

**Nelson G (Gillian)**

**From:** Anderson L (Lindsay)  
**Sent:** 25 November 2004 12:13  
**To:** Nelson G (Gillian)  
**Subject:** FW: Child abuse parliamentary - debate List D schools

**Importance:** High  
**Sensitivity:** Confidential

As discussed-sorry I did not notice you had not be copied.

Lindsay.

-----Original Message-----

**From:** Henderson RM (Richard) (Solicitor)  
**Sent:** 25 November 2004 11:34  
**To:** Foubister SR (Stuart)  
**Cc:** PS/LPS; Gordon RSB (Robert); Lugton CMA (Michael); Layden P (Patrick); McNicoll G (Gordon); Donnelly LM (Louise); Nicoll L (Lindsey); Anderson L (Lindsay)  
**Subject:** FW: Child abuse parliamentary - debate List D schools  
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Stuart

Apologies for not having sent this up earlier.

We spoke briefly this am. I have arranged to have a quick word with the Lord Advocate at the Parliament at 12.30.

The background is in Lindsey's note. Gordon is looking at issues which arise outside of the current litigation issues.

We had a word with Colin MacLean and Rachel Edgar last night and advised that there were issues of which Ministers should be aware in this area. However we were not aware of the details of any proposal and until we were it would be difficult to develop detailed advice.

The matter was apparently mentioned in the context of a Cabinet discussion yesterday concerning the possibility of an apology in the context of a parliamentary debate on 1 Dec re Child Abuse issues. The Cabinet discussion also involved a suggestion as possible appointment of a rapporteur/investigator I have spoken to Liz Lewis about the rapporteur issue. I understand that discussion focussed on the Parliamentary debate and within that the matter of an apology. The rapporteur possibility was mentioned but will not feature in Cabinet minutes.

The rapporteur issue was I think news to the Department.

There are issues here. They may in the main be policy issues but there may be downstream Art 8 issues and dependent on the form of investigation I suppose there may be Art 6 issues although that may be unlikely.

Assuming that the meeting with the Lord Advocate goes ahead I would anticipate having Lindsey and Gordon also there.

Richard