

Historical Abuse, Acknowledgement and Accountability, Scotland

FBGA, call for Justice, Accountability, Acknowledgement, Restitution, and Reparation for all True Victim-survivors of past crimes committed against children in former institutions in Scotland.



David Whelan
Communications
Officer and co-
founder of the
FBGA group

To-date eight ex-employees from former children's care homes, Quarriers Homes, have been convicted in the Scottish Courts of abusing children in the organisation's past care. No other care home in the UK has had as many ex-employees convicted, yet there has been no Judicial Inquiry into this scandal.

As the True Victim-Survivors of this institutional and historical abuse, we call for Justice, Accountability, Acknowledgement, Restitution, and Reparation for all True Victim-survivors of past crimes committed against children in former institutions in Scotland.

Former Boys and Girls Abused of Quarriers Homes "FBGA" was established after Victims who had their abuse claims upheld in the Courts, were forced to relinquish their anonymity after being attacked as dishonest individuals on the BBC Frontline Scotland programme "Secrets or Lies" in 2003. Mr John Porteous and the programme makers claimed his conviction was a Miscarriage of Justice. In fact, Mr Porteous never sought to Appeal his conviction nor has it been overturned. John and Helen Porteous were members of "Falsely Accused Carers and Teachers".

In 2007, The BBC Trust upheld complaints concerning "Secrets or Lies". http://www.bbc.co.uk/bbctrust/assets/files/pdf/appeals/esc_bulletins/feb2007.pdf

Special thanks to Mr Nick Raynsford MP, Mr Mike Jempson of Mediawise for their assistance regarding the BBC.

FBGA are a self funded, support,

campaign group for former children abused in Quarriers Homes. Our key role is highlighting current and past care system failures, educating the wider public, assisting today's policy makers in gaining a real understanding of the real issues affecting the Victims of historical abuse, while hopefully ensuring the future protection and wellbeing of children in-care.

Other child abuse scandals notably in Ireland, Australia and Canada, including child migrant issues, have been brought to public notice recently.

The political authorities and establishment in Scotland have, to date, failed

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to deal with past regulatory and systemic failures and breaches in the Scottish past care system, including at Quarriers Homes. These repeated failures and their refusal to set up any form of Inquiry have in fact seriously compromised these institutions to the extent that were they now to undertake the critical review required, they would, effectively, need to put themselves up for investigation. Past Government and respective agencies in Scotland have failed

in their collective duty of care.

In 2004, Nicola Sturgeon, MSP, then in opposition, requested the then Minister, Mr Peter Peacock, MSP to undertake a Social Work Services Inspectorate, Inquiry into Quarriers Homes. Since being elected, Scottish Ministers have reneged on previous commitments given to Quarrier's Victims and have failed to instigate any SWSI Inquiry. FBGA continue to call for a Judicial Inquiry.

Best practice, such as that established through the Irish Commission, Canadian and Australian enquiries should be applied to these issues. We fail to understand why the Scottish Government wants "to reinvent the wheel" concerning Scotland's historical abuse issues. Scottish, Ministers should not seek to impose a solution on the majority of True Victim-survivors they simply do not want.

Initially, a seminar organised solely and administered by those abused in the past Scottish care system should be publically funded to allow the True Victim-survivors independently of Government a full opportunity to represent their positions individually, collectively and publicly.

All processes to be representative and fully inclusive of individuals from past institutions alleging abuse or where abuse has been proven in Scotland. All Acknowledgement and Accountability processes being set-up or envisaged, by the Scottish Government to establish the true facts, be fully independent, impartial, rigorous, fair and frank with the necessary powers of investigation, subpoena of witnesses, records, and documentation

enquiring into past child abuse in Scotland and with an appropriate remit and mandate.

Subject to retaining anonymity for Victims and others who seek this, all the processes should publish fully their findings to enable wider public scrutiny, whereby ensuring full confidence and trust. The "Rights" of all individuals must be upheld. Options available for True Victim-survivors should include access to support mechanisms, justice, restitution, reparation, redress, leading to healing and reconciliation.

The Home Affairs Select Committee, Investigation into past abuse, 2001-2002, HC836, regarding Criminal Injuries Compensation Awards and Civil proceedings stated, "We understand a larger proportion (victims) will pursue civil action for damages (113)". The report further stated "we do not seek to deny compensation to genuine victims". It recognised the CICA Awards were modest in these cases. CICA is not available to those abused pre: 1964. CICA does not redress the Victims lifelong injuries in such cases. CICA awards in Scottish historical abuse cases average £1500. The Law allows for reparation, Timebar in Scotland prevents it. CICA is perceived as a faceless Government organisation by many Victim-survivors, effectively allowing the past institutions to avoid liability and accountability.

The UK Government in, April, 2003, disagreed with the Home Affairs Select Committees, views relating to Miscarriages of Justice, 2001-2002, <http://www.archive2.official-documents.co.uk/>



The iconic symbol of Quarriers, the Mount Zion Church

document/cm57/5799/5799.pdf

Recent financial comparisons with Ireland by Scottish Officials are misleading nor factual. Projected Victims and settlement figures, considerably less than the Irish Commission to-date, were mooted by the Scottish Executive in 2003.

Research recently undertaken by SIRCC is seriously flawed. A prominent statistician should be engaged independently to ensure that the sample method selected is genuinely representative of the True Victim-survivors of historical abuse of Scotland first and foremost.

The, Kaufman Report, 2002, <http://www.gov.ns.ca/just/kaufmanreport/> is a stark reminder of what happens when a Government process is flawed and ill thought out, no matter the good intentions of Government. Processes flawed can lead to

genuine True Victim-survivors and others being maligned and tarnished by individuals making false allegations. Lessons from the Irish experience and the Kaufman report should be foremost in formulating policy in relation to Scotland.

The Scottish Government has a responsibility under the European Human Rights Convention to investigate these abuse issues and it may have an obligation to provide additional reparation and redress.

FBGA wish everyone a Merry Christmas and a Happy New Year.

All our proposals submitted to the Scottish Government and related issues can be viewed at, www.fbga.co.uk

For further information please contact fbga1@aol.com

