

# Citizen Participation and Public Petitions Committee

17th Meeting, 2022 (Session 6), Wednesday  
7 December 2022

## PE1905: Public Inquiry into the response of religious organisations to allegations of child sexual abuse since 1950

<b>Lodged on</b>	25 October 2021
<b>Petitioner</b>	Angela Rosina Cousins on behalf of the UK XJW's Support
<b>Petition summary</b>	Calling on the Scottish Parliament to urge the Scottish Government to order a public inquiry into the actions taken by religious organisations in response to child sexual abuse allegations since 1950.
<b>Webpage</b>	<a href="https://petitions.parliament.scot/petitions/PE1905">https://petitions.parliament.scot/petitions/PE1905</a>

### Introduction

1. The Committee last considered this petition at its meeting on [18 May 2022](#). At that meeting, the Committee agreed to write to the Scottish Government to highlight the findings of the Independent Inquiry in England and Wales. In its correspondence, the Committee also highlighted its evidence session with the petitioner on [23 March 2022](#).
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received new submissions from the Deputy First Minister and the petitioner which are set out at **Annexe C**.
4. Written submissions received prior to the Committee's last consideration can be found on the [petition's webpage](#).
5. Further background information about this petition can be found in the [SPICe briefing](#) for this petition.

6. The Scottish Government's initial position on this petition can be found on the [petition's webpage](#).
7. Members may wish to note that the Independent Inquiry into Child Sexual Abuse in England and Wales issued its [report on Child Protection in Religious Organisations and Settings](#). Many of the issues identified in its report are similar in nature to concerns raised by the petitioner. The report stated that the Inquiry would return to a number of issues, including:
  - mandatory reporting;
  - vetting and barring;
  - regulation of the voluntary sector in respect of religious organisations and settings; and
  - introducing primary legislation to provide that voluntary settings adhere to basic child protection standards.
8. Members may also wish to note that the Independent Inquiry into Child Sexual Abuse in England and Wales published its [final report](#). The report makes reference to child abuse in religious organisations throughout and covers many issues that are similar in nature to the concerns raised by the petitioner. The report makes 20 detailed recommendations, including:
  - Recommendation 2: Child Protection Authorities for England and for Wales. (page 328)
    - The Inquiry recommends that the UK government establishes a Child Protection Authority for England and the Welsh Government establishes a Child Protection Authority for Wales.
  - Recommendation 9: Greater use of the barred list (page 336)
    - The Inquiry recommends that the UK government enables any person engaging an individual to work or volunteer with children on a frequent basis to check whether or not they have been barred by the Disclosure and Barring Service from working with children. These arrangements should also apply where the role is undertaken on a supervised basis.
  - Recommendation 13: Mandatory reporting (page 341)
    - The Inquiry recommends that the UK government and Welsh Government introduce legislation which places certain individuals – 'mandated reporters' – under a statutory duty to report child sexual abuse.
  - Recommendation 19: Redress scheme (page 351)
    - The Inquiry recommends that the UK government establishes a single redress scheme in England and Wales, taking into account devolved responsibilities. (non-State institutions are included in the eligibility criteria)

## Action

The Committee is invited to consider what action it wishes to take.

### **Clerk to the Committee**

## Annexe A

# PE1905: Public Inquiry into the response of religious organisations to allegations of child sexual abuse since 1950

## Petitioner

Angela Rosina Cousins on behalf of the UK XJW's Support

## Date lodged

25/10/2021

## Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to order a public inquiry into the actions taken by religious organisations in response to child sexual abuse allegations since 1950.

## Previous action

I contacted my MSP about this matter who I believe also spoke to the relevant Government Minister.

## Background information

I am a survivor of child sexual abuse. Like many others, when I reported that I was abused, I was failed by people within my church.

I supplied my evidence to the inquiry for England and Wales however, they could not use it as that inquiry didn't pertain to Scotland. Although there is a Scottish Child Abuse Inquiry, it is focussed on investigating the abuse of children in care.

There needs to be an investigation into the response of religious organisations, who were informed about allegations of abuse against children who were not in care. I would like the inquiry to investigate how many victims and how many alleged abusers there were, and what these organisations did to protect the victims.

The Independent Inquiry into Child Sexual Abuse in England and Wales has just released its report. Scotland now needs its own inquiry.

## Annexe B

### Extract from Official Report of last consideration of PE1905 on 18 May 2022

**The Convener:** PE1905, on the public inquiry into the response of religious organisations to allegations of child sexual abuse since 1950, was lodged by Angela Rosina Cousins on behalf of UK XJW's Support. The petition calls on the Scottish Parliament to urge the Scottish Government to order a public inquiry into the actions taken by religious organisations in response to child sexual abuse allegations since 1950.

