

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 If you choose the second or third option, a name is still required, but it will not be published.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

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

A lot of parents feel that there is no harm in an occasional wee slap and if a wee slap remained a wee slap then that would probably be true. However, after a while a child will shrug off or grow out of responding to a wee slap. A lot of parents will realize this and find better more positive ways of child rearing, but a parent who believes that physical punishment is the only/best way to keep a child in order will probably find themselves spanking more and harder to keep their child in line. I grew up in the forties and fifties and I know from first hand that a mother who takes her hand, a belt, a stick to a child will, despite loving that child, be capable of going too far.

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

A law is a good starting point. After that, it is important to educate people on best child rearing practices.

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?

It will create a different mindset. Few people agree that it is in order for one grown up to hit another. Children are more vulnerable, therefore it feels even more right that they shouldn't be at the receiving end of a parent's displeasure, rage, anger, frustration.

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?

This is a difficult one. I didn't spank my children because of the way I had been brought up. Nevertheless, I know parents who did a great job with their children despite believing in the odd spanking or slap on the legs. Therefore, the law would have to be applied sensitively and used to change attitudes. I think these parents and their children would have done just as well without physical punishment. They spanked because they thought it was the thing to do. From my own experience of child rearing spanking isn't necessary and nowadays I personally know no-one who spansks their children. Unfortunately, I know that some do and some go too far. I repeat my original point. It will be necessary to educate people into thinking differently. A law is only a first step.

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

Please explain the reasons for your response

I'm not sure about the cost angle. I am assuming that the law is there as a back-up while the real work and money goes into educating parents and changing public attitudes. I guess publicity campaigns and making sure that teachers, health workers etc. understand the new law well enough to explain it to others will incur

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

cost. If most people accept that it is a good law then hopefully there will not be much in the way of extra police or court costs.

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

This is where you realize no law is simple and has to be drafted carefully. If you have mentioned religious groups, or race groups because some may have firm ideas on 'spare the rod and spoil the child' then exceptions cannot be made. It would be discrimination if they were. To be honest, I'm not sure I understand why some of the groups are mentioned above. If it is the case that assault could be used to bring a case against a mother who has aborted a foetus/child then the law would have to be clear that its intentions were limited to the context of child rearing and parenting. I have taken assault to mean physical punishment ranging from light to serious and I have assumed that the law has the intention of trying to change adult attitudes towards children.

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

Sorry. I am out of my depth here. I don't understand where this is coming from. Perhaps I have misunderstood what is being proposed because I cannot see what I have taken to be a law which tries to ensure that children are not the recipients of physical punishment at the hands of adults impacts on protected groups. Why should any group be exempted from this kind of law? Sorry, but I'm really confused now and wishing I hadn't done this survey. You mention 'marriage and civil partnership' under the heading of protected groups. A great many parents are married. Are they more protected than parents who are not married?

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?

Yes

Please explain the reasons for your response:

Yes if it is the bill I am imagining.

Page 15: General

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

If the bill is to persuade adults that children should be treated with respect and that showing respect does not involve spanking, beating, leathering etc. then it should be as short and clear as possible so that everyone can get a handle on what 'equal protection from assault' means.