

April 2012

Private & Confidential Addressee Only-

FBGA, paper prepared for the Interaction Process pages 1-10,

The Background:

8-9 ex-employees of Quarriers Homes were convicted of physically and sexually abusing children in their care. 98 former Quarriers residents came forward to TTBH alleging abuse in the past organisations care; others were unaware that TTBH was taking place.

A generation of children abused in the past Scottish care system have been failed by the Scottish State and Justice systems and the strict way the legislation (**TIMEBAR**) has been interpreted. In seeking a fair remedy in the Scottish Civil Courts, Quarriers victim-survivors became mired in an inequitable and arduous Scottish legal process. This was despite the fact that our abusers had previously been convicted in the Scottish Criminal Courts. Other victim-survivors had similar experiences.

The Scottish Parliamentarians debated these historical abuse issues in 2004 and committed to meeting their obligations and resolving the issues. However, today the core issues remain unresolved.

The majority of Scottish victim-survivors, from various institutions, overwhelmingly support the Scottish Human Rights Commission's framework document and recommendations.

The Government and State was responsible for the regulation and oversight of these institutions and is still ultimately responsible for the treatment that former residents endured in these institutions, including Quarriers. Time and distance does not absolve that responsibility, nor does the current economic climate.

As enshrined in international and regional human rights treaties, victims of human rights abuses have a right to an effective remedy and reparation, which includes restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.

The right to a remedy also includes the right to equal and effective access to justice, and the right of victims to know the truth about the violations suffered.

The relevant Scottish Government authorities should now comply with their international obligations by following the lead of other countries and address these historical abuse issues.

Interaction:

It is important that the mistakes of the past are avoided and that the parties engage and work constructively together to help resolve these outstanding issues. Ensuring the proper foundations and an independent structure are in place prior to any official meetings commencing. This will require pre-planning, preparation and preliminary work with the various parties beforehand in our view. We cannot simply ignore the historical and legacy issues.

The issues and processes need to be micro-managed better & be more equitable and more inclusive than in the past. A full consultation with a broad spectrum of stakeholders is required but primarily with victim-survivors. It is important that any commitments given to FBGA during all the processes & pre-planning stage should be followed-up by all the parties and facilitators throughout these processes. In the past commitments including verbal given to FBGA have simply not been followed up or kept.

For the record, FBGA in this process will only represent Quarriers victim-survivors, including those who have been through the Courts and had convictions of their abusers upheld. We would kindly request that all participants to the process respect fully our right to represent our own issues, self-determination and our independence.

FBGA and its representatives will consult and inform those it represents through its website and other sources throughout all the processes it engages in.

All the processes in our view should uphold the **“RIGHTS OF ALL”** in the processes, including those accused and the organisations.

A safe and secure environment is required to enable frank and honest exchange of views. A group contract may have to be drawn up and agreed. Such a contract or agreement must not limit the ability of FBGA and its representatives to be able to consult its members and others at any time during any Interaction process or otherwise. Secretarial and other support for the meetings may be required for participants.

An Independent Chair should be appointed. Those appointed to conduct the Interaction must be noted for their impartiality, competence and independence. Given that those appointed should be independent of any institution, agency or person that may be subject of the inquiry, it may be appropriate to give due consideration to the appointment of individuals outside of the jurisdiction of Scotland.

FBGA wish to see a broader spectrum of victim-survivors and their representatives, the national and local Government, past and present care organisations, staff employee and carer representation, professional organisations and public bodies including any other stakeholders in the Interaction with a direct interest in the formal outcomes.

The Scottish Human Rights Commission, **“Framework and Recommendations”** should form the basis of any discussions within the interaction. FBGA support the SHRC framework and all the recommendations.

In our view, there should be no pre-conditions with regards participating or engaging in any Interaction process placed on the victim-survivors or their representatives or others. The facilitators must exercise their independence and be impartial while treating equitably and respecting all participants they engage with.

Prior to the Interaction commencing every effort should be made to avoid, minimise and address any potential conflict issues. Equitable representation and voting are crucial - one group or individual, equals one vote.

Concerns that FBGA have should be addressed prior to FBGA commencing in any Interaction process, including issues relating to past engagement.

To enable us to make & reach informed choices, conclusions and decisions for those we represent, including any implications or potential barriers that may impact on those we represent. All the participants, organisations, Quarriers, Scottish Government and any survivor groups to the Interaction have a duty in our view to put forward their proposals and plans to enable full transparency and full scrutiny of any proposals, thereby contributing to building trust.

