

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 If you choose the second or third option, a name is still required, but it will not be published.

Ross McCallum (Education Social Worker)

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 support this bill for the numerous, evidence based and humane reasons given in the consultation document. Violence is, rightly, becoming progressively more unacceptable in our society. That this can be true and yet we still legally condone violence towards some of our most vulnerable citizens from those entrusted with their care is a situation that should now end as early as possible.

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 do not believe there is an alternative to removing the current defence which would meet the aim of ending physical chastisement/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?

Primarily I believe that by reducing the fear, pain and degradation that physical punishment causes children they will have the opportunity to live healthier, happier and safer lives. I also feel strongly that it will contribute to a diminishment of the culture of authoritarian parenting which we now know to be damaging, dangerous and deficient at preparing children and young people for their lives in contemporary Scotland.

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?

I acknowledge the negative effects identified by the consultation paper that without support and guidance significant numbers of, often the most vulnerable, families will find themselves anxious about this change. I would also suggest that although an assessment of a moderate cost to support parents with "support and advice....made available to them via existing routes" is likely accurate I would personally rate the difficulty of effectively getting this information across in an effective and securely embedded manner as being higher. Therefore I would have concerns that this change, or rather the increase in exposure to child protection concerns that it would bring, could further stigmatise and isolate vulnerable families in the eyes of universal and specialist services. To be clear I am expressing concern and hope that this change is managed effectively and that guidance and resources are effectively given to services, carers/parents and children and young people to manage the inevitable transition period until universal awareness is achieved.

## Page 11: Financial implications

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

Significant 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**

As stated in my previous answer I believe that properly supporting transitions to parenting models without the use or potential of violence will, if done effectively, be very costly [and indeed should be, it's a great investment in Scotland's future after all].

## 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**

I can envision the bill being in conflict with some cultural/philosophical approaches to parenting and attitudes towards children. However, I find this justifiable. The bill would clearly protect children (age) and would likely diminish the likelihood of children and young people being physically punished for behavioural problems associated with disability (such as ADHD and ASD). Furthermore it may reduce physical punishment (assault) where a child or young person is part of a protected group at odds with their parent or carer's cultural attitudes.

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

Unknown.

## 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:**

As the bill becomes widely accepted (which evidence from other countries would suggest is a strong possibility) it is possible that initial costs will reduce and long term it may have a positive impact on economic, social and environmental factors.

## Page 15: General

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

No