

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 am content for this response to be attributed to me or my organisation

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 If you choose the second or third option, a name is still required, but it will not be published.

Peter Matheson

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 criminalisation of myself and my wife would detract from the much more important job of protecting the vulnerable from the violent in our society. I was raised with smacking in the home, as were all 4 of my siblings (although as the eldest I maintain that I received the lion's share!). I occasionally will use smacking as a means of discipline for me two sons (5&2). Never done in anger and always with the knowledge of my wife (before or after), I prefer the quickness and simplicity of the resolution it offers to other methods of discipline for seriously harmful behaviour. When my boys do something which is seriously harmful to themselves or others, they are taken aside, told what they have done wrong, and smacked, usually on the bottom. I then explain again that I have smacked them in order to help them learn not to do bad things, give them a cuddle tell them that it's all over and done with now and then they go and say they're sorry if necessary. Then we move on. All in all from offence to resolution it takes just about 2 minutes. A major part of smacking's appeal as a method of discipline is that there is limited amount of scope for emotional hurt for the child. I would never send my child to their room to stew in their bitterness, confusion or frustration, as some others advocate. A sore bum for 5 minutes is much more preferable to me than a mind full of resentment and frustration. Just over two years ago I spent 8 days as a juror in the High Court in Glasgow, where the effects of child abuse were acutely observed from the witness box. Making your young son lie in an inch of cold water in a bath for a day at a time without food is physical child abuse. If you think that my actions which I described previously should render me a criminal on the same charge as that man, then you may as well stop reading as there is probably nothing I can say to change your opinion of me. The horrific truth is that it took over 15 years to bring it to court. This should be the governments priority for protecting the vulnerable and giving all the best start in life. Not criminalising people like me or those like me, who whether or not our actions are in step with current trends in parenting (or lack of), love their children and are acting with their best in mind, putting into practice what they themselves have seen to work well in their own upbringing. We are just back yesterday from a joint family holiday with our parents, and all my brothers and sisters and their families. We are all mentally healthy people, raising our own families and in strong relationships with each other. We should not be criminalised.

Q2. Could the aims of the proposal be better delivered in another way (without a Bill in the Scottish Parliament)?

Unsure

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?

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?

A smack is not assault. As I understand it children are already protected from assault and so the bill is misleading.

If implemented it would detract resources away from the real cases of child abuse going on in our society.

I do not think in general that children should be given the same rights as adults, children are dependent on their parents to teach them right and wrong, how to treat others with respect, and how to be safe. Adults are responsible for their actions and so should have separate rights and responsibilities (voting, driving, etc)

I am the parent of young children, this legislation would threaten my freedom.

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

More time and resource spent handling minor and trivial claims. Greater burden on social workers etc already stretched, leading to more people out of work with stress, more cost, less productivity.

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

Race indirectly, as many people coming into this country of other races will come from cultures and societies where smacking (and child discipline in general) is more widely recognised as useful to promote strong families and societies. While this may be at odds with the Zeitgeist in Scotland, it is nonetheless the prevalent view held in good faith, by a great many people from other races and cultures. A greater percentage of immigrant people would be criminalised which would undermine their status in society.

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

I reject the notion of physical punishment, preferring the term discipline. Make smacking allowable in cases of family discipline.

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:

Increased workload on already-stretched social services would have an adverse effect on their ability to give attention where it is really needed, in cases of genuine child abuse.

Page 15: General

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

I wonder if at the heart of it there is simply a growing rejection of child discipline in Scotland in general, not necessarily just physical discipline.

Lack of discipline is bad, for the child, the family and the society as a whole, and it seems that there is very little information put forward as to what methods of discipline we should employ. Parents like myself know very obviously the difference between abuse and discipline.