

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 If you choose the second or third option, a name is still required, but it will not be published.

Elizabeth Stewart

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

Loving parents should not be criminalised for disciplining their children. There is a huge difference between an appropriate smack of a child by their parent, and the normal understanding of "assault". The Criminal Justice (Scotland) Act 2003, (despite the fact that "reasonable punishment" would have been a better use of words than "justifiable assault"), already provides protection for the child from use of an implement, being hit on the head, being shaken and use of unjustifiable force.

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

No 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?

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?

Children are done a dis-service if they are not effectively taught right from wrong growing up, and are ill prepared for later life. As a secondary school teacher up until two years ago, I have seen pupils who have not learned discipline or self-discipline experiencing unhappy consequences themselves and causing unpleasantness for others. Before a child reaches the age of reasoning there are occasions where other means are not getting through to the child and a smack is what works.

The responsibility of teaching a child right from wrong lies with the parents, and a loving parent who believes that the best way to discipline their child in a particular circumstance is to give them an appropriate smack should not be prevented from doing so.

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

Criminalising loving parents when there is no need to do so will incur extra cost apart from other consequences.

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?

Negative

Please explain the reasons for your response

As mentioned in the consultation document, religious groups will be more affected. For example the Bible tells us that loving parents have the responsibility for disciplining their children and that it is lack of love if they do not because their children will be disadvantaged in later life.

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 Response

Page 15: General

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

Children are different from adults. They function differently, being at a different stage of development, and what is appropriate for one group is not necessarily appropriate for the other. For example adults are allowed to marry and children are not.

If loving parents are criminalised for disciplining their child as they consider appropriate, resources which are already tightly stretched will be diverted from other much more important areas.