UK COVID-19 INQUIRY

MODULE 8

WITNESS STATEMENT BY THE DIRECTOR GENERAL EDUCATION AND JUSTICE

This statement is one of a suite provided to Module 8 of the UK Covid-19 Inquiry by the Scottish Government and these should be considered collectively. In relation to the issues raised by the Rule 9 request dated 2 April 2025 served on the Scottish Government, in connection with Module 8, the Director General for Education and Justice will say as follows:

Part A – Roles and responsibilities of Scottish Government

1. The Permanent Secretary (Perm Sec) is the senior civil servant in Scotland. There are eight portfolio Directors-General (DG) who report to the Perm Sec. A Director-General manages a number of Directorates and agencies which are responsible for proposing legislation and putting Scottish Government policy into practice. The Director-General for Education and Justice is Neil Rennick. The direct reporting line for a Director is to their portfolio DG but they also report directly to the Perm Sec and to Ministers. The direct reporting line for Deputy Directors is to Directors but they may also report directly to Ministers. Just as Ministers are accountable to Parliament, civil servants are accountable to Ministers. The Directorates with responsibility for matters relating to the online lives of children and young people sit within the portfolio remit of the Cabinet Secretary for Education and Skills. The Directorates sit within the DG Education and Justice, alongside other Directorates with responsibility for matters relating to Education and Justice. The matters addressed by this statement are the responsibility of many directorates within Scottish Government, including the

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Directorate for Children and Families (DCAF) and other Directorates within DG Education and Justice, including the Learning Directorate and Education Scotland.

Regulation of the Internet and Devolved Responsibilities

2. The regulation of the internet and of internet service providers providing their services in the UK is a reserved power. Any decisions and legislation regarding the regulation of the internet is a matter for the UK Government. The Scottish Government does not have specific devolved powers relating to technology, the regulation of the internet, and the extent to which those things may impact a child's health and wellbeing. However, it does have scope to develop and implement policy relating to child internet safety as a byproduct of its devolved responsibility for education, policing, child protection, and child health and wellbeing. The responsibilities of the Scottish Government in relation to the Mental Health of Children and Young People is contained within the Module 8, DG Health and Social Care, Mental Health Directorate statement provided, in draft, to the Inquiry on 9 May 2025.

3. The Scottish Parliament may legislate on children's mental health, wellbeing and safety subject to the limits on the legislative competence of the Scottish Parliament, as set out in section 29 of the Scotland Act 1998. One such limit is that a provision is out with competence if it relates to reserved matters. Such matters are set out in schedule 5 of the 1998 Act and include internet services. For example, if Ministers wanted to make it mandatory to teach lessons about online safety and wellbeing in schools, that would be possible as it is about the devolved matter of education, however if they wanted to, for example, impose duties on social media companies, that would relate to the reserved matter of internet services.

4. The Scottish Ministers are corporate parents under the Children and Young People (Scotland) Act 2014. In so far as consistent with the proper exercise of their other functions, this means that the Act requires them to be alert to matters which, or which might, adversely affect the wellbeing of children and young people to whom Part 9 of that Act applies, and to promote their interests. During the pandemic, Part 9 of the Act applied to children looked after by a local authority (within the meaning in section 17(6) of the Children (Scotland) Act 1995) and certain care leavers aged under 26.

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5. Ministers are obliged to publish reports every three years on how they have exercised their corporate parenting responsibilities. The report for 2018-21 identified digital exclusion issues for care experienced young people. The report did not specifically cover online safety issues. Provided, [NR7/01 – INQ000647961].

6. The Scottish Government's National Action Plan for Internet Safety for children and young people, published in April 2017, lists the relevant legislation for offences committed using the internet, provided [NR7/02 - INQ000647964]. This list of legislation was further updated throughout 2019 and 2020 as offences facilitated through the internet evolved. The Legislation in force in 2019 is listed below:

- **Abusive Behaviour and Sexual Offences (Scotland) 2016 Act** - work continues to commence on Chapters 3 to 6 which will provide for the creation of Sexual Harm Prevention Orders (SHPO) and Sexual Risk Orders (SRO)

- **Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005** - provides for the protection given to children and young people from those who would wish to cause them sexual harm or exploit them for sexual purposes and embeds article 34 of the United Nations Convention on the Rights of the Child (UNCRC). The Act also aims to improve the protection given to children from those convicted of sexual offences who still pose a risk of sexual harm. Section 1 of the 2005 Act provides for what is often referred to as a 'grooming' offence. It makes it an offence for a person to arrange to meet a child (or a police officer posing as a child) for the purpose of engaging in unlawful sexual activity, following certain preliminary contact.

- **Sexual Offences (Scotland) Act 2009** - provides that where abusive or threatening communications are of a sexual nature, individuals can be prosecuted using offences concerning 'communicating indecently' or 'coercing a person into looking at a sexual image'. Offences at sections 24 and 34 of the 2009 Act make it an offence for a person to send a sexual written communication, or direct a sexual verbal communication, at a child under the age of consent, where this is done for the purpose of obtaining sexual gratification or causing the child fear, alarm or distress.

- **Communications Act 2003** - Section 127 provides that it is an offence to send, by means of a public electronic communications network, a message or other

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matter that is grossly offensive or of an indecent, obscene or menacing character, or to persistently make use of a public electronic communications network for the purpose of causing annoyance, inconvenience or needless anxiety to another person.

- **Offensive Behaviour and Threatening Communications (Scotland) Act 2012** - Section 6 provides for the offence of 'threatening communications' which can act to criminalise a person who communicates material which consists of, contains or implies a threat, or an incitement, to carry out a seriously violent act against a person or against persons of a particular description, where the material or communication would be likely to cause a reasonable person to suffer fear or alarm.

- **Abusive Behaviour and Sexual Harm (Scotland) Act 2016** - makes it a specific offence for someone to disclose or threaten to disclose a photograph or film of another person in an 'intimate situation' without their consent, in circumstances where they either intend to cause the person fear, alarm or distress, or else they are reckless as to whether disclosure of the image may cause fear, alarm or distress.

7. Whilst the regulatory aspect remains a reserved matter, the Scottish Government engaged with the UK Government and Ofcom throughout the pandemic and thereafter in relation to the development of the UK Government's Internet Safety Strategy and the Online Safety Act 2023.

