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Caron R (Rona)

From: Creevy P (Peter) on behalf of Minister for Public Health
Sent: 28 November 2007 16:24
To: Cabinet Secretary for Justice; Minister for Children and Early Years
Cc: Cabinet Secretary for Health and Wellbeing; DG Health; DG Education; Cabinet Secretary for Education and Lifelong Learning; DG Justice and Communities; Gray P (Paul) (Health); MacLean CR (Colin); Thomson KAL (Ken); Maclellan J (Jean); Brock J (Jackie); Cackette PH (Paul); Dolan N (Noel); Wright WA (Billy)
Subject: ADULT SURVIVORS OF CHILDHOOD SEXUAL ABUSE
Attachments: SR minute.doc
Importance: High

PS/Cabinet Secretary for Justice
PS/Minister for Children and Early Years

Copy as above

ADULT SURVIVORS OF CHILDHOOD SEXUAL ABUSE

Please find attached note and annex from Ms Robison.

Thanks

Peter Creevy
PS/Minister for Public Health

[REDACTED]

[REDACTED]

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Cabinet Secretary for Justice
Minister for Children and Early Years

Copy to: Noel Dolan
DG Health

ADULT SURVIVORS OF CHILDHOOD SEXUAL ABUSE

I am writing to invite you to join me to discuss the survivors' agenda and to consider relevant cross Government activity, which I hope will lead us to a collective response to working with survivors of abuse.

There is a great deal of significant work being carried out at present which has importance across a range of government interests, key strands are:

- Tom Shaw's Historical Abuse Systematic Review, which was launched on 22 November.
- The publication on **5 December** of the Scottish Law Commission's (SLC) Report and its recommendations on prescription and limitation of damages (i.e. time bar).
- The Independent Inquiry on Kerelaw.

SurvivorScotland, the National Strategy for Adult Survivors of Childhood Sexual Abuse, which I lead on, could serve as the principal positive response to much of the above, and work is already well underway which we use to address some of the issues. We need to ensure that all survivors of abuse can receive the appropriate services they require to help them to recover from the effects of the physical and psychological damage caused by the abuse they have experienced. As part of SurvivorScotland, in addition to more generic services, we are also developing specific proposals for survivors of historic in-care and institutional abuse. There are clear links with Tom Shaw's report, and his recommendations are very much in accordance with the thinking of the National Reference Group and the aims of the strategy. There is also scope for possible action in the form of a societal response in respect of the anticipated outcomes of the SLC report.

Please could you contact let me know if you are content to take part in this discussion. I would hope that we could meet, if possible, before the SLC report publishes on 5 December, therefore my private office will be in touch to arrange a date very quickly.

Some background on the National Strategy is provided at Annex A, as is a brief summary of each of the other areas of interest, however I would ask that your officials provide you with appropriate briefing on your own areas.

SHONA ROBISON

ANNEX A

The strategic response should consider the following Government-wide activity:

SurvivorScotland – The National Strategy for Adult Survivors of Childhood Sexual Abuse

The strategy was launched in 2005 and a reference group established to take this forward. This group includes historic in-care abuse survivors. Two lead professionals were appointed to assist implementation and successful applicants to a survivors' fund of £2 million to pump prime activity were recently announced. The first year's achievements were presented at a major national conference, the first of its kind in Scotland, in February 2007.

The dedicated SurvivorScotland went live at the end of October.
www.survivorscotland.gov.uk.

Awareness raising and public education are key issues now being addressed by the Group's focus on a communications campaign, which could be further used as a vehicle for rolling out some of the cross-cutting issues detailed.

SurvivorScotland involves close liaison with survivors and their representatives, and my officials have come to be aware of the importance of acknowledging the suffering that many survivors have experienced. The notion of adapting the principles of the Truth and Reconciliation model is something which we can actively explore and which could help appease some of the criticism around the lack of any recommendation in Tom Shaw's report that there should be a public inquiry and to give those individuals who are unable to seek redress through the courts an alternative means of acknowledgement.

In Care Abuse Background

At the Committee debate in Parliament on 1 December 2004 the Executive announced a package of support and the then First Minister made a statement in Parliament giving a sincere and full apology on behalf of the people of Scotland to those who had suffered abuse. The then Minister for Education and Young People, Peter Peacock, set out a package of measures during the parliamentary debate of 1st December 2004. Amongst other things this comprised: measures to improve access to information, proposals to establishment of a short life working group (this work is now being taken forward in conjunction with the work on providing support to survivors of childhood sexual abuse) and the announcement that an independent expert, Tom Shaw was to be appointed to analyse the regulatory requirements of the time, the systems that were in place to monitor operation of those requirements and, in general, to analyse how that monitoring was carried out in practice.

Earlier this year, the National Reference Group recognised that the needs of historic in-care abuse survivors required a more detailed approach than could be provided within the reference group. It therefore established a sub-group, supported by Care and Justice with 4 abuse survivors and other interests, such as Who Cares? Scotland and SIRCC represented. This group's remit is to produce proposals for a national

framework for support services by February 2008 and ties in with Shaw's recommendation for a centre for those abused in care.

Historical Abuse Systematic Review

The Historical Abuse Systemic Review: Residential Care for Children and Young People in Scotland 1950-1995 was published on 22 November 2007.

This important Review helps us understand the statutory and regulatory landscape which was in place during this period to protect children and keep them safe in residential care. It sheds light on the failings of those systems which were in place which should have protected children; it identifies the progress which has been made and, crucially, identifies where further effort is still required.

Although the recommendations of the report were wholeheartedly welcomed, I understand there have been calls for a public inquiry from survivors who suffered in Quarriers and other requests for an acknowledgement or apology.

Kerelaw Independent Inquiry

Investigation into Kerelaw unit in Ayrshire claimed to have found around 40 alleged abusers amongst its staff.

The Joint Lead Commission announced on 1 November that there is to be an independent review of Glasgow Kerelaw Residential School to commence early 2007. There are important lessons to be learned around how the safeguarding and protection for children in residential schools since 1995 has worked and particularly where they have not worked in relation to Kerelaw. It will provide significant lessons in how to respond appropriately and is likely to help our understanding in relation to the handling of allegations. It will look at concerns of members of care staff who feel they have been tainted by association in that they indicate the original inquiry "trawled for guilt". This will build further on the learning from the Shaw report.

The Scottish Law Commission (SLC) Report

The Scottish Law Commission (SLC) was asked by the then-Minister for Justice in October 2004 to review the law on timebars; currently a number of survivors are prevented from taking forward civil cases due to the length of time which has elapsed since the alleged abuse took place. SLC is expected to report to Ministers in early December 2007, however it is anticipated that it will recommend no change to the current system.