

SHAME ON YOU

Fury at ministers and civil servants over 13-year delay to historical abuse inquiry ++ Judge says victims DIED waiting for justice ++ Swinney in grovelling apology

By Graham Grant
Home Affairs Editor

VICTIMS of historical child abuse died without getting justice after successive governments failed to order an inquiry, a High Court judge has said.

Lady Smith, chairman of the Scottish Child Abuse Inquiry, said survivors had first called for a statutory probe into the issue as far back as 2002.

But due to 'woeful and wholly avoidable' delays and a lack of 'appetite' among ministers and officials, they had to wait until 2015 before one was launched.

Yesterday, Deputy First Minister John Swinney apologised that the Scottish Government did not respond 'more appropriately and sooner' to the concerns of survivors.

Last night, David Whelan, of the survivors' group Former Boys and Girls Abused in Quarries (FBGA), said 'the conduct of Scottish civil servants over many years was shameful, demeaning and completely disrespectful in their engagement with many survivors of historical abuse'.

He added: 'Survivors have passed away in the meantime due to the past inactions of these Scottish civil servants and Scottish ministers.'



They should hang their heads in shame. The severe trauma and impact on survivors' lives and their families cannot be overstated.

Lady Smith published her findings into why calls for an inquiry were resisted by ministers.

She looked at the response to a petition submitted by a survivor in August 2002 calling for an inquiry and an apology on behalf of the state, and at key issues raised by other survivors.

It was not until December 2014 that the Scottish Government announced a national public inquiry into historical abuse of children in residential care. The inquiry began the following year.

Lady Smith said that between 2002 and 2014, there was 'no appetite' within the Scottish Government for a public inquiry.

She said: 'For far too long survivors' voices were not listened to, nor heard; they were treated as if their views did not matter and as if they were not worth listening to, just as when they were abused in care. The Scottish Government failed to grasp the fundamental importance that survivors appropriately and justifiably attached

to their need for justice, accountability and redress.'

'Justice is not a service, and those who call for it where it has been denied are not customers of a service that may or may not be available depending on the choice of the administration of the day.'

'That key point was missed.' She said that officials and legal advisers wielded 'significant power and influence', ministers relied heavily on their advice and generally followed their recommendations - and that by not questioning

advice, key aims of the petition were resisted for 'far too long'.

Former First Minister Jack McConnell, now Lord McConnell, Mr Swinney, and former Labour education minister Peter Peacock were among those who gave evidence to the inquiry between November 17, 2020 and December 4, 2020.

The judge said there was a 'marked lack of urgency' in the Government's approach to addressing justice, accountability and redress between 2002 and 2014, during which period a significant

number of abuse survivors died. Lady Smith said that 'for them, justice delayed was justice denied.'

As First Minister, Lord McConnell made an apology in the Scottish parliament in December 2004 for past institutional child abuse.

However, Lady Smith said its wording was 'extremely cautious, drafted in a hurry', and 'was not an apology on behalf of the state'.

Yesterday, Mr Swinney said: 'The Scottish Government apologises unreservedly that it did not respond more appropriately and

sooner to the concerns of survivors of abuse in care, who called for a public inquiry. 'Responding to survivors of abuse in care spanned different administrations between 2002 and 2014.'

'Steps were taken by government to respond... but this happened too slowly and did not go far enough; however, an inquiry was announced within weeks of the current First Minister taking office.'

Lord McConnell, who was First Minister between 2001 and 2007, when the SNP ousted Labour and the Lib Dems, said: 'The delays in communication and the way decision-making was managed were not acceptable then or now.'

The inquiry heard claims last year that Alex Salmond when he was First Minister, as well as some other top Scottish Government figures, were opposed to holding an inquiry into the abuse of children in care.



DAMNING VERDICT



SCARRED FOR LIFE

'Justice denied': Child victims 'not listened to' as adults



GUILTY

GUILTY

'SORRY'

Passing judgment: Inquiry chairman Lady Smith, left. Above, Jack McConnell, Alex Salmond and John Swinney