

JUSTICE COMMITTEE: CONSIDERATION OF LIMITATION (CHILDHOOD ABUSE) (SCOTLAND) BILL

Note of meeting with 'T' and 'M'

Tuesday, 31st January 2017

Present: Fulton MacGregor MSP, Ben Macpherson MSP, Oliver Mundell MSP, 'T' and 'M', both survivors of childhood sexual abuse, and Janine Rennie, Open Secret

Background

Both 'T' and 'M' were victims of abuse from a very young age, 'M' primarily in care settings and 'T' was also abused at home. Both 'T' and 'M' have found ways to help them through the traumas they faced during childhood – however both of them are still affected deeply, and it took decades before either of them were able to confront, or to speak about, the childhood abuse they suffered in a non-destructive way. Both spoke about fear, loss of childhood and 'shutting down' their feelings and emotions. The experiences they faced also left them unable to trust people in a position of authority, as those in positions of trust had abused them. Both stated that the trauma of abuse takes years to deal with and to fully understand the damage that has been done. This in turn means that it can take years for survivors to be in a position to be able to take action. Both reflected that 20 years ago they would not have been in a position to seek help and 'M' in particular spoke about feeling 'invisible'.

Key issues

M spoke about actions being right and wrong – and that those who committed wrong actions 40 or 50 years ago should still be accountable for those actions. Not being able to seek redress makes it feel like society says the original abuse didn't happen – and again the survivor feels society is not interested in them – 'another door slammed in your face'. She spoke about needing to know that those in positions of power are willing to try to do something about this. For her, the key issue is accountability and she feels the current time bar 'turns the law on its head' and prevents this.

Both T and M said they would benefit from a removal of the time bar in cases of childhood abuse. Not only as it would personally affect them, but also symbolically it is important. M in particular spoke about the need to acknowledge the "atrocities" that went on, and warned that pre-1964 cases may end up feeling 'forgotten' – these people should also have the opportunity to seek justice and 'know that people care'. If those cases are excluded from any legislation, it would need to be explained very clearly why that is the case – 'legal complications' won't cut it.

Both stated that the removal of the current time bar would encourage them to seek justice – it would mean 'an awareness that people care and are striving to change things and make things better'. M spoke about the hope and recognition it would bring and that it would feel like a new beginning. 'T' echoed this and said that he 'has his paperwork and is ready to proceed with a case if the time bar was removed'. He stated that if the Bill is passed it will be like a 'huge sigh of relief' and an opportunity to seek closure.