

Scottish Child Abuse Inquiry

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FACTSHEET – DISCLOSING ALLEGATIONS

This factsheet explains when the Inquiry may share an applicant's name with the organisation or person named as an abuser or their legal representatives.

“Applicant” is the term the Inquiry uses for a person who tells us they were abused if their experiences fall within the matters we can investigate.

The Inquiry must be fair to everyone involved with the Inquiry. This is a legal requirement. Sometimes the need for fairness will mean that the Inquiry must share the applicant's name with the organisation or person named as an abuser. Not every organisation or person named as an abuser will be told the name of the applicant. This will only happen when the Inquiry must do so to be fair.

These are examples of when the need for fairness might mean that the Inquiry must share the applicant's name:

- when the Inquiry investigates allegations of abuse at an institution responsible for the applicant's care;
- when the Inquiry investigates the conduct of a person named by the applicant as an abuser.

These are examples of when fairness might not require the Inquiry to share the applicant's name:

- when the person named as an abuser has been convicted of abusing the applicant;
- when the institution accepts that children have been abused in its care.

These are examples. There is no “blanket rule”. The Inquiry will assess in the case of each applicant whether or not the need for fairness means the applicant's name must be shared.

All the evidence given to the Inquiry is valuable. The Inquiry will have regard to the evidence of all applicants whether or not an applicant's name is shared with the organisation or person named as an abuser.