

Children (Equal Protection from Assault) (Scotland) Bill

Page 2: About you

Are you responding as an individual or on behalf of an organisation?

on behalf of an organisation

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".)

No Response

Please select the category which best describes your organisation

Public sector body (Scottish/UK Government/Government agency, local authority, NDPB)

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 If you choose the second or third option, a name is still required, but it will not be published.

North Lanarkshire Child Protection Committee

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

We support the aims of the proposed Bill of protecting children from harm and promoting children's rights to be safe and protected from harm.

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

Unsure

Please explain the reasons for your response

Introducing a change in civil legislation may be as effective as changing criminal legislation if the intention is not to criminalise parents but to change societal attitudes.

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?

The main advantages are outlined in the proposal in relation to affording children equal rights and protection with adults and counteracting negative consequences resulting from physical punishment.

A change in the law would clarify the position of bystanders who witness a child being assaulted and who may be more likely to intervene if the legal position was clearer. Although societal attitudes to physical punishment are changing slowly, introducing legislation and the accompanying public information campaign may alter attitudes more quickly.

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?

No Response

Page 11: Financial implications

Q5. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have?

Some increase in cost

Please explain the reasons for your response

In addition to the costs of public awareness and parenting support we believe the costs associated with increased investigation will also be moderate rather than minimal.

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

We generally agree with the analysis of the impact on those with protected characteristics included in the proposal.

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?

Yes

Page 15: General

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

While supporting the principle of giving children equal protection from assault we believe the analysis of implications provided in the proposal may not fully consider all unintended consequences. In particular it is our view that in the short term it may lead to a significant increase in referrals from the general public to the police and social work (albeit that this may not result in increased criminal prosecutions). It is also our view that there may be unintended consequences for those working with children in residential and other settings where safe control measures have to be used on occasions to protect children's own safety and that of others.