

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 If you choose the second or third option, a name is still required, but it will not be published.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

Please explain the reasons for your response

Parents have the responsibility of bring up their children and know them best. They are loving, caring and supportive and available for their children. As part of bringing up their children they may from time to time need to discipline them. Their knowledge of the children and how they respond to different forms of discipline places them in a unique position. The state is in no position to determine what is best for a individual child and should therefore not interfere with parents. It would be much more progressive to provide support rather than rules. The consequence of this bill could lead to a mother or father being fined, denied family time or imprisoned which would have a far worse effect on a child than a simple slap on the hand or leg. There is a significant potential that loving, caring and devoted parents, or grand-parents, will be criminalised through this bill. That would cause more harm to the children. With resources of Social Work, Police and courts being finite any pull on them to deal with parental smacking will mean less and less time for real needy cases.

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?

I cannot see any advantage with this proposal - all possible outcomes would be unwelcome.

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?

The proposal suggests that children should have the same protection as adults but this is a false premise. Children are not adults. We do not allow them the same rights as adults in the areas of driving, voting, contract, marriage to name but a few. We do not allow them these rights because they are too young to be responsible. As children they are dependent upon their parents to teach them right from wrong, good or bad, dangerous or safe. The law must not deprive parents from using forms of discipline they regard as appropriate to the individual situation they find their children in.

This proposal will lead to loving parents being criminalised.

A loving caring smack is not assault, it is showing care for the child that poor behaviours, or even dangerous situations should not be repeated. Are we to make a parent a criminal because they have smacked a child for repeatedly going too near an open fire?

This proposal undermines family life with the huge possibility that we will see teachers, doctors, nurses, social workers and police snooping into the lives of ordinary law abiding citizens.

Ultimately it will cause a huge overload of work for social workers.

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

Significant increase in cost

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?

Neutral (neither positive nor negative)

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

Page 15: General

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

As stated earlier smacking is not an assault; it is caring, loving and controlled. Additionally it is not child abuse. In fact it is the opposite, it shows the care and concern of the parent for the child's welfare and upbringing. Further, children who are not properly disciplined will lead to problems in the family, education system and society at large.

(If this proposal deems smacking as an assault what would it regard a child hitting an adult - would we see child assault prosecutions?)

People in Scotland have shown they approve of smacking. In a 2014 ComRes poll found that 65% of adults stated there were circumstances when it was necessary and appropriate for a parent to smack a child. Only 22% disagreed.

There are no positive outcomes from this proposal, indeed Sweden which is known as a progressive society, has witnessed an increase in child abuse rates and child-on-child violence since they banned smacking in 1979.