

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 If you choose the second or third option, a name is still required, but it will not be published.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

The protection of family life from state interference is one of the first principles of a free and democratic society. The proposed legislation would criminalise thousands of loving parents overnight, and divert resources from tackling genuine cases of child abuse. As minister of a church which includes over 65 children under the age of 18, I have seen at first hand how we are gradually creating a culture in which parents are frightened to take their children to A&E because they believe they will automatically be assumed to have assaulted them. I honestly believe children will die as a result. The language of 'assault', used in connection with this proposal, is profoundly unhelpful and prejudicial as it automatically defines loving parental discipline as assault. In reality the law already protects children from assault and there is no need to change it. To characterise loving parental discipline as assault is profoundly insulting to many thousands of people. As a matter of law and of fact, we do not - and should not - and cannot - treat children as adults in all respects.

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**

Children are already protected from assault. Beyond that existing protection, there is no good way to interfere wrongly in family life.

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 none.

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?

Undue interference in family life and freedom.  
Further undermining of parents as they seek to exercise appropriate, proportionate, reasonable and loving parental discipline.  
The criminalising of people who have done nothing other than to seek to love their children.  
The further overloading of the social work system with an avalanche of reports of trivial and unnecessary concerns.

## 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

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

**Please explain the reasons for your response**

Overloading of the social work system. Increased school disruption, criminality, etc due to decreased childhood discipline.

## 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**

The consultation paper notes that different religious groups approach the disciplining of children in different ways but - incredibly - notes this fact only to justify the wholesale overriding of the rights of those with these protected characteristics. Within obvious limits already covered by the existing law, parents should be free to exercise parental discipline in accordance with their religious convictions. As a minister, in the event that this legislation were passed, I would advise my congregation that their obligations to obey the teachings of the Bible take priority over their obligations to obey the state.

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

No.

## 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 above - the economic and social cost would be very great.

## Page 15: General

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

No.