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Social Work Professor denies he is an “apologist” for child abusers

A PROFESSOR of social work who previously ran secure units for children in **Edinburgh** where youngsters were sexually abused has claimed the evidence against child abusers can be “flimsy” and he hasn’t come across a case yet where he has been convinced of guilt.

Mark Smith also admitted that when he heard the details of some charges he has thought, “I’ve done that”. The **University of Dundee** academic previously managed council care homes for traumatised young girls in Edinburgh, including St Katharine’s home.

One former carer at St Katharine’s, Gordon Collins, took advantage of his position of trust to groom, molest and rape teenagers between 1995 and 2006 at the home. He was jailed last year for the historical abuse of four girls. Another member of staff who worked at St Katharine’s, Kevin Glancy, was jailed in 2008 for possessing 239 pictures and 70 video clips of child abuse.

Smith wrote an article entitled “Criminalising everyday care” for a legal news website about miscarriages of justice.

One campaign group which supports survivors of abuse has described Smith as “an apologist for child abusers”. Smith’s former employer, City of Edinburgh Council, distanced themselves from Smith and insisted all convictions against its former employees are “safe”.

Smith has defended his article, claiming he has not tried to deny “genuine abuses”. His current employer, the University of Dundee, also defended the academic’s right to “freedom of speech”.

Smith said in his article he had “come uncomfortably close to cases of historical abuse over the past dozen or so years” and had given evidence to both prosecution and defence and been a witness in cases where he has “worked directly with the accused”.

He wrote: “I have not come across a case yet where I have been convinced of guilt. In fact I have been horrified by the flimsiness, indeed the banality, of the evidence that finds its way to court. Not only that, I found myself thinking on hearing of some charges: “I’ve done that”.

Smith, who participated in a Scottish **Government** review of secure accommodation for young people in 2005, goes on to say the prosecution of historical child abuse cases “owes very little to evidence of actual abuse but is driven by shifting attitudes and assumptions about how to care for children”.

Citing the case of a former colleague who was convicted of abusing boys at a residential school where they both worked in the 1980s - and who Smith said was wrongfully convicted - Smith said when staff showered with young boys “cold water may have been thrown about – bodies flicked with rolled-up towels” and insisted “all of this was done in fun – I don’t believe for a minute that any boy was traumatised”.

Smith said it’s not only “the odd bad apple” who may face prosecution, adding that he fears every carer who worked in a residential setting “risks becoming caught in the cross hairs” of the Scottish Child Abuse Inquiry.

Abuse survivor David Whelan, of campaign group Former Boys and Girls Abused (FBGA), was targeted by paedophile John Porteous who was jailed in 2002 for historical sex offences against boys. He said: “Mark Smith fails to recognise that many people were actually convicted of crimes in a court of law. His article is an attempt to discredit genuine victims. I would go as far as to say he’s an apologist for child abusers.

“He’s excusing behaviour that wasn’t normal, such as carers showering with children. When adults did do this they had a propensity to abuse children. In my own case my abuser John Porteous used to shower with the boys. Mark Smith seems to suggest this wasn’t a sexually-motivated act.”

Janine Rennie of Wellbeing **Scotland**, an organisation that supports survivors of abuse, said she was “extremely angry” by Smith’s claim that he is unconvinced of the guilt of convicted child abusers.

She said: “Of 1,500 case files we have there’s not one we’d assess in the same way he has. I am concerned that this social work lecturer doesn’t see the significance of child abuse or understand how difficult it is for survivors to talk about their experiences. It takes a huge amount of courage for a survivor to come forward, so these entirely inappropriate views are very dangerous and could discourage people from speaking to the Scottish Child Abuse Inquiry or indeed the **police**.”

Abuse survivor Dave Sharp, founder of SAFE (Seek and Find Everyone Abused in Childhood) was beaten and raped by a Christian Brother in a shower room at St Ninian’s school in Fife. He said: “People who make these kinds of comments which play down abuse must be scrutinised.”

A spokesman for the council added: “The views expressed in no way represent the views of the council and we would refute them. We are co-operating fully with the current Scottish Child Abuse Inquiry. We work closely with **Police Scotland** and our partner agencies to investigate any allegations of abuse, whether current or historical.”

A spokesman for the University of Dundee said: “One of the core principles of academic freedom is freedom of speech and we support that for all of our academics.”

Smith told the Sunday Herald: “The question I have addressed in my article, which was first published more than four months ago, is one that is of considerable debate – whether the application of modern standards to behaviour that occurred decades ago and in a time of different cultural norms means people are at risk of being unfairly prosecuted or demonised.

“In doing this I have not made reference to specific cases. What I have said is descriptive of practices at the time, which were commonplace and open.

“This is not an attempt in any way to deny genuine abuses that took place or make apologies for truly awful behaviour.

“Of course we do not want to discourage victims of abuse to come forward.

“But we also have to be extremely careful we are not making abusers of people who took part in innocent practices, which is the essence of my article.

“I would stress that I speak on the basis of decades of experience in the area of residential care and claims of abuse.”