

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 If you choose the second or third option, a name is still required, but it will not be published.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

Please explain the reasons for your response

Children are people. We would not hit another adult as a way of maintaining discipline, so why would it be OK to hit a child? (who is much smaller, weaker & more impressionable than an adult) We only think its OK to hit children because they are not able to hit back, stand up for their rights or take action against the person hitting them.

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

Unsure

Please explain the reasons for your response

It seems fine to extend the current protection that adults enjoy from assault to children. That's probably the least draconian, most pragmatic and easy to explain and understand way of doing this. I would, however not like to see parents become criminalised for losing their temper and smacking a child in the heat of a difficult, stressful episode which could well be a one-off. That could adversely affect the well-being of the family and the parent's ability to be employable. Many otherwise very capable parents have lost their temper and hit a child and later regretted it without the law needing to intervene. However, we want a society where the norm eventually becomes that children are not hit. This will take time because it is a fairly big cultural change from where we are today. However something like this is needed to drive this change. Once society stops condoning the hitting children as discipline, we will eventually come to see it as an aberration.

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 culture where violence is not used as a way of changing behaviour.

It will make it clear to parents that hitting children is wrong and should reduce the harmful current climate where violence towards children can be explained away as "just a smack". It will do away with grey areas in people's view of what is acceptable.

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?

Could be tricky to legislate. Is picking a child up roughly and dragging them out of a park or swimming pool "assault"?

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

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Please explain the reasons for your response

Ultimately, if we are hitting children less, we are creating a less violent culture. This will reduce costs related to violence, domestic abuse, fighting in public, A&E admissions etc etc. For example: what would be the cost of one child protection investigation? Many thousands I reckon. Or one admission to a children's unit; several hundred pounds per week.

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

Less violence to children means its less acceptable to be violent towards other vulnerable groups. Violence is learned, passed on in families and deeply contagious in human society.

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

Offering counselling or parenting classes or even financial help to parents rather than criminalisation.

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:

Look at other countries where they don't hit children. Are they struggling to meet extra costs? No. Has any other country ever changed it's laws back to making hitting children OK? No.

Page 15: General

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

This a fairly low-key, and to me, obvious step to protecting children.

I suspect it will be controversial nevertheless because people who think its OK to hit kids will not like to

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feel that they are wrong, or that they have been abusing children. This would produce a strong, negative reaction to the proposed legislation and attempts to rationalise the status quo as being OK.

It all boils down to what kind of society we want to live in. Do we want to live in a place where its OK to hit kids just because we can? Not me.

As someone who was physically punished at school (leather tawse), I know that it can produce long-lasting feelings of resentment towards those in power in schools. This continues to colour my own dealings with my children's teachers and I try to be aware of it. Violence creates a psychological wound which far outlasts the physical wound and ultimately does much more damage.