

PE1933/T: Allow the Fornethy Survivors to access Scotland's redress scheme

Petitioner submission of 10 April 2024

Thank you for the invitation to respond to the evidence provided by Shona Robison (DFM) on the 20th March 2024.

“A Primal Scream”

is our response.

Whilst we are very grateful to those in the meeting who supported the Survivors, we cannot underestimate the agonising and depth of angry and hurt feelings to what we heard from the DFM. This early, horrific abuse suffered, broke the early trusting frame and attachments that we were developing as growing children. **It only takes one event, one day to change your world view of life forever** and the lasting trauma that brought. Not only were we victims of that abuse and violence, witnessing other little girls being abused was further traumatising. This abuse is central to our communications with you, of which redress is a part of. Are we not worthy because we were only abused for a short period? How can the DFM claim that Scotland has a world-renowned redress scheme but clearly makes us unworthy of it by being excluded? Such a renowned scheme, **and yet it allows this? It is hard to swallow.**

Trust is sacred. Our trust was broken as little girls and now again our very trust in the justice system that is there to help us and **has the power to do the right thing by us**, has been shattered. That primal scream and rage was felt so powerfully hearing the DFM's comments.

The horrific abuse suffered at Fornethy, is absolutely relevant in keeping with the **essence** of the Redress Scheme and within the Act which “**puts survivors at the heart**”. Fornethy should not be excluded for the many reasons outlined in our previous submissions, since the DFM “could technically” change the parameters be they contrary to her view.

We would therefore raise some further matters for the DFM. We feel that the DFM not only changed the goalposts of the essence of the scheme and the opinions of the previous DFM but stonewalled us into silence again. The DFM's personal opinions contradict the previous submissions made by the outgoing DFM – and are a subjective decision at that. Had we been little girls standing in front of the DFM, naked and vulnerable, would that have changed anything? How does a 5, 8 or a 10-year-old prove themselves? We are the true “ghost” children – nothing to prove that we were there from school records to medical records. A brick wall wherever we looked.

Would the DFM please elucidate on what is an acceptable amount of abuse as in a long-term abuse and compensatory situation versus a short-term abuse and compensatory situation? For example, would a single rape victim in a long-term care home be allowed redress whereas survivors in a shorter-term facility enduring many horrors over a six-eight week stay, not be? It just doesn't make sense. **How does the DFM arrive at the conclusion that short term means no redress?** Abuse is

abuse. It harms, it hurts, and it is a life sentence. It should not be dependent upon how we came to be there and can be seen as a deliberate way to not be faced with too many cases seeking redress.

Any apology made without action is words. Apology equals an action; a change in something or a behaviour. We wanted to be seen and heard at the meeting but were directed to be silent, to cover up.

- **The Researcher's Report of Dr Fossey vs the expert evidence of Professor McAdie**

Dr Fossey's research report was brought to the meeting and referred to by the DFM whilst at the same time ignoring the research report of Professor Diane McAdie who, with the same material, came to very different conclusions which were factual and produced hard evidence. An example of this was the inaccurate reference to "Fornethy House" being shown as rehabilitation/respite home/holiday camp but the evidence in McAdie's report shows it was a **Residential School**. Why wasn't Professor McAdie's research brought out as further evidence? We had been in the care of GCC – it was a transfer of school role to an educational establishment and where we were taught in classrooms, and therefore in **loco parentis**, and therefore held **legal responsibilities** taking on that role within the school in the absence of parents. We were then put back on school roll when we returned. As Dr McAdie states in her findings from the archives, "**there were no medical professionals at Fornethy**". It was an educational facility where teachers were advertised and hired to teach. Also, many of us were not ill when we went to Fornethy but came out mentally scarred as a result of it. Dr McAdie's report states that as such it should have been under regular mandatory inspections and was advised, but not one piece of material can be found to show any inspection or children being interviewed. Parents had no way of knowing what was going on either. The DFM declared that parents signed for us to go to Fornethy – they did not sign for us to be abused!

- **The DFM stated many times during the meeting that everything depends on the records to prove our attendance at Fornethy to apply for Redress – without that evidence nothing can be done.**

The onus should not be on the Fornethy Survivors to access their historical records (although we have tried) and provide records but on the Scottish Government who effectively put in the legislation to authorise its destruction. The essence of the scheme was survivors at the heart but if we cannot get past the starting point without evidence, the scheme is useless. We wonder how many children in long-term care can access records from their historical past?

- **Police and The Scottish Child Abuse Inquiry**

We have provided many lengthy statements to the above organisations, independently, and which corroborates our stories – many of us were in therapeutic treatments and internet forums long before the Survivors came together, and well before Redress Scotland came into being. There is evidence that these things are true. Police investigations are on-going and there is an on-going legal case to be answered.

They believe us! We have co-operated with them.

The essence of the Redress Scheme was that it would be easier for survivors to come forward and make their application, not to make it harder – the process was to be a simpler and fairer one? If we cannot get past the start line with a piece of paper or a list of names, then it is a futile process.

In conclusion, the decision of the DFM to not allow redress is felt to be based on financial considerations rather than a true justice system. Much more could be done.

We would ask that Dr McAdie's recommendations to amend the existing eligibility criteria for the Redress Scheme be considered before any further actions are made to close our petition down. We will not stop there, we are in this together and will fight for justice for those who want redress and for all to be seen, heard, and listened to.

We need that recognition and justice to give us peace and closure on our terrifying early childhood memories of physical and mental cruelty, beatings, and sexual assault that we carry in our minds every day.

- **New information**

A second Fornethy conference, with a number of Survivors present, was held in Glasgow in February 2024. We continue to raise awareness through the media; engagement with Scottish Human Rights Commission; protests and other projects.