8. Using the devolved responsibilities for education, policing and child protection, the Scottish Government took forward a range of activity from 2017 and throughout the pandemic. This was to support children in being safer online and to equip professionals, parents and carers with the skills to support children in their online activity.

<u>Ministerial Responsibility</u>

9. The Cabinet Secretaries who held portfolio responsibility during the specified period were:
    - Cabinet Secretary for Education and Skills
        - John Swinney (May 2016 - May 2021) (also Deputy First Minister)

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- ○ Shirley-Ann Somerville (May 2021 - March 2023).

10. The Ministers with responsibility during the specified period were:
    - Minister for Children and Families
        - ○ Maree Todd (June 2018 – May 2021)
        - ○ Clare Haughey (May 2021 – March 2023).

Permanent Secretary

11. The Permanent Secretary during the specified period were:
    - Leslie Evans (June 2015 – December 2021)
    - John-Paul Marks (January 2022 – March 2025).

Director General

12. The Directors General during the specified period were:
    - Director General Education, Communities and Justice
        - ○ Paul Johnston (2015 - March 2021)
    - Director General Education and Justice
        - ○ Joe Griffin (April 2021 – July 2023)
        - ○ Neil Rennick (July 2023 – present).

Directors and Deputy Directors

13. The Directors and Deputy Directors with responsibility during the specified period were:
    - Director for Children and Families
        - ○ Michael Chalmers (June 2017 – March 2020 and September 2020 - April 2023)
        - ○ Iona Colvin (March 2020 – September 2020)
        - ○ Andrew Watson (April 2023 – present)
    - Chief Social Work Adviser
        - ○ Iona Colvin (April 2017 - present)
    - Deputy Chief Social Work Adviser
        - ○ Bill Alexander (November 2018 – February 2021)
        - ○ Joanna MacDonald (April 2021 – present)

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- Deputy Director Care, Protection and Justice
  - Lesley Sheppard (October 2017 – March 2020)
  - Bill Scott-Watson (March 2020 – September 2020)
- Interim Deputy Director Care, Protection and Justice
  - Tom McNamara (April 2022 - December 2022)
- Deputy Director Children's Rights, Protection and Justice
  - Lesley Sheppard (October 2020 – March 2022)
  - Ian Donaldson (January 2023 - April 2024)
  - Ian Donaldson and Brian Taylor (job share) (April 2024 to present).

Roles of Directorates and Education Scotland

14. DCAF helps to ensure that effective protection procedures are in place wherever there is a risk of a child coming to harm. This includes publishing national child protection guidance for all people and organisations who work with or come into contact with children; working with a range of partners including Police Scotland and Child Protection Committees Scotland (CPCS) to prevent and tackle child sexual abuse and criminal exploitation including online abuse; helping to develop training and support for people likely to be the first to notice a child is at risk, such as teachers and health professionals; developing better care and support for children who have experienced trauma through the Bairns' Hoose initiative; and work with other Scottish Government Directorates, local areas and national bodies to develop appropriate support for unaccompanied asylum seeking children and ending child trafficking.

15. During the pandemic, DCAF also worked with Police Scotland, CPCS and other partners to increase parents and carers' awareness of child protection issues including online safety and combat perpetrators and potential perpetrators.

16. The work undertaken by Education Scotland, as an executive agency of the Scottish Government, in relation to online safety is outlined in the statement covering Education Scotland for Module 8 provided, in draft, to the Inquiry on 30 May 2025.

17. Information on the roles and responsibilities of Scottish Government and the Mental Health of Children and Young People is contained within the Module 8, DG Health and Social Care, Mental Health Directorate statement provided, in draft, to the Inquiry on 9 May 2025.

Part B – General

<u>Knowledge and impact of Harms to children</u>

18. From 1 January 2015 to date the Scottish Government did not conduct data gathering in relation to children using online technology, their ages, time spent online, platforms used, the impact on children and the extent children were exposed to harmful content. However, the Scottish Government, to inform policy and practice development, did monitor annual Ofcom Reports (e.g., Ofcom Media Nation Annual Report, Ofcom Media Use and Attitudes Reports), Internet Watch Foundation (IWF) Reports and Police Scotland published statistics.

19. Data on online child sexual abuse offences was collated and published by Police Scotland who are best placed to provide insight on developing trends during the periods in question.

20. The National Action Plan on Internet Safety for Children and Young People was published in 2017, provided [NR7/02 - INQ000647964]. The plan was designed to build 'on actions set out in the Scottish Government's 2010 Action Plan on Child Internet Safety, [NR7/03 - INQ000647962] and the 2011/12 Scottish Action Plan on Child Internet Safety and Responsible Use, [NR7/04 - INQ000647963]. The commitments included in these plans were structured under three broad aims:
    - Giving everybody the skills, knowledge and understanding to help children and young people stay safe online: the Scottish Government will help parents, carers and people who work with children and families to understand how to help children stay safe online and how to deal with problems if they occur
    - Inspiring safe and responsible use and behaviour: the Scottish Government will make it clear that individuals, including children and young people themselves, need to take responsibility for their own online behaviour
    - Creating a safer online environment: the Scottish Government will work together to make sure that children are less likely to come across or get access to things online that are not suitable for them.

21. A summary of this work, as well as progress against delivery of the actions of the National Action Plan at May 2021 is included in the updated actions, the report

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outline and updated actions from 2020 are provided, [NR7/05 - INQ000647965] and [NR7/06 - INQ000647966].

22. Additional work undertaken to support children with their online activity as reported above in May 2021 is listed below:

- Healthy Use of Social Media and Screen Time: the Scottish Government commissioned a study into the reported worsening mental wellbeing of young people, focusing specifically on teenage girls
- The Scottish Government announced that advice will be produced, specific to Scotland, on the healthy use of social media and screen time
- In June 2019, the Scottish Government announced that the Scottish Youth Parliament and the Children's Parliament have been selected to create this advice, which will be created by children and young people, for children and young people
- The advice will be funded by up to £90,000
- The Scottish Government reviewed the personal and social education (PSE) component of Curriculum for Excellence
- The Scottish Government committed to review and update current teaching guidance on relationships, sexual health and parenthood education.

