

## INFORMATION FOR PARENTS & CARERS



### **NEW LAW - What is changing in Scotland on 7<sup>th</sup> November 2020?**

If a parent / carer physically punishes or disciplines their child they can be prosecuted with assault. The previous law (until 06.11.20), depending on what happened, allowed the defence of 'reasonable chastisement' in some cases. Physical punishment or physical discipline can take many forms, including smacking, skelping, spanking and slapping.

The Children (Equal Protection from Assault) (Scotland) Act 2019 will change the law and remove the "reasonable chastisement" defence from 7 November 2020.

This means that all forms of physical punishment of children will be against the law in Scotland, and children will have with the same legal protection from assault as adults.

**The new Act does not introduce a new offence. It just removes a defence to the existing offence of assault.**

Services are required by the new Act to take steps to promote public awareness and understanding about the defence being removed. More help in understanding the change is available from **Children 1<sup>st</sup>** here: [Equal Protection Information for Families about changes to the Law](#)

**What this means in practice** - This change in the law will apply to acts of physical punishment or physical discipline carried out after 7 November 2020. For acts carried out on or after that date, the defence will not be available.

**Support for parents and carers** - We know it can be tough being a parent or carer. We also know that 2020 has had unique challenges.

It's ok to feel worried about what's happening. Lots of support is available.

The [ParentClub](#) website contains tried and tested hints and tips like the ones on [coping with being a parent](#) and [behaviour](#).

The ParentClub website also contains the [Family Support Directory](#). This directory brings together information about organisations benefits and other sources of support for parents and carers, no matter the situation or the stage a child is at.

If talking to someone might help, you can call [Children 1st Parentline](#) on **08000 28 22 33**. Or you can [chat to someone online at Parentline](#). These are free services that provide support for families in Scotland.

Restraining a child is about making sure that they are safe and will not come to harm. But this new law is not about that. It's about removing the defence of 'reasonable chastisement'. If you stop your child from coming to harm, you're protecting them. For example, if you pull your child out of a busy road, you're protecting them. But if you smack your child afterwards, you're physically punishing them.

### If you see someone physically punishing their child

You can call the police on 101 if you think a crime has been committed. You can also contact your local social work office or police (101) if you are concerned about harm to a child from physical punishment.

Another option is for you to contact [Crimestoppers](#) on 0800 555 111 to report a crime anonymously. They'll pass the information about the crime to the police. Or, as has always been the case, you can call 999 if a child or young person is in immediate danger.

Example: Leaflets / posters for children, young people and adults



Source: Scottish Government