

CHILDREN (EQUAL PROTECTION FROM ASSAULT) (SCOTLAND) ACT 2019 ABERDEENSHIRE MULTI-AGENCY OPERATIONAL GUIDANCE

7-Minute Briefing

Instances of striking or smacking, which were previously deemed 'reasonable chastisement' are now classed as an offence of assault and must be reported to Police

If an incident is witnessed or reported to you by any means, an immediate assessment of the incident must be made, and our usual checks carried out to decide if the incident forms part of wider child protection concerns or is an isolated minor incident.

Checks are usually confined to our own service unless there are child protection concerns to be considered. If this is felt to be a child protection incident, child protection procedures must be followed without delay.

Whilst not an exhaustive list, factors to be considered in making an immediate assessment should include.

- Is the offence a minor physical assault?
- Is the child injured and requiring medical attention?
- Is there any evidence of physical injury or adverse effects, including fear or alarm?
- Do the circumstances of the assault raise Child Protection concerns?
- Are there any other risk or safety considerations in relation to children?
- Has the person responsible for the assault previously been investigated (to your knowledge) for offences against children?

Any hit to the head, use of excessive force or use of any implement is an assault and child protection guidelines must be followed.

If the assessment considers the assault to be an isolated Equal Protection incident, you should report this to Police via the 101 number.

When making the report, provide details of the circumstances of the assault, the informed assessment as to why it is considered to be an equal protection matter and any other information you feel is relevant.

The continuum between what is or is not a child protection matter is one which we assess and make decisions upon regularly. If in any doubt, follow child protection guidelines and consult colleagues and partners, as appropriate, to ensure the most appropriate course of action is taken.

Should the decision be made that the circumstances indicate an isolated Equal Protection incident, after it is reported to Police, continue to offer the support you consider to be relevant to the child and family involved.

The brief, multi-agency guidance is available on the GIRFEC website, [Equal Protection](#) and includes a useful, short flow diagram. Please take some time to read guidance.