FBGA the campaign group :

FBGA have represented former Quarriers residents including the **“silent majority”** for many many years, since 2003, giving former residents including those who wish to retain their anonymity a voice. We have spoken out to help ensure that this abuse does not occur on this scale again and to ensure the future protection and wellbeing of children and vulnerable adult’s in-care in Quarriers and Scotland as a whole in the future.

Many residents absconded and reported being abused at the time they were in-care in Quarriers Homes to the management, to the authorities and others including the police.

In recent years we have confronted Quarriers bad practice, misinformation and challenged unjust actions, Government policies and their impact on the Quarriers victim-survivors many who are extremely vulnerable.

This public voice has allowed other former residents the opportunity to address their issues. Over the years since our inception FBGA have supported and provided information, confidential advice on a wide range of issues to hundreds of former residents and families who have contacted us or accessed our website..

Thousands of individuals have signed our on-line Petition calling for a full public inquiry into Quarriers Homes and its past management. We have also assisted former residents from other institutions yet we believe that there are many others yet to have their voices heard. We have referred many individuals to other organisations for appropriate help and support.

False allegations and protecting the reputation, honesty and integrity of those we represent.

Protecting and upholding the reputation, honesty and integrity of those we represent is of paramount importance including our representatives. Many of us have been through a judicial process, yet still others have claimed we lied including the BBC, former employees and past management of Quarriers and others.

We have stood up for our **“Rights”** and campaigned on these very issues for many years confronting those who claimed we were deceitful and dishonest. Any knowledge of malpractice or deceit by others including those claiming to represent survivor interests, if the need arises we will continue to address such issues regardless of who or what they represent. Regrettably in the past we have had to challenge other survivor groups who claimed to represent our issues but were in fact misrepresenting our issues publically.

Where such actions directly impacts on us or those we represent we will defend our reputation, while upholding our honesty and integrity and make no apologies for doing so.

Quarriers victim-survivors and other victim-survivors and their organisations:

Quarriers have taken part in TTBH and SACRO pilots which we welcomed and appreciated, while acknowledging via their **qualified “IF” apology** that some former residents were abused in the past organisation. FBGA wish to continue recent rapprochement, dialogue and reconciliation with Quarriers and others in this interaction in seeking an equitable resolution that meets the expectations of a majority of those abused in the past organisation.

Some of the parties including Quarriers may have a self-interested agenda concerning any Interaction and may view any process as a way of repairing their damaged reputations. Thereby undertaking **‘pseudo engagement’** (as opposed to **‘genuine engagement’**) - engagement based on necessity rather than desire. Some parties may simply view the Interaction process as a tool for maintaining and enhancing their reputations and as a PR exercise, hopefully minimising and blocking any further adverse publicity.

There are some organisations that appear to remain in denial of such abuse, such as the Scottish Roman Catholic Church, including in The Herald 5th November 2011. A spokesman for the Roman Catholic Church in Scotland quote: “declined to comment as orphanages were run by autonomous Catholic religious orders”. The Catholic Church in Scotland and its survivors appear to us to continue to have very fractured and polarised positions.

We are very concerned about the Scottish Catholic Church adopting a similar stance the Church did in other jurisdictions. By remaining in denial, challenging, including legally, blocking or preventing progress including in the legislation processes. Such tactics may directly impact on those we represent and severely impeded progress for Quarriers former resident’s seeking an equitable resolution.

Likewise we would hope that others including Quarriers do not engage in tactics that run contrary to the spirit of rapprochement and reconciliation but now undertake genuine dialogue and engagement in the Interaction and the National Confidential Forum Reference group to find an equitable resolution.

While we fully support the aspirations of other survivors from other care establishments, the reluctance or inability of others to reconcile their differences nor reach or support a mutually acceptable agreement with their respective former care establishments and others for whatever reasons in the Interaction. If such an event arises and FBGA see the merits of the proposals and reconciliation is achievable with Quarriers.

Obstruction or irreconcilable differences by others including other survivor groups cannot be allowed to interfere, impede or obstruct progress by the other parties in the Interaction, in this instance FBGA and Quarriers. Similarly, FBGA would not wish to impede or obstruct progress by other survivor groups and their respective past care establishments.

FBGA have previously supported processes including TTBH. The ICSSS service is delivering an invaluable service that is much needed and FBGA continue to support this service. We will always act in the best interests of the Quarriers victim-survivors we represent and reserve the right to do so going forward.

