

Amendments to The National Assistance (Assessment of Resources) Regulations 1992 in respect of the Child Migrant Trust

Equality Impact Assessment

April 2022



Scottish Government
Riaghaltas na h-Alba
gov.scot

Equality Impact Assessment Record

Title of policy/ practice/ strategy/ legislation etc.	Amendments to The National Assistance (Assessment of Resources) Regulations 1992 in respect of the Child Migrant Trust	
Minister	Minister for Mental Wellbeing and Social Care	
Lead official	Deirdre Henderson, Adult Social Care Charging	
Officials involved in the EQIA	Name	Team
	Neil Grant	Social Care Analytical Unit
Directorate: Division: Team	Social Care and NCS Development Directorate, Improving Standards and Quality Division	
Is this new policy or revision to an existing policy?	Revision of existing legislation	

Screening

1. The Scottish Government is mindful of its obligations under the Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. Section 149 of the Equality Act 2010 places a general duty (known as the Public Sector Equality Duty (PSED)) on public authorities to have due regard to: eliminating unlawful discrimination, harassment and victimisation; advancing equality of opportunity between people who share a Protected Characteristic and those who do not; and fostering good relations between people who share a Protected Characteristic and those who do not. The Scottish Government recognises that while the amendment may positively impact on people with one or more of the of the Protected Characteristics, the introduction of the amendment may also have a negative impact on one or more of the Protected Characteristic groups. Where any negative impacts are identified, we aim to mitigate/eliminate these. We are also mindful that the equality duty is not just about negating or mitigating negative impacts, as we also have a positive duty to promote equality. We aim to do this through provisions contained in the Regulations, as amended, or by current support and guidance available.
2. For the purposes of this document the following screening questions were considered.

Will the amendment:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity

- Foster good relations
3. While data is not available for the people applying to the Child Migrant Trust, as this is not recorded, it would seem likely that the amendment would impact the equality experience for people impacted by child migration in the designated time period, and to the countries involved in the scheme.

Amendment Aim

4. The UK Government set up a payment scheme for former British child migrants, who were separated from their families and sent overseas as part of the UK Government's historic participation in child migration programmes¹.
5. The scheme was set up after a recommendation made in the Independent Inquiry into Child Sexual Abuse (IICSA) interim report² and its report on child migration programmes³, which were both published in spring 2018. Both reports related to child migrants from England and Wales. In addition, in Scotland, the Scottish Child Abuse Inquiry produced a report, Child Abuse and Scottish Children Sent Overseas through Child Migration Schemes in 2021⁴.
6. Compensation awarded to former child migrants or their beneficiaries will be exempt from social care support means tests for those now living in Scotland. This will ensure that survivors of childhood migration from the UK, or their beneficiaries, in residential care can retain the full value of these payments.
7. This contributes to the National Performance Framework outcome to respect, protect and fulfil human rights and enable people to live free from discrimination.

Who will it affect?

8. The National Assistance (Assessment of Resources) Amendment (Scotland) Regulations 1992 concern the assessment of the ability of a person to pay for certain accommodation arranged by local authorities, including care homes. They include details of certain income and capital to be disregarded from the assessment of a resident's liability. An amendment made to specifically include the disregard of payments from the Child Migrant Trust would benefit recipients who are living in or plan to move into care homes, who are subject to financial assessments for care charges.

¹ [Payment scheme for former British child migrants: guidelines](#)

² [Independent Inquiry into Child Sexual Abuse: interim report](#)

³ [Child Migration Programmes Investigation Report](#)

⁴ [Child Abuse and Scottish Children Sent Overseas through Child Migration Schemes](#)

