

Bruno Bernacchi

Noted below are my views on the proposed Redress for Survivors (Historical Child Abuse in Care) (Scotland) Bill and what I think are important improvements that should be considered to amend the Bill.

The reason I feel qualified to submit my views on the amendments that should be made in the bill is that I am a victim and survivor of historical child abuse which I was subjected to while in the care of a religious establishment.

1) The people who are eligible to apply to the scheme.

Currently this seems to only to apply to those who have been sent or put into a care or educational setting by the state. I personally feel that this is a type of discrimination as under the current guidelines I do not qualify for any redress as it was my parents that sent me to a boarding school. The fact that they paid for me to be educated, cared and looked after by the order that ran the boarding school is indeed no different, as the abuse I was subjected to was every bit as horrendous as those suffered due to the States decision to send children to these establishments. In fact, I was not happy with the decision which my parents made to send me to the establishment, taking me out of the family life away from my siblings and other friends that I had, despite my pleas to them to change their mind. How does this differ from a child that was sent to an establishment by the state? As my parents, like the state thought they were acting in the best interests of the child by sending them to an establishment that would educate and care for a child in a proper and fit manner. The Duty of Care to any child in their care should apply whether it was the state or trusting parents that committed the child into their care. Thus, I think that this is a situation that should be considered by the Bill. As both my parents have now passed away, I have been left with the need for closure for some time and it is I that has been subjected to the physical and sexual abuse as a result of their decision.

2) The Bill's definition of abuse.

No Comment

3) The dates used in the Bill to define 'historical abuse'.

I realise that trying to decide when the dates for qualifying for any type of redress is quite difficult and where the line should be decided to be drawn. However, as this is classed as 'historical abuse' should it not apply to any survivors that are still alive and that are still living with the trauma of being abused.

4) The Bill's definition of 'in care' and the places in which that care took place.

No Comment

5) The process of applying for redress and what advice and support applicants might need, particularly in relation to the waiver scheme.

No comment

6) The level of payments offered to survivors.

No comment

7) What you believe to be a 'fair and meaningful' contribution to the scheme from organisations responsible for abuse.

Any organisation that was responsible for any type of abuse should be wholly accountable for this and held to contribute to the scheme, especially as they would be making a profit from the payments that would have been made to them to look after their wards.

8) The process for dealing with applications to the scheme from people who have serious convictions.

No Comment

9) The process for family members to make an application on behalf of a survivor who has since died.

No Comment

10) How to ensure that non-financial redress (e.g. an apology) meets the needs of survivors

This would be in some ways difficult as many of the perpetrators may no longer be alive and thereby in no position to offer an apology to the survivors. I also believe that it is easy to say that you are sorry without the conviction required to really mean it.

Kind Regards,

Bruno P Bernacchi