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**McKay P (Paul)**

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**From:** MacLean CR (Colin)  
**Sent:** 10 September 2003 13:29  
**To:** PS/ED; Verrall M (Maureen); Gwyon R (Rachel); Byrne G (Gerald); Neilands S (Susan)  
**Subject:** allegations of abuse

Mike  
 Maureen (O/R)

Copy Rachel  
 Gerald  
 Susan

We had a very constructive internal meeting this morning on how to deal with allegations of sexual abuse in children's homes. Thanks to YPLAC colleagues for their careful preparation and clear advice.

Gerald will prepare a draft paper for Ministers to consider at their meeting on 25<sup>th</sup> September. It will be cleared across Departments, and then with MG colleagues, before it is sent to Ministers.

We confirmed the key issues as:

Whether or not to hold an Inquiry.

On balance, we felt that the potential benefits (to meet the needs of victims, or to ensure that lessons are learned) were limited, and were outweighed by the disadvantages (to victims as well as the wider system).

Whether or not to establish a 'truth and reconciliation commission'.

We felt the arguments for this were weak.

Whether or not to take specific action to support victims.

We identified a wide range of work already underway to support present and previous victims. The question for Ministers will be whether this needs extended, either for this group, or for a wider group of survivors.

Whether or not to introduce a compensation scheme.

This decision will be affected by the current test case to establish whether these cases are time barred, so we will advise this decision is delayed.

How to give access to relevant files.

This issue remains complex, but we did success in identifying a relatively small range of options and related legal and policy issues. Data Protection, Freedom of Information and Access to Justice issues were relevant, as well as balancing the needs and rights of individuals who request access to information with those who have not.

Whether any of the above sets precedents. We will work closely with relevant colleagues to identify any potential difficulties.

The paper will cover each of these issues and offer advice on the way forward.

Unfortunately, because of timing, a holding reply will need to be sent to the Petitions Committee

Colin