9. All eligible former British child migrants will be able to apply for a payment, under a scheme set up by the UK Government. The payments are being made in respect of the harm done to eligible former British child migrants in being separated from their families and sent overseas as part of the UK Government's historic participation in child migration programmes. Payments will be made to all eligible former British child migrants, regardless of whether they suffered abuse. Each eligible former British child migrant will receive a payment of £20,000.
10. The scheme is open to any former British child migrant who was alive on 1 March 2018 or the beneficiaries of any former child migrant who was alive on 1 March 2018 and has since passed away.
11. The payment will be payable to all applicants regardless of their individual circumstances, including the receipt of payments received from other governments or through private legal action. To apply, the applicant must have been sent from the following countries before 1971 when they were below the age of 16:
 - England
 - Scotland
 - Wales
 - Northern Ireland
 - the Channel Islands
 - the Isle of Man
12. An applicant must have been sent by a voluntary care agency (or local authority), and they must not have been accompanied or sent by or sent to live with their parent(s), adult relative(s) or guardian(s), to:
 - Australia
 - Canada
 - New Zealand
 - the former Rhodesia (now Zimbabwe)
13. A beneficiary can claim directly with the appropriate legal documentation to support their claim. Alternatively, a claim can be made on their behalf by any person with a legal right to administer the estate of the former British child migrant. In the UK, except for Scotland, the appropriate legal documentation would be one of the following:
 - a grant of probate
 - where the claimant has been appointed the legal personal representative of the deceased, the 'letters of administration'
 - letters of administration with will annexed (where the named executor is unwilling/unable to act)

- for Scotland, the equivalent of both grants of probate and letters of administration is 'confirmation', which is confirmation by the relevant court of who has been appointed to administer the estate
- for countries outside the UK, claimants will need to show the equivalent documentation

14. The payment scheme is **not** open to those who migrated as part of any voluntary family, single parent or youth migration scheme.

15. The scheme does not apply to those who:

- travelled on the one or two parent schemes to Fairbridge in Australia in the late 1950s, 1960s or 1970s
- were sent under a youth migration scheme (such as the Big Brother Movement) and placed immediately into employment on arrival (see definition below)
- travelled on an assisted immigration scheme
- were sent to relatives living abroad
- were evacuees during the war years
- were sent from Malta

16. A youth migration scheme is defined as a scheme for young people, the primary purpose of which was for that young person to take up employment or employment-related activities (for example, an apprenticeship or vocational training scheme) in the country to which they migrated.

17. Applicants will not be eligible to receive a payment under this scheme if they have already received a payment under any other UK scheme (in Northern Ireland, Scotland or Wales) in recognition of their experiences or status as a British child migrant. They must inform the Child Migrants Trust in their application of any payments that they have received from UK governments and confirm that they have not received a payment for the same reason from another scheme.

18. The boys and girls with whom the scheme is concerned were drawn from those commonly referred to as children 'in need' or 'deprived of a normal home life'. Most had been taken into care because of the inability of their parents to maintain for them an adequate home life, particularly because of family poverty, or the death, absence or apparent neglect of their parents. Most child migrants had one parent living and many had both at the moment of migration. They may be categorised as follows.

19. First, there were children who, for whatever reason, had not been living with their natural parents or with a relative or a legal guardian but had been taken into the care of public authority institutions, at various times called workhouses, poorhouses, orphanages or children's homes, and also reformatories and industrial schools, later known as approved

schools. Few children who had become the responsibility of such public authorities in Scotland were selected and sent overseas, in this respect paralleling practice in England and Wales, though in Scotland as a proportion of children in local authority care even fewer were sent.