The Inquiry-Panel-Forum-Model:

There are pros and cons of only initiating a National Confidential Model, including many risks with such a limited model as currently being proposed by the Scottish Government. Especially if the legislation does not include the many recommendations of the Scottish Human Rights Commission in relation to justice, redress and remedies. The Scottish Government has a responsibility **under Article 3 of the European Convention on Human Rights** to investigate allegations of inhuman or degrading treatment or punishment.

Where there is a credible assertion and credible evidence of serious ill treatment, there should be an investigation, that is at least sufficient to determine whether the State was responsible and what lessons can be learnt for the future.

Any Panel Model process should have components of confidentiality, acknowledgement, accountability, responsibility, investigation, and a redress, remedies and reparation inclusive process.

A confidential model on its own is not even sufficient to even identify the truth, let alone to compel the production of evidence. The overall panel model must be person centred and be an all-inclusive and encompassing process that addresses all the specific needs and expectations of the individual participating, through a single gateway, including providing access to remedies and redress.

Redress and reparation remedies must be proportionate but **be FAIR** based on the harm and abuse suffered, its after effects, and the impact on the individuals' quality of life and their families to-date.

One of the objectives of the process should be to restore the person who has been harmed to a position they would see **as FAIR** and proportionate to the abuse and harm suffered, whereby providing a range of remedies including reparation. The process should enable victim-survivors and their families to come to their own decisions and make real choices based on their own individual needs and requirements.

Each past organisation had its own history, culture, management structure and care system. Each organisation and entity should be investigated separately to determine the extent and depth of such abuse alleged or committed. The aggregation of victim-survivors from various organisations should be avoided

Specific, fact-finding missions should be undertaken concerning specific individual organisations, and entities where abuse has been alleged or been previously determined in a Court of Law. All the organisations should be addressed separately within any comprehensive final report.

Given the adversarial history and legacy, of the historical abuse issues regarding Scotland, there may be different expectations, agendas and competing interests by the various parties. Differences and challenges may arise due to the complexities, expectations and needs involving a diverse group of victim-survivors from various organisations seeking a range of remedies being channelled through a single gate way.

In our view, if such a process fails to meet the expectations of a broad spectrum of victim-survivors from various institutions in delivering the SHRC recommendations there will be serious implications and repercussions. Thereby compounding the wellbeing of those individuals the process is intended to assist - leading to further trauma, mistrust, harm and distress.

Every effort should be made to minimise and guard against false allegations. The process should make every effort in upholding the reputation, honesty and integrity of genuine victim-survivors, and that of good, decent former employees and carers in the process who had no direct role in such abuse.

We remind all parties of the serious issues raised in the **Kaufman report (Canada 2002)**. An important evaluation of one process in Canada—the Kaufman report—outlines exactly why that process was wrong for everyone who was involved. Lessons can be learned from processes that go wrong as well as from those that have been successful.

As such we believe that ALL participants regardless should provide an **Oath of Affirmation** concerning their testimony given to the Inquiry-Panel-Forum. The Panel-Forum process must be equitable, credible and robust will being sensitive to the needs of victim-survivors and others.

The Panel-Forum process should consider taking oral or written submissions from siblings and others' testimonies concerning those siblings and relatives who are deceased, too old or infirm to participate in any process - especially in cases where abuse can be determined or has been proven. FBGA recognise that there may be past issues relating to the behaviour of some of the former residents and others.

The Panel-Forum process can only be deemed credible and fair if the accuracy, scrutiny and validation of all individual abuse claims are itself credible. Likewise testimonies given by others should be afforded the same process as victim-survivors, thereby providing equitable and equal justice for all.

Particular concerns for FBGA are those former residents who reside outside of Scotland and how such a process and its information will be disseminated in an inclusive and accessible manner. Information concerning such a process prior to when it goes live must be extensively advertised out with Scotland and elsewhere to ensure such information regarding the processes reaches a maximum audience.

The Components to the Confidential Forum Inquiry Panel Model Process:

Independence:

Those appointed to conduct the confidential Forum-Inquiry must be recognized for their impartiality, competence and independence. Given that those appointed should be independent of any institution, agency or person that may be subject of the inquiry, consideration should be given to the appointment of individuals outside of the jurisdiction of Scotland. A strong legal team should also be appointed with sufficient expertise to support the inquiry.

