

**Information for people who want to tell us that they were
abused in care, or that a member of their family was
abused in care**

Easy Read

About this document

This is Easy Read information.

You can find other information on our website:

www.childabuseinquiry.scot

A friend, family member, or support person may be able to help you read this document.

What is a public inquiry?



- A public inquiry may be set up if something very worrying has happened.
- A public inquiry is an official investigation into what happened.
- A public inquiry tries to work out what went wrong.

What is the Scottish Child Abuse Inquiry?



- The Scottish Child Abuse Inquiry is a public inquiry.

- Sometimes we call it 'the Inquiry' for short.



- It is an official investigation into the abuse of children in care in Scotland.

What has the Scottish Child Abuse Inquiry been asked to do?



- Our task has been set by the Scottish Ministers. These are the people in charge of the Scottish Government.

- They have written out our task in our '[Terms of Reference](#)'.

Terms of Reference

[Home](#) | [About](#) | [Terms of Reference](#)

The overall aim and purpose of this 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 Terms of Reference set out the matters the Inquiry must consider, we cannot look at anything outwith these. The Terms set out the Inquiry's timescale and require it to make recommendations.

- We cannot investigate things that are not in our Terms of Reference.



- We are investigating the abuse of children in care in Scotland.
- We are finding out what happened in the past to children in care.



- We are trying to find out what went wrong.
- Then we can find ways to keep children in care safe in the future.



- At the end of the Inquiry, the person in charge will publish a report with recommendations.

What is a child?



- A child is anyone who is under 18 years of age.
- The Inquiry is investigating the abuse of children under 18 years of age.

What does 'in care' mean?

Being a child 'in care' includes anyone who was:



- in foster care



- in a children's home



- in a hospital or long-term healthcare establishment



- in a young offenders institution



- in a residential school
- at a boarding school, or
- in any similar place.



If you are not sure if you were a child in care, you can check with us.

What do we mean by abuse?



- Abuse is when someone treated you badly, hurt you, or caused you distress.



- Abuse can be physical, sexual, or emotional. Neglect can also be abuse.



- Abuse can happen just once, or it can happen many times.



- Being abused is never your fault.

Who is in charge of the Scottish Child Abuse Inquiry?



- The person in charge of the Inquiry is the Chair, Lady Smith.
- Lady Smith is a retired senior Scottish judge.

What powers does Lady Smith have?



- The law that applies to the Inquiry gives Lady Smith a wide range of powers.



- Lady Smith can use these powers to ensure the Inquiry does its important work as well as possible and is fair to everyone.



- Lady Smith's powers allow her to:
 - carry out investigations
 - hold public hearings



- order people, including people who were responsible for the care of children, to provide information to the Inquiry. This may include providing statements, records, and other documents.



- All the information gathered by the Inquiry is called **evidence**.

What does Lady Smith do with the evidence?



- Once she has listened to and studied all the evidence, Lady Smith writes her findings about what happened, how it happened, and who was involved.

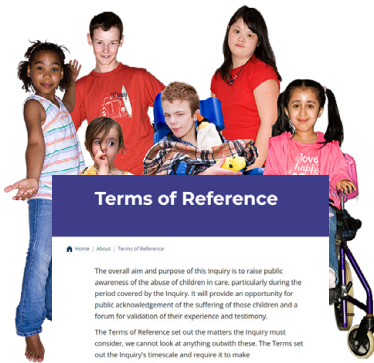


- She may criticise people who were involved.
- She may criticise organisations who were responsible for protecting children in care.



- She may make other criticisms.

Making recommendations



- Our Terms of Reference ask Lady Smith to recommend what needs to be done to protect children in care.



- Her recommendations will be based on what the Inquiry has learned from the evidence.



- Recommendations are ideas about how to prevent what went wrong happening again.



- Lady Smith's recommendations may include changes to:

- the law

- government plans or policies

- the way that institutions, organisations, or foster care systems operate.