20. Second, in Scotland, as again in England and Wales, rather more children had become the responsibility of voluntary organisations run by churches and other charities, variably called refuges, homes or orphanages, and they provided from among those in their care the bulk of child migrants. Only a minority of children accommodated by public authorities or by most voluntary organisations were subsequently selected for emigration to households or institutions overseas. Arrangements for the migration and resettlement of any child selected by a local authority were actually effected by a voluntary society acting on its behalf.
21. Third, the parents of some children, hoping to provide their offspring with 'better' opportunities overseas than those apparently available in the UK, had requested those few particular voluntary societies, such as Fairbridge, whose only mission was to organise the emigration of children to arrange for their overseas resettlement. Under all these schemes, child migrants were escorted overseas by representatives of the sending organisations but were unaccompanied by parents or relatives⁵.
22. The Scottish Child Abuse Inquiry has a database of 1,354 young migrants sent overseas from Scotland. Organised by name it provides details of date of birth, sending institution, date of migration (and sometimes name of ship), age at migration, country of destination, and receiving institution. The earliest recorded year of departure is 1877 and the last 1965. The youngest recorded were two, three, four and five years old. The busiest years were between 1947 and 1956. Both Inquiries suggest that record keeping and gaining consent from parents or other family was very inconsistent and that many children will have had no idea what lay before them, or any information on their birth families in the UK. There was even a documented case of a mother who claimed that she had not agreed to her child being migrated when she signed the consent form, thinking it was for another purpose.
23. Although the migration of children to British communities abroad started in the 1880s, the majority of the people impacted by the policy and able to claim compensation will have been migrated after 1945. Post-War child migration from England and Wales to New Zealand involved the Royal Overseas League sending around 549 children into foster care. From 1947 to 1965, eight approved organisations migrated a total of 3,170 children to Australia. The peak years for child migration to Australia were 1947 and 1950 to 1955. Around 400 children in total

⁵ [Scottish Child Abuse Inquiry – Child Abuse and Scottish Children sent Overseas through Child Migration Schemes](#)

were sent by local authorities, a small percentage of the total number of children in local authority care. Overall, the number migrated to Australia during this time fell well short of the 50,000 unaccompanied children whom the Australian Commonwealth Government had planned to receive immediately Post-War. The IICSA heard expert evidence about the enthusiasm of the Australian authorities to use child migration to increase the white population (and therefore labour capacity and future prospects for the economy) in Australia. Post-War child migration to Southern Rhodesia involved 276 children being sent to the Rhodesia Fairbridge Memorial College⁶.

24. The IICSA reported 'Witnesses told us of their experiences of brutalising regimes that involved physical and sexual abuse, poor living conditions, poor health care, and poor medical and educational provision. It is important, when considering the incidents of child sexual abuse, that we appreciate the full range of appalling conditions in which these children lived'.
25. In 2010, Martin Narey, the then CEO of Barnardo's, issued a public apology in response to the apology given by then Prime Minister Gordon Brown. In her written evidence to the IICSA, on behalf of Barnardo's, Ms Clarke recognised the "significant and irrevocable damage" done to some individuals by the child migration programme. She accepted that "the policy of child migration was misguided and wrong" but stated that "it was not seen as wrong at the time", and was done with good intentions and in accordance with government policies.
26. While many children were migrated to provide labour for the farms and private homes of the countries that they were sent to, certain groups of children were excluded for migration as countries would not accept disabled or black children, for example. One of the earlier motives of the schemes had been to maintain the racial unity of Britain's Empire⁷. This means that children who either were or appeared to be white would have been impacted by this policy more than children of colour. In addition, evidence from the Scottish Inquiry shows that some disabled children were presented as non-disabled to meet quotas from the receiving institutions, meaning that disabled children may have been worse off in coping with the harsh life ahead without any support.
27. The inquiries show that a large number of Christian organisations took part in the migration schemes, wishing to ensure that the Christian values and faith were retained in the children, particularly if they were seen to come from disreputable and poorer backgrounds. Therefore, it is fair to say that Christian children were more impacted by this policy than children of other religions, or none.

