

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 If you choose the second or third option, a name is still required, but it will not be published.

Joanna Milewski

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

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

This is a bad proposal and should be dropped. The current law protects children from genuine child abuse, so the aim of this proposal isn't about protecting children from abuse. The aim of the proposal is stated to be offering "children the same protection from assault as adults," but the current law already protects children from assault so this is misleading. The aim of the proposal seems to actually be prohibiting parents from punishing their children as they feel is appropriate.

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 do not think there would be any advantages.

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?

There would be numerous and far-reaching disadvantages including countless numbers of loving parents being considered criminals, huge increased costs for the Scottish government to investigate all cases and therefore resources being pulled away from helping children who actually are legitimate victims of child abuse. Additionally and more importantly, prohibiting parents from using physical punishment on their children will create a society of extremely disrespectful children who grow up to be selfish adults with no respect for authority.

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

The proposed Bill will have huge financial impacts because many parents in the UK do use physical punishment. Therefore, all of these cases would necessitate the government intervening and investigating, then prosecuting. The increased number of staff needed to carry out such a task would result in a significant increase in costs. This would likely pull away staff and resources from investigating genuine assault cases.

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

I think the proposed Bill will negatively affect protected groups, particularly race and religion/belief. In regards to race, many people from other countries who live in Scotland have a very different background on physical punishment, and view it incredibly differently than it's viewed here. Making physical punishment illegal would criminalise parents from different backgrounds and with different cultural norms, even if they are loving parents who are not abusing or assaulting their children. In regards to religion/belief, the proposed Bill would criminalise parents whose beliefs and religion shape how they raise their children. Diversity is so often desired, so why not allow it here?

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

The only way to avoid the negative impact of the Bill on protected groups is by not passing it, and leaving the law as it currently is.

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:

As stated earlier, removing parents' rights to discipline their children as they see fit will create a society of disrespectful children which will turn into disrespectful adults. This is obviously not good for society as a whole.

Page 15: General

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

I'm a loving mother and I think this proposal, if passed, would significantly overstep the bounds of the government. Families' rights and freedoms would be violated, and families would live in fear of health visitors and other government officials. The role of the government in this area is to protect children from actual child abuse, not to dictate how parents raise their children and how they choose to teach them right from wrong. Society as a whole benefits from children who are well disciplined and well behaved. Parents who are training their children to be well behaved and good members of society should not live in fear about how they feel to best teach that. The current law is sufficient as it is, because it protects children from being abused, which is a completely different thing than loving discipline.