

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 If you choose the second or third option, a name is still required, but it will not be published.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

There appear to be plenty of cases of genuine child abuse that can be tackled without the need for legislation being proposed in this consultation. Society today is suffering from a complete breakdown in discipline and respect which I believe arises from the general lack of loving parental discipline. The proposals are misdirected in seeking to address the real issues.

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**

Even if there is perceived to be a problem (as envisaged in the Consultation) within a small proportion of the population, legislation will not solve it and is at risk of criminalising vast numbers of loving parents, whilst aggravating the existing burden on the Courts and legal system.

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?

Children need guidance and are dependant upon their parents to help them learn to distinguish right from wrong. There is abundant evidence around these days of children who have been allowed to do as they like and who would in all probability have developed into better adults if they had had the occasional smack to let them be aware that they should not overstep the mark. For some children, it may take this for them to take parental help seriously, and this option should not be criminalised.

## 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**

Diversion of scarce resources into pursuing potentially trivial cases. Extra costs of personnel within already overloaded Social Work and Courts systems.

## 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**

Further intrusion by Government into family life. Unnecessary interference Real possibility of putting parents and others at risk through resultant lack of restraint on growing children. Further deterioration in standards in society through undisciplined children growing up into undisciplined adults.

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

We don't need additional problems created by such legislation in the first place, so it should be abandoned.

## 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:**

Already explained that this would involve diversion of scarce resources and considerable additional pressures both on social Work and legal administration systems.

## Page 15: General

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

The paper presumes that the writer's views are commonly accepted, but polls indicate that a large majority of adults agree that it is sometimes necessary for a parent to smack a naughty child. It is wrong to treat smacking, used to promote good behaviour, in the same way as child abuse. The state does not need to interfere in this and should pay attention to the experience in Sweden after smacking was banned. Statistics show that child abuse rates as well as child-to-child violence increased after the ban was introduced.