At our last consideration of the petition, we heard directly from the petitioner about her experiences and the issues that she would like to see addressed. I thank Angela again for taking the time to come to the Scottish Parliament and speak to the committee on what was clearly a particularly difficult topic. I think that I speak for all members when I say that the committee found Angela's evidence compelling, although it was difficult to deliver.

In that session, we heard that victims of that abuse are hidden in plain sight and need to be heard, as they are often isolated from everyday life. The petitioner made her case for the Scottish Government to conduct a public inquiry into the matter and raised the significance of mandatory reporting mechanisms.

Members will also recall the submission that we received from the independent inquiry into child sexual abuse that is under way in England and Wales. The inquiry undertook a specific investigation into child protection in religious organisations and has published its report, along with recommendations, including recommendations for further work. Members can find a link to the full report in their papers.

The evidence session was difficult for the committee. Having reflected on that evidence, do members have any comments on how we might now choose to proceed?

**David Torrance:** I would like to keep the petition open and write to the Scottish Government to highlight that evidence session and the report from the independent inquiry into child sexual abuse in England and Wales. We should state that the report notes the findings of that inquiry and the issues that have been identified as requiring further consideration, and highlight that the petitioner's experience reflects many of the findings of that inquiry and the issues that it identified. We should also highlight that, in Scotland, there are no plans to extend the scope of the inquiry into the abuse of children in care and there is currently a gap in progressing consideration of the issues related to the response of religious organisations who have been informed of allegations of abuse against children who were not in care.

**Alexander Stewart:** I very much concur with that. As the convener indicated, it is a difficult situation, but it exists and we need more clarity on it. What has been suggested would give some of that clarity at this stage, so that the committee can then consider what gaps there may be in the process and ensure that there is an

opportunity to look at what has happened in England and Wales with reference to some of the issues, because that is very relevant to the petitioner and the issues that she was trying to raise.

**The Convener:** No other colleagues are indicating that they wish to comment.

I continue to be perplexed. The inquiry in England and Wales has managed to accommodate the review into abuse in the care sector and, that being the case, it is unclear to me why there is resistance to closing the gap in the scope of the inquiry in Scotland. That is very much the petitioner's perspective, from the evidence that we heard, and that point remains largely unanswered. The argument that it would create difficulty or delay does not seem to have been borne out by the ability of the inquiry elsewhere to accommodate that area of abuse, so we really want to pursue that point.

Is the committee content with the recommendations that have been made in relation to the evidence that we heard?

**Members** *indicated agreement.*

## Annexe C

### Deputy First Minister submission of 21 June 2022

#### PE1905/D: Public Inquiry into the response of religious organisations to allegations of child sexual abuse since 1950

Thank you for the opportunity to respond to the above petition following the Committee's consideration at its meeting on 18 May 2022.

#### **Extending the scope of the Scottish Child Abuse Inquiry/establishing a separate inquiry**

The Committee asks for consideration of an extension to the scope of the Scottish Child Abuse Inquiry (SCAI) to include abuse which took place in religious organisations/settings or that a separate public inquiry is established to address the issues highlighted in this petition.

As the Committee note, I have previously considered whether to widen SCAI's remit to include abuse that took place in non-residential settings such as local parishes, day schools and youth organisations. However, I concluded in November 2016 that if a wider remit was set it would in practice take many more years for the SCAI to complete its investigations and produce its findings and recommendations. It would mean the Government failing to meet its commitment to survivors of in-care abuse, our commitment to learn from their experience and, by addressing the systemic failures which existed, ensure it can never happen again.

As the Committee highlight, there is wider learning from SCAI and the Independent Inquiry into Child Sexual Abuse (IICSA) in England and Wales about cultural and organisational factors that made children less safe and allowed abuse to perpetuate, which can be applied to other settings and circumstances. Given this, and the actions set out below which we have taken, and continue to take to strengthen our child

protection system, I do not consider that the scope of the SCAI should be extended or a separate inquiry should be established to consider abuse that took place in non-residential religious organisations/settings.

### **Alternative measures**

The Committee also ask about alternative measures in place in Scotland to address the issues highlighted in this petition.

### National Guidance

The [National Child Protection Guidance in Scotland 2021](#) describes the responsibilities and expectations of everyone who works with, or comes into contact with children and young people, families and carers in Scotland. It incorporates our understanding of best practice from a range of sources, including practitioner and stakeholder experience, inspections, research, inquiries and learning from Significant Case Reviews.

