Equalities and Human Rights Committee

Children (Equal Protection from Assault) (Scotland) Bill

WE WANT YOUR VIEWS

Meeting in a Box! Resource Pack
Meeting in a Box! contents

This resource pack contains the following sections:

1 - About the Bill

2 - Your views

3 - Facilitation and Discussion Guide

4 - Submitting your feedback

Note: the deadline for submissions is Friday 8 March 2019
What is a Bill?

A Bill is a proposed law that Members of the Scottish Parliament (MSPs) look at to decide if it should become law. Bills go through different stages. This gives MSPs and the public the chance to have their say.

Stages of a Bill

- **In (Introduced)** – this is when the Scottish Parliament is given the first version of the proposed law
- **Stage 1 (Considered)** – each proposed law is checked by a ‘lead committee’. A committee is a group of MSPs from different political parties. The lead committee looks at everything to do with the proposed law
- **Stage 2 (Changes)** – MSPs can make changes to a proposed law – these are called ‘amendments’. The changes are considered and then voted on by the lead committee. All MSPs get to vote on each of the final proposed changes at Stage 3
- **Stage 3 (Final Vote)** – MSPs discuss the final version of the proposed law and vote on if it should become law
- **L (Became law)** – if the proposed law passes the vote, it gets formal agreement by the Queen (known as ‘Royal Assent’). After that, it becomes law
The Children (Equal Protection from Assault) (Scotland) Bill was introduced in the Scottish Parliament on 6 September 2018. It is currently at Stage 1 and the lead Committee checking the Bill is the Equalities and Human Rights Committee.

At Stage 1 the Committee is gathering views on the Bill from the public and this resource has been designed to help people share what they think with the Committee. The Committee has also launched a formal call for views and will take oral evidence during Committee meetings.

All views gathered will be published on the Committee's webpage and will help to inform the report and recommendations that the Committee makes on the Bill.

What does the Bill propose?

The purpose of the Bill is to end the physical punishment of children by parents or those with caring responsibility for a child. The Bill would remove the defence of 'reasonable chastisement' which can be used to justify using physical force on a child.

A person charged with assault of a child would no longer be entitled to claim that a use of physical force was justifiable on the basis that it was physical punishment administered in exercise of a parental right, or a right derived from having care or charge of a child. This would give children the same protection from assault as adults.

More information

You can find out more about the Bill, and follow it through the different stages, on the Scottish Parliament’s website:

www.parliament.scot/parliamentarybusiness/Bills/109156.aspx

You can find out more about the Committee on the website too:

www.parliament.scot/parliamentarybusiness/CurrentCommittees/Equalities-Committee.aspx

You can also follow the work of the Committee on Twitter @SP_EHRiC or email the Committee at equalities.humanrights@parliament.scot for more information
Your views

The Committee would like you to discuss the following issues related to the proposed changes in the Bill and send in your responses. You can discuss all or some of the issues and use the feedback sheets included in this pack to capture the key points from your discussions.

- Do you support the Bill’s aim to end the physical punishment of children by parents or carers? What is the reason for your answer?
- 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?
- Do you think there will be any additional impact on groups with protected characteristics? For example, disability, race, religion or belief, etc.
- Are there any equalities and human rights issues that you think should be considered?

In the next section, we have provided some discussion notes to help you to facilitate conversations and provide answers to the above questions.
Facilitation

Child Protection and Confidentiality

Because of the issues we are asking you to discuss, you should be aware that people participating in your meeting may raise issues that cause you or others concern. These issues may be about keeping children safe and promoting their wellbeing. If you’re not used to dealing with such issues, you should seek advice from within your organisation. If there is no one in your organisation you can discuss this with, or your organisation does not have policies in place to protect people at risk, please contact us before you hold your Meeting in a Box!

When you have held your meeting, we’d like you to send us the views of your group. These will be shared and may be published on our website, so you should avoid putting any information that might identify anyone involved.

You may also have people sharing private or personal experiences in your meeting. They may ask that these are treated as private or confidential and ask you not to record or share them. As a facilitator, you should make it clear at the start of your meeting that this request must always be balanced by the need to break confidence if people are talking about themselves or someone else who is in danger of harm.

