

FIRST MINISTERS QUESTION BRIEF ON THE SCOTTISH CHILD ABUSE INQUIRY

- The Scottish Child Abuse Inquiry launched on 1 October 2015 and will examine instances of abuse of children 'in care', including residential care and foster care.
- The Inquiry is Chaired by Susan O'Brien QC and was established with a 2 person panel - Glenn Houston & Professor Michael Lamb - to assist the Chair on the vital work of the Inquiry.
- **[Not in the public domain, for info only]** Following the receipt of information about remarks made by the Chair and her conduct, on 20 May 2016 DFM initiated powers under Section 12 of the Inquiries Act 2005 to consider the termination of the Chair's appointment. DFM is considering representations by the Chair in relation to the evidence and a decision is not expected until next week.
- On 27 June, DFM received a letter of resignation from one of the Panel Members to the Inquiry. Professor Michael Lamb has indicated that he no longer wishes to work as part of the Inquiry because of 'Scottish Government interference' saying that 'the Panel cannot act independently and that the Scottish Government intends to continue interfering'. This was reported in various media outlets including BBC, STV, Herald and Scotsman on 28 and 29 June 2016.
- Professor Lamb issued a comment to the Times on 29 June along with his letter saying that 'The absolute gross interference by the government has been appalling, one of many damaging examples of how officials 'hamstrung' the inquiry included officials refusing to approve the appointment of junior advocates to take statements from abuse victims for months.'

Top Lines

- We entirely reject Prof Lamb's comments that the independence of the Inquiry was being limited by the actions of the Scottish Government.
- Key decisions in relation to the Inquiry's direction, within the Terms of Reference, and its programme of work including the hearing of evidence, are absolutely taken by the Inquiry Panel supported by the Inquiry Secretary.
- However, the Scottish Government does have a clear obligation to fulfil its responsibilities within the requirements of the Inquiries Act 2005 and other relevant legislation, and has acted appropriately at all times in doing so.
- The Inquiry is funded by the Government which requires our engagement with the Inquiry on matters of financial accountability, and we carry out that role in a professional and timely manner. This is the same relationship that Scottish Government has had with every other public Inquiry in Scotland.
- Our priority remains on supporting the successful operation of the independent statutory Inquiry and ensuring that this situation does not impact on the progress of the Inquiry over the coming weeks and months.
- Ministers have instructed officials to begin planning for the appointment of a new Panel member to the Inquiry, with that process taking place over the summer.
- I recognise that this significant development will cause concern and distress amongst the survivor community. I would like to re-assure survivor groups that progress made so far, including evidence already given, remains important, relevant and valid and that the valuable work of the Inquiry continues.

The Inquiry is one of the widest ranging public inquiries that Scotland has ever seen

- With a remit focused beyond sexual abuse, including physical and other forms of child abuse, the inquiry's scope was extended following consultation with survivors and others to include abuse across a wider range of care settings.
- We sought to strike the right balance between widening the scope of the Inquiry beyond the original calls made and ensuring survivors don't lose hope that it will report its findings within a reasonable timescale.
- The Inquiry must be sufficiently focused to make clear, meaningful recommendations that avoid a repeat of the systemic, institutional failings, which saw children abused by the very individuals who were entrusted by the state and others to care for them over an extended period.

We have engaged extensively with survivors and others and will continue to do so over the summer

- The Deputy First Minister is meeting with Survivor groups next week to listen to their views in relation to the Inquiry's progress and wider support.
- Remind members that the Inquiry is one of several commitments the Scottish Government made following the robust InterAction process where survivors of in-care abuse worked with the Scottish Human Rights Commission to outline the support they needed.

Professor Lamb has indicated in the media that Susan O'Brien is reconsidering her position as Chair of the Inquiry, what is the Scottish Governments views on this?

- Our priority at this time continues to be on the successful operation of the Inquiry and maintaining the confidence and trust of survivors.
- The SG received a letter of resignation from one panel member, Prof Lamb, and no other.
- It would not be appropriate for me to comment on any speculation around statutory processes that might or might not be underway.