

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 If you choose the second or third option, a name is still required, but it will not be published.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

1) Many parents who hold traditional beliefs on discipline would be thereafter criminalised. For example, as Bible believing Christians, we hold to the view that parents have a duty to discipline their children, including smacking on occasions (eg see The Book of Proverbs chapter 13 verse 24). 2) Parents who smack on occasions do so because they love their children. Public resources will be diverted from genuine cases of abuse to deal with hundreds of cases of loving family discipline. 3) Moderate parental smacking has never been in the past, and should not be in the future, classed as 'assault'. It is a complete misnomer and many parents would rightly be horrified to be branded as 'assaulting' their children.

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

No Response

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?

No Response

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?

- 1) Children differ from adults in many 'rights' (eg. driving a car, voting in elections or having a paid job). Children are dependent on their parents to nurture, protect and discipline them. Smacking must remain an option in relation to the latter (ie discipline). It is an essential part of parental responsibility in teaching them right from wrong.
- 2) Such a law would wrongly criminalise many loving parents, especially those of religious or other traditional beliefs. Belief that it is sometimes right to discipline their children by smacking is central to their world view. Personally, looking back on my childhood, I never doubted my parents love for me, including an occasional smacking. I partly learned right from wrong from a good smack!
- 3) If the law is changed to ban smacking in Scotland, the results will be very damaging to family life. The prospect of fines, jail sentences and even children being taken away from their parents by police and social workers, is both an awful and a fearful prospect. Scotland would then be regarded by many (at home and abroad) as not only a 'nanny' state but also a 'police' one. In Norway, children have already been removed from loving parents due to a similar law, resulting in incalculable grief for both children and parents. The damaging effect of such state enforced family break up would be horrendous.
- 4) Instead of dealing with serious cases of child abuse, social workers will be required to waste time and resources on normal, caring, family life.

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 Bill would result in huge amounts of money being wasted as the state intervenes in normal loving family life, which prior to the Bill's introduction was considered entirely acceptable.

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?

No Response

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?

No

Please explain the reasons for your response:

It would have both a severely negative economic (see answer to question 5) and social (see answers to questions 1, 4 and 9) impact.

Page 15: General

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

1) Smacking a child isn't and has never been 'child abuse'. Child abuse and loving parental discipline are completely different things.

2) Lack of discipline, including a denial of parents' right to smack, will be very bad for children, families and society in general.

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

3) A Com Res poll (2014) found a clear majority (65%) agreed with the need for parents to occasionally smack their children. Only 22% clearly disagreed.

4) Parents and families should be able to bring up their children according to their beliefs, free from state interference via social services and the criminal courts. If this Bill were to be implemented, such freedom would be severely curtailed.

5) In Norway, some children have been forcibly removed from their parents for being occasionally smacked at home. In this way a caring family has been torn apart, to the unimaginable distress of both parents and children.