

Item 28

From: [Redacted – S38(1)(b)]
Sent: 16 July 2020 17:57
To: [Redacted -S38(1)(b)]
Cc: [Redacted -S38(1)(b)]
Subject: RE: Children (Equal Protection from Assault) (Scotland) Act 2019: submission on implementation
Attachments: Submission - Equal Protection Act - implementation.docx

Hi [Redacted -S38(1)(b)]

Please find attached some small tweaks to the submission.

Thanks

[Redacted -S38(1)(b)]

From: [Redacted- S38(1)(b)@gov.scot>
Sent: 13 July 2020 17:50
To: Redacted -S38(1)(b)@gov.scot>; [Redacted -S38(1)(b)@gov.scot>; [Redacted -S38(1)(b)@gov.scot>; [Redacted S38(1)(b)@gov.scot>
Cc:[Redacted S38(1)(b) @gov.scot>; [Redacted S38(1)(b)@gov.scot>
Subject: Children (Equal Protection from Assault) (Scotland) Act 2019: submission on implementation

Colleagues

1. On behalf of [Redacted S38(1)(b)], who is on leave, I attach a draft submission to the Minister for Children and Young People on implementing the 2019 Act. Grateful for any comments on it by **close Friday 17 July**, so [Redacted S38(1)(b)] can put it up next week.

2. We are particularly keen to ensure compliance with section 2 of the Act, on the duty on Scottish Ministers to raise public awareness of the legislation: <http://www.legislation.gov.uk/asp/2019/16/section/2> On that, I think there are a number of steps we can take, as outlined in the draft:

- Material on the main SG website on the Act (eg detailed Q&As).
- Brief material on the mygov.scot website, linking to Parent Club.
- Brief reference on Parent Club to the legislation. [Grateful for comments from [Redacted S38(1)(b)].
- Linking the next phase of the Equal Protection marketing campaign to the legislation. [Grateful for comments from [Redacted -S38(1)(b)]
- Distribution (via social media etc) of the above public-facing factsheet and easy to read public-facing factsheet. [Any thoughts on pictorial representations for the easy to read factsheet gratefully received]

- Information provided to children. [Grateful for thoughts on how best to do this. Suggestions so far are through the Children’s Parliament or through YoungScot].
- SG communications when the Act comes into force on 7 November.

3. On the last point, I’d be grateful for thoughts from [Redacted S38(1)(b)]. Would it be helpful to draw up a media plan for the Act coming fully into force on 7 November? It would be easy enough to obtain supportive quotes and articles. The UNCRC Bill will be in Parliament by then (though links between Equal Protection and UNCRC will require very careful messaging).

4. [Redacted S38(1)(b)]: we are interested in seeing what can be done to mainstream information about Equal Protection in ongoing work on child protection (eg website, regular meetings/communications with stakeholders). Do you have any thoughts on what might be possible here?

5. [Redacted S38(1)(b)]: what would be the best thing to say on the review of the Child Protection Guidance?

6. [Redacted S38(1)(b)] in paragraph 15 we’ve talked about mapping parenting support. Pre-Coronavirus, this looked challenging but we’re aware that some work has been taken forward on what’s available for parents. What do you think?

7. Does [Redacted-S38(1)(b)] have any comments from the Crown’s perspective? I would intend to copy the Lord Advocate into the submission for his portfolio interest as head of COPFS.

8. On monitoring the impact of the legislation, [Redacted – S38(1)(b)] will see I have suggested a research project. Grateful for thoughts. As discussed previously, data here is hard to come by here as the Act removes a defence rather than create a new offence. So I tend to think we need to look at research (in around 3 years’ time) to obtain views on public attitudes and on the effect of the legislation on bodies such as Social Work and the Police.

[Redacted- S38(1)(b)]

Family Law Policy

Scottish Government

[Redacted – S38(1)(b)]

Item 29

- From: [Redacted - S.38(1)(b)]
 - Family Law

- Minister for Children and Young People

CHILDREN (EQUAL PROTECTION FROM ASSAULT) (SCOTLAND) ACT 2019 – IMPLEMENTATION

Purpose

1. To advise on implementation work.

Priority

2. Routine.

Background

Implementation generally

3. The Act provides for the removal of the reasonable chastisement defence to come into force twelve months after Royal Assent. The defence will duly be removed on 7 November 2020.

