

MSP lodges bill to ban smacking at Holyrood

Green MSP John Finnie has lodged his Members' Bill at Holyrood which is aimed at giving children protection from assault.

If [this bill](#) is passed it will mean that Scotland protects children along with only another 50 countries around the world. It follows a public consultation which had around 650 responses – three quarters of whom supported the bill.

[Mr Finnie](#) had the support of 31 MSPs in introducing [the bill](#) to Holyrood, and it is included in the Scottish Government's Programme for Government this year.

Support for such legislation comes from the Scottish Police Federation, Rape Crisis Scotland, Barnardo's Scotland, the Church and Society Council of the Church of Scotland, the Equality & Human Rights Commission, Children 1st, the Royal College of Paediatrics and Child Health, Scottish Women's Aid and the NSPCC.



John Finnie –
Green –
Highlands and
Islands. Photo
– Andrew
Cowan/Scottish
Parliament

Mr Finnie said: "I am delighted to be formally lodging my bill to give children equal protection from assault in the Scottish Parliament today. Children deserve the same legal protection from assault that adults enjoy, a position that children's rights organisations and charities have long been arguing. Substantial academic research from around the world shows that physical punishment does not work and is shown to be counterproductive; my bill aims to support parents to make positive choices. The Bill will not change the way that Police and Social Work deal with assault against children. Rather it establishes the principle that assault can never be 'justifiable'.

"I would like to thank again all those who responded to my consultation and to my colleagues for lending me their support to introduce this bill. I would also like to thank the clerks in the Scottish Parliament, civil servants across the Scottish Government and my own staff for their advice and support in drafting the bill and the associated documents.

"I look forward to parliament examining the bill and stand ready to make the case that providing equal protection for children and ending justifiable assault will show that Scotland really is the best place in the world to grow up."

Matt Forde, national head for NSPCC Scotland said: "John Finnie's Bill, and the Scottish Government's support for it, is a huge step forward for our children. We have long campaigned for children to have the same protection as adults and we strongly believe a change in the law is a common-sense move.

"It is wrong that a legal defence which does not exist in a case of common assault against an adult can be used to justify striking a child. Closing this loophole brings Scotland in line with dozens of other countries in Europe and across the world and gives our children equal protection from assault."

Rev Dr Richard Frazer, convener of the Church and Society Council, said: "The Church of Scotland welcomes the introduction of the Proposed Children (Equal Protection from Assault) (Scotland) Bill as an important step in ensuring that children are given the same protection as adults. It is time that we, as a society, stated clearly that physical punishment cannot be part of normal family life."

Janys M Scott QC said: "Article 3 of the European Convention on Human Rights prohibits inhuman, degrading treatment or punishment and that is an absolute – there are no exceptions. States have a positive duty of protection to children and it is right that Scotland is now addressing this."

Professor Steve Turner, Officer for Scotland for the Royal College of Paediatrics and Child Health (RCPCH), said: "I strongly believe it is not acceptable to hit a child. Physical punishment can teach a child that physical violence is part of a normal healthy lifestyle. It can increase the likelihood of that child going on to be aggressive in later life themselves, leading to a vicious cycle of physical violence, bred through generations. Physical punishment is also linked to an increase in a child's later risk for anxiety, depression and problems with self-esteem."

"As a children's doctor, there is nothing I want more than for children to be protected, as adults currently are, from assault. Physical punishment is counterproductive and cruel so the Children (Equal Protection from Assault) (Scotland) Bill is very much welcome. With this bill, we have the opportunity to be leaders in child protection, and to show our children the respect they deserve. I now call on our neighbours in England and Northern Ireland to catch up, follow Scotland's lead, the Welsh Government has committed to do likewise, and provide all children, regardless of where they live in the UK, with the same level of protection."