What Lady Smith cannot do

The Inquiry is not a court or a tribunal. The laws that apply to public inquiries mean that Lady Smith:



- does not have the power to find anyone guilty of a crime or to punish them for having committed a crime

- does not have the power to tell the police to investigate a crime



- does not have the power to say that someone should be prosecuted for a crime

- does not have the power to find anyone responsible under our civil laws

- does not have the power to award compensation



- does not have the power to award redress, such as a payment or a letter saying sorry from the Scottish Government or another organisation.

Why should you speak to the Scottish Child Abuse Inquiry?



- We want to hear from you if you were abused in care when you were a child.



- It is important that people tell us what they know about the abuse of children in care.



- We want to hear from you if you know that children were being abused in care.



- It is important that we hear from people whose voices are not always heard.



- Telling us about your experiences and what you know may help to keep children in care safe in the future.



- If you talk to us, you will be helping to deal with a serious problem in society.

Supporting you to give evidence to the Scottish Child Abuse Inquiry



- Sharing your experience or the experiences of other children in care might be hard.



Communicate

- You may need help with communication.



- Together we can find the best way for you to provide your evidence.



- The Inquiry has a team of experienced Witness Support Officers who can help you through the process.



- We will work with you to help you feel safe when you speak to us.

How to contact us



- You can phone us on **0800 0929 300**. Our phone line is open Monday to Friday from 10 am to 4 pm.



- You can e-mail us at:
talktous@childabuseinquiry.scot



- You can write to us at:
**SCAI, PO Box 24202, Edinburgh,
EH3 1JN**

If you are deaf or hard of hearing, you can:



- use the [Relay UK](#) service
- contact us through an online British Sign Language (BSL) interpreter at www.ContactScotland-BSL.org

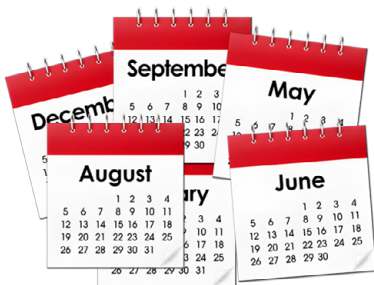
What happens when you talk to us?



- We will need to ask you for some basic information. This will include your name, your date of birth, and how we can contact you.



- We will ask you where you were in care and when this was.





- If you were not in care but want to tell us about what happened to someone who you know was abused as a child in care, we will still need to ask the same questions.



Information



- We will not ask you to go into detail when you apply and we do not need to see any records of your time in care.



How can you apply?



- You can phone the Witness Support Team on **0800 092 9300** and they will take your information over the phone.



- You can fill in a short form. We can post or email it to you.

- You can apply from our website at scottishchildabuseinquiry.scot



- The Witness Support Team will contact you to let you know you if we can meet with you.



- They will let you know what will happen next.
- They are there to help you.

Giving evidence to the Scottish Child Abuse Inquiry at a private session



- If we can investigate the experiences you want to tell us about, we will arrange to meet with you.



- This meeting is usually called a 'private session'.
- The private session will be held in a meeting room near to where you live. This might be in a hotel or similar place.



- You can bring someone with you for extra support. This person can be a friend or family member.



- You can also talk to the Witness Support Team if you need more help. For example, you might need a BSL interpreter or other help with communication.



- Usually three people from the Inquiry team will meet with you at your private session.



- The team will ask you questions. This will help you to talk about your experiences in care as a child.



- You do not have to talk about anything you do not want to.



- We will take notes and make a recording of what you tell us to make sure we get everything right.

Preparing your witness statement



- After the private session, we will write down what you said. This is called a witness statement.



- Once we have finished writing your statement, we will delete the notes and recording we made during your private session.

Reviewing your statement



- We will meet you again so that you can check whether your statement is correct.



- This meeting is called a 'statement review'.

- The Inquiry team want to make sure you are happy with your statement.



- You can change your statement if you want to. You can take things out or add new information.



- When you are happy with your statement, we will ask you to sign it.



- Your signed witness statement is your evidence to the Inquiry.



- **After you have signed your statement you cannot change it or take it back.**
- If you are worried about this, please tell us. We can talk about it together.

