

Peter Paton

I wish to lodge submissions with the Education and Skills Committee please on the Redress Bill.

I do believe overall under close inspection and scrutiny that the Redress Bill is Fit For Purpose for the Historic Victims of Abuse in Scotland.

In concise summary, I do believe the proposed conditions of who is eligible for the Statutory Payment Scheme, the definition and concept of abuse, the proposed dates of historical abuse, the incare definitions, the application process, the amount and levels of payments, the contributions expected from related organisations, next of kin applications, those who have serious convictions applications, and non financial redress terms, are all tangible, credible, praiseworthy and legitimate proposals to my mind.

But there is one glaring statutory and administrative deficiency and weakness in my considered opinion, the existing eligibility criteria of the current and ongoing Advance Payment Scheme of the Redress Bill.

And that is the artificially high age limit of 68 and the terminal illness benchmark. I therefore lodge a request please with the Education and Skills Committee to consider introducing an amendment to the Scottish Government's Advance Payment Scheme for Historic Abuse Survivors in Scotland in the Redress Bill.

I have already lodged similar submissions with my own local MSP and Scottish Ministers on this important matter. I am requesting please that the Scottish Ministers consider relaxing the qualifying age limit of 68 to the Pension Age of 65 for the Advance Payment Scheme because of the Covid 19 Virus Pandemic and Lockdown Crisis, and it's devastating impact on the Historic Victims of Abuse in Scotland and their dependents.

I do believe it would be an extraordinary humanitarian gesture and the right thing to do by the Scottish Parliament at this critical time in Scotland's history and facing the biggest health challenge in our lifetime, to relax the age limit further to the Pension Age of 65 for many of those abuse survivors are in the advanced age and vulnerable group with dependents, and are at the greatest risk of fatality and suffering financial grief and distress at the lowest ebb of poverty because of the Corona Virus Pandemic and Lockdown.

The fact the Advance Payment Scheme also does not have any route of appeal for exceptional and compassionate cases outwith the current eligibility criteria is to

my mind, unethical, undemocratic, insensitive and open to legal challenge. I cannot think of any other modern statutory system or scheme that does not have an appeal system in such humanitarian and human right cases. This administrative aberration is further compounded by the inexplicable decision, and without consultation to the parties, by the Scottish Ministers to axe the regular three month reviews of the Advance Payment Scheme, which were recommended by the Inter Action Review Group (Scottish Human Rights Commission, Celsis, Social Work Scotland etc.)

A further fundamental flaw exists in that Members of the Review Group were also excluded from the Redress Bill process, and had not been informed of the Government's proposals for scheme design or payment levels before the Redress Bill was introduced to Parliament. These two highlighted factors suggest to me a significant lack of oversight of the proposed Redress Bill which is very worrying and troubling for the Historic Survivors of Abuse in Scotland, and their dependents and supporting organisations.

In the light of all these circumstances, I would be most obliged to the Education and Skills Committee for serious consideration please of introducing a corrective amendment to the Advance Payment Scheme to this immediate effect, on behalf of the Historic Victims of Abuse in Scotland.

"Human rights law requires that the scheme should be adaptable, in order that it can be tailored to the needs and circumstances of survivors, and this is equally relevant in the case of the Advance Payments Scheme.", Scottish Human Rights Commission.

Kind Regards

Peter Paton