

# Scottish Child Abuse Inquiry

## FOR IMMEDIATE PUBLICATION

### Details Announced for Scottish Child Abuse Inquiry First Phase Hearings

The Scottish Child Abuse Inquiry has today (31 March) announced details of the first phase of its hearings, which will begin on 31 May 2017 at Rosebery House in Edinburgh.

Hearings will be organised into separate phases.

Phase 1 hearings will commence on Wednesday 31 May. Thereafter, they will take place on four days each week and are expected to last for about seven weeks. The second stage of Phase 1 hearings will resume in autumn 2017.

This first phase will hear evidence from:

- Expert witnesses
- The Scottish Government
- Faith based organisations
- Large care providers
- Survivor groups

Their evidence given at hearings will supplement written statements taken from witnesses in advance and documents which have been recovered by the Inquiry team during the course of investigations. A full witness list can be found in the Notes to Editors below.

The Inquiry has also published an application form for 'leave to appear' at the oral hearings on its website. Leave to appear is the process by which people who want to actively participate in hearings request the Chair's permission to do so. Participation can include being able to provide questions for the Inquiry Counsel to ask witnesses and/or being able to ask questions of witnesses directly.

The deadline for people who wish to be involved in the first phase of oral hearings to apply for leave to appear is **18 April**. Applications must be submitted to the Inquiry via email or post by this date.

Applicants must show that they have a direct or substantial interest in the scope and purpose of the hearings to be given leave to appear.

The Inquiry will continue to take statements from survivors in private sessions and from a range of other witnesses, and is undertaking investigations into a large number of institutions. All

evidence gathered will be carefully considered and decisions will then be made on what evidence is to be presented at a hearing.

The first phase of hearings will take place in Edinburgh at the Inquiry's hearing venue, situated on the 3rd floor of Rosebery House, 9 Haymarket Terrace, Edinburgh EH12 5EZ. Details of future phases will be announced in due course.

Members of the public are welcome to attend the oral hearings, however, seating capacity is limited for health and safety reasons. There is no reserved seating in the public area and it is not necessary to notify the Inquiry of attendance in advance. The hearings venue will open to the public at 9.30am each day of hearings, ahead of a 10am start. Further information about public access can be found on the Inquiry's website.

For those not able to attend oral hearings, a word-for-word transcript will be available at the end of each hearing day through the Inquiry website, [www.childabuseinquiry.scot](http://www.childabuseinquiry.scot)

**ENDS**

**For media enquiries please contact:**

**3x1 Public Relations**

**T: 0131 225 7700 / 0141 221 0707**

**E: [SCAI@3x1.com](mailto:SCAI@3x1.com)**

## **NOTES TO EDITORS**

The scope and purpose of these hearings is to hear evidence as listed below:

- Evidence from the following expert witnesses:
  1. Professor Kenneth Norrie will speak to parts 1 and 2 of his report examining the legislative and regulatory framework governing children in care in Scotland up to 1968;
  2. Professor Andrew Kendrick will speak to his interim report examining the early development of care services in Scotland;
  3. Dr Susan Elsley will speak to her report examining societal attitudes towards children; and
  4. Professor Lorraine Radford will speak to her report examining the nature and prevalence of child abuse in Scotland.

It is likely that this expert evidence will be heard first during the early stages of the hearings.

- Evidence from Scottish Government on the nature, extent and development of the State's areas of responsibility for children in residential and foster care in Scotland.

- Evidence of the history and governance of faith based organisations and whether there is any retrospective acknowledgement of abuse. There will be evidence, in particular, from:
  1. the Daughters of Charity of St Vincent de Paul;
  2. the Sisters of Nazareth;
  3. the Good Shepherd Sisters;
  4. the De La Salle Brothers;
  5. the Christian Brothers;
  6. the Marist Brothers;
  7. the Benedictines;
  8. the Church of Scotland / CrossReach;
  9. the Bishops' Conference; and
  10. Conference of Religious.
  
- Evidence of the history and governance of large care providers of residential and foster care to children in Scotland and whether there is any retrospective acknowledgement of abuse. There will be evidence from:
  1. Quarriers;
  2. Barnardo's; and
  3. Aberlour Child Care Trust.
  
- Evidence of the background, development, purpose and work of survivor groups such as In Care Abuse Survivors (INCAS) and Former Boys and Girls Abused in Quarriers Homes (FBGA). This will include evidence about the canvassing, lead-up to and establishment of this Inquiry. Evidence will not be led during this hearing about specific allegations of abuse.

### **About the Scottish Child Abuse Inquiry**

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 (regardless of where that abuse occurred), 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.