4. We think that implementation tasks can be grouped into four broad categories:

- public awareness raising (in line with the Act)
- awareness raising and support more generally
- supporting delivery bodies in their work (including checking whether they require support from Government)
- monitoring the impact of the legislation.

5. These categories are discussed in detail separately below.

Public awareness raising

6. The Act requires the Scottish Ministers to “*take such steps as they consider appropriate to promote public awareness and understanding about the effect of section 1* [the removal of the defence]”. This is already in force.

7. Our general approach to this duty is to raise awareness by mainstreaming information about the Act in other sources of information and via circulars and updates to various websites. We have already taken forwards a number of tasks:

- Text on the Act is now included in the online version¹ of Ready Steady Baby. The text is at Annex A.
- Information about the Act and parental support has been circulated to the Families Federations for each branch of the Armed Forces.
- Information about the Act has been sent to the SG's Defence Unit for inclusion in a future version of the Scottish Government's guide to life in Scotland for the military.

8. In the coming months, we will take forward further tasks:

- Detailed Q&As on the Act and on physical punishment. [To go on the gov.scot website].
- Brief information on the Act, what to do if there is a concern about a child and a link to Parent Club for information about parenting support. [To go on the mygov.scot website].
- Reiterating the marketing campaign messaging around coping with being a parent nearer to 7 November, with explicit reference to the Act to be included.
- ParentClub update (in conjunction with reiteration of marketing messaging on parenting) to make explicit reference to the Act.
- Factsheet and easy-read factsheet for parents. An initial draft of the factsheet for parents is attached separately to this submission; the easy read version is currently being developed.
- SG Communications activity around 7 November Work here could include, for example, social media and a ministerial statement for issuing to broadcast, print and wire media.. We will prepare a media plan for this, for your approval.
- Working with key bodies on messaging around the Act on their social media channels and websites closer to 7 November, as part of the media plan.
- Work to ensure children are made aware of the new legislation. This could include liaising with Young Scot, the Children's Parliament and the Scottish Youth Parliament on key messages going out via social media channels. We are also considered including information about the Act aimed at children on the SG website; this could be circulated around education bodies so that teachers can share the information with students in schools.

9. Some members of the public might learn about the Act as a consequence of interaction with frontline workers (social workers, doctors or health visitors, for example). Such interactions will raise awareness but may not be a direct consequence of actions taken by the Scottish Ministers. However, it may be a consequence of information about the Act being provided by Government to relevant bodies or being mainstreamed in information used by front-line workers.

Marketing campaign on parenting

10. The current situation with Covid-19 required plans across Government to be reconsidered. The marketing campaign on coping with

being a parent went ahead with enhanced reach, reflecting that this messaging was particularly relevant as a consequence of the public health emergency. |

11. However, this marketing campaign cannot be seen as contributing to the awareness raising duty in the Act because it makes no mention of the legislation. This was deliberate, giving findings from focus groups as part of the development of the campaign that parents switched off if the law was mentioned. The campaign is consistent with the Scottish Government's commitment to provide support to parents and carers as part of its work on implementation of this Act. |

12. The intention at present is to re-run the campaign again on Parent Club, this time in conjunction with an explicit statement that all physical punishment of children will be unlawful from that date. The inclusion of this message on ParentClub will contribute to the awareness raising obligation. |

Awareness raising generally |

13. We also need to communicate with delivery bodies and stakeholders, to make sure they are kept up to date, provided with key messages, and we address any concerns. Tasks carried out already include: |

- The marketing campaign on coping with being a parent (this includes a toolkit containing the marketing materials for stakeholders to use in their own communications). However, as indicated above, this marketing campaign did not make specific reference to the Equal Protection legislation. |

- We have issued a Circular containing brief information about the Act to 125 organisations (including local authorities) |

- We have provided content on the Act for inclusion in Child Protection Guidance as part of the review of this guidance, although this is now unlikely to be published before 7 November. We think we can provide other information for social work which can be used until such time as the reviewed Child Protection Guidance is published. This is discussed further below. |

14. In the coming months, we intend to: |

- Issue a further circular to organisations around 1 month prior to the removal of the defence. This could include the attached factsheet (and easy read version) we have developed for parents. This would enable organisations to circulate it or publish it on their own websites and social media channels. |

- Work with various bodies and individuals so articles about the Act are included in specialist journals (eg the Journal of the Law Society of Scotland). |

- Continue work with delivery bodies, as outlined below. |

Support for families generally |

15. Government consistently said throughout the debate on the Act during its progress through Parliament that it would intend to provide support to parents and carers as part of the implementation of the Act. The landscape of support for families in Scotland has changed considerably as a consequence of Covid-19. The Deputy First Minister made an announcement on holistic family support on 16 July in the context of the Independent Care Review recommendations. The COVID-19 Children and Families Leadership Group has made recommendations to the Deputy First Minister on how holistic family support could be improved and enhanced in the context of COVID 19. This will inform the priorities for the next stages of this work.

