

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 If you choose the second or third option, a name is still required, but it will not be published.

William Baird

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**

I can only respond to this consultation in my experience as a parent of 2 boys, now adults. I had occasion to physically discipline my sons on, as I recall, only two occasions; these took the form of a couple of smacks on the bottom and were applied reluctantly but in the context were helpful, perhaps even necessary, to address particular situations. I believe that my experience would be similar to most other parents of my acquaintance - we would prefer, and expect, not to need to administer physical chastisement, but recognise the need to be able to do so occasionally as a means of defusing appropriate incidents. I think you would find that most parents who occasionally discipline their children with an occasional smack regret having to do so and feel guilty about it. It appears to me that existing legislation (principally the 2003 Act) effectively deals with any incidents of excessive punishment. Despite reading in the introduction to the Bill that international opinion seems to be against any sort of physical disciplining of children, I remain of the belief that minimal physical disciplining - e.g. a smack on the legs or bottom - is perfectly justifiable and the vast majority of parents would do this only in exceptional circumstances. The state should realise that while it can lay down general principles of behaviour for society, it also needs to withdraw from micro-management, and this Bill falls into that category, especially when general guidelines are already laid out in the 2003 Act. It seems unlikely that it would be possible to effectively monitor the provisions of this Bill and it could have the effect of demonising and criminalising diligent and caring parents who need to use physical chastisement as a last resort. The Bill is a legislative step too far.

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**

This is a leading question. It assumes that the proposals of the bill need to be delivered.

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?

*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?

Unsure

## 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

**Please explain the reasons for your response**

I do not see the point of this question

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

I do not see the point of this question

## 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?

Unsure

**Please explain the reasons for your response:**

Impossible to answer.

## Page 15: General

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

*No Response*