

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 If you choose the second or third option, a name is still required, but it will not be published.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 law already protects children from assault and in my view a smack which does mark or injure a child does not constitute physical punishment, but undermines parental authority.

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 disagree with the aims of the proposal.

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?

I do not consider that there are any advantages to this proposed Bill.

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?

1. This Bill would undermine the authority of parents, whose rights are in danger of being eroded within our society. This would not lead to positive outcomes for families.
2. Assault does not equate to having equal rights. If you ban smacking do you ban others forms of punishment? e.g. being sent to the bedroom, priviledges being withdrawn, etc. Children need to be treated differently to adults by virtue of them being children - they are not yet mature and need to be nourished and lovingly taught the difference between right and wrong.
3. A light smack or tap to show the parents' disapproval cannot be described as assault and is one of many options which needs to remain open to parents.
5. As a parent this Bill would criminalise, otherwise law-abiding parents.

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

1. Having had many years' experience working as a social worker I am aware that this will lead to many inappropriate referrals, which are a distraction to staff, causing less time and attention being paid to real child abuse.

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

This Bill would reduced the confidence of these groups to bring up their children in the way that they think best. They are likely to feel more insecure in their parenting role and constantly 'looking over their shoulder' for fear of the state interfering in their decision-making, when they are only trying to do the best for their children.

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

Page 15: General

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

1. In my experience and as a parent, I am very aware that children need boundaries and loving discipline in order to grow up into stable and secure adults. This Bill would not support that.
2. When children do not know their boundaries this has a very negative effect on their families and society in general.
3. This Bill would criminalise many many parents who currently use light smacks as one form of discipline.
4. The Human Rights Act respects rights for private and family life, and Article 8 breaches include 'interference with your parental rights'. It is my belief that this Bill would be using the criminal law to interfere in normal family life.