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Publication - Minutes

# National Child Protection Leadership Group minutes: March 2023

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Directorate: [Children and Families Directorate](#)

Part of: [Children and families](#)

Date of meeting: **8 March 2023**

Location: **St Andrew's House, Edinburgh**

Minutes of the meeting held on the 8 March 2023

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# Attendees and apologies

## Members

- Clare Haughey MSP, Minister for Children and Young People (Chair)
- Claire Burns, Director, Centre for Excellence for Children's Care and Protection (CELCIS)
- Alison Gordon, Chief Social Work Officer, North Lanarkshire and Social Work Scotland representative
- Neil Hunter, Principal Reporter/Chief Executive, Scottish Children's Reporter Administration (SCRA)
- SallyAnn Kelly, Chief Executive, Aberlour
- Joanna MacDonald, Deputy Chief Social Work Adviser, Scottish Government
- Lindsay MacDougall, Head of Child Protection, Scottish Government
- Fiona McFarlane, Head of Public Affairs at The Promise Scotland
- Caren McLean, Head of Protection & Permanence, CELCIS
- Angela Scott, Chief Executive, Aberdeen City Council, Strategic Lead for Children and Education, including Child Protection, Society of Local Authority Chief Executives (SOLACE)
- Alan Small, National Chair, Child Protection Committees Scotland (CPCScotland)
- Jayne Smith, Early Years and Children's Services Professional Advisor, Scottish Government
- Kay Tisdall, Professor of Childhood, Edinburgh University

## Delegates

- Stephen Bermingham, Head of Practice and Policy on behalf of Elliot Jackson, National Convenor of the Children's Panel and Chief Executive of

## Children's Hearings Scotland

- Cheryl Clark, Procurator Fiscal Depute on behalf of Moira Price, Head of Victims and Witnesses Policy, Crown Office and Procurator Fiscal Service
- Cara Cooper, Unit Head, GIRFEC on behalf of Jane Moffat, Deputy Director for Strategy, GIRFEC and the Promise Division, Scottish Government
- Justine Craig, Chief Midwifery Officer on behalf of Alex McMahon, Chief Nursing Officer, Scottish Government
- Dr Eddie Doyle, Senior Medical Advisor for Paediatrics on behalf of Professor Sir Gregor Smith, Chief Medical Officer, Scottish Government and Mairi MacPherson, Deputy Director, Improving Health and Wellbeing, Scottish Government
- Jillian Ingram, JII National Implementation Coordinator on behalf of Laura Caven, Chief Officer, Children and Young People, Convention of Scottish Local Authorities (COSLA)
- DSU Martin Maclean Head of National Child Abuse Investigation Unit & Lead for Child Protection on behalf of DCS Samantha Faulds, Head of Public Protection, Police Scotland

## Guests

- Professor Alexis Jay OBE, Chair of the Independent Inquiry into Child Sexual Abuse in England and Wales
- Professor Brigid Daniel, Chair, Children's Services Research Steering Group
- Sharon Glasgow, Protecting Children Policy and Practice Advisor, Social Work Scotland
- Vallath Kavitha-Krishnan, Senior Policy Adviser, Child Protection Unit, Scottish Government
- Fiona Marshall, Senior Policy Adviser, Child Protection Unit, Scottish Government
- James O'Malley, Team Leader, Child Protection Unit, Scottish Government
- Teresa Rack, Team Leader, Child Protection Unit, Scottish Government
- Lesley Swanson, Bairns' Hoose Unit Head, Scottish Government

## **Others**

- Jenny Stenton, Senior Policy Adviser, Child Protection Unit, Scottish Government (Secretariat)
- Siân Robson, Policy Adviser, Child Protection Unit, Scottish Government (Secretariat)

## **Apologies**

- Sam Anson, Deputy Director, Workforce, Infrastructure & Digital, Learning Directorate, Scottish Government
- Cathie Cowan, Chief Executive NHS Forth Valley
- Laura-Ann Currie, Head of Inclusion, Health and Wellbeing and Equalities, Education Scotland
- Eddie Docherty, Executive Nurse Director, NHS Lanarkshire
- Ian Donaldson, Deputy Director, Children's Rights, Protection and Justice, Scottish Government
- Jackie Irvine, Chief Executive, Care Inspectorate
- Alison Taylor, Deputy Director, Improvement, Attainment and Wellbeing, Learning Directorate, Scottish Government
- Michael Wood, Professor of Education, University of Dundee and General Secretary, Association of Directors of Education in Scotland (ADES)

## **Items and actions**

### **Welcome and introductions**

The Chair welcomed members, delegates and guests to the meeting and noted apologies.

### **Minute and actions from the previous meetings**

Members agreed the minutes and actions from the meeting on 7 December and the additional meeting about the National Care Service on 7 February. It was noted that all actions had been completed, were in progress or would be

covered during the meeting. The Chair noted that the cost of living crisis would be covered in the June meeting.

## **Independent Inquiry into Child Sexual Abuse (IICSA) in England and Wales, recommendation 13 mandatory reporting - presentation and discussion**

Prof Alexis Jay summarised the background to the IICSA, and some of the main findings.

She noted many victims had similar experiences: abuse was rarely one-off, disclosure was often made long after the abuse took place, disclosure was often not met with sympathy or action, victims' trauma is regularly retriggered and there are lifelong impacts, both physical and emotional, from their experiences. There were common behaviours of perpetrators: they targeted multiple victims, abused positions of power, made threats and exploited groups of victims e.g. with special talent, disabilities, reduced cognitive capacity, poverty etc.

