

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 If you choose the second or third option, a name is still required, but it will not be published.

Linden Ginter

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**

I can see no reasonable argument for an exception to assault law for children. Evidence suggests that even "mild" corporal punishment within the law has detrimental effects, and is likely to result in a child becoming scared to get caught, rather than learning to make better behavioural choices for sound reasons.

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

No

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 think the important part of equal protection will be in sending a strong message to young people that they have bodily autonomy. Although I fully accept that many loving and non-abusive parents may have resorted to smacking at times, even this sends the message that a bigger person in authority has the right to touch a child's body in a way they find scary, unpleasant or distressing. This may create the conditions under which a child may find it harder to articulate if they find themselves in an abusive situation. Further, it is important that parents are supported to understand better and more positive methods of approaching difficulties, and to understand that hitting suggests a loss of control, not an opportunity for the child to learn. Understanding behaviour as communication is a key skill that all parents should be given the opportunity to develop.

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 imagine some are concerned that this will criminalise good parents who have "just" smacked a child on the hand because they ran out into the road. I disagree. If it is widely publicised that as a country we do not accept physical punishment any more, people will adapt their behaviour accordingly. I'm also confident that a nuanced approach will be taken by police and social services while people adapt to this new norm. We don't accept carers or relatives of adults with learning disabilities or dementia using physical punishment as a learning tool. It should be just as unacceptable to do this to children, we need to see them as human beings like the rest of us, not human becomings.

## Page 11: Financial implications

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

Broadly cost-neutral

## 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?

Unsure

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?

*No Response*