23. As part of implementing and reviewing actions taken in delivery of the Scottish Government's National Action Plan DCAF policy leads monitored research and reports published by a number of agencies in relation to children's use of the internet and online services to inform further activity. A couple of examples have been provided, Ofcom Online National 2021 report published in June 2021, [NR7/07 - INQ000647967] and the Internet Watch Foundations 2020 report, [NR7/08 - INQ000587967].

Evidence Summaries

24. The 'Coronavirus (COVID-19): impact on children, young people and families - evidence summaries' (detailed in the table at paragraph 26 below) touched on aspects of the impacts of the pandemic on physical and mental health, education and social development. An Evidence Summary is a collection of Scottish and UK evidence on the impact of Covid-19 on the wellbeing of children and young people. They were intended for information and awareness on current and emerging

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evidence on the impacts of Covid-19 on children and young people, in particular those with vulnerabilities. They were not an exhaustive overview or a critical appraisal or endorsement of the quality of research they included.

25. Studies cited in the evidence summaries did not monitor trends on the impacts of online technology but covered a range of issues more broadly e.g. being able to speak to friends and family only online and being able to only access services and education online. The Public Health Scotland briefing paper "The Impact of Covid-19 on Children and Young People in Scotland aged 10-17" published in March 2021, provided [NR7/09 - INQ000553460], noted that:

"Young people surveyed during lockdown said they had become aware of, or had greater personal experience of, prejudice including racism, sexism and homophobia. Increased social media usage may also make young people more vulnerable to online predators and/or abuse, cyberbullying and exposure to potentially harmful social media content." (p. 6)

"From evidence relevant to the wider impacts of the pandemic, we know that excessive screen time may also be associated with health risks, such as poor sleep, snacking or obesity, because of adopting a more sedentary lifestyle." (p.6)

"Data from Police Scotland indicated an 18% increase in all online child sexual abuse crimes over the period June–September 2020, compared with the same period in 2019." (p. 7)

26. The 'Coronavirus (COVID-19): impact on children, young people and families evidence summaries' carried out from June 2020 to June 2021 are contained in the table below with examples of the key messages from each.

Date	Summary
June 2020	Social isolation and loneliness continued to be a growing concern for children and young people in general. Stress and anxiety appears to be higher in older children (teenagers) and girls in general, there is evidence that children and families with low incomes are spending less time on home learning

	and have fewer resources. Surveys of parents with children impacted by disability or special educational needs are consistently reporting a drop in formal and informal support. The evidence summary is provided, [NR7/10 - INQ000530064].
July 2020	A number of trends emerged from the Scottish and UK evidence base as lockdown continued through different phases including:
	• Scottish household data shows that about a third of households with children have someone with a health condition that makes them vulnerable to Covid-19, and 8% of households with children have suffered a Covid-related bereavement. This has implications for children's wellbeing and return to school planning
	• A number of UK-wide parent surveys have reported differences in engagement, support and resources for home learning between lower and higher income families. These findings have raised concerns about educational inequalities and widening of the attainment gap. That said, some Scottish evidence indicates that regardless of income, the most important factor in relation to schools for many parents and carers is an emphasis on emotional support and friendships
	• Low income families appear to be experiencing lower levels of wellbeing during the pandemic than better off families in Scotland. Evidence suggests that those families with the least money have had to spend the most on educational resources. Key areas of concern for low income families include increasing levels of poverty, food insecurity, utility payments and fuel poverty, digital divide issues and family and child wellbeing (including isolation, loneliness and mental health issues). Low-income families are concerned with the longer-term effects of increased social isolation and household stress and want schools to prioritise safe opportunities for children to rebuild friendships and play, and more pastoral (emotional) support for older children.

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	The evidence summary is provided, [NR7/11 - INQ000530065].
September 2020	Over the summer, there were significant changes to children and young people's lives as Scotland entered Phase 3 of the route map. This involved a loosening of physical distancing for younger children, the resumption of outdoor sports and the reopening of schools. At the same time, the occurrence of local restrictions, concerns about a rise in transmission rates as autumn approaches and the gradual ending of the furlough scheme means that it is more important than ever to keep pace with the evidence and issues relevant for recovery and future outbreak management planning. The evidence summary is provided, [NR7/12 - INQ000530406].
October 2020	There has been a tightening of restrictions in response to a rise in Covid-19 cases and hospital admissions. At the same time, many children and young people are adjusting to changes in school and childcare settings. This was the fourth briefing in a series of high-level evidence summaries on the impact of Covid-19 on the wellbeing of children and families in Scotland, drawing on wider UK research where appropriate. Some of the key themes and messages are: • UK survey evidence suggests that key issues for young people as they came out of lockdown were concerns about Covid-19 transmission, adapting to Covid-19 measures in schools (physical distancing) and worries about future aspirations and longer term financial and job security. There are also reports of anxiety and fear associated with returning to 'the outside world' (YMCA survey) • In a University of Glasgow study of high poverty communities, services report an increase in new families in crisis, many of whom may not be known to services. A key lesson learned from lockdown was that 'vulnerable' families who were eligible for a place in the school hubs had not taken up the offer, in part due to a sense of stigma

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	• Online safety and bullying - there is some emerging UK evidence of an increase in online bullying during lockdown (YMCA survey). There are also indications of increases in online sexual abuse during the pandemic (based on data on UK-wide Childline and the National Society for the Prevention of Cruelty to Children (NSPCC) helpline data). A NSPCC briefing suggests that this may be aggravated by children and young people using online platforms to counter loneliness without sufficient understanding of online risks. The evidence summary is provided, [NR7/13 - INQ000551161].
December 2020	A summary of the key messages includes: • Although social media is generally perceived by young people to be a positive means of keeping in touch with friends (although less so for young people with mental health problems and disabilities) (Lockdown Lowdown research assessed the impact of coronavirus on education, relationships, employment, mental and physical wellbeing and access to information. Surveys of young people in Scotland aged 11-25 were carried out in April 2020, September-November 2020 and June 2021), there continues to be emerging evidence around increased levels of online bullying during the national lockdown. One recent Scottish survey reported an increase in online bullying, prejudicial comments and attitudes online during lockdown (Time for Inclusive Education (TIE) Scotland). Evidence of concerns about online safety continues to emerge, with the Children's Parliament most recent survey reporting an increase in the proportion of children feeling unsafe online • LGBTQ+ young people - A Scottish survey on online bullying reported that LGBTQ+ respondents were experiencing online bullying during the national lockdown at more than double the rate of their heterosexual peers. They also reported significantly higher rates of negative mental

