

# Historical Child Abuse Inquiry Scotland

**EMBARGO – 00.01 WEDNESDAY 23 DECEMBER**

## **PROGRESS ON WORK OF HISTORICAL CHILD ABUSE INQUIRY**

The Chair of the Historical Child Abuse Inquiry Scotland has announced two key dates in the work of the Inquiry.

The Inquiry's Terms of Reference covers that period which is within living memory of any person who suffered such abuse up until such date as the Chair may determine but not beyond 17 December 2014.

Ms Susan O'Brien QC has now confirmed that for a person who suffered abuse to give their account to the Inquiry of their experience of abuse, its impact and the effect on their family, the abuse must have taken place no later than 17 December 2014.

Since it was formally established in October, the Inquiry has engaged with a range of organisations with an interest in the work of the Inquiry to listen to their suggestions as to how the Inquiry should approach its work.

The Chair has indicated that the Inquiry wishes to engage with as many groups as possible to understand their views on how the Inquiry should proceed, with interested parties having until 31 January 2016 to make their views known.

Marking these dates, Ms O'Brien QC said: "We are developing procedures to take the evidence of survivors, as it is likely that many individuals will apply to give us their testimony.

"We are considering how best to assess the evidence from victims/survivors and all the other evidence the Inquiry receives. We also require to determine which of the witnesses will remain anonymous.

"Anyone who wishes to make suggestions on how the Inquiry should approach its work should contact the Inquiry before 31 January".

Those who wish to make contact with the Inquiry can do so either by email, [information@childabuseinquiry.scot](mailto:information@childabuseinquiry.scot) or post, Historical Child Abuse Inquiry, PO Box 24085, Edinburgh, EH7 9EA.

The Historical Child Abuse Inquiry will investigate the nature and extent of abuse of children in care and the effects of such abuse on children and their families. The Inquiry will also examine the extent of failures of bodies with legal responsibility to protect children in care; whether such failures have been addressed; and whether further changes are needed. The Inquiry is intended to create a national public record and commentary on the abuse of children in care during the relevant timescale, and it is expected that it will make recommendations.

The intention to establish a Historical Child Abuse Inquiry was announced by the Cabinet Secretary for Education and Lifelong Learning, Angela Constance MSP, on 17 December 2014.

**ENDS**

For further information, please contact 3x1 Public Relations on 0131 225 7700 / 0141 221 0707 or by email [HCAIscot@3x1.com](mailto:HCAIscot@3x1.com)

**Notes to editors:**

The overall aim and purpose of the Inquiry is to raise public awareness of the abuse of children in care, particularly during the period covered by the Inquiry. It will provide an opportunity for public acknowledgement of the suffering of those children and a forum for validation of their experience and testimony. The Inquiry will do this by fulfilling its Terms of Reference which are set out below.

1. To investigate the nature and extent of abuse of children whilst in care in Scotland, during the relevant time frame
2. To consider the extent to which institutions and bodies with legal responsibility for the care of children failed in their duty to protect children in care in Scotland (or children whose care was arranged in Scotland) from abuse, and in particular to identify any systemic failures in fulfilling that duty
3. To create a national public record and commentary on abuse of children in care in Scotland during the relevant time frame
4. To examine how abuse affected and still affects these victims in the long term, and how in turn it affects their families
5. The Inquiry is to cover that period which is within living memory of any person who suffered such abuse, up until such date as the Chair may determine, and in any event not beyond 17 December 2014
6. To consider the extent to which failures by state or non-state institutions (including the courts) to protect children in care in Scotland from abuse have been addressed by changes to practice, policy or legislation, up until such date as the Chair may determine
7. To consider whether further changes in practice, policy or legislation are necessary in order to protect children in care in Scotland from such abuse in future
8. Within 4 years (or such other period as Ministers may provide) of the date of its establishment, to report to the Scottish Ministers on the above matters, and to make recommendations

**Definitions:**

1. Child' means a person under the age of 18
2. For the purpose of this Inquiry, "Children in Care" includes children in institutional residential care such as children's homes (including residential care provided by faith based groups); secure care units including List D schools; Borstals; Young Offenders' Institutions; places provided for Boarded Out children in the Highlands and Islands; state, private and independent Boarding Schools, including state funded school hostels; healthcare establishments providing long term care; and any similar establishments intended to provide children with long term residential care. The term also includes children in foster care

The term does not include: children living with their natural families; children living with members of their natural families, children living with adoptive families, children using sports and leisure clubs or attending faith based organisations on a day to day basis; hospitals and similar treatment centres attended on a short term basis; nursery and day-care; short term respite care for vulnerable children; schools, whether public or private, which did not have

boarding facilities; police cells and similar holding centres which were intended to provide care temporarily or for the short term; or 16 and 17 year old children in the armed forces and accommodated by the relevant service.

3. "Abuse" for the purpose of this Inquiry is to be taken to mean primarily physical abuse and sexual abuse, with associated psychological and emotional abuse. The Inquiry will be entitled to consider other forms of abuse at its discretion, including medical experimentation, spiritual abuse, unacceptable practices (such as deprivation of contact with siblings) and neglect, but these matters do not require to be examined individually or in isolation.

**Support services for those affected by abuse in care:**

In Care Survivors Service Scotland provides advice and support for those individuals affected by abuse whilst in care. It can be contacted on 0800 121 6027 or on [www.incaresurvivors.org](http://www.incaresurvivors.org)

Survivor Scotland has a directory of help and support services available locally and nationally, at [www.survivorscotland.org.uk/help-and-support](http://www.survivorscotland.org.uk/help-and-support).

The Scottish Government is in the process of establishing a Survivor Support Fund. Further information about the Fund and when it will be launched can be found at [www.gov.scot/historicalchildabuse](http://www.gov.scot/historicalchildabuse).

The National Confidential Forum provides acknowledgement of the experiences of people who were in institutional care as children in Scotland. More information is available at [www.nationalconfidentialforum.org.uk](http://www.nationalconfidentialforum.org.uk).