Resources:

In order for the Forum-Inquiry to be thorough and rigorous it should be guaranteed the material, appropriate personnel and financial resources it needs to effectively carry out its remit and mandate. This includes, for example, access to and support from experts to assist the inquiry when dealing with the challenging and sensitive issues that will arise or be the subject of the inquiry.

Legislation:

FBGA, recognise that Parliament as a body can be a positive place for progressing issues and implementing change. FBGA, would like to see the Panel Confidential Model-Inquiry to be established as a Statutory Forum-Inquiry which encompasses all the recommendations of the SHRC.

Parliament can also be a barrier to change where issues (proposed legislation) can be blocked, altered, amended or watered down by self-interested groups or individuals and MSPs who are lobbied or pressurised by vested interests including for instance Quarriers and the Catholic Church. In that way Parliament can be a barrier to real progress, resolution and positive change.

Other bodies which may be appropriate to undertake investigations are, Social Work Inspectorate Inquiry (SWSI) which may have existing powers or the current Scottish Care Commission or a relevant body undertaking historical inquiries using existing legislation may be appropriate. Legislation such as that used in the asbestos issues could be an example of appropriate legislation for these issues and this group of vulnerable adults.

Irish Confidential & Investigative Model and Redress legislation are additional examples. Forms of apology legislation may be worth exploring also.

Terms of Reference:

It is of crucial importance that victim-survivors and representatives are consulted on the terms of reference to ensure that they are as inclusive as they need to be in order to ensure that the Forum-Inquiry is fully effective.

The Forum-Inquiry inquiry should examine the events, which are the subject of the inquiry and the underlying factors. This should include a critical analysis of institutional structures, policies and practices, the failure of legal and other institutions and mechanisms to provide protection, and other relevant factors.

The terms of reference must be sufficiently comprehensive to allow the Forum-Inquiry to pronounce not solely on those who committed abuse, but to examine the responsibility of all those who either failed to protect children, or acted to facilitate or cover up abuse. In addition to outlining the causes and circumstances of abuse, the terms of reference must ensure that the inquiry is also able to identify the systemic failures underlying the abuse and the circumstances which allowed it to take place and to go on happening.

It is important that the terms of reference are established carefully as they will determine the very shape of the Forum-Inquiry. To draw them too narrowly could restrict the scope of the inquiry and, therefore, its findings and ultimate report.

The terms of reference should be formulated in a way which does not suggest a predetermined outcome or limit investigations in areas that might uncover official responsibility, and in a way which is flexible enough to enable the Forum-Inquiry itself to determine in more detail the matters that come within its scope, including whatever matters it considers relevant to the issues it is investigating.

The terms of reference should also be drafted to allow the inquiry to make recommendations, including for changes in law, political or administrative procedures and practice, to ensure that such abuse is effectively prevented in future. Such recommendations will be of fundamental importance to securing to individuals their right to adequate and effective reparation, which include guarantees of non-repetition.

Legal under Pinning:

The Forum-Inquiry-Panel should have an under pinning robust legal basis which safe guards individuals, and organisations.

Powers:

The Forum-Inquiry should have the authority to obtain all the information it needs, including powers to compel attendance and cooperation of witnesses, including officials, and to order the production of documents, including government and medical records. The Forum-Inquiry may have to obtain evidence from the police, other statutory authorities, as well as non-statutory agencies and individuals.

Witnesses and other individuals:

Criteria for access to the Panel should be determined by the panel members and chair. Witnesses and other individuals involved should at all stages be guaranteed the minimum procedural safeguards set out in international law, in particular the due process rights set out in Article 14 of the International Covenant on Civil and Political Rights and Article 6, Rights to a fair hearing.

The Panel-Forum process can only be deemed credible and fair if the accuracy, scrutiny and validation of all individual abuse claims are itself credible. Likewise testimonies given by others should be afforded the same process as victim-survivors, thereby providing equitable and equal justice for all.

Confidentiality Clauses:

Confidentiality clauses should only be initiated at the conclusion of any financial and final settlements between the parties and when agreement has been reached. There should be no other confidentiality gaging clauses in our view.

Public Scrutiny and Public Interest:

The Forum-Inquiry must be open to adequate public scrutiny. The scope, methods, key evidence, and findings of the inquiry should be made public. The Forum-Inquiry should publish a written report within a reasonable time, which includes the scope of the Forum-Inquiry, procedures and methods used to evaluate evidence as well as conclusions and recommendations based on findings of fact and applicable law. Individual organisations findings to be addressed reported and highlighted separately in any final report.

