

# 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

Third sector (charitable, campaigning, social enterprise, voluntary, non-profit)

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 If you choose the second or third option, a name is still required, but it will not be published.

Royal College of Psychiatrists in Scotland Faculty of Child and Adolescent Psychiatry

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**

Children need to feel safe and secure and cared for by the adults around them. Using physical chastisement gives them the message that any disagreement or misbehaviour is best resolved by what is an aggressive act. It is much more helpful for them to learn about how to manage their behaviour through nurturing, modeling of good behaviour and positive feedback about how much they are loved, valued and cherished by the adults around them. Adults using physical force to punish behaviour are giving children the message that it is alright to use force and for a bigger adult to use their size to make a point instead of explaining clearly what they expect of the child and helping them manage their behaviour. This may reflect the way in which they were brought up which can be perpetuated through the generations, unless there is a clear campaign to stop it. The use of physical force by an adult towards a child can be frightening and make children anxious about how adults respond to them. This can affect how they feel about themselves, how they engage with the world around them and how they learn

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**

A public health campaign to support adults in thinking how to promote positive behaviours in children would be supportive of this initiative, but an Act of Parliament gives a very powerful message to children and adults they we are all valued equally in the eyes of the Law. It would be a positive step for Scotland to join with other countries which have enshrined children's right to protection from assault and supports the aspiration of making Scotland the best place in the world to grow up.

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?

Giving children the clear message that they are valued.  
Reducing the harm done to children emotionally from physical chastisement.  
Putting the spotlight on adults, especially parents in their vital role in bringing up children in a nurturing, loving manner.

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?

It may be dismissed as interfering with family life or create the worry that parents who are already struggling will be prosecuted for assaulting their children.

## Page 11: Financial implications

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

Broadly cost-neutral

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 may be a cost initially to broadcast the change in the law and some statutory services may have an increased number of referrals in this context. However, there should be a long-term benefit in children's emotional well-being and in their future parenting which should reduce the need for health and social services.

## 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**

This gives children the same protection as adults from assault which would be regardless of their background, disability, religion, sexual orientation etc.

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

If this is enshrined in Law there could be a public campaign to explain the reasons for it and to signpost adults who might find this challenging to helpful resources e.g. parentline, Triple P etc.

## 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?

This is a welcome initiative and gives a powerful message that Scotland values its children and wishes to give them the best start in life, free from the fear of physical chastisement.