

## **Scottish Youth Parliament 68<sup>th</sup> Sitting**

### **Children (Equal Protection from Assault) (Scotland) Bill Workshop Notes**

1. The Committee Engagement Unit held a workshop with 8 members of the Scottish Youth Parliament at their 68<sup>th</sup> sitting in Dalkeith in March 2019. The participants were members of the SYP Equalities Committee and had chosen this topic to be the focus of their meeting at the sitting as a result of their interest and previous work on the Bill.
2. Participants aged 15-25 discussed issues around the Bill and any impact it may have on young people with protected characteristics. In four groups, they discussed four questions and shared their answers.
3. Notes from the discussion are attached at the annex.

**1. DISAGREE:**

Deliberately causing pain/discomfort is abusive no matter who the victim is.

Protecting children is more important than the right to a private family life.

People often use this excuse to hide what they're doing.

Even the threat of physical punishment is cruel, children have the right to not be treated this way.

People sometimes view children as possessions – things you have ultimate power over, rather than actual human beings with emotions and fears – they could be affected by physical punishment for the rest of their lives.

**2. YES, IT IS:**

Hitting an adult is abuse – why not children?

Children would not be afraid of violence – except from family?

Saying some things like – '*Actions deserve violence*' is a slippery slope. Violence is never justice!

Where do we draw the line? There are more effective punishments.

**Physical Punishment normalises violence!**

It will affect kids all the way through adulthood.

The threat of violence is abuse.

Children should not be scared of making small mistakes that lead to violence.

**Not all physical punishment is the same as assault and abuse?**

3. Agreed that smacking for example (as a last resort) is not same as abuse which is repeated.

Is emotional punishment worse? – ignoring the kids or remaining upset with them.

Victims are more likely to do the same to their child.

4. Parent might not think hitting as punishments is assault but a lot of the time it can be.

Hitting an adult for any reason would be considered assault so why is it any better to hit someone younger, smaller, often more vulnerable who is under your care and can't fight back.

In addition, the affect on children can also be worse i.e. more long lasting. It can affect them all their lives and diminish the trust and relationships in families.

**1. YES!**

If there is a public 'smacking ban', it may make the situation worse behind closed door, but measures could be taken to prevent this e.g. if concern raised by teacher.

Children are even more vulnerable than most adults.

They must be protected.

If a parent wants to physically punish their child, they have lost 'control' of their child and are being abusive.

There is never an excuse/ reason to physically harm a child (who is posing no threat).

**2. LGBTQ+ kids more likely to be abused.**

Minority Groups.

Why are children any different? – More vulnerable to assault.

**Children should have the same rights as adults in being protected from assault**

**3. Children should have more rights (Particularly out with home).**

Within the home still need punishment?

Using punishment as an excuse to abuse child?

Children should receive **extra** protection of their rights.

Kids should have equal or better protection from assault as they are often more vulnerable.

Although it may be negativity impact some groups, culture etc, the right not to be assaulted needs to take precedent.

Right to private life is important but again assault in the home is more important.

**4. Kids should have equal or better protection from assault as they are often more vulnerable.**

Although it may be negativity impact some groups, culture etc, the right not to be assaulted needs to take precedent.

Right to private life is important but again assault in the home is more important.

**1. DISAGREE:**

If a concern is raised, the government (as in the services it provides e.g. social services), has a duty to investigate it and protect the child (ren) involved.

If the parents/carers are 'innocent' they should have nothing to worry about – they (and the government) should want what is best for their child(ren).

The state has a duty of care to children.

Obviously, parents/ carers can raise their children as they see fit, but someone **must** interfere if the children are being harmed.

Government bodies, Police etc, would interfere if an adult was physically harmed, why not a child?

Difference between strict parenting and abusive parenting.

**2. Children have the right not to be punished in a cruel/hurtful way!**

There is a huge difference between strict parenting and abuse.

They have the right to feel safe in their home.

The government has a responsibility to protect children.

Kids shouldn't have less protection than adults.

**The government should not interfere in what parents/carers do.**

**3. Case by case – different cultures hold different views.**

Wrong to be hit or abused by parents due to gender/sexuality = discrimination.

How can a Young People prove they were physically abused (if not severe enough for bruise)?

Repeated abuse needs more attention.

**4. The government should interfere in what parents/carers do because it can make it harder for the young people that are suffering to talk about their struggles with their identity as a person.**

Most abuse happens behind closed doors so interference is necessary.

It is necessary to interfere: Parents do have the right to their own beliefs, but they can't force abuse on their children.

If their defence for hitting their child is due to the child's protected characteristics (i.e. sexuality, gender, religion etc.) then this is injuring by taking their rights.

**1. AGREE:**

If the punishment begins at a very young age, the child will grow up thinking that this is normal. If their emotions and relationships are affected by this in later life, they will be confused and afraid.

This could also make them become violent themselves – may raise their own children in the same way, vicious cycle.

The individual (long – lasting mental health issues) will live their whole life in fear of being physically hurt whenever they do something wrong.

Right not to be treated unfairly in the enjoyment of your rights e.g. if parent disagrees with child's religion, sexuality etc, they still shouldn't be able to punish them.

2. LGBTQ+ (and specifically Trans Gender), people more likely to be the victims of violence at home - Less likely to be reported on the streets.

Can lead to later self – harm and suicide.

Long lasting mental health issues (e.g. anxiety) by feeling insecure at home and can it encourage violence behaviour in the future?

**Physical punishment can lead to long – lasting emotional and physical difficulties and damage.**

3. ACE's - which depends on scenario (if you don't understand why?)

Agreed that it can have long lasting effects.

**4. AGREE:**

People might disagree with the bill because they don't think the government should interfering in their private life and choices but if they were the ones who still suffered with the long-lasting difficulties they wouldn't be saying that.