

Page 594-595,
KMX 1/56, p.7
Ms



SCOTTISH EXECUTIVE

Education Department

Victoria Quay
Edinburgh EH6 6QQ

Mr Steve Farrell
Public Petitions Committee
The Scottish Parliament
Parliament Headquarters
EDINBURGH
EH99 1SP

Telephone: [redacted]
Fax: [redacted]

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Dear Steve

I attach a memorandum in response to your letters seeking the Executive's views on petition PE535 from Mr Christopher Daly.

I hope you find this helpful.

Yours sincerely



STEVEN SZYMOSZOWKYJ
Private Secretary



MEMORANDUM

Response from the Scottish Executive to the Scottish Parliament Public Petitions Committee on the petition submitted by Mr Christopher Daly.

PE535 Petition by Mr Christopher Daly calls for the Scottish Parliament to urge the Scottish Executive to commence an inquiry into past institutional child abuse. The petition makes particular reference to children who were resident in an institution in respect of which State bodies had regulatory or supervisory functions, in particular those in the care of the State under the supervision of religious orders.

The petition requests that the Scottish Parliament makes an unreserved apology for the State bodies and that the Scottish Parliament urges the religious orders to apologise unconditionally.

In particular the petition asks the Scottish Parliament and Scottish Executive:

- To afford victims of institutional child abuse in Scotland an opportunity to tell of the abuse they suffered to a sympathetic experienced forum.
- To establish a picture of causes, nature and extent of physical, sexual and emotional abuse of children in institutions from around 1940 or before until the present, including the antecedents, circumstances, factors and context of such abuse, the perspectives of the victims and motives and perspectives of the persons responsible for committing the abuse.
- To compile a report and make public, on the activities and findings of the inquiry, containing such recommendations as the inquiry considers appropriate including actions which should be taken to address the continuing effects of the abuse examined by the inquiry.
- To appoint specialist advisers [to] supply information or elucidate areas of complexity, to conduct investigations, hold hearings, both private and public and conduct or commission research for the purpose of carrying out these terms of reference.

Scottish Executive Response

1. Any case of child abuse is unacceptable. Abuse of vulnerable children in institutions which should provide them with safety is particularly deplorable.
2. The Scottish Executive is considering whether an inquiry of the sort requested, or some other forum, should be established to look into cases of abuse in institutions in Scotland, having regard to cases that have come to light in recent years, and what other role the Executive might take in addressing these cases. The Scottish Executive will also consider the experiences of institutional child abuse in other countries.
3. The Scottish Executive is committed to ensuring that appropriate systems are in place to protect vulnerable children from abuse. Much has been done to improve child protection in recent years and further measures are planned including:

- The report of the inter-agency audit and review of child protection in Scotland - *It's everyone's job to make sure I'm alright* - was published in November last year.
- From April 2002, the Scottish Commission for the Regulation of Care has regulated and inspected care homes for children and is working collaboratively with HM Inspectorate of Education to regulate and inspect school care accommodation services. These inspections of care homes and residential schools are carried out against published national care standards.
- Since 1995, HM Inspectorate of Education has carried out inspections of boarding schools and hostels to evaluate and report on the quality of care and welfare for children. The Social Work Services Inspectorate with HM Inspectorate of Education inspect secure care establishments.
- Many of the recommendations of the review of safeguards in place to protect children in residential care from abuse (published in 1998) have now been implemented.
- Funding has been provided to groups providing advocacy services to young people in residential care so their voices are heard
- The Protection of Children (Scotland) Bill provides for a list of persons unsuitable to work with children in either paid or unpaid employment.
- The Executive has welcomed the proposed establishment of a Commissioner for Children and Young People who could promote and safeguard the rights of children and young people.

Scottish Executive Education Department
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