

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 If you choose the second or third option, a name is still required, but it will not be published.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

There is no legitimate reason for any civilised nation to allow any of its citizens - let alone its most vulnerable and defenceless - to be subjected to treatment that would be deemed a criminal offence in any other context due to the bodily damage and lasting psychological trauma incurred.

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**

Many of the individuals who believe firmly in the physical assault of children would be far too strong-willed to be convinced to change their ways via half measures such as parenting classes. Unambiguous equal protection under the law is the only way in which to ensure that as few children as possible are subjected to physically and psychologically damaging means of punishment.

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?

- Some of the most vulnerable members of society would be spared needless bodily harm and psychological trauma
- A reduction in the number of people requiring access to mental health services in light of aforementioned trauma
- Mitigation of other consequences of said trauma ranging from challenging behaviour in schools to criminal misconduct later in life
- Reduced risk of physical punishment methods causing more serious (or even fatal) bodily damage than intended
- Abusive carers whose actions may be an indication of worse to come could be more easily prosecuted with less leeway over what is and is not "justifiable"
- Scotland's international reputation as a country committed to upholding human rights would be strengthened

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 no disadvantages to this proposal whatsoever.

## 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

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**

There could possibly be more frequent prosecutions and an increase in workload for social work departments which could require some spending increases.

## 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**

Children are frequently mistreated for expressing religious views different from those of their carers, something equal protection from assault would help to counter. Children who are lesbian, gay, bisexual or transgender are often mistreated by carers intolerant of such things; equal protection from assault would help to counter this too. Girls from communities in which forced, arranged marriages are the norm will often be intimidated into compliance with their carers' wishes; equal protection from assault would also help to counter this problem.

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

The bill would have no negative impact upon any of the groups protected by the Equality Act 2010.

## 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:**

Statistics show that the physical punishment of children is declining in the UK, therefore the impact upon social work and law enforcement agencies would not be a catastrophic one. The fact that assault is already a punishable crime would mean that equal protection for children could simply be incorporated into existing legislation with no new legal framework required. Regardless, any additional resources necessary to deliver justice to the currently unprotected victims of an existing, recognised crime would not be disproportionate to the advantages that doing so would offer to those victims.

## Page 15: General

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

*No Response*