

Ministerial Statement on Child Protection

Yesterday, the Scottish Government set out its vision for how an effective early years strategy can contribute to a positive future for Scotland. Today, I want to turn attention to the most vulnerable children in society: those who are in need of our care and protection.

Child protection is one of the most difficult but important issues with which the Parliament deals. I doubt that there is anyone in the chamber who is not deeply moved by accounts of child abuse and neglect. We respond to the inherent issues as politicians; but we respond first and foremost as human beings. I hope that all will share my ambition and work with me to do everything possible to eradicate such suffering, as experienced by children and young people in Scotland. There is no room for party politics in child protection, and I acknowledge the considerable progress that the previous Administration made in driving child protection reform.

Throughout Scotland, multi-agency child protection committees now provide a strategic overview, and support change and improvements in child protection practice and multi-agency working. The strategic understanding of the Scottish Government and child protection committees throughout the country is being broadened and deepened by the learning secured through the tough child protection inspections that Her Majesty's Inspectorate of Education leads. We expect child protection committees to work vigorously in addressing areas of weakness that are identified in inspections and in further developing areas of strength in the delivery of services.

Our vision is for services that always proactively seek to identify and assist children at risk, so committees are expected to use the self-evaluation tool, "How well are children and young people protected and their needs met?" That tool is designed to build capacity within organisations for continuous self-inspection and improvement, regardless of the inspection cycle.

More generally, the challenge for everyone dealing with child protection is to create an environment in which we do not wait for crises to happen to children at risk before we intervene to help. We need to think and work proactively rather than reactively. Child protection services in Scotland need to be timely, flexible, responsive to the needs of the individual child, efficient, consistent with the principles of "Getting it right for every child" and delivered by skilful staff at every level of every organisation and every discipline that is involved in the care of vulnerable children. In addition, we need a coherent and joined-up means of delivering that vision in a multi-agency and multidisciplinary environment.

A consistent theme running through child protection is that of better and earlier information sharing. That is at the heart of good delivery of services to children who may be at risk; but, of course, we want to ensure that information is shared only when necessary and that everyone has the same understanding of the rules for doing so. That is why we are giving a high priority to devising and implementing appropriately a draft code of practice for sharing information when there are concerns about a child.

Since taking office, I have been considering a range of initiatives that relate to specific aspects of the child protection agenda and I have been considering how we ensure that our efforts in that area are coherent, strategic and proactive. Throughout my deliberations, I have reflected on the importance of childhood and the importance of striking the right balance between providing a safe and caring environment for Scotland's children and giving children space in which to grow up to be confident individuals. I am sure that that dilemma will strike a chord with many members who are parents as well as politicians.

To get the balance right—collectively, from national Government right down to individual parents—we have work to do, to assess risks to children better and to act upon risk assessments with improved skill, speed and precision. I attach high priority to making progress in that difficult area and to developing flexible and robust policy principles, to support parents and professionals who work with children.

A particular issue that accentuates the dilemma on risk is that of vetting and barring. The issue was debated during the passage of the Protection of Vulnerable Groups (Scotland) Bill, which was introduced in the previous session of the Parliament. I understand the discomfort that some people have about disclosure checks, but none of us would want to drop our children off at school without the assurance that the staff with whom they come into contact do not have a history that raises concern about children's safety. Our objectives must be to undertake disclosure checking in the most streamlined, efficient and unobtrusive way and to act swiftly on information that suggests that people who are working with children and protected adults might pose a risk to them.

The Protection of Vulnerable Groups (Scotland) Act 2007 delivered the framework for a robust vetting and barring scheme. I am pleased to announce the publication of the consultation on the secondary legislation required to implement the provisions of the 2007 act. I look forward to engaging further with parliamentary colleagues and stakeholders as we develop the secondary legislation and move closer towards implementing Scotland's strengthened vetting and barring scheme, which we hope will go live in the summer of 2009.

During the passage of the Protection of Vulnerable Groups (Scotland) Bill, Robert Brown placed particular emphasis on the importance of wide-ranging and meaningful engagement with the sectors affected by the legislation. I too believe that we cannot deliver an effective vetting and barring scheme without such engagement. The operational details must be right, and the accompanying guidance and training need to be trenchant. The publication of the consultation marks the start of that engagement.