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	wellbeing and lower emotional wellbeing before and during the national lockdown (TIE Scotland research). The evidence summary is provided, [NR7/14 - INQ000530068].
June 2021	The latest research continues to highlight the on-going difficulties children, young people and their families faced during the later months of 2020 and early in 2021. While findings include some positive experiences families have had over the past year, most continue to show negative impacts, particularly for some sub-groups. The key messages include: • The latest available evidence from the second half of 2020 in Scotland showed that for some, particularly for older children and young people, effects on anxiety and stress persisted (Covid-19 Early Years Resilience and Impact Survey (CEYRIS) 2, TeenCovidLife 2, In isolation instead of in school (INISS)). In UK-wide research, young people with a history of mental health needs reported more substantial negative mental health impacts during the most recent lockdown compared with the first lockdown, and felt that these impacts will be long term (YoungMinds) • There was some evidence of positive impacts of the pandemic on family relationships in Scotland. Families with children with disabilities and families with lower incomes reported enjoying more time together (Centre for Research in Education, Inclusion and Diversity (CREID) and Save the Children). Among children under age 7 in Scotland, the CEYRIS 2 research found improved relationships with parents, carers, and siblings compared with the initial lockdown period. Save the Children's research also noted that some parents on low incomes enjoyed being more involved in their children's education. The evidence summary is provided, [NR7/15 - INQ000176159].

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27. Other than the work outlined above the Scottish Government did not carry out any work to identify any trends and/or patterns in relation to children's exposure to 'the Harms'; illegal content, primary priority content, primary content and non-designated content. The Scottish Government relied on the UK Council for Internet Safety (UKCIS) and any intelligence from Police Scotland. The focus of the Child Protection Unit's work at that time was on ensuring continuity of local child protection responses and was reliant on issues being raised by local and national partners.

Working with Other Organisations

28. Through the Scottish Government's National Action Plan, DCAF officials have continued, since 2017, to participate as members of UKCIS Executive Board, to engage in UK-wide discussions with social media companies and technology firms, focusing on their responsibilities to society and improving online safety.

29. UKCIS facilitated an early warning group, attended by police forces, third sector organisations, online safety experts, and government representatives from all four UK nations, to monitor trends in emerging online harms.

30. UKCIS also facilitated an education working group, chaired by the National Crime Agency's Child Exploitation and Online Protection (CEOP) command, which focussed on the development of resources specifically for an education setting. To ensure that Scotland's education system is appropriately and effectively represented in the work of this group, CEOP formalised a Scottish Online Safety Education Group, which met quarterly and with membership including Education Scotland, the Scottish Government Child Protection and Learning Directorate leads, Police Scotland and Young Scot. Laterally CPCS was invited to participate as a way to communicate learning and shared practice more widely within Scotland.

31. The Scottish Government sits on the Police Scotland Multi-Agency Group on Preventing Online Child Sexual Abuse and Exploitation. The group meets quarterly to discuss emerging trends, recent technological advancements in tackling online child sexual abuse and exploitation, new projects and supports available for victims of child sexual abuse and exploitation, as well as data gathering, communications, campaigns and other planned activity by partners in this area.

Illegal Online Content and New Types of Harms

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32. The Scottish Government did not have a mandate to monitor rates of illegal online content. This would be for Police Scotland or Ofcom as the regulator. The Scottish Government were not aware of any new types of harms but were aware from engagement with Police Scotland, UK Government and reports from other UK partners including the IWF and the National Crime Agency of increased prevalence of child online sexual abuses. More information can be found about these in the IWF annual reports from 2020 and 2021 provided, [NR7/08 - INQ000647968] and [NR7/16 - INQ000643431]. With no mandate to monitor rates of illegal online content, and no awareness of any new types of harms, the Scottish Government did not carry out work to understand the impacts of the rates of illegal online content.

<u>Keeping Children Safe Online</u>

33. The Scottish Government and its partners undertook the following actions set out below to help keep children safe online.

34. In the years preceding the pandemic Education Scotland started their engagement with CEOP and Safer Internet Day to promote their work across schools during this timeframe. In addition to this, collaboration with Police Scotland took place to deliver two live and recorded lessons which were available to view anytime. Education Scotland also developed a 'teacher tool kit' on the DigiLearn website which has been live since 2019.

35. Many of the pre-pandemic actions around online safety were delivered as part of the 2017 National Action Plan [NR7/02 - INQ000647964]. The key plans and actions are outlined below:
    - The Scottish Government will work to ensure children and young people are supported to build their own resilience online
        - o The Scottish Government, its agencies and partners carried out a number of activities to support online resilience and in support of Safer Internet Day. This included participating in multiagency planning days, developing and promoting resources such as 'Quit Fighting for Likes' to support young people navigate social media safely and prevent violence, developing and promoting the Online Safety Hub on Parent Club, supporting YoungScot to deliver the AyeFeel online hub to support

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emotional wellbeing, and promoting the Scottish Youth Parliament's Mind Yer Time website to help children navigate online spaces and use screentime in a positive way. In schools, the Scottish Government also supported Time for Inclusive Education to develop resources to help teachers and learners recognise and address misinformation and hateful material online. These activities were accompanied by Ministerial quotes and statements to further promote resources

