

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 If you choose the second or third option, a name is still required, but it will not be published.

Renfrewshire Council Children's Services

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**

We are of the view that children should have the same rights and protection as adults. In accordance with the UN Convention on the Rights of the Child, all children have the right to violence-free upbringing, including the right to be protected from all physical punishment. The international evidence indicates that physical punishment has the potential to damage children and carries the risk of escalation into physical abuse. Evidence also highlights the risks between the physical punishment and a range of poor outcomes for children. We therefore support the proposed bill from the perspective of offering additional support to parents to manage children's behaviour in more positive ways and shift attitudes and behaviours, rather than to seek to criminalise parents. It is important that a supportive rather than punitive approach be taken.

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**

Legislation have previously used to good effect as a means of facilitating attitudinal change and has the potential to bring about a positive change in behaviour. This has been demonstrated with other public health issues such as drink driving, wearing seatbelts and smoking in public places. Our aim should not be to criminalise parents, but to raise awareness and educate on the benefits of positive parenting.

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?

A move away from physical punishment to more positive and less damaging means of discipline and guidance may help to support basic human needs such as being safe, feeling loved and part of a family, and having high levels of esteem (both self-esteem and esteem for others). It could serve to improve the wellbeing of children, parents and family units, addressing issues such as physical and mental health and promoting good, respectful relationships between family members.

Consequently this may lead to a reduction over time in the levels of violence and aggression in society. A move to increase societal awareness and recognition of children's rights and promote the message of equality and safety is also consistent with the National Performance Framework outcomes, the Equally Safe Strategy and the current National Parenting Strategy.

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?

None, In establishing equal protection, rather than negatively impacting on parents, we would be offering positive parenting supports and clarity on the legal position. This may lead to initial resource implications, however this is likely to reduce over time through cultural change.

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**

The proposed Bill may lead to an increase in referrals to services initially, and to a need to resource positive parenting supports. Within Renfrewshire there are existing programmes in place to offer support in relation to positive parenting strategies. Over time, the Bill may lead to a reduction in violence and aggression, and therefore a reduction in the need for intervention.

## 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 Bill would ensure children have the same protection as adults and as such address the current age based inequality.

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

*No Response*

## 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 and note the importance of recognising the links between this proposal and other work being undertaken, for example, the Domestic Abuse Bill and the proposed review of Section 12 of the Children and Young Persons (Scotland) Act 1937.