Scotland becomes the first country in the United Kingdom to pass a bill which penalises physical punishment of children. The Children (Equal Protection from Assault) (Scotland) Bill intends to do away with the defence of reasonable chastisement. This would mean that now the defence that one was exercising his or her parental right over the children or the guardian right for physically punishing a child is no more available. This would bring the children suffering physical punishment on the same pedestal as that of an adult suffering assault. The Scottish Government considers the defence as a passé and the act such punishment as not effective and causing harm to the mental health of the offspring, thus the law being a inappropriate for their legal system, which supports safe upbringing of the child. Further, the Act also repeals section 51 of the Criminal Justice (Scotland) Act, 2003 according to which only restricts the act of shaking, hitting on head or with a implement by anyone punishable. The Bill was introduces by the Green Party MSP, John Finnie and was also approved by the Scottish National Party.

It is to be noted that there are fifty seven countries which have already made smacking children an offence. While the Bill was being considered in the Parliament, it was argued by the Scottish Conservatives that would the parents or the guardians when they have to restrain their ward from running onto a busy road or stop touching a pan that is boiling. The MSPs defended themselves by putting forward the point that there is a distinction between an act of restraint or prevention from any harmful act of the child and an act of discipline. They contended that the Act’s purpose was to provide equal protection to both the adults and children, that is with zero protection. There was another view during the debate that is embedding the United Nations Convention on Rights of Children in their law.

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