- Through their Digital Learning and Teaching Programme, Education Scotland will support local authorities in implementing the new Technologies Curriculum guidance, which has a specific focus on digital literacy
  - Support sessions were offered to all local authorities with many requesting sessions on Cyber Resilience and Internet safety
- Education Scotland will ensure inspectors are aware of the expectation to deliver education that encourages innovation, confidence, and responsibility in the use of technologies and staying safe online
  - Sessions were delivered to the inspection teams on the changes to the Technologies guidance and the focus on Cyber Resilience and Internet Safety which was a new area within the guidance
- The Scottish Government and Education Scotland will work with the South West Grid for Learning to promote and update the 360-degree safe tool
  - Sessions were delivered online and in person to local authorities and the National Technologies network which has representation from all 32 Local authorities. Education Scotland worked with SWGfL to make this tool more appropriate for Scottish schools. The requirement to pay for the award limited the engagement in Scotland and this is why Education Scotland developed the Digital Wellbeing award
- Education Scotland will work with Digital Schools Awards Scotland to develop a link to relevant resources on internet safety for children and young people
  - A Cyber Resilience and Internet Safety (CRIS) special award was developed to create a self-evaluation framework that schools could use to evaluate their progress with CRIS. This was later renamed as a Digital Wellbeing award
- The Scottish Government will work in partnership with the UK Safer Internet Centre to promote Safer Internet Day in Scotland
- The Scottish Government will work with the South West Grid for Learning to deliver further Online Safety Live events across Scotland

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- o Education Scotland annually promote and have supported Ministers to attend school visits during Safer Internet Day along with a number of online and face to face sessions for schools and learners
- The Scottish Government will engage with the University of Edinburgh and Stop it Now! Scotland, as they undertake research on deterrents to viewing online indecent images of children
  - o Education Scotland Worked with Stop It Now from around 2018 to develop the Technology Assisted harmful sexual behaviour course for guidance teachers and child protection officers in secondary schools.

36. During the pandemic, the digital team at Education Scotland focused on 'how to secure your device and online accounts' to reduce the likelihood of young people experiencing harms while online. With support from Scottish Government Cyber Resilience Unit, Education Scotland have funded the following projects:
- The development of an online 'parents first aid kit' which provided information on the best way to support young people experiencing issues online. The website is no longer available as funding was not continued
- Collaboration with 'Stop It Now' to produce a Technology Assisted Harmful Sexual behaviour toolkit, provided [NR7/17 - INQ000647978]. This tool kit was designed to help schools identify the behaviours young people were engaging with online. Once developed it was piloted in South Ayrshire in 2020 and rolled out nationally in 2021
- Supported the National Parent Forum of Scotland to produce an Online safety nutshell guide, provided [NR7/18 - INQ000530294] and a securing your device, provided [NR7/19 - INQ000647979] nutshell guide. These were published in May 2020
- As young people were being issued with devices during this period, Education Scotland developed learning resources on 'how to set up an iPad, chrome book and online accounts. Education Scotland had these resources prior verified by the SQA in order for young people to gain a level 4 unit in 'internet safety' and 'cyber security fundamentals'. These were published at the end of 2021:
  - o Level 4 Resources for Cyber Fundamentals and Internet Safety, provided [NR7/20 - INQ000647980]
  - o The digital team continually evolved the offer in this area and most recently had Glasgow University carry out a systematic literature review of digital risk and mitigations in children aged 8 to 12, provided [NR7/21 - INQ000647981].

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37. The work carried out by the Scottish Government and partners during May/June 2020 is outlined below:

- Scottish and UK partners and agencies issued public messaging highlighting risks to children. This included Child Protection Committees Scotland and Police Scotland's messaging urging the public to play their part in keeping children safe and Police Scotland's 'Get Help or Get Caught' online child sexual abuse campaign, provided [NR7/22 - INQ000530290]

- Chief Social Work Officers, NSPCC Scotland, CPCS and Police Scotland called for a Scottish Government national awareness raising campaign to highlight the risk of harm to children arising from the pandemic and encourage members of the public to report concerns that a child may be at risk of harm to their local social work departments or to the police, to complement partner messaging. A submission on a Scottish Government awareness campaign for this is provided, [NR7/23 - INQ000545904]

- Covid-19 Children and Families Collective Leadership Group (CLG) supported a proposal to develop a Scottish Government funded campaign with an intended launch date of 19 June 2020. However, there were concerns from some CLG members and stakeholder organisations (Fiona Duncan, Children 1st, Aberlour) about the campaign's tone, targeting and creative execution. Other CLG members and stakeholder organisations (Police Scotland, NSPCC and Child Protection Committees Scotland, StopitNow Scotland) continued to strongly support the campaign. Views differed in the extent to which the campaign successfully balanced the need for messaging that was sufficiently clear and impactful for the public to respond to, alongside the need to avoid giving the impression that all children were at risk, stigmatise families or reduce the likelihood that they would ask for help. The decision was subsequently taken not to proceed with a national campaign, with social media channels instead used to highlight sources of support.

From February to August 2021:
- Police Scotland, Scottish Children's Reporter Administration (SCRA) and Social Work Scotland (SWS) reported concerns of increased volume of referrals relating to online child abuse and exploitation. In response, as part of CLG's 10-point action plan to support children and families in vulnerable situations, the Scottish Government, CPCS and Police Scotland undertook complementary communications campaigns. The Scottish Government re-ran messaging from its

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2016 *CSEthesigns* awareness raising campaign through social media channels aimed at parents of 11-17 year olds. CPCS's Keeping Kids Safe online campaign encouraged parents and carers to be actively interested in their children's online activity. Police Scotland ran Stop It Now a perpetrator-focused campaign, provided [NR7/24 - INQ000222998]

- Evaluation reports focused on the metrics for all three campaigns were undertaken and the overall results reported to CLG. In relation to the Scottish Government campaign, the campaign resulted in a 75% increase in traffic to *CSEthesigns.scot* with 21,100 site visits by 18,425 users. 82% of those surveyed for the evaluation report said they took action as a result

- CPCS reported that their campaign increased traffic to their website by 2,700 users. The reach of campaign content on social media channels includes 180,000 views on Facebook, 226,000 on Twitter and Instagram posts seen 6,000 times. The success in reach and increased traffic to webpages demonstrates the CPCS campaign having delivered extraordinary value for money, considering the very limited budget and short lead-in time. CPCS proposed that an increased budget and longer lead-in time for the campaign would enable them to create a new online abuse awareness campaign directed specifically at children and young people

- Police Scotland reported an estimated reach of 10 million impressions (the number of times content is displayed on a user's screen, measuring the exposure and reach of an advertising campaign) and increase in visits to the *Stop It Now* website.

