

## SMACKING BAN BILL: CAMPAIGNERS CONDEMN SCOTTISH GOVERNMENT U-TURN WHICH WILL CRIMINALISE PARENTS AS NEW POLL REVEALS 3 IN 4 OPPOSE LAW CHANGE

- Scottish Government ditches promise not to criminalise parents for smacking their kids
- U-turn is fresh assault on families following failed Named Person scheme
- Eight in ten concerned police and social workers will be overwhelmed, finds poll
- Three quarters opposed to criminalising parents for smacking
- Three quarters say parents should decide on smacking, not the State
- Two-thirds say it is sometimes necessary to smack a naughty child

Campaigners have condemned the Scottish Government for backing a ban on smacking as they revealed a new opinion poll which shows three quarters of parents oppose the move.

The 'Be Reasonable Scotland' group has demanded a new consultation on the issue as the previous exercise was carried out during the summer when families were on holiday – and before the SNP had staged a U-turn on its previous position which was against criminalising parents.

Earlier this week the Scottish Government confirmed plans to “ensure” the smacking ban proposal in a Members’ Bill sponsored by Green MSP John Finnie become law.

The Scottish Government’s latest assault on family life has drawn condemnation from campaigners who today release a nationwide poll showing the extent of opposition to proposals to criminalise parents for smacking their own children.

Be Reasonable Scotland, backed by The Christian Institute and The Family Education Trust, is publishing polling that shows a smacking ban is not supported by parents or the wider public, who think such a move will overwhelm police and social workers, resulting in genuinely vulnerable children being put in danger.

The campaign condemned the Scottish Government for ditching previous promises not to drop the defence of reasonable chastisement. It warns that the proposal risks painting thousands of ordinary parents as no better than violent thugs and child abusers, merely for disciplining their children, and leaving them facing fines or jail.

Lowri Turner, a spokesmum for the Be Reasonable campaign, says: “The people calling for this change are using hysterical and manipulative language. They’re trying to make out that a gentle smack from a loving mum is the same as beating up your kids.

“If the Government can’t tell the difference then they shouldn’t be passing laws about it.

“It must resist the temptation to constantly interfere in how parents choose to raise their children. As the Scottish Government well knows, the law already protects children from abuse.”

In a further statement Be Reasonable Scotland said: “Criminalising parents for smacking their own children is a gross intrusion on family life by politicians who are totally out of touch with real people. “It will overload police and social workers, making it even harder for them to find and help children who are being abused.

“It’s one thing to have an opinion about smacking. It’s another to criminalise those who parent differently from you.

“The research cited by anti-smacking activists is largely just propaganda from their allies in academia. Over 80% of Scots were smacked as children. They know the hysterical claims by anti-smacking activists don’t add up.

“We urge people to contact their MSPs and tell them not to support Finnie’s Bill.

“If the Government really want to own this wildly unpopular plan, then the first thing they need to do is hold a proper consultation. Finnie’s private member’s consultation was ignored by the public because the Government had said it wouldn’t bring forward legislation for a ban. They can’t be allowed to bring this in by stealth. Now they’ve U-turned, they need to give the public a chance to say what they think.”

The existing legislation in Scotland makes it illegal to punish children by shaking, hitting on the head or using an implement.

In April the Scottish Government said it “does not intend to bring legislation forward to repeal all legal defences and ban physical punishment, which could potentially criminalise parents for lightly smacking their children.”

Research for Be Reasonable Scotland found that 85 per cent of Scottish adults were smacked as children and two-thirds (66 per cent) agree that it’s sometimes necessary to smack a naughty child.

