I am opposed to any change in the current law regarding smacking children by parents and carers for the following reasons:

- The present law already protects children adequately from assault. It recognises the difference between violence against a child causing significant harm, and a gentle smack designed to provide discipline to a child, often in order to prevent the child harming themselves or others.
- Changing the law could lead to thousands of loving parents being criminalised for physically disciplining their child in a gentle way, overwhelming police, courts and social services, and diverting resources away from other crimes including genuine child cruelty.
- Parents convicted of smacking could be separated from their children, lose jobs or other unintended consequences. In a case in New Zealand a former UK national, referred to as “DC”, admitted gently smacking his two sons and was convicted. The Court of Appeal later quashed his conviction but DC lost custody of and contact with his sons.
- Evidence from other countries suggests that banning smacking can lead to an increase of child violence against other children – in Sweden where smacking was banned in 1979 this has increased by 1,791% between 1984 and 2010 (Larzelere, R E, Swindle, T, Johnson, B R, ‘Swedish Trends in Assaults Against Minors Since Banning Spanking, 1981-2010’, International Journal of Criminology and Sociology, 2013(2), pages 129-137). This is the opposite of what supporters of a ban might expect.
- Children are not adults and this is already recognised in law. Parents do things for children that would not be acceptable were they to be done to an adult – punishing them by confiscating their phone or “grounding” them is not seen as theft or wrongful imprisonment. These actions, along with occasional smacking, are done for the benefit of the child, not their harm, teaching them that some types of behaviour is unacceptable.
- The overwhelming majority of people in Scotland opposes smacking. In a Comres poll of over 1000 adults in September 2017, 74% were against making smacking a criminal offence and 75% agreed that it should be up to parents to decide whether or not they smack their children.

There are many other reasons why this proposed change in the law makes no sense. The Scottish government needs to focus their intention on the real issues facing Scotland and not waste time pursuing non-issues and interfering in the way parents bring up their children.