

**PE1351/N**

**Committee Members  
Public Petitions Committee  
Scottish Parliament  
Edinburgh, EH99 1SP**

Dear Committee Members

**Late Additional Submission PE1351**

Please excuse this additional submission being late. However the news from Northern Irelands Assembly regarding developments for survivors in that country in the petitioners opinion is relevant to institutional abuse survivor issues here in Scotland.

On 29<sup>th</sup> September 2011 the Northern Ireland Assembly announced that within 18 months there would be a human rights based inquiry to deal with allegations of abuse within state run and religious children's homes and similar institutions.

The type of inquiry being brought forward as legislation within 18 months in Northern Ireland is what Scottish survivor campaigners have been calling on the Scottish Parliament / Government to set up in Scotland. Indeed the Scottish Human Rights Commission authors of a human rights framework for the design and implementation of the proposed "Acknowledgement and Accountability Forum" and other remedies for historic child abuse in Scotland presented to the Northern Ireland Government several months ago.

The work was originally commissioned by the Scottish Government for such an inquiry here in Scotland. Yet campaigning survivors are still trying to convince the Government to adopt the framework for Scottish abuse victims.

Alan Miller of SHRC presented to the Northern Irish Government who saw the value of the framework and went with those recommendations.

Furthermore we understand that compensation will be an outcome and element of the inquiry in Northern Ireland at a later stage. More immediately the Northern Irish Government will provide interim payments to survivors for immediate needs.

After 11 years of hard work survivors ask our elected representatives, were is the political will within the Scottish Government to provide remedies to help victims recover from the legacy of abuse. Further why is Scotland lagging so far behind other countries on this issue.

Please consider this additional submission at the upcoming hearing of PE1351 on the 4<sup>th</sup> October 2011.

We thank the Petitions Committee Members for their continuing hard work and support on behalf of survivors of institutional child abuse.

Yours sincerely

**Helen Holland Chris Daly**  
Petitioners

**Please see attached BBC news story**

29 September 2011

## **Assembly decision due on child abuse inquiry**

The executive is meeting to decide on the form of an inquiry into complaints of abuse at children's homes and other institutions in Northern Ireland.

The inquiry is expected to deal with allegations regarding religious and state-run institutions stretching back to the 1940s.

The executive has been considering what to do about historic allegations of child abuse since spring of last year.

Former Health Minister Michael McGimpsey began examining options then.

Over the summer Stormont's two junior ministers Martina Anderson and Jonathan Bell have been liaising with victims about exactly what kind of process might address their needs.

BBC NI political editor Mark Deveport said: "The details remain under wraps, but the best guess is ministers will approve a phased approach starting with a story-telling or evidence gathering process, and moving into a full blown legal inquiry later."

Amnesty International has said anything less than a statutory inquiry would not work. Its spokesperson Patrick Corrigan said: "That has been the experience of other jurisdictions.

"Victims and campaigners in the Republic of Ireland for instance, have told me as recently as this week that if the executive here goes for a non-statutory inquiry, that really, it is destined to fail and they should save their time and save the victims' grief."

New legislation

Current legislation for a statutory investigation limits the time period to between 1973 and 1989.

First Minister Peter Robinson said if it was widened with new legislation, it could take up to two years.

Mr Robinson told the assembly that if it had to bring forward legislation "it could be 18 months to two years before we would be proceeding".

He said there was a possibility of combining some statutory and non-statutory elements.

In 2009, Stormont assembly members backed the holding of an inquiry into the extent of child abuse in Catholic church and state-run institutions in Northern Ireland.

It followed the damning Ryan Report in the Irish Republic which uncovered decades of endemic abuse in some religious institutions.

The Stormont executive announced in December it would hold the inquiry and a task force is considering what its nature should be.

Northern Ireland Executive Press Release 29 September 2011

The Executive has announced the establishment of an inquiry into historical institutional child abuse.

~ Thursday, 29 September 2011

Speaking after the Executive meeting, the First Minister the Rt. Hon. Peter Robinson MLA said: “In our meetings with victims we have been moved by their experiences and how they continue to live with the traumatic legacy of the past. We have listened to them and designed a process to meet their needs.

“This inquiry will be given the necessary statutory powers to compel people and documents. We will be taking forward legislation in the Assembly to confer statutory powers on the Inquiry and Investigation into Historical Institutional Child Abuse. It could take up to two years before the legislation is complete, however this will not delay the Investigation and Inquiry’s work.

“Institutional child abuse should never have happened and we deeply regret that it did. We are mindful that the victims and survivors have already waited a considerable amount of time to see the announcement of an inquiry. We will not be waiting two years to start the process and we intend to start as soon as possible with the other elements of the Inquiry and Investigation. This includes the forum which will enable survivors and victims to come forward to recount their experiences and the research on investigatory stages.

Commenting on the decision to set up the Inquiry, Acting deputy First Minister John O’Dowd, MLA said: “The road ahead has been mapped out and we do hope that today will mark the beginning of a process that can help to bring a degree of closure to the legacy of hurt and suffering left after the awful experiences of the past.

“Throughout the consultation, victims/survivors told us about the importance of being able to tell someone of their experiences and for this to be acknowledged. For victims, their issues are as real today as they were when they first occurred. The Inquiry and Investigation that we are announcing today will begin to bring the acknowledgement that they have waited on for so long. It will give individuals the opportunity to recount their experience and have their accounts recorded and most importantly – acknowledged. This will happen as soon as the Inquiry is established and will not be delayed by the need to have legislation in place.”