This guidance is a comprehensive update of the previous 2014 version and was developed through a collaborative process informed by extensive public and stakeholder engagement, including a Scottish Government consultation. Engagement with faith leaders was undertaken to consider issues and arrangements in relation to child protection in religious organisations and settings, and develop text before the public consultation. The views of experts in the prevention of sexual abuse were sought and reflected in the consultation draft and final version.

While the public consultation generated many hundreds of pages of comment and debate from individuals and organisations – there was little recommended change to the sections specific to faith, religion and relevant organisations.

Throughout the guidance there is an emphasis on listening to children, participation of, and support for families and multi-agency partnership in core elements of child protection processes. The guidance includes a strengthened and extended section on child protection in faith communities and religious organisations. This section sets out that:

*The best protection is prevention. For faith communities and organisations, clear, written and well-shared child protection and vulnerable adult policies and procedures are a first step to creating awareness and safety within the organisation/community.*

*Volunteers, employees and those in positions of authority and pastoral responsibility need support in how they can recognise abuse; how they should respond to allegations or concerns about abuse; how they should record concerns and make appropriate referrals; and what behaviour towards children is acceptable and unacceptable within their role.*

*Fundamental preventative steps for faith organisations include: safe recruitment practices; safe practice in pastoral support with children and young people; online safety advice for appropriate use of digital and social media; child protection training for staff and volunteers; awareness raising within the faith community, for instance in relation to grooming processes; and the name and contact details for someone to speak to about any concerns.*

*Faith organisations should have designated child protection leads who have a role in passing on concerns about children to police or social work, and in developing and maintaining organisational policies and procedures. These individuals should undertake regular training and be aware of the local Child Protection Committee and procedures. Faith organisations have a role in promoting awareness of information, resources and helplines in relation to child protection and, for example, forced marriage and honour-based abuse.*

The guidance notes that practitioners may need additional training in order to work with child abuse linked to faith or belief and that dialogue is required between statutory and faith-based communities in order to build trust, co-produce policy and share good practice.

The guidance also includes specific advice in relation to religious leaders, practitioners and volunteers within faith organisations. It states that:

*Within these varied roles, all reasonable steps must be taken to provide a safe environment that promotes and supports the wellbeing of children and young people. This includes careful selection and appointment of those who work with children. It also means ensuring practitioners and volunteers are confident about how to respond promptly, in line with agreed protocols, when concerns arise about risk of harm to a child from abuse or neglect.*

*Child protection co-ordinators and safeguarding advisers should be available for consultation within faith organisations. They will work with social workers and police officers as and when required. Practitioners and volunteers with church and faith organisations must report concerns about harm to a child to their line manager or safeguarding/child protection co-ordinator. The safety of the child or adult at risk is the priority.*

The guidance signposts an extensive list of research and practice resources in relation to sexual abuse and sexual exploitation, non-recent abuse, and religious organisations and faith based communities.

A National Child Protection Guidance Implementation Group, chaired by the Deputy Chief Social Work Adviser, has been established to provide strategic oversight and offer support to local areas. Significant capacity is being devoted to support local areas to make the changes and adaptations required to align with the new national guidance. This includes a range of multi-agency activity and single agency activity to support specific sectors and groupings. Specific engagement with faith organisations will be undertaken as part of implementation planning to discuss progress in aligning policy and practice with the national guidance and to identify any support needs.

### Third sector support

The Scottish Government provides funding to Stop it Now! Scotland, a child sexual abuse prevention charity that works closely with safeguarding leads in a range of faith and belief communities. The charity has developed the Upstream online resource aimed at preventing and responding to child sexual abuse. This resource has a [section](#)

dedicated to safeguarding in faith and belief communities. My officials have shared the petition and the Committee's consideration with Stop it Now! who will reach out to the Jehovah's Witnesses community in Scotland.

Stop it Now! Scotland are committed to prevention work being driven by the voices and experiences of survivors. They would be keen to meet with the petitioner to learn from her experiences and ensure that this informs their training and resources aimed at those safeguarding children in faith contexts.

You may be interested to note that Stop it Now! provided a [written submission](#) to SCAI in June 2022, which covers specific issues relating to the psychology of abusers, including in religious settings, and preventative action.

