

Annex – FOI 202000110175

Item 1

From: [Redacted]
Sent: 31 July 2020 16:29
To: Todd M (Maree), MSP <Maree.Todd.msp@parliament.scot>
Subject: Smacking ban

I would like to voice my concern over the coming legislation. I would be obliged if you could advise me of the action taken by the Scottish Government to make sure parents are aware of the appalling legislation which could bring criminal charges against them for the mildest chastisement and also given the pressure which is already stretching authorities to the limit with the corona virus. Has the government taken into account any of these issues.

[Redacted]

Item 2

From: [Redacted]
Sent: 31 July 2020 16:37
To: Todd M (Maree), MSP <Maree.Todd.msp@parliament.scot>
Cc: [Redacted]
Subject: Smacking ban

Does the SNP government not realise that this unwanted piece of legislation will criminalise many good decent and loving parents, and who is going to police this intrusive law anyway.

Item 3

From: [Redacted]
Sent: 31 July 2020 21:48
To: Todd M (Maree), MSP <Maree.Todd.msp@parliament.scot>
Subject: The Smacking Ban law soon to be implemented.

Dear Rt Hon Marie Todd,
The Smacking Ban law is a vindictive attack on the family.
Family members will be taken into custody and criminalised for even the smallest smack on the child's bottom by a parent.
How many young people are in the Care System, or to use the most recent terminology, in the 'Looked after' system?
How many more children will be delivered into the hands of social workers? Many of the children, who will not see their parents again, dragged through the child courts?
I look to you Ms Todd, to alert the Scottish public of this impending draconian law, which is soon to be implemented.

In Jesus' precious name.

[Redacted]

Item 4

From: [Redacted]

Sent: 01 August 2020 03:49

To: Todd M (Maree), MSP <Maree.Todd.msp@parliament.scot>

Subject: Smacking Ban

Dear Ms Todd,

I write to you in your capacity of Children's Minister.

Scotland's smacking ban is due to come into force in just three months, on 7th November 2020.

In this regard, obviously families and various institutions – police, prosecutors, courts and social services – will require time to prepare for the change.

What has the Scottish Government done so far this year to prepare for implementation of the smacking ban?

In particular, what has the Scottish Government done to raise awareness of the criminal consequences for parents who continue to use reasonable chastisement?

You will appreciate that a parent being convicted for something that is considered in many quarters as loving discipline could have serious implications in the life of a family.

Furthermore, if a parent is investigated for smacking their child and was not aware that smacking had been criminalised what does the Government recommend should happen to that parent?

With police and social services overburdened by the coronavirus crisis, how does the Scottish Government expect them to enforce the smacking ban?

Finally, I would strongly advise you to follow the lead of Wales by not implementing the ban until 2022. This would give more time to prepare for its implementation.

Yours faithfully,

[Redacted]

Item 5

From: [Redacted]
Sent: 01 August 2020 10:51
To: Todd M (Maree), MSP <Maree.Todd.msp@parliament.scot>
Subject: The Reasonable Chastisement Ban.

Dear Ms. Todd,

I am a mother and write to you with concerns regarding the forthcoming 'Reasonable Chastisement Ban'

I do not agree with the ban for many reasons not least because I believe we already have a robust system in place. I will not go into further detail of my objections at this point as the legislation has already, unfortunately, passed through Holyrood. My main concern at this time, is that no parent I have spoken too is aware of the impending ban, they have not heard of it and do not understand that this change in law will affect them, effectively making them possible criminals in just three months time.

With this in mind I would like to raise the following concerns with you.

What has the Scottish Government done so far this year to raise awareness of the criminal consequences that parents will face? I am not personally aware of any efforts to inform the public, there has been no awareness campaign as far as I can see and I have heard nothing at all, in the media or by post, since the Bill was passed?

There is not even any information on the Parents Club website and even if there were many parents do not use that.

What has the Scottish Government done so far this year to prepare for the implementation of the reasonable chastisement ban?

Many parents are going to find themselves on the wrong side of the law and will face criminal investigation as a result. What action do the Scottish Government recommend for such parents if as the case may well be, they were unaware of the changes to the law?

The police and social services are under immense pressure with the Corona Virus crisis which is likely to continue for the foreseeable future. Can you explain what has been done by the Scottish Government to assist them with implementation of the reasonable chastisement ban? Have they received training on how to deal with situations? Are they in a position to enforce the new law, have they received extra funding to cope with changes?

Yours sincerely,

[Redacted]

Item 6

From: [Redacted]

Sent: 02 August 2020 09:45

To: Todd M (Maree), MSP <Maree.Todd.msp@parliament.scot>

Subject: The Smacking Ban

Good morning,

I understand that the smacking ban comes into force shortly. I have heard nothing about this from the Scottish Government. Are you going to make parents aware that they will be prosecuted under criminal law should they use reasonable discipline with their children?

