

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 If you choose the second or third option, a name is still required, but it will not be published.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

Please explain the reasons for your response

I am very concerned that this proposal will criminalise loving parents who use a light smack as a means of disciplining their children.

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

No Response

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 do not think there are any advantages to this proposal.

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?

As a parent myself, I am very concerned that this proposal will criminalise thousands of loving parents who use a light smack as a form of discipline. It also risks social work resources being diverted from genuine cases of child abuse. There is no need for a change to the law as it already protects children from abuse.

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

Social work departments will have to deploy extra resources to investigate reports of parents smacking their children.

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?

Negative

Please explain the reasons for your response

Some religious groups are more likely to use smacking as a form of discipline, and the proposed Bill is likely to have a disproportionate impact on these.

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

Not if the current proposals become 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?

No Response

Page 15: General

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

The proposal is based on the premise that smacking, however light, is a form of assault. This is incorrect. The proposal refers to "physical punishment" without distinguishing between a light smack and forms of child abuse. The use of a light smack in a controlled and loving manner has nothing in common with child abuse, and often serves to protect young children from harm (e.g. electrocution from mains sockets or injury by road traffic).

International evidence does not suggest that banning smacking leads to a reduction in child abuse. On the contrary, research shows that rates of child abuse increased in Sweden after smacking was banned there.