

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 If you choose the second or third option, a name is still required, but it will not be published.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

Partially 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**

I am skeptical of the proposal, whilst I fully support any endeavour to prevent the abuse of children, the term "physical punishment" seems especially broad ranging. I believe a genuinely light touched whack on the back, to educate a child of the severity of their actions or words, is of high educative value when used sparingly. Where the law would draw the distinction between a light touch, a full slap, and "excessive" physical punishment, is as of now unclear to me and a cause for concern. Furthermore, often it is not physical punishment but emotional punishments that leave the biggest and longest lasting scars. Finally, if this proposed bill were to pass, it would not be of much value if not combined with an educative and supportive program, not only to prohibit actions deemed morally wrong, but go to the root and enable families who are most likely to resort to violence combat their difficulties.

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

Yes (if so, please explain below)

**Please explain the reasons for your response**

As in my previous response: through a preventive program, aimed at helping those families most at risk of not only physical assault of children, but emotional abuse too.

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?

Without further information on the current level of protection that children have, it is hard to say. I only see the negatives of absolute prohibition.

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?

Undermining legitimate educative practices (of light touched physical punishment used sparingly and only in exceptional circumstances) if the definitions are not clear.  
Creating a culture where children threaten parents unless the scope is clearly defined.  
Avoiding the root causes.

## Page 11: Financial implications

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

Broadly cost-neutral

## 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

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?

Unsure

## Page 15: General

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

*No Response*