⁶ [Child Migration Programmes Investigation Report](#)

⁷ [Child Migrant Trust](#)

28. Evidence from the Scottish Inquiry highlights that a farm labour shortage was the biggest need in the receiving countries, therefore it was more common that boys were migrated than girls. Girls were generally trained to work in the private homes of the more affluent. In some institutions girls and boys stayed in mixed facilities. Both inquiries show that along with the abuse by the adults in the lives of the children, some older boys also abused younger boys and girls. For girls who became pregnant, which was more common in some institutions than others, the shame and destitution that lay before them was probably disproportionately disadvantageous in starting their lives in a country where they did not know anyone.
29. It is likely that a sizeable proportion of applicants to the Child Migrant Trust will have had a physical or mental health impairment, possibly as a result of their abuse in the institutions, or witnessing it. In addition, those in need of residential care may be more likely to have an impairment or long term health condition, than in society generally.
30. Disregarding payments from the scheme is expected to have a particularly positive effect on older people, disabled people, people brought up in the Christian faith, white people, men, and women who had unplanned pregnancies early on in life. This would be through having a positive financial effect which could advance equality of opportunity. It could foster good relations by vindicating the innocence of people who may have been branded liars or criminal by institutions who were protecting the reputation of their staff and institutions. It is likely to play a part in healing the pain caused to a generation of adults who were not believed when they reported any abuse, and who may not have ever had contact with their birth families after migration.
31. It is also possible that some applicants, or the child migrants that they are claiming for, will have or had intersectional Protected Characteristics, and may therefore have multiple impacts, which have not been able to be recorded.
32. In Scotland, on 31 March 2021, there were 40,632 registered places in adult care homes, of which there were an estimated 29,317 long stay residents in care homes for older people (65 and over)⁸.
33. It is reasonable to assume that the migrated children took on the nationality of the country that they were sent to. Taking into account all the above factors, the population size that this amendment might impact would be quite small, given the age of the applicants and that only approx. 0.2% of the population in Scotland are from Canada and approx. 0.2% are from Australia according to the 2011 Census. The numbers are even smaller from the other countries involved in the child

⁸ [Care home census for adults in Scotland Statistics for 2011 to 2021](#)

migration scheme⁹. It is not clear what percentage of this number would have been child migrants.

What might prevent the desired outcomes being achieved?

34. If legislation within The National Assistance (Assessment of Resources) Regulations 1992 is not amended to ensure payments by the Child Migrant Trust are disregarded, it may prevent local authorities disregarding any payments made by the Child Migrant Trust when making financial assessments in relation to an individual's residential social care support charges.

Stage 1: Framing

Summary of findings

35. This legislative change will allow an amendment to the annual Charging for Residential Accommodation Guidance (CRAG) updates that will take effect from April 2022, exempting it from social care support means tested financial assessments for those wishing to or residing in residential care. This aligns the CRAG with other parts of the UK, and with similar schemes to provide financial payments to child migrants.

36. Based on the information available it would appear that this amendment will have a positive impact on equality considerations for a small number of people.

Extent/Level of EQIA required

37. As the Child Migrant Trust financial payment scheme has been based on the work of the Independent Inquiry into Child Sexual Abuse, this document has based its analysis on the data from:

- [Scottish Child Abuse Inquiry – Child Abuse and Scottish Children sent Overseas through Child Migration Schemes](#)
- [Child Migration Programmes Investigation Report](#)

38. Below is the evidence gathered and assessed in relation to the Protected Characteristics of the Equality Act 2010. Given the small numbers of people potentially impacted in Scotland, and the universal access to the application process, no other impact assessments are planned.

⁹ [2011 Census](#)

Stage 2: Data and evidence gathering, involvement and consultation

Include here the results of your evidence gathering (including framing exercise), including qualitative and quantitative data and the source of that information, whether national statistics, surveys or consultations with relevant equality groups.

Characteristic ¹⁰	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
<p>Age</p>	<p>No information is available on the age of the applicants to the Child Migrant Trust.</p> <p>In Scotland: Edinburgh Local Authority migrated a boy to Canada who was boarded-out by the Edinburgh Public Assistance Committee under the 1924 Poor Law Emergency Provisions (Scotland) Act. As a juvenile it was not clear what, if any consent had been given to migrate. Many people who testified to the Scottish Child Abuse Inquiry did not recall being asked consent as children or young people, or having had the reality of the distance or migration explained to them.</p> <p>Later, the 1948 Children’s Act came in meaning that the Secretary of State had to review potential child migration cases from Scotland, either consenting or denying the proposed migration. This gave some level of accountability for many children before any migration and ensured that government funding was used correctly in supporting the child’s welfare in migrating. An example being the consent given to reunite two younger Scottish siblings with their</p>	<p>Scottish Child Abuse Inquiry – Child Abuse and Scottish Children sent Overseas through Child Migration Schemes January 2020</p>	<p>No specific data on age are available, however, related data is available that assumptions can be made from.</p>

