06 November 2015

Dear Convener,

I refer to the letter of 22 September 2015, requesting information on the actions taken by the Scottish Government to prevent child abuse.

The wellbeing and safety of Scotland’s children is of paramount importance to the Scottish Government. All young people have the right to be cared for and protected from harm, and to grow up in a safe environment, in which their rights and needs are respected. Everyone working with children owes them a duty of care and should promote, support and safeguard their wellbeing. Any proposals for the creation of mandatory reporting in Scotland would have to be given due consideration and would require extensive consultation with stakeholders. Meanwhile, the Scottish Government are undertaking several strands of work in order to offer children the strongest possible protection from abuse.

**Getting It Right for Every Child (GIRFEC)**

GIRFEC is the Government’s national approach that aims to improve outcomes for all children and young people in Scotland. GIRFEC underpins all our work with children and young people and means working across organisational boundaries and putting children and their families at the heart of decision making. It plays a fundamental part in realising the Scottish Government’s goal of giving all our children and young people the best possible start in life. GIRFEC is about everyone working together to support every child and young person’s wellbeing – by spotting and dealing with issues as early as possible, and working with parents and services before they escalate into a potential crisis.

The Named Person, introduced as part of the GIRFEC provisions in the Children and Young People (Scotland) Act, will act as a single point of contact for any wellbeing concerns and provide support to children, young people and their families if needed. Delivered by health and education services, the Named Person service will support specialist services, such as social work, as they continue to respond to the needs of vulnerable children and families. It does not change or overrule current child protection procedures and the police and or social
work should continue to be contacted immediately if a child is believed to be at risk of significant harm.

**National Guidance**

The Scottish Government led on developing the National Guidance for Child Protection, which was revised in May 2014 and which sets a national framework to help shape local practices and procedures. It aims to improve the way all professionals and organisations work together to give children and young people the protection they need, quickly and effectively at the earliest possible stage, and highlights that all agencies and services have a shared responsibility for protecting children and safeguarding their welfare.

The Scottish Government also published revised Guidance for undertaking Significant Case Reviews in March 2015, which aims to improve consistency and practice in order to learn lessons on how to better protect children and young people in Scotland. A new key role for the Care Inspectorate is to receive and act as a repository for all SCRs carried out in Scotland and to receive notification of all Initial Case Review decisions.

**Child Sexual Exploitation (CSE)**

The Scottish Government is taking strong preventative action against CSE. In 2013, a Ministerial expert working group was established to examine the issue of child sexual exploitation. This group provides advice to Scottish Ministers on the national strategic framework for action to tackle CSE, ensuring that work is taken forward within the wider child protection context. Scotland’s National Action plan to tackle child sexual exploitation (2014), sets out a number of actions for Scottish Government, Police Scotland, the Crown Office, local authorities, Child Protection Committees, third sector organisations and the Care Inspectorate.

The National CSE Sub Group was established by the CSE Ministerial Working Group and is also accountable to Child Protection Committees Scotland. It is made up of child protection experts from a wide range of backgrounds and is taking forward work to support practice improvement and workforce development in relation to CSE.

Work is being progressed in relation to the National Action Plan. Key developments include; improving information about the nature and scope of CSE in Scotland through roll out of a self-assessment tool piloted in Forth Valley, following evaluation, providing specialist support to child abuse investigations through the National Child Abuse Investigation Unit and increasing understanding of frontline practitioners. In January 2016, we will launch an awareness raising campaign on CSE. An updated plan will be developed with partners for publication in early 2016.

**Historical Child Abuse Inquiry**

In December 2014 Ministers announced the intention of the Scottish Government to conduct an inquiry into Historical Child Abuse in care in Scotland. On 28 May 2015, a further announcement was made in Parliament by the Cabinet Secretary for Education and Lifelong Learning, outlining the terms of reference of the proposed inquiry, prepared following engagement with survivor groups and the appointment of the Chair of the Inquiry (Susan O’Brien QC).
The Inquiry officially started its work on 1 October 2015 and two Panel members have now been appointed to assist the Chair. The overall aim and purpose of the inquiry is to raise public awareness of the abuse of children in care. It will provide an opportunity for public acknowledgement of the suffering of those child and a forum for validation of their experience and testimony.

The Terms of Reference set out the matters which the Inquiry will look at; how it will operate; the timescale it will report in; and whether the inquiry will make recommendations.