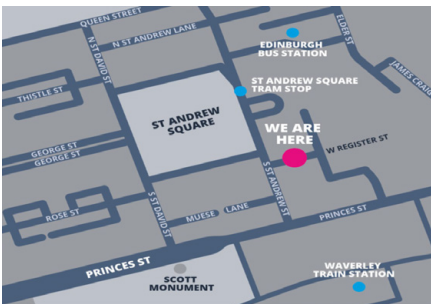
Public hearings



- Lady Smith is the Chair of the Inquiry. She is in charge of the public hearings.



- These hearings are held in the 'hearing room' at our office in Edinburgh.



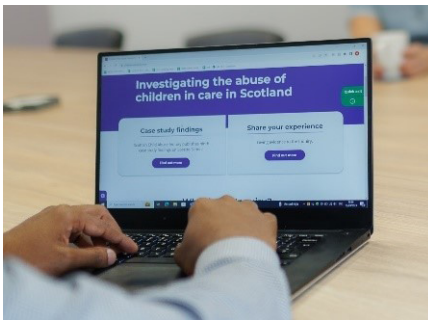
When hearings are public it means that:



- anyone can sit in the hearings room and watch the hearings



- people who work for the media can also attend the hearings



- we share the written record of what happened at the hearings on our website so anyone can read it.

What happens at a public hearing?



- Lady Smith listens to people speak about what happened to children when they were in care.

- Counsel to the Inquiry are lawyers. They will ask you questions about your evidence.



- Lady Smith may also ask you questions.

- There might be other people in the hearing room, including:



- lawyers who represent people or organisations who are involved in the Inquiry



- stenographers, who are the people who make a written record of the evidence



- people who operate the computers and screens in the hearing room



- journalists and other people who work for the media



- people who work for the Inquiry



- members of the public.

Taking part in a public hearing



- We **might** ask you to speak at a public hearing as a witness. But you don't have to if you don't want to. Take time to think about it.



- If you agree to give evidence at a hearing, the Witness Support Team will help you feel safe. They will support you.



- You can also bring someone with you for extra support. This person can be a friend or family member.

Protecting your identity



- Your identity will normally be protected.



- We hide your name and parts of your statement that show who you are. This means the public won't know it's you.



- Your family's details will also be hidden.



- But if these details are already known by the public, they might not be hidden.



- This could happen if you have written a book, put information on social media, or talked to the news, TV, or radio.



- If you have any questions about protecting your identity, you can talk to your Witness Support Officer.

Does your identity have to be protected?



- You can choose to allow your identity to be made public.
- This means that the public will know that it is your statement.



- If you want to allow your identity to be made public, you will need to sign a form. This form is called an 'anonymity waiver'.



- The Witness Support Team will talk to you about this.



- They will help you understand what it means.

Understand



- **Think hard and be sure before you decide.**



- **Once you sign the anonymity waiver, you cannot change your mind later.**

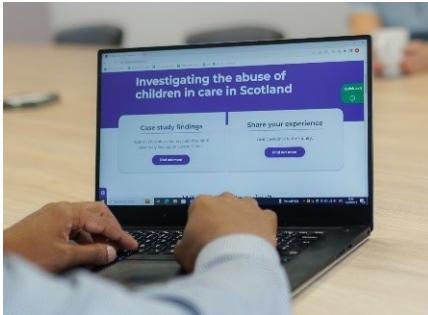
- **This choice is final and cannot be changed.**

What happens to your witness statement



- We will give you a copy of your statement to keep, if you want one.
- Your statement may include the names of other people whose identities are protected.
- **Because of this, you must not share your copy of your statement with anyone.**
- **It is very important that you don't let anyone else see it.**
- **We cannot let you share it for any reason.**

Publishing witness statements



My full name is [REDACTED] but I prefer to be called [REDACTED].
My name at birth was [REDACTED]. I changed my name when
I was sixteen years old. My date of birth is [REDACTED] 1969.
I am 58 years old. My contact details are known to the Inquiry.

I was born in Glasgow. My mother's name was [REDACTED]
and my father's name was [REDACTED]. I had an older sister
called [REDACTED] who was born in 1965, and an older brother,
[REDACTED], who was born in 1967.