¹⁰ Refer to Definitions of Protected Characteristics document for information on the characteristics

	<p>older sibling already in Australia, but only with reassurances that the three children would be kept together.</p> <p>A report covering the period June 1947 to March 1948 recorded a decrease in applications, including of child migrants from Scotland. Apparently the Secretary of State for Scotland was only prepared to approve the migration of children in local authority care under Section 17 of the Children Act if they were over 10 years old, and if under 10 only if they had a personal guardian or relative in Australia. It was also reported that numbers were falling because parents were not giving consent. Although one migration agency was able to assess that the average age of a child migrant was 9.4 years, it is known that some children were only two years old who migrated.</p> <p>In Scotland, poor and seemingly irreversible selection decisions were still made by some organisations, with reference to impairments not being picked up at medical inspections. Quarriers even set aside the professional judgement of psychologists that they employed who had judged some of those children put forward to be unsuitable.</p> <p>In England and Wales: Barnardo's reasons for undertaking child migration</p>	<p>IICSA Child Sex Abuse - Child Migration</p>	
--	---	--	--

	<p>were apparently a mixture of the practical and the idealistic: it eased overcrowding, was a cheaper way of maintaining children and helped populate the Empire. Migration was said to confer “unspeakable blessings” on the children themselves. It also enabled Barnardo’s to operate its “ever open door” policy for destitute British children, because there was effectively a “back door” for some of them to leave the country. Between 1947 and 1964, the number of children migrated was between 0.16% and 0.74% of those being cared for by Barnardo’s in its UK homes.</p> <p>From 1947 to 1965 the Fairbridge Society sent 997 children to Australia, around a third of the total number migrated there over that period. It sent 329 children to Canada from 1935 to 1948 and 276 to Rhodesia from 1946 to 1956. The Fairbridge Society’s sole purpose was child migration. Its rationale throughout was that children from British slums would be better off and healthier in the rural areas of the Empire, that migration would enhance the Empire’s white stock.</p> <p>The Children’s Society was founded in 1881 as a charity to help destitute and orphaned children. Post war, it provided children for migration, to give them a better life, through organisations like</p>	<p>Programmes Investigation Report March 2018</p>	
--	--	---	--

	<p>Fairbridge. The Children's Society preferred to seek orphans because of the difficulty in securing consent from parents.</p> <p>The Children's Society migrated:</p> <ul style="list-style-type: none"> a. 2,250 children to Canada from 1883-1915; b. 876 children to Canada from 1920-1939; c. 4 children to New Zealand and 1 child to South Africa from 1925-1930; d. 29 children to Australia from 1925-1938 (via the Fairbridge Society); and e. 136 children to Australia and 17 children to Southern Rhodesia, post-War, mainly from 1948-1950. <p>The Children's Society latterly offered support to former child migrants alleging sexual abuse where appropriate, in relation to the evidence presented; but its public apology, although welcome, was overdue by many years and it has not paid compensation.</p> <p>The National Children's Home, now called Action for Children (AfC), was founded in 1869 to provide shelter and care for homeless children in London.</p> <p>The National Children's Home migrated around 3,500 children to Canada from 1873-1931, 488 and 37 to Australia from 1937-1939. 489 Post-War, the National Children's Home migrated 90 children to Australia from 1950-1951</p>		
--	--	--	--

