

Abuse inquiry bars victims' charity

Mark Macaskill

February 19 2017, 12:01am, The Sunday Times



A charity that has supported more than 15,000 victims of child sex abuse has been blocked from playing a key role at a Scottish government inquiry.

Wellbeing Scotland has campaigned on behalf of victims for more than two decades but has been told it does not meet the criteria to be a “core participant” at the Scottish child abuse inquiry.

This means it cannot give evidence at the inquiry or cross-examine witnesses on behalf of victims. More than 30 clients of the Falkirk charity, formerly known as Open Secret, have signed a letter urging Lady Smith, the senior judge chairing the inquiry, to reverse the decision. An appeal has been lodged by a Glasgow law firm.

The decision to block the charity has prompted disquiet in legal circles where it was described last week as “puzzling” and “bizarre”.

One lawyer suggested that the charity has so many clients — in excess of 1,000 — that its contribution could significantly increase the inquiry’s costs. In light of the decision, dozens of victims said they would not engage with the inquiry.

“We are by far the largest organisation in Scotland that specialises in historical child abuse cases, and we feel it is imperative that we are afforded the opportunity to give evidence to the inquiry,” said Janine Rennie, chief executive of Wellbeing Scotland. “We are very disappointed that we are being forced to fight for that right.”

Simon Collins, an Edinburgh lawyer for In Care Abuse Survivors (Incas), a charity that has been awarded core status at the inquiry, said: “Wellbeing Scotland should most definitely be a core participant. I’m surprised their application has been rejected and we support their bid. It’s bizarre.”

The inquiry, set up in 2015, is expected to last four years and will culminate in a report to the Scottish government. It will look at the extent of abuse of children in care and identify any systemic failures.

More than 100 institutions are being looked at, including residential homes run by the Catholic church and the Church of Scotland and top private schools such as Fettes College, Gordonstoun, Loretto and Merchiston Castle.

Lady Smith is already facing criticism after she declared that living persons alleged to have committed offences will be given their accuser's name "as a matter of fairness".

One man abused in the 1970s said the decision not to award core status to Wellbeing Scotland threatened to deny victims the chance to "finally be heard". "Giving core status would give us the ability to participate more fully. I am also appalled by Lady Smith's promise to pass on survivors' names to their abusers."

Only core participants can give oral evidence, cross-examine witnesses and receive financial support for legal representation.

A spokesman for the inquiry said: "Core participants have been judged to have a significant role in the matters considered by the inquiry. Applications are therefore determined on the basis of stringent rules. In this case, after thorough review, the application did not meet the criteria."