If you are part of a group that has a way of working to keep confidentiality whilst protecting people who are at risk of harm, then carry on doing what you do. If you are in a new situation without policies on confidentiality and protecting people at risk and would like advice on this please contact either Sally Coyne - Sally.Coyne@parliament.scot or Hayley Forrester - Hayley.Forrester@parliament.scot

Ground rules

The facilitator should help people feel safe and one way of doing this is to agree ground rules and acceptable behaviours with the group for how they want to work together.

Some rules that can help a good conversation might be: Respect other group members; don't interrupt one another; listen effectively; give everyone a chance to participate, and; keep an open mind.
Managing participants

It is an important role of the facilitator to reassure people that they don't have to speak if they don't want to. Nobody in the group should feel forced to tell others things they don't want to share. Due to the nature of the Bill, people may discuss sensitive things or share personal stories. The facilitator needs to help the group hear from one another, whilst keeping everyone going off-topic.

Some people may experience distress during the group discussion. Facilitators may wish to let the group know that anyone can leave the room at any time if they need a break. You might have a quiet space you can point people towards.

There is a balance for the group to find, where people can choose what they want to share without saying so much about themselves that others have no time to speak, or that the discussion becomes all about one person.

Here are some positive phrases that can be used if someone is talking too much or oversharing:

- “Thank you for sharing that with us. Could we hear from someone else now?”
- “I’m sorry to stop you but we have not got much time now. Could you save that story for our break time?”
- “Thank you for opening up to us like that. Now I’d like to hear about…”
Discussion Guide

The following topic cards can be used with groups to generate discussions on the issues raised within the Bill. Blank cards have been included if you would like to introduce your own topic.

These are suggestions only - you may want to focus on one topic, or a selection of them, or you may just want to have a general discussion about the Bill. If you are a large group you may want to encourage people to break into smaller groups to discuss a topic and then feedback their discussion to the rest of the group - whatever works best for you.

To help get conversations started you might want to think about:

What do you think about the topic on the card?
How does this topic relate to the proposals in the Bill?

- Children should have the same rights as adults in being protected from assault
- The Government should not interfere in what parents/carers do
- Children need to be kept safe from immediate danger, e.g. a busy road or a hot pan
- Parents and carers should be supported to learn about positive parenting techniques
<table>
<thead>
<tr>
<th>Physical punishment can lead to long-lasting emotional and physical difficulties and damage</th>
<th>There should be an awareness raising campaign about what the law currently says</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical punishment teaches the wrong lessons and can be used excessively</td>
<td>Smacking is not the same as assault or abuse</td>
</tr>
</tbody>
</table>
4 Submitting your feedback

Please complete this page with information about the meeting and return with the feedback sheets and data protection form. The deadline for responses is Friday 8th March 2019.

Group name (how you would like to be identified)

Facilitator

Contact details (email or address)

Meeting date

Number of people who participated

Geographical area participants are from
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?
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?
Do you think there will be any additional impact on groups with protected characteristics? For example, disability, race, religion or belief, etc.
Are there any equalities and human rights issues that you think should be considered?
SUBMITTING EVIDENCE TO A SCOTTISH PARLIAMENT COMMITTEE

DATA PROTECTION FORM

Before making a submission, please read our privacy notice about submitting your views to a Committee: http://www.parliament.scot/S5_Equal_Opps/Committee_Office_-_evidence_submission.pdf
This tells you about how we process your personal data.

Name:

Date:

Organisation:
(if required)

Topic of submission:

☐ I have read and understood the privacy notice about submitting evidence to a Committee.

☐ I am happy for my name, or that of my organisation, to be on the submission, for it to be published on the Scottish Parliament website, mentioned in any Committee report and form part of the public record.

☐ I understand I will be added to the contact list to receive updates from the Committee on this and other pieces of work. I understand I can unsubscribe at any time.

Non-standard submissions

 Occasionally, the Committee may agree to accept submissions in a non-standard format. Tick the box below if you would like someone from the clerking team to get in touch with you about submitting anonymously or for your submission to be considered but not published. It is for the Committee to take the final decision on whether you can submit in this way.

☐ I would like to request that my submission be processed in a non-standard way.

Responses must be received by Friday 8th March and can be sent electronically to:

equalities.humanrights@parliament.scot

Or by hard copy to:

Equalities and Human Rights Committee
Room T2.60
Scottish Parliament
Holyrood
Edinburgh
EH99 1SP