There were organisational failures in institutions including poor leadership, not holding staff to account for actions, and prioritising reputation over victims. Wider societal issues included an unwillingness to speak about the issue, or that language used to describe events was not acceptable.

There is massive global demand for online content portraying sexual activity with children. A multi-national analysis of prevalence, cause and how to prevent this activity is needed.

Victims felt that mandatory reporting would greatly improve their experience and would prevent further abuse; however, there was concern among professionals that it would overburden them and overwhelm the reporting agencies, and that some children would not disclose abuse due to fear over the consequences if mandatory reporting were in place. The IICSA report advised that concerns must legally be reported, with an exception for non-harmful consensual relationships between teenagers with less than three years age difference. It should be placed within child protection law as well as criminal law. A research paper by Professor Ben Matthews has noted

positive outcomes in jurisdictions with mandatory reporting as opposed to those without, and the same author has provided a [Model Law](#) on mandatory reporting of CSA in England and Wales to the IICSA.

Members discussed the following issues:

- assessment by statutory agencies would be needed to avoid over-criminalising children who may have been exploited or who are committing non-harmful behaviour
- education needs to be more involved in child protection processes
- confidential services should not be excluded from mandatory reporting
- there is a real issue with end-to-end encryption and tech companies absolving themselves legally from being able to identify and report abusive content because of it
- tackling online abuse requires a multi-agency response e.g. better education for children, resourcing for police, principles for credit card companies not to take payment for this content
- mandatory reporting can support the move in Scotland to focus on children's rights
- mandatory reporting can sit alongside early intervention to prevent abuse
- it is important to have support for professionals who may be affected by disclosures of abuse

The Chair thanked Prof Jay for attending in person and noted the group will take forward learning from this session.

## **Role and remit of the National Child Protection Leadership Group**

Lindsay MacDougall introduced Paper 7, noting that the group was originally established in 2017 as a result of the Child Protection Systems Review and one of the main purposes was to oversee implementation of the actions in the Child Protection Improvement Programme (CPIP). Officials have been meeting with members over the last few months to gather views on how the group operates and there were a range of comments on how to influence

participation in meetings, how the group interacts with other groups, clarifying the role of the group, and suggestions of topics for future meetings.

Caren McLean introduced Paper 8 in which CELCIS have reviewed the delivery of the CPIP. She noted that by November 2022, of the 12 recommendations in the Protecting Children and Young People: It's Still Everyone's Job report, 91% had been fully met, with 58% having exceeded the original ask. The remaining 9% were partially met, which means that work may have taken place at a local level but there was no national overview so further enquiry of these is needed. Of the 35 actions in the CPIP report, 100% of the work had been addressed, half had exceeded expectations. There were no areas where risk was identified based on the information provided.

The group discussed the following points:

- the group should consider how to include children, young people and families' perspectives in the work of the group
- we need to consider how to monitor new and changing risks e.g. online harm, perhaps through better use of data and evidence
- child protection needs to be viewed in the wider context of public protection so it will be important to understand and potentially to map how this group links with other public protection groups and those considering other issues like violence against women and girls, alcohol and drug misuse and poverty. A public protection leadership group could be considered
- the group needs to consider engaging with families at an earlier stage
- workforce challenges need to be understood to avoid reactive crisis-driven practice
- short meetings that encourage discussion and debate would be beneficial
- national resources and systems would be helpful but create challenges in terms of IT infrastructure
- health doesn't sit on any other fora where these issues could be discussed

It was agreed that officials will consider the feedback and review the role, remit and structure of the group, including the voice of the child and bring proposals back to a future meeting. Action 1 – Secretariat and Lindsay MacDougall.

## **Horizon scanning/emerging risks**

Cara Cooper raised that Three Year Children's Services Plans are due to be published in April and will set out how multi-agency services and support will be planned and delivered to children, young people and families in each area of Scotland. Local Child Protection activity and data is an integral part of each area's Children's Services Plan.

Cara also noted that the Domestic Abuse (Protection) (Scotland) Act 2021 will provide police and courts with powers to make emergency notices and orders to protect people, including children and young people, at risk of domestic abuse. In determining an application for a Domestic Abuse Probation Order (DAPO), a Sheriff must take into account the welfare of any child relevant to the application and when considering making provision which would relate directly to a child, take reasonable steps to give the child an opportunity to express views on the matter. Members can contact Cara with any queries.

## **Papers for information**

Members were invited to note the following papers for information that were circulated in advance of the meeting and to contact the relevant officials if there are any queries regarding these:

- paper 1, National Child Protection Leadership Group workstream tracker
- paper 2, Unaccompanied Asylum Seeking Children
- paper 3, Harmful Sexual Behaviour
- paper 4, Implementation of the National Child Protection Guidance
- paper 5, Child Sexual Abuse and Exploitation
- paper 6, Bairns' Hoose (Barnahus) and JII



## Any other business

Lindsay MacDougall proposed moving from a detailed minute to a briefer summary or action-based minute. Members were content with this proposal.

## Close

The Chair noted the next meeting will be on 21 June and will be held in person with a hybrid option.

## Contact

[National Child Protection Leadership Group](#)

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- No
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