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• Delivery bodies
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16. As you know, some organisations (eg Police Scotland, the Crown Office and Procurator Fiscal Service COPFS), Social Work Scotland) have implementation work specific to their own needs.

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• 17. [redacted section 30(b)(i)]

• 18. [redacted section 30(b)(i)]

• 19. [redacted section 30(b)(i)]

• 20. [redacted section 30(b)(i)]

• 21. [redacted section 30(b)(i)]

• 22. [redacted section 30(b)(i)]

• 23. [redacted section 30(b)(i)]

• 24. [redacted section 30(b)(i)]

• 25. [redacted section 30(b)(i)]

• 26. [redacted section 30(b)(i)]

•
• 27. Longer term, we may need to commission a research project. Legislation is typically reviewed some years after it is passed as a matter of course, and as such we may wish to commission research as part of this process. Further consideration would need to be given to the scope and approach of any research. Our initial thoughts are that it might need to cover the impact of the legislation on delivery bodies; on the incidence of physical punishment and on public attitudes to physical punishment.

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• Implementation Group
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28. It will not be possible for the Implementation Group to meet physically in the coming months, as was the case up to March. We can take

forward discussion on implementation via circulated papers and with virtual meetings between Government and members of the group with shared interests (for example, Police Scotland and COPFS).

29. We would intend to send out the implementation task table at Annex B to the Group in order to prompt feedback on where we might need to do more. Once the Implementation Group has commented, we would intend to publish this on the Group webpage on the Scottish Government website.

30. Attached separately to this submission are the minutes of the last physical meeting of the Implementation Group for your clearance for publication. This meeting was held on 20 February in St Andrew's House.

Be Reasonable Scotland – criticism of implementation work

31. As you know, Be Reasonable Scotland have opposed the Equal Protection legislation from the outset. Since the Act passed, they have raised concerns about the handling of implementation, particularly in relation to the duty to raise public awareness about the removal of the defence.

32. On 16 June, Be Reasonable tweeted and posted on Facebook about the absence of reference to the Equal Protection Act in the marketing campaign about coping with being a parent and suggested that the Scottish Government is not doing enough on raising awareness.

33. On 7 July, Be Reasonable published information about research from New Zealand linking the ban on physical punishment there with an increase in violence in young people. The Mail on Sunday ran an article on the same subject around that time.

34. Be Reasonable will continue to criticise the Scottish Government's approach to implementation of this legislation, on the basis that anything short of a national marketing campaign will be insufficient. As you know, the Scottish Government's view has always been that awareness raising can be achieved by other means.

Conclusion

35. You are asked to:

- Note this submission.
- Agree the minutes of the meeting of the Implementation Group in February, so these can be published.
- Agree the Implementation Plan at Annex B and the draft factsheet on the Act can be circulated to Implementation Group members for any comments they may have.

[Redacted - S.38(1)(b)]
Family law

4 August 2020

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness
Deputy First Minister and Cabinet Secretary for Education and Skills			X		X
Minister for Community Safety			X		
Lord Advocate					

- DG Education, Communities and Justice
- Director of Children and Families
- [Redacted - S.38(1)(b)], Director of Justice
- [Redacted - S.38(1)(b)], Deputy Director, Civil Law
- [Redacted - S.38(1)(b)], Deputy Director Improving Health and Wellbeing
- [Redacted - S.38(1)(b)], Creating Positive Futures
- [Redacted - S.38(1)(b)], Parenting, Play and Baby Box team
- [Redacted - S.38(1)(b)], Parenting, Play and Baby Box team
- [Redacted - S.38(1)(b)], Parenting, Play and Baby Box team
- [Redacted - S.38(1)(b)], Age of Criminal Responsibility
- [Redacted - S.38(1)(b)], Chief Social Work Adviser
- [Redacted - S.38(1)(b)], Social Work Adviser
- [Redacted - S.38(1)(b)], Marketing
- [Redacted - S.38(1)(b)], Marketing
- [Redacted - S.38(1)(b)], Supporting Child and Maternal Wellbeing
- [Redacted - S.38(1)(b)], Finance
- [Redacted - S.38(1)(b)], Communications
- [Redacted - S.38(1)(b)], Communications
- [Redacted - S.38(1)(b)], Communications

