Equalities and Human Rights Committee
Children (Equal Protection from Assault)
Portree Parents and Faith Representatives, Visit

Friday 15th March 2019

Attending
Alex Cole-Hamilton MSP
Gail Ross MSP

Purpose of the visit
The purpose of the visit was to speak to a group of parents, carers and representatives of faith groups about the proposed Children (Equal Protection from Assault) (Scotland) Bill.

There were around 9-10 people in attendance. The group consisted of a range of backgrounds and ages; most were women.

Discussion

Themes arising from the discussion:

The effectiveness of smacking
- The body of evidence is that smacking doesn’t work as a method of discipline.
- Violence in the home could legitimise other violence in the home.
- Not all children are the same - some learn from a smack.

The need for legislation
- A few people felt a change in the law would make it worse.
- Concerns were raised about the legislation being anti-smacking and what this means in practise.
- Assault shouldn’t be classified as adult versus children, it should be that we’re all human beings and deserve protection.
- Legislation risks causing smacking to go behind closed doors – where a child could be bullied by a parent or could be made fearful of speaking out about being smacked.

Criminalisation of parents?
- It was suggested parents wouldn’t be prosecuted unless it was in the public interest.
- There was concern though that if CCTV evidence was available then an assault could be prosecuted, for example a parent in a supermarket with an older child poking a baby in the face and not stopping until smacked.
- Others considered it would have to be classed as an assault in the first place
- Public interest is subjective, so there is a need for guidance.
• Some were worried that vulnerable adults, already engaging with services could be criminalised, instead of being offered the support they need.

Enforcement of the Bill
• It was considered a lot of the success of the Bill would come down to enforcement.
• Absolute clarity would be needed on the implementation of the Bill and this should be accompanied by guidance, particularly for social workers.
• The Committee should scrutinise how the Scottish Government implements the Bill.

Approaches to culture change
• It was noted that care needed to be taken when providing parenting classes as they could be seen as patronising.
• Some thought legislation and support for parents must go hand-in-hand.
• Members’ attention was drawn to New Zealand where there was significant provision of baby and parenting groups. It was suggested more provision was needed in Scotland.
• There was discussion around who would fund these groups, public, private, voluntary?