

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 If you choose the second or third option, a name is still required, but it will not be published.

Dr. Guy Johnson

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

I strongly believe that children need to be given the same protection in law from physical assault as adults currently enjoy. There is now a strong body of evidence to show that smacking and other forms of hitting and physically assaulting children are of no benefit from a disciplinary point of view, and can cause significant and long-lasting emotional and mental problems in the victims. Although leading members of the Scottish government have been vocal in their support of this view, I believe there is a need for specific legislation to make it absolutely clear that this behaviour from parents and carers is no longer tolerable; the existence of such legislation will help to bring about a cultural shift in attitudes and behaviour, as have previous bans on smoking in public places, and the compulsory use of seat belts. Internationally, many countries have now enacted such laws, and the UN has been critical of the UK for its continued acceptance of the practice of smacking, etc. Scotland should show a lead within the UK in giving full protection in law to the right of children not to be assaulted.

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

I've explained above why I believe legislation is required.

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've given my reasons for this above.

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 may well be some extra work for health visitors, social workers, the police and the courts, with consequent cost implications, as cases of suspected assaults on children are investigated. However, this can be easily justified in terms of the benefit to children, and society in general, as the significant abuse which often accompanies assaults on children is uncovered, and parents and carers are given the support needed to understand and alter their behaviour, or, when necessary, children are moved to safer homes .

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

as outlined above.

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?

Positive

Please explain the reasons for your response

Undoubtedly a benefit for children/young people; I'm not sure about other groups. I suspect there may be some implications for religious groups in which physical punishment of children is considered acceptable, and also for the treatment of children with disabilities, in both cases child victims of physical punishment should benefit from the new law.

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

I've no particular views on this.

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:

For reasons I've given already, I believe the moral and practical reasons for introducing this law are very strong, and any short term extra financial costs should be more than compensated by the longer term benefits to children and society, including, possibly, a reduction in criminal behaviour.

Page 15: General

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

I'd like to add that the physical punishment of children is an old-fashioned and cruel practice, which fails to treat children with the respect, understanding and compassion they deserve, however annoying their behaviour can be (I speak as a parent of two children), and has no place in the kind of Scotland I wish to live in in the 21st century.