

Victims and Witnesses Bill

CHILDREN 1ST

CHILDREN 1ST has not engaged in discussions about proposals for a National Confidential Forum (NCF) until now. This was partly because of how it was initially commissioned, and partly because of the restricted nature of its scope in dealing only with adults who were in 'institutional care' as children.

CHILDREN 1ST has nearly 130 years of experience as the Royal Society (RSSPCC). When it was set up, before local authority social work departments were formed, the RSSPCC employed inspectors to investigate child abuse and neglect reported by the public. The abuse and neglect reported to the inspectors took place in a wide variety of settings, including, among others, alternative family based care, now known as kinship care, and residential care. We have also in the past been responsible for the running of residential units across Scotland.

When new legislation gave responsibility for investigating child abuse to local authority social work departments in 1968, the role of RSSPCC changed. As CHILDREN 1ST we still keep archive records, held at Glasgow Caledonian University, of all the work we undertook as RSSPCC. We understand that when people contact us to find their records they are trying to make sense of their life history, a task which we very much wish to help them with, and which is by no means always a negative experience for them. We have never been approached by an individual who feels they were abused while in the care of one of our own residential units, but we recognise that this could happen, and we welcome the opportunity the NCF could offer these individuals to explore what happened.

CHILDREN 1ST has 46 local services and four national services across Scotland. We run two survivors groups in Moray and Scottish Borders for women who were abused as children, many of whom have already been in contact with our other services for a range of reasons. We work closely with many local authorities as well as working in partnership with other organisations. All our services are child centred. The children, young people and families we support are key partners in all aspects of our work.

- **The functions and powers of the NCF (as set out in the Bill);**

CHILDREN 1ST welcomes proposals for a National Confidential Forum (NCF). We particularly welcome proposals to create a safe, confidential space in which people can talk about their experiences. We know from the children we work with that children are often unable to talk about abuse at the time for fear of the consequences disclosing this information may lead to. A forum that is truly confidential may, if well-staffed, encourage and enable those who have experienced abuse as children to talk about their experiences, which in turn should lead to changes in policy and practice, improving life for future generations.

We note, however, that NCF will only be available to those who were in 'institutional care' during childhood. It is CHILDREN 1ST's belief that Scotland would benefit from a National Confidential Forum available to all adult survivors of child abuse. In order to gain a realistic understanding of the scope of child abuse which has taken place historically, we need to know what has happened across the country. This includes adults who were in residential care as children, as well as those who were looked after by foster carers, kinship carers, or indeed, their own parents. We know that the vast majority of children in Scotland are cared for within their own families, and that child abuse can and does happen to anyone. In order to plan and implement changes to policy and practice in this area, we must build a picture of child abuse across the country, not just for a minority of children.

We know that the children who are currently in residential care make up a very small proportion of children in care overall. In the future, this proportion could be even smaller, as more children become looked after in alternative forms of care. CHILDREN 1ST feels that in order to future-proof the NCF, it must be available to all adult survivors of child abuse. This would prevent the NCF from needing to be completely reworked in the future when it is found that very few people are eligible to give testimony and therefore it is not able to achieve its aims.

CHILDREN 1ST would also like to see a National Confidential Forum which allows everyone, including children, to voice their experiences. It is very important that children are given the opportunity to provide testimony to the Forum, particularly where they have already moved on from the care setting in which they feel they were abused or not given appropriate care, in which situation they may not otherwise have the opportunity to raise their concerns. We believe it is vital that the NCF should be available for all who have been abused as children, regardless of age; it is not appropriate or acceptable for a child to have to wait several years to reach the age at which their testimony becomes valid.

We support the role of the NCF to identify patterns and trends, and to make recommendations about policy and practice. We do, however, feel that in order for this to be meaningful there must be a duty placed on the appropriate organisations to consider and act on the recommendations of the forum. We also feel very strongly that the NCF should have powers to initiate enquiries.

- **Status of the NCF – housed as a sub-committee of the Mental Welfare Commission – and its independence;**

CHILDREN 1ST believes that housing the NCF within the Mental Welfare Commission could create a stigma that makes it difficult for people to come forward to give testimony. Those who have experienced abuse should not be made to feel that this is a mental health issue; they are coming to the NCF for a range of reasons and should be encouraged to do so without feeling that this could cast doubt over their mental welfare.

As the Human Rights Commission was involved in the original Time To Be Heard work, and continues to have a role, we feel it would be entirely appropriate for the NCF to continue to sit within the Human Rights Commission.

- **Support for participants before, during and after their input;**

CHILDREN 1ST works with many families who have been impacted by abuse. Last year alone, CHILDREN 1ST worked with 1881 people, 204 of whom said they had experienced or been impacted by sexual abuse; 59 were adults, the rest were children. We think this number is probably much higher, because of the number of people who don't feel able to tell anyone.

Often the way we are treated as children can affect the way we feel as adults, and it can be hard to change this. Adults who were sexually abused as children can feel negatively about themselves. Survivors of childhood abuse who provide testimony to the NCF may find this a cathartic experience that helps them to move on. There will be others, however, who may find the experience re-traumatising, or that it raises thoughts and feelings they need to explore outwith the forum. It is, therefore, very important that full consultation regarding the types of support offered to those applying to testify to the forum.

In Scotland there is currently a great shortage of abuse recovery services for children and their families. CHILDREN 1ST is clear that there are children and families in Scotland who have suffered from sexual abuse, whose needs are not being met. Children and adults are often on waiting lists for months, if not years. More needs to be done to help people recover from sexual abuse and harm.

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