

Re: Presentation by the SHRC to Scottish Petitions Committee due on the 29/11/2011

16th November 2011

Dear Chair and Members of the Scottish Petitions Committee,

FBGA would like to thank the Scottish Petitions Committee and Duncan Wilson @ the Scottish Human Rights Commission for their continued input and time given to these historical abuse issues affecting Scotland.

8-9 ex-employees of Quarriers Homes were convicted of physically and sexually abusing children in their care. 98 former Quarriers residents came forward to TTBH alleging abuse in the past organisations care; others were unaware that TTBH was taking place.

Regarding TTBH and the SACRO processes we have addressed issues in previous correspondence to the Committee, why these processes have failed to meet the expectations of the majority of the participants or address their needs. We welcomed and appreciated Quarriers willingness to engage with the processes.

Yes, Scotland has made much progress through its National Strategy. However, Scotland has still not dealt with the human rights and core issues affecting Scottish historical abuse victim-survivors and their "Rights" and expectations to have access to effective enquiries, equitable remedies, reparation, redress and justice.

A generation of children abused in the past Scottish care system have been failed by the Scottish State and Justice systems and the strict way the legislation (TIMEBAR) has been interpreted. In seeking a fair remedy in the Scottish Civil Courts, Quarriers victim-survivors became mired in an inequitable and arduous Scottish legal process. This was despite the fact that our abusers had previously been convicted in the Scottish Criminal Courts. Other victim-survivors had similar experiences.

The Scottish Parliamentarians in 2004 debated these historical abuse issues and committed to meeting there obligations and resolving the issues and here we are in 2011 with the core issues still unresolved.

The majority of Scottish victim-survivors, from various institutions overwhelmingly support the Scottish Human Rights Commissions framework document and recommendations.

The Government and State was responsible for the regulation and oversight of these institutions and is still ultimately responsible for the treatment that former residents endured in these institutions including Quarriers. Time and distance does not absolve that responsibility. Nor does the current economic climate.

We kindly request the relevant Scottish Government authorities to now comply with their international obligations and follow the lead of other countries and address these historical abuse issues.

We are urging The Petitions Committee and The Scottish Government, to now commit and move to support the implementation of the SHRC framework, recommendations and a process, that is individually person centred yet beneficial to ALL Scottish victim-survivors.

Kind Regards

David Whelan, FBGA

cc: Scottish Human Rights Commission, Scottish Government