

PE535/A

Friday 4th January 2008

Fergus D Cochrane
Clerk to the Committee
Convener Frank McAveety
& Committee Members
Public Petitions Committee
The Scottish Parliament
EDINBURGH
EH99 1SP

Dear Committee Members,

PE535 & PE888

I understand that on the 15th of January you will be considering responses to the above petitions.

PE535 Having read Tom Shaw's report I'm struck by his views that echo Lord Drummond Young's judgement in a recent institutional abuse case.

Within the report Mr Shaw states, "*Looking back over a long period of time poses difficulties, not least the risk of imposing 21st century perspectives on what people did in the past*".

Mr Shaw was not asked to look at Dickensian attitudes towards disciplining children. Much of the abuse was contrary to the various Children's Acts in place during the decades he looked at. Yes there was a very different attitude to corporal punishment at the time. But the abuse meted out to myself and my peers was extreme and systematic. The extreme of abuse in the institutions involved was not the norm for society at that time. Therefore the institutions acted criminally as the ***Criminal Injuries Compensation Authority*** recognised in its recent awards. In my opinion the Government are also implicit.

PE888 ***The Scottish Law Commission*** submitted its report on 'time bar' to ministers late last year. I understand they are not recommending a change in the law. Ultimately the decision lies with ministers whether to change the time bar law or not.

To conclude when I submitted PE535 it was because I had a sense of social justice. I did it for my fellow survivors some of whom have given me a great deal of encouragement and strength to go on.

For many of us survivors paradoxically we experience a measure of security and happiness within the confines of institutions for example the psychiatric hospital. I find other survivors are looking for common human goals of friendship, trust and respect. However the damage to our personality is such that we reject others and find it difficult to trust or form relationships. How different might our lives have been if we were given the "*care and protection*" and nurturing that every child needs in the formative years?

My overall view of the response to my petition is that Scotland has fallen short of what other countries such as Ireland has given survivors of institutional child abuse. The petition received much support from the current administration when in opposition however we have seen little of substance as yet.

Yours sincerely

CHRIS DALY

{ PETITIONERPE535 PE888 }