

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 If you choose the second or third option, a name is still required, but it will not be published.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 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 am a medical student who has been informed by paediatricians in lectures that this proposal would provide better protection for children who 'slipped through' previous bills - it also seems odd that children are given less protection from assault than adults when they are smaller and more vulnerable than them. There is also apparently no stipulation that physical punishment should only be given by a parent or caregiver or any official line over what physical punishment is considered 'over the line' besides blows to the head, shaking or use of an implement - by that logic it is technically not an offence to beat a child hard enough to cause real damage if it is to punish them, provided that it is not on their head.

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

Unsure

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 advantage of this would be that it would be easier to protect a child who has a more savvy abuser. Additionally there is evidence to support the idea that physical punishment actually makes children more aggressive and more likely to suffer from mental health conditions, without helping them developmentally.

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?

There is potential for overreach of the law - however there is already that potential with many current laws, and I doubt that any disadvantages of giving children equal protection from assault would outweigh the benefits.

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

Please explain the reasons for your response

There is always the possibility that it could be more costly as children may be more likely to be taken away from parents or require social support - however, the potential reduction in aggression and use of mental health services may reduce costs.

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?

Slightly positive

Please explain the reasons for your response

There is always the possibility that prohibiting physical punishment could lead to families with particular religious or cultural values being more likely to be scrutinised (as corporal punishment can be considered a component of certain religions or cultures), however it may have positive effects on other protected groups such as LGBT children/young people if they are subject to 'punishment' for not following certain religious or cultural values, and it is likely to have a positive effect on children more generally.

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

Ensuring that families with particular religious and/or cultural values surrounding physical punishment of children are aware of or educated about the new law would help, as well as ensuring that those investigating families who are religious or ethnic minorities are aware of the potential issues without assuming that the family following those particular religions etc. necessarily subscribe to the values that some others of their religion or culture do.

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