- Head of Justice Analytical Services
- [Redacted - S.38(1)(b)], COPFS
- SCJD Covid-19 Coordination Hub
- SG Corona Virus Learning and

Children

- Solicitor to the Scottish Government
- [Redacted - S.38(1)(b)], SGLD
- [Redacted - S.38(1)(b)], SGLD
- [Redacted - S.38(1)(b)], Family law
- [Redacted - S.38(1)(b)], Special

Adviser

- [Redacted - S.38(1)(b)], Special

Adviser

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-

• **ANNEX A: TEXT INCLUDED IN READY STEADY BABY**

• **Never shake or smack a baby**

• Never shake or smack your baby, no matter how frustrated you feel.

• Shaking your baby is against the law and from 7 November 2020 all physical punishment of a child will also be illegal.

• Shaking can cause tiny blood vessels to break and bleed inside your baby's brain. This can cause:

- fits
- blindness
- deafness
- learning difficulties
- brain damage

• It can even be fatal.

Item 30

Welsh roundtable

Presentation on Children (Equal Protection from Assault) (Scotland) Act 2019

Suggested points to cover

Introduction

- Law last changed in Scotland in 2003
- Background to Bill (member's Bill from former police officer)
- Terms of Bill – raise awareness not marketing duty
- Parliamentary passage

Implementation context

- Named Person
- Coronavirus (latterly)
- Previous leaflet – experience with criticism (too legalistic) children too inquisitive for their own good
- Continued opposition to Act

Main aims of implementation

- Raise awareness in line with duty
- Provide support as needed to delivery bodies
- Enhance support for parents in line with commitment to Parliament
- Consider monitoring options

(Implementation Group considered all the above; members included Police, social work, children's charities)

Awareness raising

- Plan was to raise awareness through three main areas: news releases, social media, websites and promotional materials
- Generally how this went; good press coverage etc and information we wanted in place was there for 7 November
- Hard to truly gauge impact: difficult to gauge whether information about the Act will have longer term impact on awareness of legislation; attitudes to physical punishment and prevalence of physical punishment.
- Challenge here because research showed that referring to the law would make parents switch off

Providing support to delivery bodies

- Main task here related to guidance for social work, health and education

- Other bodies like Police Scotland and the Crown took forward their own implementation work

Parenting support side

- Coronavirus changed landscape of parenting support in Scotland
- Positive parenting campaign; planned to support Equal Protection but also relevant to lockdown.
- Parenting support map – produced as consequence of Coronavirus but beneficial for Equal Protection

Implementation challenges

- Wider messaging – to delivery bodies: the “what to do if” messaging was difficult

Monitoring

- Very challenging because assault is so wide
- Focus groups
- Continuing to work w/delivery bodies to see what might be possible

Next steps

- Education – include messaging
- New government
- Work around anniversary
- Focus groups
- Coming out of pandemic – might be more reports when reporting routes open

Up

- Implementation group will continue to meet

Item 31

From: [Redacted - S.38(1)(b)], [Redacted - S.38(1)(b)] <[Redacted - S.38(1)(b)]@copfs.gov.uk>
Sent: 17 July 2020 14:18
To: [Redacted - S.38(1)(b)] [Redacted - S.38(1)(b)] ([Redacted - S.38(1)(b)]); [Redacted - S.38(1)(b)]; [Redacted - S.38(1)(b)]; [Redacted - S.38(1)(b)]; [Redacted - S.38(1)(b)]; [Redacted - S.38(1)(b)]; [Redacted - S.38(1)(b)] [Redacted - S.38(1)(b)] ([Redacted - S.38(1)(b)])
Cc: [Redacted - S.38(1)(b)]; [Redacted - S.38(1)(b)]; [Redacted - S.38(1)(b)]; [Redacted - S.38(1)(b)]
Subject: RE: Children (Equal Protection from Assault) (Scotland) Act 2019: submission on implementation
Attachments: 2020 07 17 Submission - Equal Protection Act - implementation.docx; 2020 07 17 Children (Equal Protection from Assault) (Scotland) Act 2019 - factsheet - easy read - v1.pptx

Hello [Redacted - S.38(1)(b)].