So far as possible public and the media should be given access to the findings and proceedings. These issues are Public Interest matters and will also be funded by the taxpayer.

Support Mechanisms:

It is important that the relevant support systems are in place before during and afterwards for all participants. This should include suitable qualified health professionals and individuals who specialise in sexual and physical, trauma and historical abuse. Voluntary agencies such as ICSSS should also be available to lend on-going support. Support mechanisms should also be available for Panel members and all other participants and for support staff also if required.

Independent advocacy should also be available as a matter of choice and for those who seek such services. Independent advocacy and specialist support services should be available for participants with learning difficulties and disabilities.

Time Frame:

The Forum-Inquiry should commence promptly and be completed and reported on within a reasonable timeframe; victims of abuse have already waited a considerably long time for this issue to be given due attention and further unnecessary delay in reaching a successful conclusion of an inquiry process would further jeopardize their right to remedies, redress, justice and reparation.

Moreover, many victims are now at an advanced age and an overly long process of inquiry might mean that they never live to see a successful conclusion of that process. However, the inquiry nonetheless should be allowed sufficient time to gather the facts and carry out its functions and investigation(s) thoroughly.

Time limits should not be imposed arbitrarily and should be open to revision where necessary in the interests of an effective and thorough Forum-Inquiry. The Forum-Inquiry should be of a sufficient duration to do justice both to the scope of the abuse, which it will have to examine, and to the fact that the number of people affected by abuse runs in to many hundreds.

It is important that financial constraints in themselves do not act to somehow justify victims being denied the opportunity to have their issues appropriately addressed with fair proportionate remedies and denials of voices being heard.

Reports:

These should be produced within a reasonable timeframe and published for the general public after the conclusion of any National Confidential Forum-Inquiry. The reports should include the types of abuse, the institution and the findings of abuse. It should also include individual convictions of those convicted of abuse relating to a particular institution or setting. It should contain findings in relation to the particular management, administration, operation, supervision and regulation, direct or indirect of a specific institution or setting.

Each organisation and entity should be reported separately to determine the extent and depth of such abuse alleged or committed. There should not be any aggregation of victim-survivors testimonies from various institutions in the report. Testimonies independently reported should be attributed to the specific institution where abuse is alleged or previously been determined.

Interim Payments, Remedies, Reparation, Restitution, Non-Repetition, Additional Support:

The Home Affairs Select Committee UK Parliament 2002 recognised that a majority of victims prefer the civil route to settle historical abuse cases as opposed to Criminal Injuries Compensation Awards. (Conduct of Investigations into Past Cases of Abuse in Children's Homes', 16th January 2002, House of Commons, London).

Civil cases reparation awards are properly determined, assessed and take into account the long term damage of such abuse and its effects on the individuals' health and wellbeing. Such awards in civil cases take into account losses incurred as a result of the abuse and harm and hold those accountable as part of any settlement.

Criminal Injuries awards do not have an element of accountability and acknowledgement. They also do not assess any loss or damage or the lifelong effects of such abuse on an individual. CICA awards are made on the basis of an alleged victim assisting the Police with their inquiries. CICA awards are generally at the lower end of the scale.

Quarriers' victim survivors have been waiting and seeking access to justice remedies for many many years and in the meantime many victim-survivors have died or become more infirm. Age is also a factor - given that this abuse happened down the generations many victims are elderly.

At the heart of any remedy-reparation package should be the wishes of the individual victim-survivor based on their own needs and the damage suffered. Victim-survivors should be enabled to exercise real choice for themselves and their families. A range of remedies should be available. **"One size does not fit all"**

Interim Payments: FBGA would welcome in principle such interim payments and interim remedies but would seek further discussion on this prior to providing qualified support for such interim processes.

Any interim payments being considered or implemented in our view **should be inclusive of ALL** to avoid any perceived discrimination. Such interim payments should be based on principles of equality while being managed appropriately by implementing fair policies.

If interim payments are not to be fully inclusive, and are to be implemented, then priority in our view should be given to the elderly, infirm, and those victims who have had their Court cases previously determined or otherwise. Legal costs relating to these cases, borne directly by victim-survivors, should also be included in any interim payments process in our view.

The range of remedies and reparation should be proportionate to the harm and abuse suffered and its after-effects. A range of Remedies may seek to address the following: loss of earnings, loss of education and opportunity, quantifying the harm and damage inflicted and taking into account all the issues.

