still required, but it will not be published.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

There is a suitable system in place for dealing with reasonable chastisement of children and I feel it is a required punishment in the right circumstances if used correctly (i.e. Not to the head or leaving an injury etc)

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

Better education for parents as to what is reasonable chastisement and what would be considered as illegal so as to protect children but allow adults that alternative punishment if it was required in the right circumstances

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?

Obviously it would prevent any form of assault on them but this would just mean criminalising more adults and potentially other children (such as siblings who hit one another in minor fights)

I think ultimately it would lead to more children at risk of serious harm 'slipping through the net' as there would be too many minor incidents to investigate which would overload the workload of teachers/ social workers and Police.

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?

As per last answer.

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

It would require a significant amount of resources to Police the complaints and on turn referrals would then be made to social work and the whole system would be overwhelmed. In addition to this the courts could also become overwhelmed and serious cases would not be given the required attention. Children may feel they 'can't be touched' so they have no deterrent for bad behaviour which again can have a long term impact on their life and a number of different organisations.

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

Some protected groups may be assaulted by parents for falling into one of these categories and if the bill was approved this would make all forms of assault illegal so this may better protect them as parents would become aware of this law. However at present there are other laws in place to already protect people from abuse for falling into such a category and this can be applied without the requirement for this bill to be introduced. It's about better education and not a blanket response to a complex circumstance.

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

N/A

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:

Services which are already under staffed/ under funded would become even more overwhelmed with incidents and this would have a direct impact on other cases and their ability to manage such a workload. Parents would also become criminalised and this may cause a 'behind closed doors' culture where these assaults may still happen but without the knowledge of others creating more risk for children.

Page 15: General

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

No