38. Recognising that public engagement is vital, the Scottish Government ran a communications campaign in 2021 and 2022, giving advice to parents and carers on how to help keep children safe online. By February 2022, the campaign reached hundreds of thousands of Scots. There were 1 million views of the campaign film in 2022 alone and evaluation showed that it had a strong impact on behaviour, with parents reportedly taking action as a result of the strong messaging. It linked to the Scottish Government's Parent Club website and the Child Sexual Abuse and Exploitation Hub and Online Safety Hubs, provided [NR7/25 - INQ000647970] and [NR7/26 - INQ000647976].

39. These Hubs are online spaces that provide parents and carers in Scotland with background, resources and videos which provide help and advice on child sexual abuse and exploitation. This includes advice on how to spot the signs of child sexual

abuse and exploitation, how to talk to children about it, how to report concerns about it and how to get help and support.

40. As outlined at paragraph 31, the Scottish Government sits on the Police Scotland Multi-Agency Group on Preventing Online Child Sexual Abuse and Exploitation which meets quarterly.

41. During the pandemic, several resources were put in place to help educate children, young people, and parents and carers on keeping safe online and to help address negative impacts. This includes; working closely with Young Scot, investing £300,000 since 2020 in the development of the 'Aye Feel online hub', provided [NR7/27 - INQ000613837], creating a suite of online resources, information and advice to support the emotional health and wellbeing of children and young people; hosting relevant information on the Scottish Government Parent Club website which provides parents and carers in Scotland with background, resources and videos to provide help and advice on how to help protect children and young people online. This includes practical advice on how to implement safety measures such as setting up parental controls, as well as guidance on how parents and carers can talk to their children about online safety. The Hub also includes advice on how to report inappropriate online content, as well as how to get support if children have a negative experience online; and providing the Scottish Youth Parliament and the Scottish Children's Parliament with over £170,000 of funding to develop the 'Mind Yer Time' web resource, which was launched in April 2020 and updated in September 2021. It is specifically designed to give children and young people advice on social media use, screen time, sleep, and the impacts of these things on body image and mental wellbeing. The 'Mind Yer Time' resource also has a section for parents and carers, with tips and advice that young people themselves would like their adults to know and understand. Provided, [NR7/28 - INQ000613836].

Misinformation/disinformation

42. The Child Protection Unit within DCAF did not monitor misinformation and disinformation specific to children and are not aware that this was work carried out by the Scottish Government. The Child Protection Unit's focus at that time was on ensuring ongoing stability of local child protection responses. Mis/disinformation is a far wider issue which links to many other policy areas across Governments.

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43. Paragraphs 33 – 39 outline the online safety campaign, work and advice to parents carried out by the Scottish Government. The support offered by Education Scotland is outlined below.

44. In the early stages of the pandemic, Education Scotland quickly reviewed existing and developed new materials to support both teachers and parents. This included Parent Club materials, advice to parents, and practical activities. Examples are provided here: [NR7/29 - INQ000530348], [NR7/30 - INQ000647989], [NR7/31 - INQ000647987] and [NR7/32 - INQ000647988], some of these materials are continually updated to this day. For teachers, the aim was to offer good quality materials and advice and to ensure that teachers who required support in areas such as digital skills were able to access support as quickly as possible.

45. On 24 March 2020, based on dialogue with the sector on requirements prior to closures, Education Scotland's Digital Skills Team launched an extensive professional learning website, with resources, to provide teachers and practitioners with easy access to materials. These were shared online through DigiLearn in 'Wakelets' and covered the eight curriculum areas and sector areas based on needs. Materials were also produced around themes including creativity and Careers Education (Developing the Young Workforce). This included a Wakelet on Cyber Resilience and Internet safety, provided [NR7/33 - INQ000647982] with links to support and resources for practitioners. Wakelets are an online content tool which allow the user to bookmark, organise, collaborate, and present on content all in one platform. Education Scotland used the Wakelet format to support practitioners to find all key resources, materials, and Scottish Government guidelines at the time in one space organised by curriculum area, sector, or common pedagogy.

46. When Scotland moved to remote learning after 18 March 2020, a key issue from a Safeguarding perspective was the use of cameras by learners. Ideally, teachers would be able to see learners and learners could see each other when learning is taking place virtually. This is important for all learning but particularly vital for some groups of learners (for example, deaf learners) and the teaching of practical skills including musical instruments. There were concerns about the use of cameras in

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Glow including the ability to obtain consent from other people in the learner's space and inappropriate behaviours from learners. Glow is Scotland's national digital learning platform provided by the Scottish Government and managed by Education Scotland. It provides learners and educators across Scotland an environment that can support learning across the whole curriculum through the core services - Microsoft M365, Google Workspace for Education and WordPress blogs. In Google, this was deemed tolerable for two reasons – local authorities have their individual tenancy so could decide to allow cameras for learners or not based on their assessment of the risk / benefit balance and Google provided a function that allowed teachers to disable a learner's camera when necessary. Microsoft is a single instance in Glow accessed by all users and functions are either on for all or off. The Glow team advised the Association of Directors of Education in Scotland (ADES) of the position, and it was agreed not to allow cameras for learners until this remote off switch for teachers was available. Microsoft worked to make the necessary changes to their products and cameras for learners were enabled in Glow in on 5 August 2020.

47. As part of the National e-Learning offer, in August 2020 Education Scotland undertook an equality impact assessment to assess the programme that evolved as part of the ongoing pandemic response. Key findings from the impact assessment were around age and disability. Furthermore, where it was not possible to mitigate all negative impacts, Education Scotland continued to monitor and evaluate activities to help drive continuous improvement. The impact assessment is provided, [NR7/34 - INQ000647971].

48. As above, in the weeks leading to the first lockdown Education Scotland shared a range of Wakelets with resources on all curriculum areas with education practitioners. This also included a Wakelet with links to Cyber Resilience and Internet Safety resources for practitioners. Working with the Regional Collaboratives Education Scotland had regular contact with Local Authorities.

49. Education Scotland delivered online webinars for teachers from the first day of school closures. From March 2020 – 31 March 2021, Education Scotland delivered 227 webinars reaching 12,256 teachers. This included 16 sessions on Cyber Resilience and Internet Safety. Sessions were recorded and uploaded to YouTube. Anytime, anywhere support could be accessed on the DigiLearn website prior to and during the lockdown and is still updated regularly to this day.

