

Judicial Panel Model, Scottish National Inquiry into Institutional Historical Abuse

- Format of Inquiry Panel, independent appointments process
- Panel members to be wholly impartial, independent and have majority of victims-survivors confidence
- Rights of All are upheld in the process, Fair trial or hearing for all
- Avoid unnecessary cost
- Terms of Reference and Remit defined
- Define the Timeline of the said Inquiry
- Full Public Inquiry??
- Part Public and Part Confidential??
- The scope of the Inquiry is defined by the terms of reference which state that the “.inquiry and investigation into historical institutional abuse will examine if there were systemic failings by institutions or the state in their duties towards those children in their care between the years of 19... to 19....including any migrant issues pertaining to children sent by institutions abroad.
- The Inquiry will identify institutions and any additional institutions which it considers it should investigate
- Procedure and Conduct of the said Inquiry
- A Redaction, Anonymity and Restriction Orders Protocol
- How to apply for a restriction order and what a restriction order will cover, such as attendance at Inquiry, disclosure and publication of a identity of a person, Inquiry can protect the identity of witnesses, prevent or limit publication of information given to except where it is in the Public Interest to disclose and in fulfilling the Inquiries Terms of Reference.
- Anonymity and its use in the Inquiry process while undertaking its role.
- Chair of the Inquiry to be Independent and impartial and to have relevant powers to direct all the functions of the said Inquiry including in Redaction, Anonymity and Restriction orders matters and any other matters pertaining to the functions of the said Inquiry.
- Restriction orders to be kept under constant review
- Definitions of abuse
- Testimonies given to the Inquiry who has jurisdiction (do victims-survivors continue to have full ownership of individual testimonies to use in further Court proceedings or any other process if required by the participant)?
- Advertising and promoting of the Inquiry once set-up