Proportionate remedies or reparation does not mean the minimum, rather FAIR remedies which are person-centred based on the harm suffered to-date and the specific needs of the individual victim-survivor.

Reparation:

Scottish Government has a responsibility under Article 3 of the European Convention on Human Rights to investigate allegations of inhuman or degrading treatment or punishment and may also have an obligation to provide financial redress in some circumstances.

This should be on a scale basis with independent assessors and adjudicators with experience in this particular field to assess, determine and quantify any loss or damages. Reparation includes appropriate, adequate and equitable compensation.

All individual cases should be independently assessed and judged on their own merits and discrimination should be avoided. Other remedies may include effective apologies, funding of further educational courses and grants, housing assistance, family support, new skills training and satisfaction based on the victims' experience of being heard.

Restitution and additional Support:

Can involve restoring what was lost through health or education support and a number of steps have already been taken in this regard. Additional steps could however be undertaken. It can also involve rehabilitation, mental health services and, for example, respite care and parenting skills.

It can involve many steps that are not necessarily expensive, including access to NHS counselling and voluntary counselling services such as ICSSS, Victim Support and other voluntary services.

At the conclusion of the individual cases which have been resolved satisfactory, the Quarriers organisation may wish to consider offering other types of support services that former residents may find appropriate to access once an acceptable resolution has been reached.

FBGA would see this as further positive steps by the current organisation to making amends for the past failures and are happy to discuss further which support services former residents may find helpful.

We stress, however, that it would be for individual Quarriers' victim-survivors to decide whether to access such services.

Non-Repetition:

A further element of reparation is guarantees of non-repetition, which is why we need a form of investigation that can identify not only what happened but why it happened and which can investigate responsibilities and recommend and follow through on steps to ensure that the same thing does not happen again.

The various parties have in common a wide range of shared responsibilities and obligations, to the victim-survivors for the abuse and harm they suffered. Each of the parties such as Quarriers, Local and National Government should be seeking to share and contribute to a remedies and reparations package.

The role & stance to-date of a number of the parties including Quarriers, has been a major factor in the worsening health and wellbeing of this group of vulnerable adults abused in the past care system. These organisations along with others have seriously failed in their individual and collective responsibilities, obligations including legally and morally to this group of extremely vulnerable adults.

Restorative Justice Model:

A Restorative Justice model recently piloted by SACRO in its current format is in our view not an appropriate model for this group of extremely vulnerable adults in resolving their issues with organisations.

European Court of Human Rights :

In 1996 The European Court on Human Rights in the case of **Stubbings and Others vs United Kingdom** the Court said the following at para 56: "There has been a developing awareness in recent years of the problems caused by child abuse and its psychological effect on victims and it is possible that the rules on limitations of action applying to member states of the Council of Europe may have to be amended to make special provision for this group of claims in the near future".

Scottish Law Commission:

In 2007 the SLC undertook a consultation concerning Timebar in these cases yet failed completely in its duty to ensure that remedies and justice were available to all complainants regarding the Scottish Justice system.

It also did not make any special provision for this group of claims despite at the time having 600 historical abuse cases being pursued in the Scottish Civil Courts. Many Quarrier's cases having been previously determined in the Scottish Criminal Courts.

The majority of the Civil Cases in Scotland were Timebarred simply for expediency and principles of equitable and accessible justice for all, denied for this particular group of claimants.

Compensation Models used in other jurisdictions:

Compensation Redress Scheme as announced by Jersey States Government or the Irish Redress Board compensation scheme.

Review, Arbitration and Complaints:

An Independent arbitration and review process should be built into any National Forum-Panel processes as part of the processes.

We would refer you to the following submissions to the said organisations:

1. Quarriers submission to the Scottish Law Commission 2006
2. Colin McEachran, QC to Scottish Law Commission 2007
3. FBGA to Scottish Law Commission 02/03/2007 and other submissions
4. FBGA to Scottish Government consultation, Acknowledgement and Accountability 13/01/2009 and 17/05/2009
5. FBGA to Scottish Human Rights Commission 22/06/2009
6. FBGA to Scottish Petitions Committee, 12/11/2010, 29/11/2010, 07/03/2011, 07/09/2011, 16/11/2011, 18/03/2012
7. FBGA response to Time To Be Heard Commissioners report 07/03/2011, submitted to TTBH and SHRC, Quarriers and INCAS.
8. FBGA to CELIS, Action Points For Glasgow, 24/11/2011

cc: Duncan Wilson, Scottish Human Rights Commission