

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 If you choose the second or third option, a name is still required, but it will not be published.

Professor Andrew Rowland

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

My reasons are explained in our very recently published academic research article: Rowland, A, Gerry, F and Stanton, M (2017) 'Physical punishment of children : time to end the defence of reasonable chastisement in the UK, USA and Australia' , The International Journal of Children's Rights, 25 (1) , pp. 165-195. <http://booksandjournals.brillonline.com/content/journals/10.1163/15718182-02501007>

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

No

Please explain the reasons for your response

Please see previous 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?

Please see the contents of the academic article:

Rowland, A, Gerry, F and Stanton, M 2017, 'Physical punishment of children : time to end the defence of reasonable chastisement in the UK, USA and Australia' , The International Journal of Children's Rights, 25 (1) , pp. 165-195.

<http://booksandjournals.brillonline.com/content/journals/10.1163/15718182-02501007>

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 do not believe there would be any disadvantages. Please see the following academic research:

Rowland, A, Gerry, F and Stanton, M 2017, 'Physical punishment of children : time to end the defence of reasonable chastisement in the UK, USA and Australia' , The International Journal of Children's Rights, 25 (1) , pp. 165-195.

<http://booksandjournals.brillonline.com/content/journals/10.1163/15718182-02501007>

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

I agree that the potential costs set out in the consultation document are broadly appropriate: Scotland-wide information campaign to raise awareness of the change in the law educational materials aimed at

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

supporting parents and changing public attitudes towards physical punishment additional parenting support additional costs associated with investigating alleged assaults on children and any proceedings arising from these investigations, if there is an initial rise in reporting the consequences of any criminal convictions. Over time, in the long-term, however, I would anticipate that costs should reduce as the legislation is embedded, societal views change and children are better protected from harm.

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

Given that a child is someone under the age of 18 years, it is incredibly likely that there will be children fitting in to the vast majority (and most likely all) of the above categories.

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

N/A

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

Please explain the reasons for your response:

I agree that children growing up with less physical and emotional trauma should have a positive overall benefit on society. As such this Bill should make a very positive contribution to the sustainable development of Scottish society in the years ahead.

Page 15: General

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

N/A