Please see attached with comments.

One suggestion for awareness raising aimed at children would be to develop something for schools? Maybe through the UNCRC work that they currently do (although I appreciate that this may have to be carefully managed).

Thanks

[Redacted - S.38(1)(b)]

[Redacted - S.38(1)(b)]
Procurator Fiscal Depute
Policy Division
Policy and Engagement

Crown Office and Procurator Fiscal Service
Legal House | 101 Gorbals Street | Glasgow | [Redacted - S.38(1)(b)]
Tel: [Redacted - S.38(1)(b)] | Email: [Redacted - S.38(1)(b)]@copfs.gov.uk

Important notice: Please note my new 0300 telephone number. All COPFS 0844 numbers are changing to an 0300 number to reduce the cost of your call. 0844 numbers cannot be used after 29 September 2017. The COPFS National Enquiry Telephone Number has also changed to [Redacted - S.38(1)(b)].

From: [Redacted - S.38(1)(b)]@gov.scot [mailto:[Redacted - S.38(1)(b)]@gov.scot]

Sent: 13 July 2020 17:50

To: [Redacted - S.38(1)(b)]@gov.scot; [Redacted - S.38(1)(b)]@gov.scot; [Redacted - S.38(1)(b)]@gov.scot; [Redacted - S.38(1)(b)]@gov.scot; [Redacted - S.38(1)(b)]@gov.scot; [Redacted - S.38(1)(b)]@gov.scot; [Redacted - S.38(1)(b)]@gov.scot; [Redacted - S.38(1)(b)]@gov.scot; [Redacted - S.38(1)(b)]@gov.scot

Cc: [Redacted - S.38(1)(b)]@gov.scot; [Redacted - S.38(1)(b)]@gov.scot; [Redacted - S.38(1)(b)]@gov.scot; [Redacted - S.38(1)(b)]@gov.scot

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[Redacted - S.38(1)(b)]
Family Law Policy
Scottish Government
[Redacted - S.38(1)(b)]

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Item 32

From: [Redacted - S.38(1)(b)]
Sent: 17 July 2020 08:51
To: [Redacted - S.38(1)(b)] [Redacted - S.38(1)(b)]
([Redacted - S.38(1)(b)]); [Redacted - S.38(1)(b)];
[Redacted - S.38(1)(b)]; [Redacted - S.38(1)(b)];
[Redacted - S.38(1)(b)]; [Redacted - S.38(1)(b)];
[Redacted - S.38(1)(b)]@copfs.gov.uk; [Redacted - S.38(1)(b)] [Redacted - S.38(1)(b)] ([Redacted - S.38(1)(b)])
Cc: [Redacted - S.38(1)(b)]; [Redacted - S.38(1)(b)];
[Redacted - S.38(1)(b)]; [Redacted - S.38(1)(b)];
[Redacted - S.38(1)(b)]; [Redacted - S.38(1)(b)]
Subject: RE: Children (Equal Protection from Assault) (Scotland) Act 2019: submission on implementation

Thanks [Redacted - S.38(1)(b)], [Redacted - S.38(1)(b)], that sounds good from my perspective, as you say, we'll need to be sensitive as to how we position it in the context of the positive parenting work, but I'm sure we can find a way to do that without undermining the supportive tone.

[Redacted - S.38(1)(b)]

From: [Redacted - S.38(1)(b)] [Redacted - S.38(1)(b)] ([Redacted - S.38(1)(b)]) <[Redacted - S.38(1)(b)]@gov.scot>
Sent: 17 July 2020 07:49
To: [Redacted - S.38(1)(b)] <[Redacted - S.38(1)(b)]@gov.scot>; [Redacted - S.38(1)(b)] <[Redacted - S.38(1)(b)]@gov.scot>; [Redacted - S.38(1)(b)] <[Redacted - S.38(1)(b)]@gov.scot>; [Redacted - S.38(1)(b)] <[Redacted - S.38(1)(b)]@gov.scot>; [Redacted - S.38(1)(b)] <[Redacted - S.38(1)(b)]@gov.scot>; [Redacted - S.38(1)(b)] <[Redacted - S.38(1)(b)]@gov.scot>; [Redacted - S.38(1)(b)] <[Redacted - S.38(1)(b)]@gov.scot>; [Redacted - S.38(1)(b)]@copfs.gov.uk; [Redacted - S.38(1)(b)] [Redacted - S.38(1)(b)] ([Redacted - S.38(1)(b)]) <[Redacted - S.38(1)(b)]@gov.scot>
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Subject: RE: Children (Equal Protection from Assault) (Scotland) Act 2019: submission on implementation

