The National Parent Forum of Scotland welcome the opportunity to provide the Equalities and Human Rights Committee with our Meeting in a Box!

Response on the Children (Equal Protection from Assault) (Scotland) Bill. We also take this opportunity to commend the Committee on their efforts in seeking views from the general public in this way that is much easier for a regular parent to engage with than the standard consultation process.

The National Parent Forum of Scotland is a volunteer led organisation. We work in partnership with national and local government and other organisations involved in education and child wellbeing issues to ensure that parents play a full and equal role in education. We fully support the aspirations of this Bill as it looks to protect the wellbeing of our children. We recognise that we can never represent 100% of parents in Scotland so we have tried to summarise any concerns as they were expressed to us.
Do you support the Bill’s aim to end the physical punishment of children by parents or carers? What are the reasons for your answer?

As an organisation, the National Parent Forum of Scotland (NPFS) supports the Bill’s aim. We believe Scottish Government has a duty to protect the most vulnerable in our society. The parents we spoke to overwhelmingly thought that children should be offered the same legal protection from assault as adults. Many believe there needs to be a legal basis that prevents physical punishment, as there is currently no consequence, and that government has a duty to ensure children are completely protected from such punishment. Some parents told us they would like the Bill to go further and also include verbal abuse as every child deserves to feel safe and loved if they are to prosper in life.

However, concerns were also raised. Some parents:

- were unclear what the term ‘reasonable chastisement’ meant in reality and sought more clarity
- wondered if legislation could really change culture and how quickly it could influence culture
- disagreed on whether some physical punishment of children would be classed as assault or not (e.g. physical restraint from danger). Those parents would prefer that the term ‘reasonable chastisement’ is revisited.
- whilst supportive of the intent of this Bill, wondered if legislation is necessary.
- pointed out that physical punishment is on the decline and legislation alone cannot promote cultural change, but it was also acknowledged that research states legislation would accelerate the decline.
- also noted that, whilst it is on the decline, they regularly witness physical punishment in their areas.

We note that legal bans have been implemented in other countries without public support and there is convincing evidence that the passage of legislation, in combination with public awareness campaigns, leads to a change in public attitudes.

Parents own experiences as a child seemed to influence their responses to this question. Some told us of awful childhood experiences that resulted in them being very supportive of the legislation. Others felt their parents were vindicated in smacking them and that in their opinion it had not had a long lasting impact; these parents were less in favour of legislation.

All parents felt Government had a duty to ensure parents are better educated. Without this, parents believed physical punishment would continue behind closed doors. Parents need to understand that physical punishment is associated with increased childhood aggression and antisocial behaviour; experiencing physical punishment is related to depressive symptoms and anxiety among children; and that physical punishment carries a serious risk of escalation into abuse. The evidence of this potential long-term impact of physical punishment needs to be clearer.
and written in an accessible way. Parents were clear that smacking is often a behaviour that results from anger or stress that may be very difficult for parents to unlearn without extensive support.

It was also pointed out that this education has to be wider than just for parents, wider society needs to understand the impact of smacking and what an appropriate course of action is if they witness an incident.

Some parents also believed that this education would be sufficient on its own and should also include the psychological impact of excessive shouting. Parents agreed that, with or without the legislation, there is a need for more parenting classes and the promotion of good mental, emotional, social and physical wellbeing.

A system to ensure all parents received parenting techniques would need to be in place. It would be appropriate for this type of education to be taught at antenatal classes and included in baby boxes, as well as through health visitors and schools.

It is unfortunate that this Bill will inevitably be linked to negative press around the Named Person policy and we hope Scottish Government acts to proactively work against this.

What groups do you think would be impacted by the change? For example, parents, children, public services, the legal profession, etc. How will they be impacted?

- Parents would certainly be impacted. The current law needs to be better communicated, as well as any changes.

- As explained above, parents felt that there needs to be an awareness raising campaign. This needs to show the evidence in a clear way, so parents understand the long-term impact of physical punishment.

- This campaign needs to have a wide reach so extended family, babysitters etc also receive the knowledge.

- Children also need to know what is “normal” chastisement and what is not. The current introduction of notion of consent into the curriculum could incorporate this.

- There is a concern it will impact on the workload of social work professionals and that children could be taken into care when this is not in their best interests

- This is only a deterrent if enforced so it would impact on the police force and court system. The impact in law will depend on resources and the will to enforce, while the initial surge on implementation and interpretation will gradually decrease as the law becomes a socially accepted norm.
The financial cost and resources needed to implement this legislation will decrease with time as the norm is zero tolerance to physical abuse of children and is imbedded in the human psyche.

Do you think there will be any additional impact on groups with protected characteristics? For example, disability, race, religion or belief, etc?

There could be an additional impact on families new to Scotland, from countries where physical chastisement is more commonplace.

Groups with protected characteristics cannot be excluded from the education and enforcement of this important legislation.

Are there any equalities and human rights issues that you think should be considered?

Many parents pointed out that physical punishment constitutes a violation of children’s human rights. Protection from physical punishment in all settings, including in the family home, is a basic human right of every child and is enshrined in international human rights law.