

**Meeting of the In-care and Institutional Abuse Survivors Sub-Group of the Survivors of Childhood Sexual Abuse Reference Group**

**Monday 10<sup>th</sup> December 2007 11-1pm  
Scotland Street Glasgow**

**Present:**

|                 |  |
|-----------------|--|
| Gary Westwater  | (Chair) - Co founder of INCLUDEM                       |
| Harry Aitken    | Independent Survivor                                   |
| David Whelan    | FBGA – Former Boys and Girls Abused in Quarriers Homes |
| Helen Holland   | National Reference Group                               |
| Moyra Hawthorn  | Scottish Institute on Residential Childcare            |
| Jackie Brock    | Scottish Government                                    |
| Carolyn Wales   | Scottish Government (minute)                           |
| Annie Macdonald | Professional Adviser to National Reference Group       |
| Margo Dymock    | ADSW – Association of Directors of Social Work         |

**Apologies:**

|                |  |
|----------------|--|
| Chris Daly     | National Reference Group – Petitioner to Scottish Parliament |
| Heather Gray   | Who Cares Scotland- Director                                 |
| Jeannie Hunter | Scottish Government – Adult Care and Support Change Team     |

**1. Minutes from previous meeting of 5<sup>th</sup> November amended and agreed**

**Matter arising**

Gary advised the group that Chris was unwell and unfortunately would not be able to attend the sub group for the foreseeable future. Helen had been to visit Chris in hospital and had said he still wanted to be kept up to date with the progress of the sub group. Gary will write to Chris passing on our good wishes and promising to keep him updated on the group's progress.

**AP01 – Gary to send letter to Chris**

**Gary reiterated the principles of conduct by members of the group that were agreed at the first meeting noted in the minutes from November, with the understanding that we continue to adhere to them.**

**2. Analysis of questionnaire – Annie**

Annie previously presented an analysis of the questionnaire to the group. She had conducted further analysis with the help of one of her contacts who summarised the findings using SPSS, a data analysis tool. Annie informed the group that we had written out again to all people originally included on the distribution lists and had received a further 7 responses which Annie will add on as an appendix. There had been a response rate of 33% in total which the group agreed was a good return for such a piece of work. Annie also informed the group that we had gone back to various organisations requesting additional information about the stats they had

provided but unfortunately we had not yet received any further update from them. Following discussions, it was agreed not to pursue further. Moyra highlighted concerns for older survivors who don't use any facilities. Often it scares older people having to go back into care. Annie was thanked for all her work on the questionnaire.

**Survivor Scotland Website update** – Harry provided very positive feedback on the website. He thought the ease of navigation and content was first class with good links and was a great resource.

Harry again raised his concerns about the case studies/survivor testimonies on the website. Annie clarified that the cases studies on the site were genuine and had been lifted from the model of Mental Health and Wellbeing website, however Annie has taken Harry's concerns on board. David also had concerns over the potential for false allegations.

**Care Leavers Association** - Jackie informed the group that Scottish Government representatives had been invited down to meet members of the Care Leavers Association. Jackie Brock, Carolyn Wales, Annie Mac Donald, Jeannie Hunter and Gary Westwater would be visiting on Monday 17<sup>th</sup> December. They will be taking down documents from the subgroup and to see if we can share any best practice. David and Helen had previously been in touch with this organisation and welcomed this approach. We will feed back to the subgroup at the next meeting.

### **3. Procurement paper**

Jackie presented **the Office of Government Commerce** and also a **Generic Procurement Process: Main Elements** flowchart.

Jackie talked the group through the flowchart and clarified all areas of the process. The contract will be advertised and our procurement team will be helping us through the tendering process.

Harry asked Jackie when the tenderers would meet the group. Jackie stated that they would be invited along to do a presentation to the sub group. This would take place after the requirements of the Scottish Government had been met through a short listing process.

**AP02 Annie/Jackie to draft Service specification for the group for the next meeting**

Next meeting will be on the 4<sup>th</sup> February. It will be an all day meeting to prepare the business case for an independent In Care project. The paper will be ready to be submitted to the National Reference Group at its next meeting on the 29<sup>th</sup> February.

**AP03– Jackie/Annie to confirm time and venue of next meeting of the reference group**

At our next meeting we will draft the wording for an advert, as well as outlining the future timetable of events. Harry raised concerns about this as it depends on the agreement of the Reference Group. Jackie agreed with this and stated that we could only do an outline at this stage.

**Integration of Dedicated Services submitted by FBGA**– David issued the group with another updated version and will e mail Carolyn and electronic version for the records.

Gary commented that this was a very good document, good concept with concrete proposals. David and Harry expressed appreciation of the comments.

### **Scottish Law Commission Report**

Harry was disappointed with the report saying that it had missed the point about the most important principle of justice for the victims. Moyra agreed with Harry.

Although the statute of limitation on reporting has been increased from 3 yrs to 5 yrs. Harry felt that this was an insult and an offence to survivors. David had submitted documentation on behalf of FBGA as part of the research for this report but there is no reference made to it within the report. FBGA are listed at the end.

It was stated that it is clear that insurance companies are preventing organisations from giving an apology. David told the group that the Government of Australia has stepped in to stop this happening. They have threatened to remove the charitable status of many organisations.

**It was agreed that Colin MacEachram would be invited to a future meeting if this was felt to be of benefit at that time.**

### **Historical Abuse Systemic review 1950-1995**

Harry commented that this was an excellent piece of research. However he also commented that the investigation was weak because it was not focused on systems, Some organisations were less than helpful, this stood in the way of Tom's investigation

Helen thought it was a miraculous report using limited resources, he had managed to cover a 45 year period in 2 and a half years. Helen asked Jackie about the possibility of having a seminar to discuss this subject. Jackie stated that the Scottish Government were keen to look at this area.

David stated that the recommendations were excellent but remit limited and therefore constrained.

Jackie informed the group that the Scottish Government is keen to see all recommendations implemented.

Harry asked who had been responsible for distributing the invitations for the release of the report. As this had been an independent inquiry, Tom Shaw had issued the invitations directly. David would like to see more invitations to events in the future as limited invitations in the past have created difficulties for FBGA.

### **Katherine Marshall's proposal for a Truth and Reconciliation Commission**

Harry thought it was a great idea but had concerns with both words.

- FBGA believe in the right to a fair trial and hearing (European Legislation, Human Rights, section 6) by those alleging abuse and those being accused.

The process of Truth and Reconciliation would circumvent the current legal judicial court system.

- FBGA are concerned it will interfere with the rights of organisations to be able to defend against such child abuse allegations.
- FBGA believes that it has the potential to permit or allow within such a process an individual to create false allegations and embellishing of abuse if the process does not have judicial oversight and proper powers of investigation.

**The next meeting will be on the 4<sup>th</sup> February 2008 from 11- 3pm at Marine Crescent, Glasgow. Gary will arrange a hot lunch for us that day.**