

# Scottish Child Abuse Inquiry

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## Factsheet – positive experiences in care

This factsheet is for anyone who wants to tell the Inquiry about their own or others' positive experiences of being in care as a child.

### What is a public inquiry?

It is an inquiry which is set up to look into a matter of public concern. A government Minister decides whether to set up an inquiry and what matters it has to inquire about.

A public inquiry is completely independent. It doesn't take sides with anyone, including the relevant government – in this case, the Scottish Government. It looks at records and other documents, hears evidence from witnesses, asks questions, writes its own report, and makes what it considers to be the appropriate recommendations.

### What's this Inquiry about?

This Inquiry is looking at the nature and extent of abuse of children in care in Scotland. Its work includes looking at why and where abuse took place and the effects of abuse on children and their families, as well as looking at whether organisations which were legally responsible for children in care failed in their duties, whether any failures have been corrected and whether changes to the law, policies or procedures are still needed. It is creating a national public record of abuse in Scotland over a period from within living memory to 17 December 2014.

The Inquiry, in its work, is also looking at positive experiences of children in care in order to build up a clear picture of what happened to children in care in Scotland.

The full description of what the Inquiry has to do is set out in a document called "Terms of Reference".

At the end of the Inquiry we will publish a report with recommendations. We will present the report to the relevant Scottish Minister and the Minister will lay it before the Scottish Parliament.

## **What powers does the Inquiry have?**

The Inquiry has the power to make people and organisations give evidence about the abuse of children in care. We can also collect and require the delivery of records and other documents containing a wide range of information to help us in our work.

We can't help people who tell us about their positive experiences in care to recover their records, or help them find out about their past.

The Inquiry is not a court. We cannot award compensation nor can we convict anyone of having committed a crime.

## **Can I give evidence to the Inquiry?**

**Who** – You can give evidence if you tell us you were, or the other person you tell us about was, under the age of 18 when in care.

**Time** – You can give evidence if you tell us you were in care at any time within living memory up to 17 December 2014.

**Circumstances** – You can give evidence about any residential care (such as a children's home, boarding school, List D school, or foster care).

## **What does the Inquiry do?**

The Inquiry collects evidence and information about experiences of children in care. It does this, among other ways, by speaking to people and preparing witness statements for them.

The Inquiry also collects documents from people and organisations. The documents include records about the care of children, reports of abuse, and documents about procedures, policies, the law and other investigations.

The Inquiry holds hearings where evidence is heard.

## **Talk to us**

You can tell the Inquiry about your positive experiences, or the positive experiences of others, whilst in care as a child. Talking to us will help us build a clear picture of what happened to children in care in Scotland in the past. It doesn't matter if the residential care in which you, or the other person, were placed no longer exists, or if the foster parent(s) have died.

By talking to us you will help the Inquiry make recommendations to protect children in Scotland better in the future.

## How to talk to us

### Contact us

Contact the Inquiry's witness support team to let us know you are interested in talking about your experiences. You can:

- phone: on 0800 0929 300
- email at: [talktous@childabuseinquiry.scot](mailto:talktous@childabuseinquiry.scot)
- write to: SCAI, PO Box 24085, Edinburgh, EH7 9EA

When you contact us, let us know if:

- you have any concerns
- you have a disability that may affect the way you need to share your experiences
- English is not your first language
- you need special arrangements because you are in a young offenders' institution, prison or something similar

### Apply

We will ask you to fill in a short application form. You can send the form to us by email or by post, or we can fill in the form with you over the phone. We will then check the form to see if your experiences are something the Inquiry can look into.

If the Inquiry can't consider your experiences we will contact you to discuss this with you as soon as possible.

If the Inquiry can consider your experiences we will contact you as soon as possible. You can change your mind at any time if you decide you don't want to talk to us or need more time.

### Your evidence and witness statements

Our witness support team will discuss with you how best to obtain your evidence. It may, for instance, be obtained by you telling the Inquiry about your experiences, or experiences of others, at an interview. A witness statement will then be prepared.

It may take us time to arrange an interview near you. This does not mean that your experiences are not important to us.

Members of the Inquiry team will meet you at an interview. They will help you to talk about your experiences and memories. You can go at your own pace and have breaks whenever you want.

Before we meet you it may help to think through what you would like to speak about, so you can share your experiences to the best of your ability and within the time available.

It helps the Inquiry if you can speak about your life before going into care, your time in care, and your life after care.

We record interviews with witnesses to help us prepare your witness statement. We will ask you to read over the statement and sign it once you are content with it. If you have a disability or a difficulty which affects reading over your statement we can tailor the process to assist you.

The witness statement will be your evidence to the Inquiry. It will be a formal, permanent record of what you tell us. . You can't withdraw your statement once you have signed it. But you can make a further statement if you want to say something more or different.

### Inquiry hearings

Some people will be asked by the Inquiry to give evidence at a hearing. Not everyone who has given a witness statement to the Inquiry will be asked.

Inquiry hearings are more formal than interviews. The Chair of the Inquiry will be in the room listening to all the evidence. Legal Counsel to the Inquiry will also be in the room and decide which witnesses to ask to give evidence at hearings, and normally they ask the witnesses all the questions. Core participants and/or their lawyers may be in the room.

Every witness, when giving evidence, must promise to tell the truth. To do that the Chair will put each witness on oath.

You may be able to claim expenses, including travel expenses, for giving evidence at a hearing.

### **What will the Inquiry do with my witness statement?**

The Inquiry will consider carefully all witness statements and other evidence it obtains.

We will publish all witness statements. If you want to keep your identity private, you need to apply to us for restriction order. An order would allow us to publish your statement with any information that could identify you blacked out.

### **Do I need a lawyer?**

You don't need a lawyer to make contact with the Inquiry, or to come to an interview. We are wholly independent and you will be treated fairly.

If you want a lawyer you can arrange this at any stage. The Inquiry may be able to help you pay for a lawyer if you can't afford one yourself.

**For more information you can contact our witness support team:**

- by phone on: 0800 0929 300
- write to: SCAI, PO Box 24085, Edinburgh, EH7 9EA
- email at: [talktous@childabuseinquiry.scot](mailto:talktous@childabuseinquiry.scot)
- look at our website at: [www.childabuseinquiry.scot](http://www.childabuseinquiry.scot)
- follow us on Twitter: @ScottishCAI

**For general enquiries:**

- email at: [information@childabuseinquiry.scot](mailto:information@childabuseinquiry.scot)