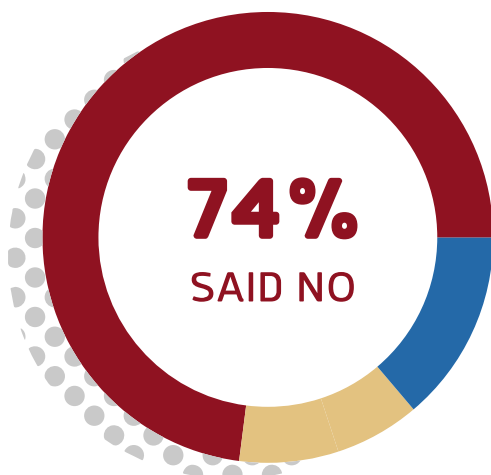
The ComRes poll of more than 1,000 Scottish adults found almost three in four of those questioned thought the ban would not help protect vulnerable children.

Asked to consider the statement, ‘A ban on smacking would likely criminalise reasonable parents while doing little to stop bad parents from abusing children’, 75 per cent agreed, with just one in eight, (13 per cent) disagreeing.

It found a similar number opposed making smacking a criminal offence. Asked whether or not parental smacking of children should be a criminal offence just one in seven (14 per cent) said it should, with three quarters (74 per cent) saying it should not.

## SHOULD PARENTAL SMAKING OF CHILDREN BE A CRIMINAL OFFENCE?

Seven in ten agreed with the statement, I support laws against child abuse, but smacking is not child abuse.



Dr Ashley Frawley, a sociology and social policy expert from Swansea University, is also challenging the Scottish Government's latest state surveillance plans. She warns that removing the defence of reasonable chastisement from legislation could open the floodgates to thousands of minor incidents being reported to the police and social services – overwhelming already stretched services.

This is a view shared by the public, with nearly eight in ten (78 per cent) expressing concern that a smacking ban might flood police and social workers with trivial cases, which would mean they struggle to stop genuine abuse, while just one in eight (13 per cent) disagreed.

“Parents have enough to worry about,” says Dr Frawley. “They don’t need the added fear of being separated from their children because someone in the Government happens not to like the way they bring them up.”

“Removing the commonsense reasonable chastisement defence will see the floodgates opened to hundreds, maybe thousands of new complaints to the police and social services. Inevitably this will distract them from actual cases of abuse with potentially terrible consequences.”

Recent months have seen the Scottish Government facing intense criticism for its flagship Named Persons scheme. The plan to appoint a state guardian for every child drew fire from parents, teachers, social workers and lawyers who lined up to warn against the invasion of family life from, what has been popularly dubbed, the ‘state snooper’ scheme.

In July 2016 the UK Supreme Court struck down the central provisions of the scheme. In its judgment the Court said “The first thing that a totalitarian regime tries to do is to get at the children, to distance them from the subversive, varied influences of their families, and indoctrinate them in their rulers’ view of the world. Within limits, families must be left to bring up their children in their own way.”

**ENDS**

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#### Notes to Editors:

The Be Reasonable campaign is a grassroots campaign of parents and supportive groups opposed to Scottish Government plans to outlaw reasonable chastisement of children by their parents.

In April 2017 the Scottish Government stated “The existing legislation in Scotland makes it illegal to punish children by shaking, hitting on the head or using an implement. The Scottish Government remains opposed to physical punishment of children but does not intend to bring legislation forward to repeal all legal defences and ban physical punishment, which could potentially criminalise parents for lightly smacking their children.”

Universal Periodic Review of Human Rights: Position Statement, The Scottish Government, April 2017, page 45, see [www.gov.scot/Resource/0051/00516802.pdf](http://www.gov.scot/Resource/0051/00516802.pdf)

Yesterday, Government ministers told The Times: “Mr Finnie’s proposals are not a Scottish Government Bill, however we will ensure the proposals become law.”

The Times, 19 October 2017, see <https://www.thetimes.co.uk/edition/scotland/scots-will-face-a-ban-on-smacking-their-children-6mrcnfrjl> as at 19 October 2017

The ComRes poll tables are available at: [comresglobal.com/polls/be-reasonable-children-and-families/](http://comresglobal.com/polls/be-reasonable-children-and-families/)

The poll was conducted by ComRes which interviewed 1010 Scottish adults online between 21 September and 2 October 2017. Data were weighted to be demographically representative of all Scottish adults 18+. ComRes is a member of the British Polling Council and abides by its rules.