

Petitioner submission of 7 March 2023

PE1933/L: Allow the Fornethy Survivors to access Scotland's redress scheme

Thank you for your email dated 14th February 2023 concerning the DFM's response, dated 6th February 2023, to the Convener's letter dated 10th January 2023 in relation to our petition.

We were delighted to read that the Petitions Committee responded so favourably to our calls for equality and fairness and agreeing that the evidence was unanimously "compelling and indicates support for widening the eligibility criteria". The Committee recommends that action is taken. Thank you to each and every one who supported us; it is greatly appreciated.

The DFM has asked for more time to conduct further investigations and to then come back to the Committee with a further update. Again, we are pleased that this is happening but since no indication of a deadline was given, we have concerns that our case will go into "the long grass" as well as the news that the DFM is to step down from his position. We want to keep the momentum going and not let our plight be pushed back further and further and having to bear such long delays in gaining justice. It is damaging to us. Children at Fornethy were failed over a thirty-year period of abuse (which may just be the longest standing abuse scandal in Scotland's history?) and here we are having to wait and wait.

We noted Brian Whittle MSP's [contribution to the Committee](#), outlining the potential of taking our case to the European Court of Human Rights, and this is something we would consider. The DFM does not believe that Fornethy Survivors are precluded from applying for redress yet the Committee acknowledge in their deliberations that the criteria does need to be widened to give all a fair and equal opportunity to apply if they so wish. Those victims pre-the 1964 criteria certainly do not have that equal opportunity. This is at the heart of our petition. We are doubtful many would succeed given the criteria. The action needed is what the Committee recommend.

We find the responses from the DFM confusing and potentially inaccurate, with one saying it is the *length* of the abuse that matters, since our respite care was short term and yet in the most recent response, the *duration* of abuse is not? It is confusing given that other Redress Schemes ignore the length of abuse in care which is not a qualifying factor. We would also further challenge the Terms of Reference (6) in the knowledge that 'respite' is included for victims of childhood abuse. Clarification is needed.

We would like to request once more what the timescale actually is for someone in care to access the Redress Scheme? What is the cut-off date please? This was raised in our June letter (PE1933/B) but remains unanswered.

New Information

The Fresh Start Foundation (sponsored by the UK Column) have organised two conferences for the Fornethy Survivors, the first of which took place on the 22nd January 2023 and a further one was held on the 4th March 2023, gaining more press momentum. See:

<https://www.ukcolumn.org/video/fornethy-residential-school-childhood-memories-and-survivor-testimonies-from-scotland>

The purpose was “a waypoint on the journey towards recognition for the Fornethy survivors.” These meet ups have been very helpful where various professional speakers offered their support to the Survivors. They outlined that children are the most vulnerable, exploited and abused members of society who are still not being protected sufficiently. Indeed, this is now being borne out by longitudinal research studies into the profiles of abusers and how they target those who cannot protect themselves.

We also noted from the conference that the Glasgow City Council have now admitted that case files relating to Fornethy do exist. It isn't a surprise then that the Survivors often feel that there are potentially cover ups preventing them from gaining full and rightful access to the records in existence.

Efforts will continue to raise the public profile of the Fornethy Survivors be that through the press, protests or television coverage. We are united

in our determination to succeed. We want to be listened to and actions taken. We deserve this.

Please move this damaging legacy of 30 years of abuse forward and bring it to a conclusion which brings justice and peace!

Mutuality and trust are sacred in moving forward.