[Redacted - S.38(1)(b)]

Thanks. Yes, I think that would work. Brief references to the legislation on both my.govscot and Parent Club. More details on the legislation on the main SG website. And then signposting so if you want tips on parenting generally go to Parent Club; if you want to know about the legislation go to the main SG website; and then linking into the usual material (wherever that is) on how to report child protection concerns to the Police and to Social Work.

S.38(1)(b)]@gov.scot>

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3. On the last point, I'd be grateful for thoughts from **[Redacted - S.38(1)(b)]** (**[Redacted - S.38(1)(b)]**). Would it be helpful to draw up a media plan for the Act coming fully into force on 7 November? It would be easy enough to obtain supportive quotes and articles. The UNCRC Bill will be in Parliament by then (though links between Equal Protection and UNCRC will require very careful messaging).

4. **[Redacted - S.38(1)(b)]**: we are interested in seeing what can be done to mainstream information about Equal Protection in ongoing work on child protection (eg website, regular meetings/communications with stakeholders). Do you have any thoughts on what might be possible here?

5. **[Redacted - S.38(1)(b)]**: what would be the best thing to say on the review of the Child Protection Guidance?

6. **[Redacted - S.38(1)(b)]**: in paragraph 15 we've talked about mapping parenting support. Pre-Coronavirus, this looked challenging but we're aware that some work has been taken forward on what's available for parents. What do you think?

7. Does **[Redacted - S.38(1)(b)]** have any comments from the Crown's perspective? I would intend to copy the Lord Advocate into the submission for his portfolio interest as head of COPFS.

8. On monitoring the impact of the legislation, **[Redacted - S.38(1)(b)]** will see I have suggested a research project. Grateful for thoughts. As discussed previously, data here is hard to come by here as the Act removes a defence rather than create a new offence. So I tend to think we need to look at research (in around 3 years' time) to obtain views on public attitudes and on the effect of the legislation on bodies such as Social Work and the Police.

[Redacted - S.38(1)(b)]
Family Law Policy
Scottish Government
[Redacted - S.38(1)(b)]

Item 33

From: [Redacted - S.38(1)(b)]
Family Law

Minister for Children and Young People

**CHILDREN (EQUAL PROTECTION FROM ASSAULT) (SCOTLAND) ACT 2019 –
IMPLEMENTATION GROUP - MINUTES CLEARANCE REQUEST**

Purpose

To

- Seek your approval to publish the minutes of the most recent meeting of the Implementation Group formed to consider what would be needed to implement the Equal Protection Act.
- Ask you to note points arising from a roundtable recently held by the Welsh Government on lessons learned from implementation of the Equal Protection Act in Scotland

Priority

Routine.

Implementation Group meeting

The Implementation Group met (virtually) on 10 February 2021. The minutes of the meeting are in the Annex. The main subject of discussion was the impact on delivery bodies of the removal of the reasonable chastisement defence on 7 November 2021.

[Redacted section 30(b)(i)]

As with the minutes of previous meetings, our intention is to publish the minutes in the Annex on the Scottish Government website.

Welsh Government roundtable on the Equal Protection Act

The Welsh Government held a roundtable on 2 March 2021 which considered lessons learned from implementation of our Equal Protection Act as part of its work on implementation of the Welsh legislation (the Children (Abolition of Defence of Reasonable Punishment) (Wales) Act 2020) that will make a similar change to the law of Wales. This roundtable involved Scottish and Welsh representative from police, health and social work.

The primary focus of discussions was how reports in Scotland have been managed, including any new processes and procedures, and how delivery bodies have worked together. Generally the message from Scottish delivery bodies was that there have been no particular issues so far, but it is still early days and the pandemic will be having an impact on the number of reports. [Redacted section 30(b)(i)]

The Welsh Government is preparing minutes of the roundtable, which we will share when they arrive. We expect these minutes to be made public, [Redacted section 30(b)(i)]

Conclusion

You are asked to:

Note the terms of the Implementation Group meeting on 10 February and confirm you are content for them to be published on the Scottish Government website.