The Terms of Reference also state that the Inquiry will consider historical and systemic failures to protect children in care from abuse; as well as considering whether those failures have been addressed by changes to practice, policy or legislation, since they occurred. By doing this, the Inquiry will also be able to consider whether further changes in practice, policy or legislation are necessary in order to protect children in care in Scotland from such abuse in future.

An Inquiry website has been launched which provides further information and updates on how the Inquiry will conduct its business going forward – www.childabuseinquiry.scot

**Female Genital Mutilation (FGM)**

A FGM Multi Agency Short Life Working Group (SLWG) was established in 2014 to recommend a consistent multi-agency approach to be taken in Scotland towards the elimination of the practice of FGM. The SLWG is developing a National Action Plan (the publication of which is expected in early 2016) which sets out an agreed range of actions and associated activities to be taken forward by all partners to prevent FGM. A draft copy of the National Action Plan was issued to the reference group to provide feedback and comments (this consultation period ended on 30 September 2015).

Following publication, a National Implementation Group will be established by the Scottish Government, to oversee implementation and monitor progress.

Cabinet Secretary for Social Justice, Communities and Pensioners Rights met the convener of the Equal Opportunities Committee on 14 January 2015 to discuss work to tackle FGM and met in January 2015 with UK FGM stakeholders.

A range of information raising and training materials were launched February 2015. Materials included an FGM Statement, a DVD, information leaflets for practitioners and a standardised training package and risk assessment tool.

An investment of currently £268,000 for the period 2015-16 to progress a range of interventions aimed at preventing FGM, and supporting those affected by FGM, working collaboratively alongside partners in the statutory and third sectors and potentially affected communities. These interventions include:

- Funding a community based organisation to consult with a cross-section of potentially affected communities to ascertain their views on the newly introduced UK legislative provisions to ensure that any new legislation for Scotland will meet the needs of communities and ensure that protection is as robust as it can be. Advice will be offered to the Scottish Ministers based on these findings.

- Commencement on 03 May 2015 of the provision within Serious Crime Act 2015 to close a loophole in the Prohibition of Female Genital Mutilation (Scotland) Act 2005
extending the reach of the extra-territorial offences in that Act to habitual (as well as permanent) UK residents.

- Issuing a letter, in July 2015, from the Chief Medical Officer (CMO) / Chief Nursing Officer (CNO) reminding health professionals in Scotland of the resources available to support people who have had FGM or at risk of FGM.

- Supporting Police Scotland’s ‘Operation Atlas’ at all Scottish airports and a seaport prior to and during the Summer school holidays for the period Friday 26th June to Friday 21st August 2015, as school holidays are historically the time when girls are taken out of the country to have FGM performed.

**Equally Safe**

Equally Safe is Scotland’s strategy for preventing and eradicating violence against women and girls. The overall aim of the strategy is to prevent and eradicate violence against women and girls, creating a strong and flourishing Scotland where all individuals are equally safe and respected, and where women and girls live free from such abuse and the attitudes that help perpetuate it.

Since the launch of the strategy, the Scottish Government has made record levels of investment to prevent and eradicate all forms of violence against women and girls: £11.8m in 2015-16, and a further £20m from the Justice portfolio over 2015-18.

Legislative proposals are currently being developed, as announced in the recent Programme for Government, to tackle abusive behaviour and sexual harm, and the Scottish Government plans to consult on a specific offence around coercive control in November.

A pilot Domestic Abuse Disclosure Scheme was rolled out nationally from 01 October 2015, which the Scottish Government will complete in partnership with Police Scotland.

The Scottish Government is undertaking work to establish a high level Joint Strategic Board (JSB), which is due to hold an inaugural meeting in November 2015. Four workstream groups are being established to take forward the long term ambitions of Equally Safe in relation to Primary Prevention, Capability and Capacity, Justice and Accountability.

The Equally Safe strategy is currently being updated to reflect the progress and discussion with stakeholders made since publication and with a view to further strengthening references to children and young people within the strategy. A copy of this updated document will be circulated to members of the JSB for comment after the meeting.

I hope you find this information useful and that you are reassured that the Scottish Government is taking robust action against the abuse of children. I will be happy to provide any further information which you would find helpful.

Yours sincerely,

**JUDITH AINSLEY**

Directorate for Children and Families