	<p>(and two children later joined their siblings). The organisation's rationale for migration was that Australia was felt to be a land of better opportunities and weather for children; it was envisaged that the central importance of religion would be emphasised; and that a stable family-like environment would be provided.</p> <p>The Royal Overseas League (the League) was founded in 1910. It is a non-profit private members' club for men and women dedicated to propagating social and cultural links throughout the Commonwealth and promoting interest in the Empire. It has branches in London, Edinburgh, in the UK and overseas.</p> <p>Child migrants were sent to New Zealand, Canada and Australia from the 1930s. In 1955, the League claimed to be responsible in the post-War period for sending 804 child migrants overseas: 194 to Australia, not including 18 to Dhurringile in Victoria; 530522 to New Zealand, and a scattering of others to other destinations, to support the Empire.</p> <p>The IICSA noted that it was "remarkable" that no records were maintained by the League, and that there is no institutional memory of what happened to any records. This hampered not only the IICSA, but the ability of former child</p>		
--	--	--	--

	<p>migrants to learn about their past.</p> <p>Although allegations were made by at least two children migrated through the League, the IICSA concluded that if in fact the League had no knowledge of any sexual abuse issues, this may well have been due to the lack of a monitoring system for child migrants and the lack of information recorded about them.</p> <p>It is not clear that parental or child consent was actually obtained by the League for migrating the children abroad. However, there are doubts as to whether the Home Office's consent was obtained in relation to all children migrated.</p> <p>Cornwall County Council migrated between 33 and 58 children to Australia from 1940-1972, a higher figure than the average number of children migrated by other councils. The IICSA heard that the migrated children were chosen as the Cornwall County Council felt that they were "mentally and physically fit for life in a farm school, and... [they] showed a real interest in country life"</p> <p>The IICSA heard testimony from three individuals who had been migrated by Cornwall County Council and who alleged sexual abuse either before they were migrated or once they arrived overseas.</p>		
--	---	--	--

The Salvation Army UK is an international charitable organisation affiliated with Protestant Christianity. One of its focuses has been charitable works aimed at alleviating poverty around the world.

It appears that the majority of the unaccompanied children that the Salvation Army migrated were aged 15/16 and so were properly classified as 'juvenile' migrants. Sources indicating that the Salvation Army migrated 91 children to Australia from 1950-60, but the documentation refers to 71. The post-War Salvation Army migration to Canada is said to have been solely of older children. It is understood that children would only have been sent overseas with the consent of a parent.

The Australian Royal Commission's report into the three Salvation Army homes (including Riverview) made findings of very serious incidents of sexual abuse over an extended period of time. It also noted a culture of violence, an inadequate inspection regime, a culture of discouraging disclosure of abuse and evidence of the Salvation Army moving offending officers between different children's homes, sometimes to protect its own external reputation, and potentially due to the religious devotional culture within the Army.

The Church of England Advisory Council on Empire Settlement (CEACES) was a part of the Church of England devoted to managing the Church of England's participation in the child migration programmes. It had a logistical and information providing role in the child migration programmes, coordinating the migration of children to affiliated institutions in Australia.

From 1947-1965, the CEACES was responsible for migrating 408 children to Australia. The organisation saw migration both as a means to benefit the children and an opportunity to strengthen the church's presence in Australia.

Although a few allegations were made of sexual abuse, the IICSA has seen no evidence that CEACES was informed of allegations or evidence, during the migration period, of the sexual abuse of child migrants.

A 1953 memorandum indicates that after children had been referred to the CEACES they were subjected to a reasonably thorough interviewing and screening process, which included interviews of their parents. From 1958, the CEACES' policy was that where a child had a living parent, that child would only be accepted for migration if the parent had also been accepted for

