

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 If you choose the second or third option, a name is still required, but it will not be published.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

I am fully opposed to this proposal on the grounds that if implemented many loving and responsible parents would be classified as criminals for simply using physical chastisement to discipline their children. As a father of three I have ample experience of dealing with disobedient and rebellious children and can confidently say that a smack, when necessary and done in a loving manner, is an essential tool in a parents toolkit. I am also aware that there are a small minority of parents/guardians who use physical chastisement to readily or in an abusive manner - these cases need to be prioritised. If all parents who smack are criminalised then these genuine situations may not get the resources needed as limited resources will be diverted elsewhere.

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

By using the current laws that treat unreasonable physical punishment of a minor as assault.

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 can not think of any advantages to children, parents or society that would be generated by this proposal.

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?

The main disadvantages are 1) that real cases of child abuse will be missed because an already over-stretched social work and police will have their resources diverted to dealing with numerous cases of loving parents smacking their children. 2) This proposal will redefine a loving chastisement as a criminal act and, hence, will prevent parents from disciplining their children properly - bearing in mind that children are already protected from assault under the current law.

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

This proposal will increase the cost as more resources will be needed to deal with the extra workload of police and social workers, especially if the genuine cases of abuse are to be investigated and dealt with promptly and thoroughly.

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 proposal will have a negative effect on all of the above as it will criminalise loving parents from all backgrounds if they use reasonable physically chastisement on their children.

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:

There will be a substantial economic cost as noted above (question 5). In addition, the social impact will surely be high as family from all backgrounds are turned into criminals.

Page 15: General

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

I don't believe that the public would support this proposal. A recent poll found that 65% of adults believed it was sometimes necessary for a parent to smack a naughty child; compared to only 22% who disagreed. This can be found on the page below.

http://www.comresglobal.com/wp-content/themes/comres/poll/Parenting_Survey_3rd_February_2014.pdf

In addition, I would like to inquire if any research has been done to investigate if a smacking ban actually results in less assaults or abuse of children?