

John McCall

On 23 October 2018 the Deputy First Minister for Scotland Mr John Swinney made a statement to Parliament setting out the Governments commitment to establishing a redress scheme for survivors of historical child abuse in care.

<https://www.gov.scot/publications/response-to-recommendations-on-financial-redress-for-survivors-of-child-abuse-in-care/>

On 2 September 2019 The Scottish Government set out its Financial Redress consultation document for Historical Childhood Abuse.

<https://www.gov.scot/publications/pre-legislative-public-consultation-financial-redress-historical-child-abuse-care/pages/2/>

On 4 December 2019 the Scottish Government set out its proposals for an Advanced Payment Scheme for Survivors fo Historical Child abuse in care.

<https://www.gov.scot/publications/financial-redress-survivors-historical-child-abuse-care-review-advance-payment-scheme/>

In all of these documents and subsequent papers from the Scottish Government the definition of 'Children in care' has been :

'children in institutional residential care such as children's homes (including residential care provided by faith based groups); secure care units including List D schools; borstals; Young Offenders' Institutions; places provided for Boarded Out children in the Highlands and Islands; state, private and independent boarding schools, including state funded school hostels; healthcare establishments providing long term care; and any similar establishments intended to provide children with long term residential care. The term also includes children in foster care.'

One would therefor conclude that any Child abuse Survivor who was abused at any of the establishments as listed above would be eligible for Redress as defined by the Government of Scotland. At last anyone abused in residential care would receive an apology from any of the bodies or organisations running any of the above establishments as well as financial redress.

It is proposed by the Government that they would seek, perhaps by means of legislation, contributions and payments from the relevant bodies and organisations responsible for the care of the children.

The Scottish Governments position changed only when the Advanced payment scheme came into operation when they stated that those survivors who were sent to boarding schools by their parents were ineligible. Only those who were sent there by the State would receive Redress.

This meant that any other child who was abused in the care of the defined establishments who were sent there by any other agency, parent or Guardian will not be eligible for Redress.

The State will apologise and financially compensate to those children they sent to the identified establishments leaving all others without any redress whatsoever. Equally by reference only the State will apologise and not the organisations and agencies responsible and only to the children they were directly responsible for.

There are a number of points that I would wish the Committee to consider:

- Why was it not made clear at the outset that only those children sent to these establishments by the State would be eligible for Redress.
- If the Government's position was as above why did they include the question of boarding school eligibility and specifically those not sent by the State in their public consultation.
- Why would the Government propose legislation to enforce agencies and religious orders to contribute to the scheme if the State were assuming full responsibility
- By reference only the State would offer an apology to those abused and not the perpetrators of the establishments which is against the whole principle of Redress

Given much of the above there is a scenario whereby a boarding school may have say ten children abused of which say three were State sponsored. Three would receive Redress and seven would not, yet all abused within the same establishment and probably by the same abusers.

All boarding school survivors in Scotland were encouraged by the proposed Redress scheme when included within its terms of reference and now feel as if they have been abused once more. If the Government's intention was, as it appears to be now, it should have been made clear at the outset. It should not have further fudged the issue during the consultation process whereby giving hope to all survivors of boarding school abuse.

In relation to the consultation itself less than 50% of respondents did not believe boarding school children not sent by the State should be included in the scheme.

In conclusion it is my contention that all children abused at boarding schools in Scotland irrespective of who sent them there should be eligible for Redress.

If they are not included an apology from the Scottish Government for giving survivors false hope through their negligence must be forthcoming.