

SUBMITTING EVIDENCE TO A SCOTTISH PARLIAMENT COMMITTEE

DATA PROTECTION FORM

Name:	Faculty of Public Health
Date:	18 January 2019
Organisation: (if required)	Faculty of Public Health
Topic of submission:	Children (Equal Protection from Assault)(Scotland) Bill

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.

EQUALITIES AND HUMAN RIGHTS COMMITTEE

CHILDREN (EQUAL PROTECTION FROM ASSAULT) (SCOTLAND) BILL

SUBMISSION FROM THE FACULTY OF PUBLIC HEALTH

Do you support the Bill's aim to end the physical punishment of children by parents or carers? It will do this by abolishing the defence of reasonable chastisement. Please provide an explanation for your response. What groups would be impacted by the change (for example, parents, children, public services, the legal profession, etc)?

The Faculty of Public Health is a membership organisation for nearly 4,000 public health professionals across the UK and around the world. We are also a registered charity. Our role is to improve the health and wellbeing of local communities and national populations.

The Faculty of Public Health fully supports the aim of the Children (Equal Protection from Assault) (Scotland) Bill to end the physical punishment of children by parents and carers.

A recent review of the evidence around the physical punishment of children¹, carried out by University College London, found that:

- There is strong and consistent evidence from good-quality research that physical punishment is associated with increased childhood aggression and antisocial behaviour. The nature of the studies and the consistent findings suggest that this link is causal i.e. that physical punishment leads to increased childhood aggression and antisocial behaviour.
- There is evidence that physical punishment adversely affects children's mental health – there is good evidence that physical punishment is linked to anxiety and depressive symptoms in children.
- Physical punishment is related to an increased risk of child maltreatment
- Childhood physical punishment is linked to adult aggression and antisocial behaviour, including aggression and sexual violence within intimate partner relationships.
- The majority of studies that investigated the effects of physical punishment in the context of a loving family found that that the harmful effects of physical punishment were the same even when levels of maternal warmth were high.

Prohibiting physical punishment of children by parents and carers will benefit all children in Scotland. Due to the adverse effects of physical punishment, the Bill is a necessary and important step in improving the health and wellbeing of children in this country. The Bill will

¹ Heilmann A., Kelly Y., Watt R.G. (2015) Equally Protected?: A review of the evidence on the physical punishment of children. London: NSPCC

also lead to an improvement in the human rights of children in Scotland - as children will gain the same legal protection from assault that adults currently have.

International evidence shows that in countries where physical punishment of children is prohibited, there have been accelerated declines in its use². These countries have not seen an increase in parental prosecutions for assaults as a result of the change in legislation².

More widely, the Children (Equal Protection from Assault) (Scotland) Bill reinforces the public health message that violence is harmful. This is important in creating a society with less violence and where abuses of power are not acceptable.

Abolishing the defence of reasonable chastisement will additionally promote the reputation of Scotland as a country that protects and cares for vulnerable members of society.

Do you see any additional impact on groups with protected characteristics?

This legislation will address a current age-based inequality by offering children the same legal protection from assault as adults.

The evidence is that boys experience physical punishment more frequently than girls; younger children more so than older children; and disabled children experience more physical punishment than non-disabled children¹. The proposed change in legislation would therefore particularly benefit boys, younger children, and children with disabilities.

Are there any equalities and human rights issues raised by the approach taken in the Bill that should be considered?

The approach taken in the Bill will uphold Article 19 of the UN Convention on the Rights of the Child - protecting the child from all forms of violence. Additionally, given the evidence of the adverse effects of physical punishment on children's health and wellbeing, the Bill supports Article 24 - the right of the child to the enjoyment of the highest attainable standard of health.

Will the Bill result in any resource implications for your organisation or you as an individual? If so, please explain and provide any supporting information.

As a professional membership organisation, the Bill will not have any resource implications for the Faculty of Public Health.

Please tell us about any other comments you feel are relevant to the Bill.

Legislation to abolish the defence of reasonable chastisement should be accompanied by a large scale awareness campaign highlighting the change in legislation, the harms of physical punishment, and the benefits of positive parenting.

² Boyson, R., Thrope L. (2002) Equal Protection for children: An overview of the experience of countries that accord children full legal protection from physical punishment. London: NSPCC