

**Nelson G (Gillian)**

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**From:** Laing SG (Shirley)  
**Sent:** 18 November 2004 17:10  
**To:** Minister for Education and Young People  
**Cc:** Deputy Minister for Education and Young People; PS/ED; MacLean CR (Colin); Edgar R (Rachel); McKinlay FE (Fiona); Nelson G (Gillian); Donnelly LM (Louise)  
**Subject:** PETITION PE 535; POTENTIAL STATE RESPONSE  
**Importance:** High

PS/Minister for Education and Young People

Copy as above – with grateful thanks for such a swift and helpful turnaround.

**PETITION PE 535; POTENTIAL STATE RESPONSE**

The Minister asked us to seek advice from colleagues in OSSE on a draft of an apology re the above as consideration was being given to the First Minister making a statement of this nature in the Chamber, perhaps during FMQs, next week. I understand that the Minister has had a preliminary discussion with the First Minister around this issue earlier today.

I attach a text which has now been cleared by OSSE. This takes account of OSSE's concerns around earlier wording of the State 'placing' vulnerable young people in schools and 'failing to detect' abuse.

The Minister also asked that we provide information on legal and financial issues. This information is not yet available but we hope to be in a position to provide advice towards the beginning of next week.

I hope this is helpful for now. Very happy to discuss.

Shirley Laing

18<sup>th</sup> November 2004



OSSEAGRDSTATEM  
 ENT18-11-04.doc ...

*"It is clear from recent criminal convictions that some children were abused in Scottish residential care homes in the past. These young people deserve a full apology for what happened to them. They should not have been abused. Such abuse of vulnerable young people whenever or wherever it took place is inexcusable/unacceptable. Let's be thankful but not complacent that there is now a greater awareness in society that such abuse of young people can happen. It is that recognition of the potential for abuse that has led to alterations to the statutory and regulatory structure in which establishments operate. But simply changing the legal framework for protection is not enough.*

*It therefore falls to this generation of Ministers to say quite clearly that where young people were abused when being looked after this was completely unacceptable. That is why I want to take the opportunity today to apologise on behalf of the people of Scotland to those people who were subject to such abuse and neglect; who did not receive the level of care and support that they deserved. Others will also want to consider whether they ought to apologise for any abuse which took place in the homes for which they, or their predecessors, were responsible.*

*This abuse should never have happened and I share with others profound sorrow for the damage experienced by individuals. We are committed to minimising the risk of abuse to children and young people currently in residential establishments in Scotland. That is why we are ensuring that inspection, regulation and standards are in place to prevent, detect and deal with abuse. And we are anxious to do the right thing by the survivors of past abuse. That is why officials are continuing to explore with the In Care Abuse Survivors Group a range of matters where we can better support survivors and gain from their insights and experiences as we continue to develop our policies. There will be a Committee debate in Parliament on 1<sup>st</sup> December when Peter Peacock will set out how the Executive plans to deal with the issues raised by the petitioner."*