Note the pointing arising from the Welsh Government roundtable on 2 March and that minutes will be provided in due course.

[Redacted - S.38(1)(b)]
 Family law
 16 March 2021

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness
Deputy First Minister and Cabinet Secretary for Education and Skills			X		X
Minister for Community Safety			X		
Lord Advocate					

DG Education, Communities and Justice
 Director of Children and Families
 [Redacted - S.38(1)(b)], Director of Justice
 [Redacted - S.38(1)(b)], Deputy Director, Civil Law
 [Redacted - S.38(1)(b)], Deputy Director Improving Health and Wellbeing
 [Redacted - S.38(1)(b)], Parenting, Play and Baby Box team

[Redacted - S.38(1)(b)], Parenting, Play and Baby Box team
[Redacted - S.38(1)(b)], Parenting, Play and Baby Box team
[Redacted - S.38(1)(b)], Supporting Maternal and Child Wellbeing
[Redacted - S.38(1)(b)], COPFS
[Redacted - S.38(1)(b)], Professional Advisor - Early Years and Children's Services
[Redacted - S.38(1)(b)], Social Work Adviser
[Redacted - S.38(1)(b)], Police Division
[Redacted - S.38(1)(b)], Age of Criminal Responsibility
[Redacted - S.38(1)(b)], Marketing
[Redacted - S.38(1)(b)], Marketing
[Redacted - S.38(1)(b)], Communications
[Redacted - S.38(1)(b)], Communications Solicitor to the Scottish Government
[Redacted - S.38(1)(b)], SGLD
[Redacted - S.38(1)(b)], SGLD
[Redacted - S.38(1)(b)], Family law
[Redacted - S.38(1)(b)], Special Adviser

Annex: Implementation Group minutes

[section 25(1) – information already accessible – the minutes can be accessed through the Implementation Group website link in the response letter]

CHILDREN (EQUAL PROTECTION FROM ASSAULT) (SCOTLAND) ACT 2019

Implementation Group meeting agenda

10 February 2021, 2 – 3.30pm

(Virtual meeting)

Introductions

Updates from bodies represented round the table

Outcomes from:

Stage 2 of the positive parenting marketing campaign and SG communications around 7 November

4. Next steps:

- Focus groups

- Monitoring generally
- Messaging for children and young people

5. AOB

Scottish Government
February 2021

Item 34

[Redacted - S.38(1)(b)]

Family Law

August 2022

Minister for Children and Young People

CHILDREN (EQUAL PROTECTION FROM ASSAULT) (SCOTLAND) ACT 2019 – FOCUS GROUPS

Purpose

- 1. To seek your approval to run Equal Protection focus groups.

Priority

- 1. Routine

Background

2. The Children (Equal Protection from Assault) (Scotland) Act 2019 came fully into force on 7 November 2020.

3. We have been looking at ways of monitoring the implementation of the Act. One option is to carry out focus groups with key bodies and individuals affected by the legislation.

4. I attach a note in the Annex on how we plan to set up and run these focus groups. We would intend to run these focus groups over a period of time, to avoid unnecessary costs. We would also plan to publish a summary of key points made in the focus groups.

Conclusion

- 6. You are asked to note and confirm you are content for us to take steps to run Equal Protection focus groups.

**Family Law Policy Unit
August 2022**

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• Copy List:	• For Action	• For Comments	• For Information		
			• Portfolio Interest	• Constit Interest	• General Awareness

<ul style="list-style-type: none"> Minister for Community Safety 	•	•	•	•	•	•	•	X
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- [Redacted - S.38(1)(b)] DG Education and Justice
- [Redacted - S.38(1)(b)], Deputy Director, Civil Justice
- [Redacted - S.38(1)(b)] Family Law
- [Redacted - S.38(1)(b)], Child Protection – Social Work Adviser
- Solicitor to the Scottish Government
- [Redacted - S.38(1)(b)], SGLD
- [Redacted - S.38(1)(b)] SGLD
- Head of Justice Analytical Services
- [Redacted - S.38(1)(b)] t, JAS
- [Redacted - S.38(1)(b)], Families and Wellbeing
- [Redacted - S.38(1)(b)] Parenting and Family Support
- [Redacted - S.38(1)(b)] Special Adviser
- [Redacted - S.38(1)(b)] Special Adviser
- [Redacted - S.38(1)(b)] Special Adviser
-
-

ANNEX

CHILDREN (EQUAL PROTECTION FROM ASSAULT) (SCOTLAND) ACT 2019 – FOCUS GROUPS

The [Children \(Equal Protection from Assault\) \(Scotland\) Act 2019](#) came fully into force on 7 November 2020. The purpose of the Act is to help bring to an end the physical punishment of children by parents and others caring for or in charge of children.