#### Approaches of particular faith organisations

The largest two faith organisations in Scotland, the Church of Scotland and Scottish Catholic Church have appointed safeguarding leads and have published safeguarding guidance and policies on their websites. These are available through the following links: [Safeguarding Service | The Church of Scotland](#) and [Scottish Catholic Safeguarding Service \(scsafeguarding.org.uk\)](#)

#### Mandatory reporting

In her evidence, Ms Cousins also calls for the introduction of mandatory reporting for all religious leaders. The Scottish Government previously considered mandatory reporting as a result of petition [PE01551](#) lodged in January 2015. The Public Petitions Committee received evidence from a wide range of stakeholders, including Barnardo's Scotland, NSPCC Scotland, the Care Inspectorate, Shelter Scotland, Children 1<sup>st</sup> and academics. Stakeholder organisations called to provide evidence to the Committee were not supportive of the need to introduce mandatory reporting in Scotland, noting that it should not be considered a panacea. Their views can be summarised as follows:

- there are already provisions in law that place duties on relevant bodies to report child abuse;

- the Scottish system is already heavily weighted towards thorough investigation of concerns;
- the Children's Hearings System provides an important existing referral route in Scotland for anyone who is concerned about a child or young person (including self-referrals from children and young people themselves);
- there is limited evidence of the effectiveness of mandatory reporting in place in some international jurisdictions;
- there is a clear difference between not immediately reporting suspicions in order to allow a child to retain some control, and covering up evidence of abuse;
- applying the Getting it right for every child (GIRFEC) approach of early intervention and support is the best protection for children, and mandatory reporting could be seen as contrary to the fundamental principles of GIRFEC and The Promise;
- while there are undoubtedly cases where earlier intervention was required, there is a need for professional judgement in assessing risk and for a child to retain some control in the manner and timing of the disclosure of abuse;
- key issues highlighted through reviews of cases where children have not received protection relate to information sharing, professional practice and decision making – concluding that the failures were not attributable to reporting but instead to the response; and
- in reality, it is the response of public bodies to allegations of child abuse that is likely to be at the heart of the problem, rather than an insufficiency in the law.

In responding to the call for evidence, stakeholder organisations also raised the possibility of a number of risks and unintended consequences should mandatory reporting be introduced in Scotland. It was noted that there is evidence that mandatory reporting can lead to over-reporting of concerns, which makes the identification of children at risk harder and action to protect them less swift. Children and families may be less likely to disclose abuse or seek support if they are not given the opportunity to do so at their own pace and an over focus on investigation can divert attention from preventative work.

The Scottish Government's position, having considered all of the evidence from stakeholders and from jurisdictions abroad who have implemented varying forms of mandatory reporting, and the distinct

approach to child protection in Scotland, was that there was insufficient compelling evidence of the need for mandatory reporting at that time.

In October 2018, the Minister for Children and Young People informed the Public Petitions Committee that the Scottish Government would not introduce legislation making mandatory reporting a legal requirement and the Public Petitions Committee agreed at their meeting on 29 March 2019 to close the petition.

Since the 2015 petition, there have been no calls from stakeholder organisations for the introduction of mandatory reporting in Scotland. There has been general agreement that the Getting it right for every child (GIRFEC) approach and the incorporation of United Nations Convention on the Rights of the Child into Scots Law, takes a more holistic approach to joining up and coordinating multi-agency responses to the needs of children and young people and their families.

The current focus of activity in Scotland is to continue to embed GIRFEC and support implementation of the 2021 national guidance. However, the Scottish Government will keep the case for mandatory reporting under review, taking into account IICSA and SCAI evidence, findings and recommendations. Officials will also consider further actions to support faith organisations strengthen preventative steps, and identify and respond appropriately to allegations or concerns where these arise,

#### Civil justice and support for survivors of childhood abuse

In terms of civil justice options for those who do not meet the terms of SCAI, the Limitation (Childhood Abuse) (Scotland) Act came into force 4 October 2017. This means that, in relevant circumstances, survivors no longer face the 'time-bar' that requires personal injury actions for civil damages to be made within three years of the related incident. The 2017 Act is a significant milestone which would not have happened but for the courage of many survivors. The legislation does not restrict the removal of the limitation period to actions of childhood abuse where the abuse took place 'in care'.

The Scottish Government is committed to supporting all adult survivors of childhood abuse. Through the Survivors of Childhood Abuse Support Fund, the Scottish Government provides funding to 29 organisations

across Scotland who support survivors of abuse in all settings. Further information about the funded organisations can be found [here](#).