- The law says that Lady Smith must let the public see evidence given to the Inquiry.
- This means that most witness statements will be put on the Inquiry's website.
- Before we publish witness statements on the website, we will hide some parts of them by blacking out some words so they can't be read. We do this to protect people's identities and to be fair to everyone.
- **Sometimes we cannot hide information if it is important.**

Sharing your name and your statement



- The Inquiry may need to share your name and what you tell us with the organisation that looked after you as a child.



- We may also need to share your name and what you tell us with any person that you say abused you.



- This is to be fair to everyone.



- We might need to share information if you say someone in your family was abused.



- We understand this can be hard. We will support you through this process.



- It is important that you think about what you want to tell us.



- We may need to show your statement to our experts. They write reports to help us with our work.



- Experts must keep your statement confidential.
- If they use information from your statement in a report, your identity will be protected.



- We might need to tell others your name and what you said.
- This happens if we need more information to help with our investigations.



- For example, we might need information about your time in care.
- We always share this information very carefully.



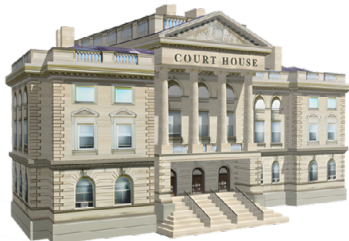
- If you tell the police about your abuse, your abuser might be prosecuted in court.



- You may also decide to go to court to ask for compensation because of the abuse.
- If this happens, the Inquiry might have to share the evidence you give us with the court that is dealing with your case.



- We will only share your statement if the court orders it. The court will decide if it is needed.



- Lawyers involved in the court case might get a copy of what you said. This helps them understand what happened.

Can you stop us sharing your name and evidence?



- If you do not want us to tell others your name and what you said, please let us know.



- Lady Smith has the power under the law to stop any sharing or publication of evidence or documents given to the Inquiry.

Restriction orders – protocol and application form

Introduction

The Chair has the power, under section 19 of the Inquiries Act 2005, to make orders restricting any disclosure or publication of evidence and/or documents given, produced or provided to the Inquiry.

This protocol provides information about "restriction orders". Although this is a public inquiry, the Chair of the Inquiry will sometimes make restriction orders when it is necessary to keep information, including details about applicants and others, private.

- We call this a 'restriction order'.



- If you want to ask for a 'restriction order', you need to do so as soon as possible.



- Your Witness Support Officer can help you.



- Lady Smith decides if these requests will be allowed. But the law says she can only allow them in certain cases.



- We will look after your information carefully. But sometimes the law means we have to share your name and what you say. This can happen even if you ask us not to.



Will the name of your abuser be made public?



- During our investigations, we will not normally make public the name of anyone who is said to have abused children.



- If Lady Smith has decided that the person did abuse children in care, the abuser's identity will usually be made public when she publishes her case study findings or reports.



- But if someone has already been found guilty of abusing children in care we may publish their name at any time.

Protecting other children and vulnerable people from harm



- We need to tell the police if someone abused you or other children.



- The police need to check if these people could still cause harm to children or adults who need help.



- We won't usually tell the police your name unless you want us to.



- We will need to tell the police if you say something that shows you or someone else might be at risk of harm now.



- If there is a danger to someone's life, we must act quickly.



- We have to do this to help protect children and others from harm.

What happens if you have already reported abuse to the police?



- If you have told the police about your abuse, we might need to talk to them.

- We will ask the police for details.



- We want to know what the police did after you spoke to them.

Do you need a lawyer?



- You do not need a lawyer to talk to us.
- You do not need a lawyer when you give your evidence.

What do we do with your personal data?



- Information that identifies you is also known as personal data. We look after your personal data carefully.
- For more details, our full privacy notice can be found at: [Scottish Child Abuse Inquiry | Privacy policy](#)

Watch the video guide



- We have made a series of videos to help you understand how the Inquiry works.
- The videos have captions and BSL interpretation.
- You can watch the videos here:
www.childabuseinquiry.scot/video-guide