Thank you,

[Redacted]

Item 7

From: [Redacted]

Sent: 04 August 2020 15:16

To: Todd M (Maree), MSP <Maree.Todd.msp@parliament.scot>

Subject: Smacking Ban

Dear Maree Todd

Scotland's Smacking Ban

My wife and I have heard that the Scottish Government is proposing that the above ban is to be implemented sooner rather than later.

We wonder why when there is so much worry and concern around for all of us the Government feels it necessary at this stage to impose yet further fear and anxiety upon the populace of Scotland? Have we not enough pressures, fears, anxieties and distress upon us caring for ourselves, our families young and old, together with enormous work and financial concerns, to have yet another totally unnecessary millstone placed around our necks.

What is the purpose of this driven attitude in a country already reeling from COVID 19 and general anxieties that the Government feels we need yet another pressure put upon us?

As Children's Minister can you not at least cut us some slack at this most unhappy of times? Please remember your less fortunate fellow citizens, mostly young mothers and fathers, as I'm sure you do, who are not able

to take things in their stride, people need support and there is precious little help available from statutory bodies and Mental Health Services currently available. There are plenty of laws out there but precious few support workers to help meet our increasing needs.

I look forward to hearing from you in response to this communication and that you may find it possible to delay implementation of the Bill until the country is back onto a more stable footing and times are no so hard.

Yours sincerely

[Redacted]

Item 8

From: Barrett, Joanna <joanna.barrett@nspcc.org.uk>
Sent: 13 October 2020 17:47
To: Scottish Ministers <Scottish_Ministers@gov.scot>
Cc: David Ferguson <david.ferguson@barnardos.org.uk>
Subject: FAO: office of Minister for Children and Young People

Please find attached a letter from Barnardo's Scotland and NSPCC Scotland to the Minister for Children and Young People.

Best wishes,
Joanna

Joanna Barrett | Policy and Public Affairs Manager | NSPCC Scotland
t. 0141 2123837 | 07767 006 085 | [NSPCC](#) | [Twitter](#) | [Facebook](#) | [YouTube](#)
Templeton House, 62 Templeton Street, Glasgow G40 1DA

[For attached letter please see the following 2 pages]



Maree Todd MSP
Minister for Children and Young People
Scottish Government
Victoria Quay
Edinburgh
EH6 6QQ

13th October 2020

Dear Minister,

We write, as organisations integral to the successful campaign which brought about the Children (Equal Protection from Assault) (Scotland) Act, to express our disappointment at the recent public messaging on the subject of the imminent legal change, and to offer our support in developing future communications.

Ensuring children are equally protected from assault in the law is a fundamental issue of children's rights. As such, we were delighted with the Scottish Government's strong and unwavering commitment to the Act as it passed through the Scottish Parliament last year. Nevertheless, communicating this legal change to the public is far from straightforward.

The debate surrounding a child's right to equal protection is emotive and nuanced. Throughout the passage of the Bill, supporters, including the Scottish Government, sought to eschew hyperbole and reassure that legal reform is a progressive change, designed to support children and families. Indeed, it was the central strategy of the campaign for equal protection to move beyond the hitherto simplistic debate on 'smacking', which too often became mired in the false dichotomy of parents' rights v children's rights, and unevidenced and alarmist claims about the increased criminalisation parents.

We were therefore dismayed to read the Scottish Government briefing on legal change published last week <https://www.gov.scot/publications/physical-punishment-and-discipline-of-children-how-the-law-is-changing/> the tone of which was, in our opinion, deeply unhelpful. In particular, the 'dial 999' message (which we are aware has subsequently been amended) led the media to focus on assertions by a pressure group that parents will indeed be subject to increased criminalisation by the new legislation. It is unfortunate to say the least that such headlines have typified the Scottish Government's first public communications on the Act.

It is imperative that the Scottish Government takes the lead in supporting parents and the public to understand legal change as a positive development which can improve family relationships and wider society. Sensitive, nuanced communication around supporting parents and responding to incidents could not be more important, at a time when pressures and uncertainties facing families are arguably unparalleled in modern history.

Countries across the world are looking to Scotland to be an exemplar in implementing legal change to give children equal protection. As organisations with expertise in working with children and families, and passionate about ensuring children are protected from all forms of violence, we would



be happy to offer the Scottish Government any support necessary to ensure the Act is implemented effectively and leads to the shift in attitudes and behaviours that we all desire to make Scotland the best place to grow up.

Yours sincerely,

A handwritten signature in black ink that reads "Martin Crewe".

Martin Crewe – Director, Barnardo's Scotland

A handwritten signature in black ink that reads "Matt Forde".

Matt Forde – National Head of Service, NSPCC Scotland