Finally, I want to once again note that our sympathies are with all victims of abuse whenever and wherever this occurred. I would continue to encourage any survivors of historical abuse to report it to Police Scotland, who are fully committed to thoroughly investigating child abuse no matter where or when this happened: [Adult survivors of child abuse - Police Scotland](#)

I hope that the Committee and petitioner find the information above helpful.

Yours sincerely,

**JOHN SWINNEY**

## **Petitioner submission of 12 November 2022 PE1905/E – Public Inquiry into the response of religious organisations to allegations of child sexual abuse since 1950**

The link provided below has 12 presentations from the Department of Education at Westminster, teachers, Health Care Professionals and more.

I realise that with all of this research via IICSA that has went into Mandatory Reporting as one of the recommendations, has taken a lot of time, nearly £200 million, from research, to panels, to findings, to many different services, countries and agencies all having a say on what they believe should be done for the protection and safeguarding of children in the future, and in cases like mine where the organisation is insular in nature, not conversing with the outside world - the hidden child in plain sight.

<https://www.iicsa.org.uk/research-seminars/mandatory-reporting-child-sexual-abuse>

This leads me to the podcast that the telegraph conducted entitled "Call Bethel" where the reporters investigated my former religious

organisation and came to one conclusion - that they do not want to speak to the outside world unless it fits with their agenda.

<https://www.telegraph.co.uk/news/0/call-bethel-inside-story-telegraphs-investigative-podcast-child/>

Professor Alexis Jay recently visited Holyrood.

<https://www.holyrood.com/inside-politics/view,alexis-jay-ive-been-shocked-in-my-career-but-some-of-this-horrified-me>

I fully understand that my former religious organisation is not the only group to have silenced those who have been abused in the past and lessons must be learned from this. However, lessons will not be learned by JW institutions if they are unwilling to engage with anyone outside of their bubble. I am sure as politicians, recently having went through the independence campaign, you all have come across people who are unwilling to talk, listen to the ideas you've put forward, for and against because they shut themselves off and become cognitively dissonant.

This is what I am afraid is happening in our government, that politicians are shutting themselves off from this issue, because it is scary, it chills to the bone what we went through making you all very uncomfortable and I get that. But 'Change must come.' I speak on behalf of my own inner child and the children of the future born into isolationist camps/organisations where abuse is reported to the leaders of such organisations and authorities not told. They need to be forced by the government to do so. John Swinney highlighted in his report that there was not enough evidence to show that Mandatory Reporting worked and to ask the religious organisation that I was part of to work with the charity "Stop it Now" - I can categorically say right now that Jehovah's Witnesses will not work with such charities or organisations that are not part of their own organisation. The link provided from their own resource, explains this.

<https://wol.jw.org/en/wol/d/r1/lp-e/101997649>

Even if there is no inquiry in Scotland and the government takes the recommendations on board as our neighbours down south are doing, this will be a massive win for us, because it is for the children, for their voices to be heard and for the adult in the room to state that it was a harrowing experience for that child and steps will be put in place to ensure the right thing is done by the child, to no longer allow such abuse

to continue. Abuse happens unfortunately, but if the right people are told, the abuse stops and reparations can be put in place for that child such as play therapy, psychological therapy. It is my firm belief that child sexual abuse will continue for children currently being silenced within insular isolationist organisations, religious or otherwise if the steps of Mandatory Reporting and accountability are not put in place. I stress again, that the leaders of such organisations need their hands forced by the government to report to the proper governing authorities as they are mandated by their governing body to turn a blind eye to it, effectively silencing child victims of CSA.

<https://www.youtube.com/watch?v=Z-KrEII0xI8>

Finally, I do not want Jehovah's Witnesses to be harmed in this process because it is for their children and children like them that I have sought the help in this matter. I do not hate them. I do not want them banned as they are entitled to the non harmful beliefs they hold dear to their hearts. It is the harmful beliefs and policies perpetrated on their membership which I am taking issue with as it harms children and many of these policies are not even known to the regular member as it is secretive. Unless they have been abused or in close direct contact to the issue, they are led down the path where the organisation tells its membership one thing and does the complete opposite. This in my view is why Mandatory Reporting is so important. If the elders of each congregation are mandated reporters, then when an allegation of abuse comes to them from the victim of that abuse, they will have a written protocol to follow, somewhere along the lines of contacting the police whilst the family are still in the Kingdom Hall and to inform the police to detain the abuser whilst they do their investigation. In this way, the child and family will be supported by their elders. Training should be put forward for those who are in that position or for those who are being considered for that position and a PVG check done to ensure they have not committed any crimes.

Thanks for listening.