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Abuse survivor compensation scheme passed by MSPs

The Redress for Survivors (Historical Child Abuse in Care) (Scotland) Bill will create Redress Scotland.



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Holyrood: MSPs voted unanimously to pass the Bill into law.

MSPs have voted to create a compensation scheme for survivors of historical abuse.

The Redress for Survivors (Historical Child Abuse in Care) (Scotland) Bill will create Redress Scotland, a new body designed to administer the payments of up to £100,000 for survivors.

MSPs voted unanimously to pass the Bill into law.

However, the scheme has been criticised over its use of a waiver for those who receive a payment, meaning they are barred from taking legal action against organisations they allege abused them.

Some survivors have even described the waiver as a “betrayal”.

But deputy first minister John Swinney has previously said the waiver would be the only way to make sure organisations where abuse took place in the past would pay into the scheme.

Repeated efforts by MSPs at various stages of the Bill process to remove the waiver failed.

Speaking in the Bill’s final debate, Swinney described the Bill as “one of the most important pieces of legislation that the Scottish Parliament would consider in its lifetime”.

He also apologised to survivors, saying: “I want to say to survivors – this should not have happened to you and it was not your fault.”

Swinney also called for the parliament to unite behind the Bill.

“Today is about actions, not words; about deeds, not promises. Today we must fulfil our duty to our fellow citizens,” he said.

“Today as individuals, as a parliament and as a nation, we have the opportunity to stand with survivors, to see them, to hear them, to walk alongside them, in a way that no-one did during their childhoods.

“Today, without compulsion and without agenda, I do that to fulfil the commitment I made to survivors when I was appointed to this role in 2016 – I know that across the political spectrum, that determination is shared by all members.

“We now have the chance to do something historic. Today, I hope that we will agree together, as a united parliament, to take our next step in facing up to this dark chapter of Scotland’s history, to show survivors we now build on our words of sorrow with action, and I suggest that we vote unanimously to do exactly that.”

Tory education spokesman Jamie Greene said: “Whatever we’ve agreed or disagreed on in this journey, we can hold our heads up high that we have tried our best.

“But we now pass that baton to those who will operate that scheme and we pass the product of that to the ones who will benefit from it.

“We offer them redress and I hope we offer them closure and if nothing else we should hold our heads high that whatever the petty or party politics that awaits all of us in the coming weeks, we never forget that the people which form the shapes around us in the very walls of this chamber are the people that we are here to protect, to support, to make amends to and to say sorry to.”

Labour’s Iain Gray, making his last speech in Holyrood before stepping down at May’s election, said the Bill “finally promises some redress for people who we collectively let down so badly for so long”.

Speaking about abuse survivors, he said: “As children they looked to us for care and we delivered them up to hurt, to terror and torture, sometimes for years.

“Then for decades we refused to listen to them. But in their courage they would not be silenced.”

While he said the scheme being offered “could have been better” he said it was “a substantive acknowledgement, at last, of survivors’ suffering and our responsibility for it”.

Liberal Democrat MSP Beatrice Wishart meanwhile said the Bill had been a “long time coming” as she praised the “perseverance” of all those involved in it.

And while she said financial redress for victims would help “properly and honestly acknowledge the past”, she also stressed a “full, proper and sincere apology may be all the more valuable”.

Green MSP Ross Greer said: “Nothing we can ever do can right the wrongs of child abuse, no effort or parliament or government today can reverse the failings of our predecessors.

“But we can and we should do all we can to bring some modicum of justice to survivors. This scheme represents one avenue through which we will do that.”