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50. Digilearn.scot also hosted resources for practitioners on the main page for Cyber Resilience and Internet Safety, provided [NR7/35 - INQ000647972], this page is still an active resource and has been updated regularly since then and hosted all resources and toolkits.

51. A specific cyber resilience and internet safety page for the early learning and childcare (ELC) sector was launched via webinar during CyberScotland week February 2021. Education Scotland linked with the National Cyber Security Centre, the Scottish Childminding Association and the Care Inspectorate to plan the session and share invitations.

52. The Learning and Teaching Online document produced in the early days of the pandemic included information about what teachers needed to consider while delivering online and linked to the General Teaching Council for Scotland (GTCS) guidance for engaging online, provided [NR7/36 - INQ000647973]. The GTCS guidance complemented local authority guidance to support teachers to stay safe online and on social media. It also provided guidance on how teachers could keep learners data safe in an online learning environment.

53. In May 2020 Education Scotland partnered with the National Parent Forum and the NSPCC to produce guidance about internet safety for parents and carers in response to concerns from parents about how to ensure safe access to technology for their children and how to keep them safe online [NR7/18 - INQ000530294]. The resource supported parents to:
   - think about the benefits of online learning, as well as their concerns
   - to know what to look out for so that, whatever children are doing, they are not taking risks
   - encourage their children to communicate, if something's wrong, for example if they're being bullied on social media.

54. Further information regarding education is contained within the Module 8 DG Education and Justice, Education statement provided to the Inquiry, in draft, on 13 December 2024 and the Module 8 Education Scotland statement provided to the Inquiry, in draft, on 30 May 2025.

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55. Paragraphs 33-39 above describe the actions the Scottish Government carried out to protect children's interests and support children's safety in their use of the internet. Activity continues to this day and Parent Club resources on Online Safety are regularly reviewed to ensure they remain relevant. These were most recently updated in April 2025 to provide information on Child Criminal Exploitation, and in February 2025 in relation to 'sextortion' and other issues related to internet safety.

Illegal Content

56. The Scottish Government were aware of increased prevalence of child online sexual abuses. More detail is provided at paragraph 32 of the action taken by the Scottish Government and its partners.

57. Statistics and results obtained as a result of the activity listed above under 'Keeping Children Safe Online' are contained within that section of the statement and the exhibits disclosed.

Primary Priority Content that is harmful to Children and Primary Content

58. The Scottish Government did not conduct data gathering in relation to primary priority content or priority content or the impact that this had on children. This would be for Police Scotland or Ofcom as the regulator. The actions taken by the Scottish Government and its partners to help keep children safe online is set out earlier in this statement at paragraphs 33 - 39.

Non-designated content that is harmful to children

59. The Scottish Government did not conduct data gathering in relation to non-designated content or the impact that this had on children. This would be for Police Scotland or Ofcom as the regulator. The actions taken by the Scottish Government and its partners to help keep children safe online is set out earlier in this statement at paragraphs 33 - 39.

Part C – Post Pandemic

60. The Scottish Government have not carried out any research or considered the impacts of the pandemic on children's online lives or the longer-term impacts of the pandemic on children's use of technology online.

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61. The Scottish Government are aware of increased prevalence of child online sexual abuses. More information can be found about these in the IWF reports at paragraph 32 above. However, the Scottish Government are unaware of any evidence linking this rise in prevalence as a direct result of the pandemic.

62. The establishment of the Online Safety Taskforce (further details provided at paragraphs 72-74) could provide a forum to discuss and share emerging evidence and consider how this evidence should inform policy and practice development.

63. Other groups have been established such as The National Child Sexual Abuse and Exploitation Strategic Group which has been established to increase cross-sectoral coordination and capability to address the risks and harms of Child sexual abuse and exploitation (CSAE) in Scotland by scrutinising existing and emerging evidence and practice to inform, prioritise and agree actions. This group is co-chaired by the Office of the Chief Social Worker in the Scottish Government and Police Scotland. The purpose of the group is to:
   - provide national level expertise and strategic oversight to inform effective responses to CSAE in Scotland across the areas of prevention, identification, deterrence and recovery support
   - identify opportunities to enhance the evidence-base and shared understanding of CSAE and its impact
   - improve awareness and implementation of effective policy and practice-based CSAE interventions
   - to consider areas for future research.

64. Other SG-led stakeholder groups that have a focus on reviewing the evidence base, include the Technology-Enabled Violence Against Women and Girls Group and Positive Behaviours Online Group which have both recently been established.

65. In January 2025 the Minister for Children, Young People and The Promise, Natalie Don-Innes announced the establishment of an Online Safety Taskforce. Further details are provided at paragraphs 72-74. The Taskforce, with Ministerial leadership from Ms Don-Innes and Ms Brown, the Minister for Victims and Community Safety, comprises membership at Director level from across relevant Scottish Government policy areas and has a particular focus on keeping children and young people safe

online. While not specifically in place to consider children's use of online technology in the event of a national emergency it is tasked with providing strategic oversight and as part of that will consider emerging risks. In addition, through the Scottish Government's membership of Police Scotland's Multi-Agency Group on Preventing Online Child Sexual Abuse, SG monitor emerging online threats and agree a shared approach to using technological advancements to tackle abuse, improve data-gathering, improve support for victims and survivors and promote key activities delivered by our partners. These groups would be well placed to provide a strategic leadership role in the event of a national emergency.

Part D – Engagement with Ofcom

66. Ofcom's reports on children's media use have helped in general terms to shape online safety policy in Child Protection throughout the specified period. While these have given insight of the media use of specific age groups as well as information on what they do and where they go online, the Scottish Government have not drawn specifically on Ofcom's Children's Media Lives research report. While regulation of the internet remains a reserved matter, the Scottish Government have engaged with both the previous and current UK Government administrations to strengthen the protections for children in the Online Safety Act. As part of this work Scottish Government are in regular engagement with the online safety regulator Ofcom, having responded to each of the relevant consultations on the implementation of the Online Safety Act, and the Minister for Children, Young People and The Promise, and Minister for Community Safety met with Ofcom in August 2024 to discuss their strategy for online safety in Scotland. Specifically, the Scottish Government responded to the Protecting People from Illegal Harms Online consultation and the Guidance for Service Providers Publishing Pornographic Content consultation in February 2024, and the Protecting Children from Harms Online consultation in July 2024. A response was submitted to the A Safer Life Online for Women and Girls consultation in May 2025. Further senior level Scottish Government engagement continues with Ofcom and the UK Government.

