

Lady Smith appointed chair of crisis-hit child abuse inquiry



Lady Smith has been appointed as chairwoman of the Scottish Child Abuse Inquiry

27 Jul 2016 / [Victoria Weldon](#), Reporter

The appointment of a new chair for Scotland's crisis-hit child abuse inquiry has prompted mixed reactions from survivor groups.

Senior Judge Lady Anne Smith will lead the independent probe into child abuse in care following the resignation of Susan O'Brien QC, who quit the post earlier this month citing government interference.

A further panel member also resigned, claiming the inquiry was "doomed" due to the actions of the Scottish Government.

While some survivor groups welcomed Lady Smith to the role, one of the leading campaign groups, In Care Abuse Survivors (Incas), hit out at the Scottish Government's lack of consultation on the new appointment.

Alan Draper, parliamentary liaison officer for Incas, said: "We were given five minutes notice by the government of her appointment. We would have welcomed being properly consulted.

"We are not aware of Lady Smith's ability at this stage, but we will be investigating."

Incas chair Helen Holland also raised concerns that a third panel member, Glenn Houston, is to remain in post despite his colleagues' resigning amid concerns about government interference.

Ms Holland said: "It would make more sense to start afresh with a clean slate. Mr Houston's position is untenable.

"If the inquiry is to instil confidence in survivors, the process has to be transparent and independent of government and anyone with a question mark over them has to be replaced."

Lady Smith, who will take up her new role next month, has been a judge since 2001 and was appointed to the inner house of the Court of Session, Scotland's highest court, in 2012.

She has chaired the Advocates Family Law Group and the Advocates Professional Negligence Group, and was appointed as the first President of the Scottish Tribunals in July 2014.

David Whelan, spokesman for the Former Boys and Girls Abused by Quarriers group, welcomed her appointment to the inquiry.

He said: "She's clearly a senior judge with vast amounts of experience and we believe she will uphold the impartiality and independence of the inquiry.

"It's our position that we want to ensure that everybody's rights are upheld throughout the inquiry - and that includes those who are accused - and we believe Lady Smith can ensure these conditions are met."

Lady Smith will be relieved of her duties at the Court of Session during the inquiry, but will sit on the bench occasionally when work permits.

She said: "Protection of the innocence and wellbeing of children is of fundamental importance to a healthy society. The duty of institutions entrusted with the care of children to afford that principle the highest priority is indisputable.

"Sadly, many children placed in residential care in this country have, over a period stretching back years, not been afforded the protection they deserved. Their voices now require to be heard and questions of when, where, how and why it happened require to be fully addressed.

"It is, accordingly, very important that the work of the Scottish Child Abuse Inquiry continue and it is for these reasons that I welcome the invitation that has been extended to me by the Deputy First Minister and have today given my commitment to being its Chair."

Deputy First Minister John Swinney added that, as requested by survivors, he will reconsider the scope of the inquiry and discuss the matter with Lady Smith.

The Scottish Government said it does not recognise the concerns raised about government interference in the inquiry and remains happy with Mr Houston's appointment as panel member.