The 2019 Act does not create a new criminal offence: instead, it removes an existing defence of “reasonable chastisement” to a charge of assault. It provides children with the same protection from assault as adults.

We are planning to run focus groups with key bodies and individuals affected by the legislation to examine the impact of the Act on various sectors and groups of people.

We intend to create separate groups of representatives for different areas involved including: Social Work; Police Scotland; Crown Office and Procurator Fiscal Service; parents; and children. We might also organise one mixed group.

Social Work, Police Scotland and Crown Office all indicated that they are happy to take part. The Crown thought they should come last. Most of the organisations thought that the focus groups should not be recorded.

The idea is to ask each focus group the same 4 questions with the aim of publishing a report:

1. How well has the Act been implemented?

2. Is there anything further that the Scottish Government, you or anybody else can do to help with the implementation of the Act?

3. Are there any wider lessons learnt from implementation that could be used in other areas?

4. Do you have any other comments?

We are planning to run all focus groups on line – perhaps one focus group a month.

The work will be carried out in-house.

Family Law Policy Unit
August 2022

Item 35

E: [Redacted - S.38(1)(b)]

[Redacted - S.38(1)(b)]

By email: [Redacted - S.38(1)(b)]

24 May 2022

Dear [Redacted - S.38(1)(b)]

I am sorry to hear that you have to leave the Equal Protection Implementation Group.

The Scottish Government is very grateful for all your help and contribution in relation to the work of the group.

Best wishes for the future.

Yours sincerely

[Redacted - S.38(1)(b)]

[Redacted - S.38(1)(b)]

Item 36

Ready Steady Baby – Subject Matter Expert Comments – Reprint 2019/20

Use the table below to record any suggested amendments or additions to the content for your subject area (as detailed in the email). Feel free to add as many additional lines as required. If your comment relates to an image or layout/formatting issue, please indicate this in the “current text” field.

Please return this form to [Redacted -S38(1)(b)] by **25 October 2019**. If you have any queries, please contact [Redacted – S38(1)(b)] Health Information Officer Redacted -S38(1)(b)]

Page	Area	Line	Current text	Comment or suggested rewording
42		0	“He can be named as the father on the birth certificate. You can find more information about registering your baby’s birth on page 241.”	This should read “... page 243.”
42			-	<p>There doesn’t seem to be anything in Ready Steady Baby about being a surrogate or having a child through a surrogate.</p> <p>It might be helpful to include information on the same topics we do for other parents: parentage, parental responsibilities and rights, and birth registration. And to refer briefly to getting a parental order.</p> <p>We’d be grateful for your views on this.</p>

<ul style="list-style-type: none"> • 43 	<ul style="list-style-type: none"> • ide column 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • “Family law in Scotland” 	<ul style="list-style-type: none"> • Suggest replacing this heading with “Parental responsibilities and rights”. • • Suggest deleting the subheading “Information about parental responsibilities and rights.” • •
<ul style="list-style-type: none"> • 43 	<ul style="list-style-type: none"> • ide column 	<ul style="list-style-type: none"> • 3-27 	<ul style="list-style-type: none"> • “Birth Registration • Involving both parents. • www2.gov.scot/Topics/Jujustice/law/17867/InvolvingBothParents • s” 	<ul style="list-style-type: none"> • Suggest replacing this text with: • • “Joint Birth Registration • • https://www.mygov.scot/register-a-birth/joint-birth-registration/ •
<ul style="list-style-type: none"> • 52 	<ul style="list-style-type: none"> • You need to know” 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • “If your baby is crying a lot, and you’re getting very upset or angry, put them down somewhere safe or ask someone else to hold them while you leave the room. Never shake or smack your baby, no matter how frustrated you feel. It can damage their brain and can even be fatal.” 	<ul style="list-style-type: none"> • Suggest adding the following text to the paragraph quoted in the previous column: • • “In fact, shaking your baby is illegal. And from 7 November 2020, all physical punishment of a child will be against the law.” •