Part E – Lessons Learned

Lessons Learned

67. In October 2020, the CLG held a 'lessons learned' session, provided [NR7/37 - INQ000530181]. This reviewed the support required by individuals and organisations

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based on Public Health Surveys and other evidence. The resulting actions included improving public communications on access to services, and better analysis and presentation of data and intelligence. The session included consideration of the opportunities and limitations in digital engagement. It was noted that some young people are uncomfortable in using digital technology although the session did not specifically raise issues of online safety. However, as outlined above at paragraphs 37 - 38, the Leadership Group's action plan issued in early 2021, provided [NR7/24 - INQ000222998], included complementary campaigns by Scottish Government, CPCS and Police Scotland to promote child protection awareness and online safety.

68. A second lessons learned session was held by the CLG in May 2021, provided [NR7/38 - INQ000571183]. The session included a report by CELCIS on joint working between national partners and seven volunteer local authorities (Aberdeenshire, Argyll and Bute, Dumfries and Galloway, Dundee City, Glasgow City, North Ayrshire, and Western Isles) on a range of "hidden harms" Among the groups identifying as requiring further support were those experiencing increased child sexual exploitation as internet use for online learning and social interaction has increased, which in turn increased the risk of online abuse, provided [NR7/39 - INQ000223009].

69. On 3 November 2022 the CLG held a final session looking at the achievements of the group and a further lessons learned exercise. The purpose of this session was to look back over the key achievements of the CLG's work on the pandemic and other issues to help local partners take collective action in response to current and future crises. Provided, [NR7/40 - INQ000647975]. Group members provided feedback on the role of the collective leadership group, support for people in vulnerable situations, data and intelligence, digital inclusion, and guidance. Members were asked to provide their views on the achievements of the CLG, as well as areas that could be improved. This session also highlighted the complementary communications campaigns run by Scottish Government, CPC Scotland, and Police Scotland to keep children safer online.

70. The Scottish Government recognise that the impact social media has on the lives of children and young people has increased substantially in recent years and with that comes an increasing risk of exposure to online harms including violence against women and girls. As regulation of the internet is reserved to UK Government, in Scotland we recognise the importance of continuing to engage constructively with UK

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Ministers and with Ofcom and to work cooperatively with a wide range of statutory and third sector organisations to promote positive behaviours online to our children and young people, and ensure they are equipped with the knowledge to stay safe and act when they encounter harm. The Online Safety Taskforce will provide a strategic focus across our activity to do all we can to protect children and young people online.

Online Technology

71. Online technology has moved on considerably since the time of the pandemic and a direct comparison cannot be made between the online experience for children and young people today, the opportunities and potential harms, with that existing during the pandemic. The picture is continually evolving.

Online Safety Taskforce

72. In January 2025, an Online Safety Taskforce was established to provide oversight, challenge and direction to policy teams across the Scottish Government to ensure that there is a cohesive approach around collective activity to prevent online harm and protect children and young people online.
Membership of the Taskforce includes:
- Director for Children and Families (co-Chair)
- Director for Safer Communities (co-Chair)
- Director for Justice (co-Chair)
- Director of Learning
- Director for Educational Reform
- Chief Digital Officer
- Director for Equality Inclusion and Human Rights
- Director for Constitution
- Director of Mental Health
- Chief Social Work Advisor
- Interim Chief Executive, Education Scotland
- Chief Executive Disclosure Scotland

73. The work of the Taskforce will include considering work that is currently underway, including: extant actions in the National Action Plan on Internet Safety for Children

and Young People, the Equally Safe Strategy and Delivery Plan, and activity taking place under the auspices of:

- The National Child Abuse and Exploitation Strategic Group has been established to increase cross-sectoral coordination and capability to address the risks and harms of child sexual abuse and exploitation in Scotland by scrutinising existing and emerging evidence and practice to inform, priorities and agree actions, provided [NR7/41 - INQ000647983]

- The Policy and Evidence Group on Technology Facilitated Violence Against Women and Girls (VAWG). Recognising the cross-cutting nature of technology facilitated VAWG, the Scottish Government have brought together policy colleagues to create a policy forum on technology facilitated VAWG with the aim being to harness the related efforts happening across policy areas. This includes coordinating the Scottish Government's response to the Ofcom consultation on 'A Safer Life Online for Women and Girls' and the developing briefing contribution (for use by the UK Government representative) on the Scottish Government's position on the Council of Europe draft instrument on tech facilitated VAWG. The terms of reference for the group are provided, [NR7/42 - INQ000647984]

- The Promoting Positive Digital Behaviours Working Group is an internal Scottish Government cross-policy group that provides a forum to share and inform colleagues on the policy and programmes that are aimed at promoting positive digital behaviours for children of all ages, as well as their parents and carers. The working group will share and interpret relevant data, research, practice and evidence, in order to identify gaps and find opportunities for action to improve support and guidance for parents/carers and practitioners

- The Equally Safe: Scotland's Strategy provided [NR7/43 - INQ000647985], and Delivery Plan, provided [NR7/44 - INQ000647986], sets out a vision, deliverables and associated actions to address violence against women and girls including the underlying attitudes and systems that perpetuate it. Both the Strategy, developed by the Scottish Government and COSLA and delivery plan are the result of extensive engagement and agreement across a wide range of public and third sector organisations and informed by the experience of victims and by the expertise of professionals working in the field.

74. The Online Safety Taskforce will also consider what more can be done to protect children and young people from online harms within the devolved powers that are available to the Scottish Government. The Taskforce has joint Ministerial leadership

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from the Minister for Children, Young People and The Promise, Natalie Don-Innes and the Minister for Victims and Community Safety, Siobhian Brown. The terms of reference for the Taskforce are currently being drafted.

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief of its truth.

Personal Data

Signed :

Neil Rennick

Dated: 22 July 2025