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## **Abuse survivors pledge to make credible claims as time bar lifted**

CHILD abuse survivors insist they will only bring credible compensation claims to court after the historic decision to lift the three-year time bar that denied victims the right to sue for damages.

**Holyrood** yesterday unanimously backed a bill to remove the current three-year time bar to seek civil damages in court cases arising from childhood abuse on or after September 26, 1964.

It means that thousands of compensation cases could now start with ministers setting aside more than £13 million after the move, which has been warmly welcomed by victims groups.

David Whelan, spokesman for Former Boys and Girls Abused (FBGA) of Quarriers Homes, said he was delighted the bill to end the time bar had been passed with no abstentions. He added: “It is a momentous day for survivors – it has been a long struggle to get here, and convince people that the old law was antiquated and needed to be changed.

“The only sadness is that some people won’t be around to take advantage of it.”

He also rejected warnings by both Police Scotland and Alistair Gaw, of Social Work **Scotland**, who suggested to the Justice Committee there could be as many as 5,000 cases.

He added: “We gave evidence that every case will have to have robust and credible evidence, it is simple as that. **Courts** will have to be satisfied that abuse took place on the balance of probabilities, we accept that.”

Legal Affairs Minister Annabelle Ewing hailed the bill as an “important milestone” as she paid tribute to survivors of abuse.

She said: “I thank them for their bravery and persistence for bringing to our attention the plight and injustices they have suffered and for not giving up their fight to set these injustices right.”

“I am humbled by the courage they have shown, not only in campaigning for this legislative change but also in coming forward and sharing their experiences.”

Ms Ewing said the provisions in the bill are “justified and are proportionate” and should be seen as part of a package of support for victims, including a £13.5m in-care survivors support fund and the ongoing independent inquiry into the abuse of children in care.

**Conservative MSP** Oliver Mundell also paid tribute to victims as he apologised on behalf of his party for the “very grave failings of the past”.

He said: “For many, today represents a historic day, not only in the life of this **Parliament** but for our society as a whole. Today we have an opportunity to right a historic wrong.

“While this legislation is no panacea, there can be no denying the significance, both real and symbolic, that changing the law will bring. For far too long survivors and victims of abuse have been denied justice.”

The **Government** has estimated the change in the law will result in about 2,200 claims in the courts initially, but Holyrood’s Justice Committee heard evidence suggesting the numbers could be much higher, prompting concerns about the impact of the legislation on the courts system and local councils.

**Labour MSP** Claire Baker said the Government needs to ensure sufficient resources are available, noting the burden on some local authorities could be greater than others. “It is clear from the evidence to the committee that while there are anticipated costs of legal defence and action, there will be more significant costs involved in successful claims,” she said.

Lindsay Bruce, a senior lawyer in the historic abuse unit at Thompsons Solicitors, which represents survivors of historical abuse, said: “This is a very big day for the survivors. We are emotional about this. Now begins the process of fighting for justice for survivors through the court process. We’re now calling on every organisation facing claims to deal with them fairly, quickly and with compassion.”