

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 If you choose the second or third option, a name is still required, but it will not be published.

C.Brian Ross

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**

This proposal would be as much an interfering imposition on regular families in Scotland, as was the recent Named Person proposed legislation which the Scottish Government attempted to force on the Scottish people. I received physical chastisement when I was a child but would claim to have turned out to be a non-violent, positively contributing, member of society. My own children also received physical chastisement when their mother or I deemed it to be necessary. They are both fine, upstanding, members of society, making a positive contribution in various aspects of life. As with the proposed named Person legislation, this proposal would merely take resources away from where they are most needed, and would potentially leave many parents with a criminal record for smacking their own child. It is an attempt to have government interfere in normal family life, and should be opposed at every step.

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

**Please explain the reasons for your response**

As I believe that the aims of the proposal are, themselves, badly flawed, I am unable to provide a response above. They simply should not 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?

There would be no advantages to what is already covered by current legislation. These proposals appear to fail to differentiate between parental discipline and child assault!

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. It threatens the freedom of parents to raise their children in accordance with their own beliefs - something that, I believe, is contrary to both the spirit and the letter of Human Rights legislation.
2. It would be as intrusive as the Named Person legislation which the SG attempted to foist on the Scottish public. I believe that it would be open to the same legal challenge.
3. As would have been the case if the Named Person legislation had reached the Statute Book, it would lead to children ruling their parents, by threatening to inform a social worker or teacher that they were being "abused". Parents would risk being criminalised, and the courts would be jammed!

## Page 11: Financial implications

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**

Additional resources would be needed, in both personnel and training facilities. Court costs would also increase as the legal system was overwhelmed.

## 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:**

I refer to my previous response.

## Page 15: General

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

"Sweden was the first country to ban the physical punishment of children, in 1979." (Draft Consultation, p.11). What is not stated in the Draft Consultation is that child abuse rates and child-on-child violence, in Sweden, have both increased!

" In the 37 years since, many other countries have followed Sweden's lead, ..." (Draft Consultation, p.11). The majority is not always right. The liberal policies of many governments, world-wide, have not been to the benefit of ordinary people. There has been an increasing reduction in respect for all forms of authority - something that starts in the home. Legislation such as being here proposed would only serve to worsen this situation.

"GIRFEC states—

"Every child and young person has the right to be, and feel, safe and protected from any avoidable situation or acts of commission or omission by others that might affect their wellbeing. Such as:

ï; being physically, sexually or emotionally harmed in any way

ï; being put at risk of physical, sexual or emotional harm, abuse or exploitation." (Draft Consultation, p.15)

There is a vast difference between physical chastisement by loving parents, and the kind of child abuse envisaged here!

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

"The case for giving children equal protection from assault is demonstrated by—  
i. the overwhelming published evidence which shows that physical punishment is likely to be physically and/or emotionally damaging to children;" (Draft Consultation, p.18). The overwhelming experience of the vast majority of native-born Scots is that "a guid skelp" never harmed any child - provided that, as is usually the case, the child understands the reason for the chastisement. So many of these "professional reports" are the result of carefully worded questions, to carefully chosen subjects!