

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 If you choose the second or third option, a name is still required, but it will not be published.

Fiona Graham

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 Supportive

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**

Children and young people are entitled to the same protection from assault and violence as adults. Violence perpetuates violence, and is fundamentally destructive of relationships and self esteem. Children and young people will never feel that they are valued or heard by a society that offers them less protection than adults; by inference, such a society accepts that children are "lesser", a dangerous idea which permeates culture, and fosters the attitudes which make it possible for abuse and exploitation to go unchallenged.

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**

Legislation is clear and although there will be resistance from some sections of the public, if legislation is enacted it will be possible to defend the rights of children and young people effectively. Similar arguments against legislation were used against legislating on marital rape and domestic abuse; these arguments are seen as regressive and irrelevant now. This is an opportunity for Scotland to be on the right side of history.

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?

It would clarify things for parents who perhaps are uncertain as to what is best. Sometimes families are pressured (particularly by older generations) to use physical punishment - this would give an answer to that. Children would hear clearly that violence and physical abuse are NEVER part of a loving relationship - an important message for all young people, for the sake of current and future relationships. If support and advice was made available to parents, they could seek help when they are close to hitting their children (rather than waiting for that muddy line to be crossed, where physical chastisement is "excessive". Too often that line keeps moving.) Neighbours, family members and professionals would have clarity and support in knowing when and how to intervene when they consider a child to be at risk. Finally, children and young people would hear that they are valued as much as adults by Scotland.

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?

I can think of no disadvantages for children. There might be some additional expenditure, as support for families would need to improve considerably (posters saying "calm down" displayed in Doctors' waiting rooms and Parent Council noticeboards are well intentioned but not much use to a single parent of a child with additional support needs who exhibits challenging behaviours. As well as training and advice, in some situations, practical support and respite will be needed. These services are currently under extreme pressure - they will need focused and increased funding if the government actually intends to support the spirit of the proposed legislation). There may be an increase in prosecution of parents. This will be expensive, and unpleasant for the parents, but as it will be in the interests of the young people involved I don't see it as a disadvantage any more than we see the prosecution of any other assailant as a disadvantage - the assault is the negative factor, not the prosecution.

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**

Some temporary increase in prosecution is likely. The costs should mainly involve supporting parents and families at risk through training, practical support and respite services where required. However, this is an investment in the future well-being of our children, and is likely to have a positive impact on behaviours, attainment, relationships and attainment, so is money very well spent.

## 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?

Positive

**Please explain the reasons for your response**

Disabled children are often at risk of abuse, as they are very vulnerable and because their parents are also vulnerable - exhausted, isolated and frequently inadequately supported. I would hope there would be specialist support services available to this group of parents (what currently exists is inadequate and underfunded). Studies suggest that children who experience physical punishment are more likely both to experience and to inflict physical abuse as adults. Attachment theory suggests that young people who are afraid of their carers are unlikely to find it easy to form meaningful and secure relationships in life - something which impacts behaviour, health and achievement. Making physical chastisement completely socially unacceptable will decrease the frequency of children being subjected to it, and will have positive repercussions throughout the lives of those young people.

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

I can see no negative impact.

## 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?

Yes

**Please explain the reasons for your response:**

I'm sure that it will initially be expensive. However, this initial investment will, I believe, lead to savings in education, health and prison services. These are oak trees we are planting, however, not sunflowers! I hope that the Scottish Parliament has the courage and vision to make such a long term investment in the future health and happiness of our children, and of generations yet to be born.

## Page 15: General

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

No