

Children (Equal Protection from Assault) (Scotland) Bill

Page 2: About you

Are you responding as an individual or on behalf of an organisation?

on behalf of an organisation

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".)

No Response

Please select the category which best describes your organisation

Public sector body (Scottish/UK Government/Government agency, local authority, NDPB)

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 If you choose the second or third option, a name is still required, but it will not be published.

NHS Borders

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

Use of physical pain by parents to discipline children: - is harmful to children - is associated with a range of adverse outcomes including emotional and behavioural problems, anxiety and depression, physical abuse and anti-social behaviour and violence in childhood and adulthood - doesn't work - is ineffective in achieving moral internalization of the values and behaviours the discipline is trying to encourage - Contravenes the rights of children and young people to be protected from avoidable pain There is also good evidence that legislating to ban the use of physical pain by parents to discipline children does not result in the increased prosecution of parents but is likely to result in a decrease of incidence of violent crime and child abuse in the long term.

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

Experience in other areas - e.g. seatbelt legislation, smoking in public places - has shown that legislative lead can initiate a quicker change in social norms and public attitudes.

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?

- Reduction in the many associated adverse outcomes outlined above, in particular an improvement in the health and wellbeing of children and young people.
- Improvement of the rights and positions of children and young people in Scottish Society.
- Reductions in other forms of abuse of power, as future generations are brought up in a culture which does not condone this particular abuse of power.
- Reduction in need for range of statutory services
- Increased public and third sector resource dedicated to supporting parents achieve warm, responsive and emotionally intelligent parenting.

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?

Possible judgement and stigmatisation of and consequent increased stress for those parents who struggle to comply with the new law rather than understanding and provision of support.

Additionally, there needs to be appropriate resources in place to support parents in changing their attitudes and approaches to disciplining their children.

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 reduction in cost

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

Please explain the reasons for your response

Whilst in the short term there will be a need to invest in parenting and family support, in the long-term due to decreased incidence in associated adverse outcomes we would anticipate a consequent reduction in need for a range of publically funded services.

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

The legislation will address a current age-based inequality by offering children and young people the same protection from the use of physical pain to discipline adults have.

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

To ensure an educative rather than judgemental and stigmatizing approach to those who initially struggle to comply with the law.

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

Page 15: General

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

We welcome this proposed Bill, agree that the UK is now out of step with the majority of European countries which have acted on the evidence base to introduce a legislative ban on the use of physical pain to discipline children and further agree that in its absence we are currently failing to fully meet our responsibilities and commitments as signatories to the UN Covention on the Rights of the Child.