

# Petitioner submission of 14 August 2023

## PE1933/M: Allow the Fornethy Survivors to access Scotland's Redress Scheme

The Fornethy Survivors wish to bring some matters to the Committee's attention regarding new information relevant to our cause.

The then Deputy First Minister stated in his submission letter of [6 February 2023](#):

*"I do not believe that Fornethy survivors are precluded from applying for redress under the current eligibility criteria"*

One of our survivors, having recently applied for redress, has received the following reply from the Scotland Redress Scheme on 28<sup>th</sup> July 2023:

*"We note you have listed placements in Fornethy House, the kinship placement, Creagdhu and Fairfield children's homes. You have not detailed any allegations relating to Fairfield.*

*As you may be aware, the terms of the Redress Scheme restrict the types of placements which are considered relevant. They exclude short-term placements (i.e. for holiday or respite) and those involving family members, i.e. kinship placements.*

*Therefore the first two placements listed above will likely be disregarded by the panel who make a decision on your application."*

As it clearly states – Fornethy will be **disregarded** by the panel which is in direct contradiction to Mr Swinney's response above? So regardless of how or why a child was placed in residential care (*"in locus parentis"*) and regardless of what abuse and horrors happened there – we **are** being denied that opportunity? This has shattered our confidence and trust.

The Citizen Participation and Public Petitions Committee noted the Deputy First Minister's response at their meeting on 3<sup>rd</sup> May 2023:

*"The committee received a response from the then Deputy First Minister, John Swinney, which indicated that work was under way to test the existing eligibility criteria and guidance in relation to Fornethy and **that***

***we would receive a further update when that analysis was completed”***

Have the Scottish Government reported back to the Committee? Mr Swinney also referred to “privacy issues” being a barrier to the women but the above demonstrates this is irrelevant.

After much discussion, the Convener concluded:

*“just in case the current Deputy First Minister is not familiar with all the issues for whatever reason, we restate some of what we said in the letter to the previous Deputy First Minister and the response that we received at that time, to underpin why we now seek to meet the Deputy First Minister herself.”*

We await an update on the above.

We are grateful that our plight was debated in Parliament on [25<sup>th</sup> May 2023](#) and thank all of those who attended and contributed so forcefully. It was acknowledged over and over again that we deserve both justice and recognition and outlined the difficulties and barriers in qualifying for the Redress Scheme. Further to that debate, one of the perpetrators from the 1970’s is now facing prosecution; unfortunately, two of the main perpetrators have now died. This gives those of us who were at Fornethy during the 1960’s no opportunity to go through the court system, leaving redress as the only potentially viable option to have that justice and recognition.

Colin Smyth MSP, in his address to parliament, asked MSPs to consider a public enquiry, which we would totally support and now formally request. He describes the *“litany of failure”* in our attempts and being blocked time after time. Martin Whitfield MSP refers to these continued failures as a *“stain both on this Parliament and the Scottish Government”*.

Jamie Greene MSP stated: *“it was clear from the outset that redress would not be available to everyone and that it was clear that the scheme has shortcomings.”* He went on to say: *“I am deeply disappointed and angered by the fact that so many organisations that were responsible for abuse during that period did not even participate in the scheme – shame on them for hiding from the truths of their own pasts”*.

Brian Whittle MSP referred to the redress scheme breaking the United Nations Convention of the Rights of the Child law due to its limitations, an issue which may be tackled in future. Work is now underway with the Scottish Human Rights body and we are aware that our rights have been breached on many fronts. We will not leave one stone unturned.

We are also aware that the government appointed researcher put in place to access the Fornethy Records is not a specialist in archiving but a psychologist who was working on alcohol problems in children a long time ago. We question whether this was the best use of a resource to help us in this? We are still no further forward with our records and more questions arise from that. We are also working alongside Police Scotland who are actively investigating a wider concern around paedophile activity at Fornethy. They believe our accounts that some of us were taken from our beds in the night and subjected to sexual assault and inappropriate behaviour wounding our bodies and souls. There are questions around the role of the Glasgow Corporation at the time. On and on it goes. We need peace and we need justice.

The Fornethy Survivors have remained very focussed and have not lost any will or determination to see this through. We are more committed than ever after the long and arduous journey. There are committed MSPs who are on board with our plight and actively advocating for us and we thank them for putting their heads above the parapet and not turning a blind eye. We work with local media companies who are likewise committed to our cause. We continue to work through our trauma history. We are doing everything that we can.

As the saying goes "it's not what people say it's what they do". How much longer do we have to wait for answers to questions already asked; how much longer to wait for a proper investigation into what has happened to our childhood records; how much longer to know that if redress is applied for it will not be disregarded on the basis that Fornethy survivors will not be disregarded by the panel?

Are we truly alone? Please, please DO the right thing. No more words. Actions. Please put the survivors of Fornethy at the heart of the Redress Scheme which after all was the intention when the scheme was devised – Survivors at the heart!

For and on behalf of all Fornethy Survivors

**Further Information:**

<https://www.sundaypost.com/fp/fornethy-house-police-probe/>

<https://www.thecourier.co.uk/fp/news/courts/4403890/fornethy-school-court-case/>

<https://www.ukcolumn.org/article/fornethy-house-beyond-the-pale>

<https://www.glasgowlive.co.uk/news/stories-glasgow-women-abused-fornethy-26993390.amp>