

Our Ref: JD/CMcC

17<sup>th</sup> February 2011

The Public Petitions Committee  
The Scottish Parliament  
TG.01  
EDINBURGH  
EH99 1SP

Dear Committee

**Re: Petition No: PE 1351 – ‘Time for *all* to be heard’**

On behalf of SIRCC, I wish to welcome and express our support for the Scottish Government’s commitment to addressing the needs of the survivors of historic abuse in Scotland. In particular, ‘Time to be Heard’ has been an important step in the complex process of providing several survivors of historic abuse at Quarriers the opportunity for acknowledgement of their very regrettable experiences.

I commend the Scottish Government for its commissioning of the Scottish Human Rights Commission, given its development of a credible and valuable *Human Rights Framework* for the design and implementation of a proposed “Acknowledgement and Accountability Forum” and other remedies for historic child abuse in Scotland. I am confident that this is a framework which, if implemented, will enable Scotland to secure effective remedies for survivors of historic abuse.

The *Time for Justice* research, undertaken in 2010, sought the views of a number of survivors of historic abuse and was carried out specifically to inform the Scottish Human Rights Commission’s *Human Rights Framework* on historic abuse of children in Scotland (please refer to the introduction of Time for Justice for more details:

[http://www.sircc.org.uk/sites/default/files/Time\\_for\\_Justice.pdf](http://www.sircc.org.uk/sites/default/files/Time_for_Justice.pdf)). It is unfortunate that the Scottish Government’s timing of the decision to establish ‘Time to be Heard’ was taken without awaiting the results of this commissioned research, which clearly draws on current and relevant Scottish experiences.

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The Scottish Institute for Residential Child Care is Funded by the Scottish Government and is a partnership between

I wish to press for the conclusions of the *Time for Justice* research to inform the Scottish Government's future developments in the area of remedies for survivors of historic abuse. Indeed, the Scottish Human Rights Commission's *Human Rights Framework* has incorporated these views and I encourage the Scottish Government to be guided by this framework as it considers its next steps following 'Time to be Heard'.

There are several components of an effective remedy which were highlighted in the *Time for Justice* research, but which were not addressed directly through 'Time to be Heard'. I wish to outline these here for the Scottish Government's consideration:

- 'Time to be Heard' has offered its participants *acknowledgement* of their experiences, however it has not provided the opportunity for robust *accountability*. This indicates a lack of an effective remedy for all survivors.
- 'Time to be Heard' was limited to survivors from Quarriers, which has meant that survivors of abuse who were in the care of any other organisations will not have had the opportunity to tell of their experiences in such a forum.
- In particular, those who are perhaps older or terminally ill will not have had the opportunity to tell of their experiences; their needs should be prioritised in future developments.

As of yet, no announcement has been made of the Scottish Government's commitment to support and deliver an effective remedy for survivors beyond the pilot 'Time to be Heard'. I respectfully caution the Scottish Government that to conclude this process at the end of this pilot without offering opportunities to survivors of abuse from organisations other than Quarriers, and without offering a process for *accountability* in addition to acknowledgement, will have a substantial and personal impact on survivors who have been excluded from finding an effective remedy through this pilot.

Scotland has the opportunity now, as the government considers its next steps, to courageously shape effective remedies for the future for those survivors who as children Scotland was unable to protect.

Yours sincerely

**Jennifer Davidson**  
Director  
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