Although I want to frame consideration of child protection issues proactively and proportionately, it will always be necessary for the Scottish Government to respond to emerging issues of national significance. Many members will be aware of the revelations of abuse at Kerelaw school. Glasgow City Council's investigation of the school identified an unacceptable and long-standing history of abuse of children. The council acted quickly to close the school in 2005, to take disciplinary action and to provide support to the children who were in Kerelaw. Those actions are to be commended, but we would do a great disservice to all those involved if we did not

consider what we can learn from the Kerelaw situation. I want to be assured that abuse and allegations of abuse on such a scale and over such a long duration cannot ever happen again in a residential setting in Scotland—we owe it to the children who were abused, to the staff who were not involved in the abuse but who were caught up in the events by association and to all children in residential settings, whom we have a responsibility to safeguard.

Since the publication of Glasgow City Council's report in June, I have been in discussion with the council about how we can ensure that we take forward the lessons that can be learned from Kerelaw constructively and in a way that is sensitive to the subject matter and does not put disclosures about events at Kerelaw under a glaring public spotlight. I am pleased to announce that the Scottish Government and Glasgow City Council will jointly commission an independent inquiry into Kerelaw. I want the inquiry to secure comprehensive insight into the circumstances that led to the abuse at Kerelaw, to examine Glasgow City Council's stewardship of the school, to consider the steps taken by Glasgow City Council subsequent to the closure of Kerelaw, to identify recommendations relevant to ensuring that the contributory factors that led to abuse at Kerelaw never arise again, and to identify any other issues that the Kerelaw inquiry considers relevant to the safe care of young people in residential settings. I have asked Mr Eddie Frizzell to chair the inquiry. He is visiting professor of public service management at Queen Margaret University and a former senior civil servant. He brings a breadth and depth of experience and, most significantly, a fresh and objective perspective.

I want to ensure that the inquiry does not impede any criminal proceedings relating to Kerelaw and that it proceeds in a way that actively involves former pupils, staff and other stakeholders who want to participate. With input from the Lord Advocate and Glasgow City Council, I will in the coming weeks discuss a detailed remit with Eddie Frizzell, with a view to a further announcement in the new year. On this occasion, it is better to maximise the insight that we can gain from Kerelaw than to rush headlong into matters. It is better for Scotland's most vulnerable children that we get the matter right rather than carry out the inquiry swiftly.

Glasgow's willingness to open up the issues to independent scrutiny and to facilitate the learning from the Kerelaw situation sets an important example of leadership and accountability. Councillor Steven Purcell will shortly advise a full meeting of the council of the steps that the council has taken in relation to Kerelaw and of what we both want to achieve from the inquiry. I am pleased that Margaret Doran, Glasgow's executive director of education and social work, is in the public gallery today, which reflects the joint approach that we are pursuing.

I have received reports on Kerelaw from Glasgow City Council, HMIE, the Social Work Inspection Agency and the Scottish Commission for the Regulation of Care. In the interests of openness, I will place those reports on the Scottish Government website in the coming days. It is important that we all work together to learn all the lessons that we can from Kerelaw. I have also carefully considered how the independent inquiry sits alongside the forthcoming publication of the independent systemic review of historical abuse in residential care between 1950 and 1995, by the expert Mr Tom Shaw. That review is of great importance—its purpose is to identify the various legal and regulatory systems and processes that were in place to

protect children during the period. The review will help answer the fundamental question: how could abuse on such a scale have continued for so long without being prevented?

Mr Shaw will submit his review to the Government in mid-November and it will be published shortly thereafter. The findings will be analysed and considered fully as we make progress on proposals for strengthening the contribution of residential care. I also intend to introduce proposals on support for survivors of historical abuse, once I have considered Mr Shaw's findings. The Shaw report on historical abuse and the independent inquiry on Kerelaw are complementary and I am confident that, together, their findings will provide a rich insight that will contribute positively to the significant improvements that I want the Government and the Parliament to achieve for our most vulnerable children.

Residential care is the best possible environment for some children and young people, providing a range of opportunities for children to thrive and flourish in an environment that is safe and tailored to their individual needs. More than 220 establishments in Scotland provide some form of residential care to children. Those establishments should provide a safe and nurturing home for our most vulnerable children, and their staff should be dedicated and committed to providing the very best of care to those children. I want positively to support the sector so that all establishments and all those who are tasked with looking after children can make a positive contribution to the lives of and outcomes for vulnerable children.

We have a collective responsibility to all Scotland's children and young people to ensure that they get the best start in life and, if they are vulnerable, to ensure that they get all the care and help that they need. I urge members to join me in ensuring that the Parliament takes all reasonable steps to do the very best for the children in Scotland who need our help most.