	<p>migration and would follow the child.</p> <p>The Sisters of Nazareth is a Catholic order of nuns founded in the nineteenth century in France. It operates through an international network of “Nazareth Houses”, which provide lodgings to the nuns and care services to the local community. Historically, the organisation provided care to children and the elderly.</p> <p>The Sisters of Nazareth migrated 145 children to Canada, largely to individual stations, family homes and farms, from 1881-1930. There was also some migration to Australia from 1928. Post-War, from 1945-1963, 63.1% of the 958 children migrated by the Catholic Church were said to have been ‘nominally in the care of the Sisters of Nazareth organisation’. The Sisters of Nazareth did not migrate children after 1956.</p> <p>The IICSA heard allegations of sexual abuse from eight witnesses who had been migrated by the Sisters of Nazareth. In addition, the organisation has been informed of several allegations, although there is not clear evidence that the organisation knew of the allegations at the time.</p> <p>The IICSA heard from experts that parental consent was obtained in a particularly low proportion of the children migrated by</p>		
--	---	--	--

	<p>the Sisters of Nazareth. The selection appears to have been based on the needs of the receiving institution, rather than that of the children e.g. “twenty girls are required at once for Nazareth House”.</p> <p>The Sisters of Nazareth began to receive reports alleging sexual abuse from former child migrants in the early 2000s, and several more have come to their attention during their engagement with the IICSA.</p> <p>Father Hudson’s was established in 1902 as the Birmingham Diocesan Rescue Society for the protection of homeless and friendless Catholic children.</p> <p>Father Hudson’s migrated 132 children to Australia from 1947-1956. Its child migration was co-ordinated by a subcommittee of the Catholic Child Welfare Council. Most children came from Birmingham.</p> <p>The IICSA heard allegations of sexual abuse from two witnesses who had been migrated by Father Hudson’s. In addition, Father Hudson’s has been informed of several allegations. Father Hudson’s review of files in 2016, revealed no evidence that the organisation was aware during the migration period of allegations or evidence of sexual abuse of child migrants. The IICSA did not see any evidence to contradict this.</p>		
--	--	--	--

	<p>Consent was provided for each of the 132 children migrated: in 56 cases by a parent, in 70 cases by the Administrator, and in six cases by another organisation. Although at least one parent disputed that they were told that their child was being migrated.</p> <p>Father Hudson's was informed that a child migrant who had died in 1997 had been sexually abused by the Christian Brothers.</p> <p>Pre-war, other Catholic Church organisations migrated over 10,000 children to Canada, and 115 to Australia. It then migrated an estimate of 958 children to Australia with 946 under the auspices of the Australian Catholic Immigration Committee from 1945-1956.</p> <p>The Catholic agencies' rationales for involvement in the programmes included the best interests of the child, the provision of better living conditions for them, the safeguarding of their religious faith, the growth of the Catholic faith within Australia itself, financial considerations and the social imperial motivation of populating the Empire with white British stock. Documents from that period refer to the appeal of migration being "the saving of children from undesirable parents" and securing the "rescue" of children.</p>		
--	--	--	--

	<p>The Australian Royal Commission, in its Case Study into one of the receiving institutions, St Joseph's Neerkol, recorded that the previous 'Forde' IICSA had observed that child sexual abuse at the orphanage was perpetrated by a range of persons, including workers, visitors and priests. The Commission heard from 12 former residents, who detailed serious emotional, physical and sexual abuse at the orphanage.</p> <p>Additional accounts of sexual abuse that the IICSA received included 38 allegations of sexual abuse in Christian Brothers institutions, four at St Joseph's, Neerkol, and one at St Vincent's, Goodwood.</p> <p>Records from the migration era show that a child migrant alleged sexual abuse on the ship on the journey to Australia. The Catholic chaplain accompanying the children became aware of the incident but it is not clear whether he communicated the incident to the Catholic authorities in England. However, the migrant explained how the nuns accompanying the children were aware of the incident and had told her not to tell anyone about it.</p> <p>Brother Conlon (affiliated to the Christian Brothers) conducted direct recruitment visits on behalf of the Australian church authorities. There is</p>		
--	---	--	--

	<p>evidence that Brother Conlon knew of some of the allegations of sexual abuse by the Christian Brothers.</p> <p>The Australian Royal Commission in its Christian Brothers Case Study has found that although the relevant Provincial Council was aware of allegations of sexual abuse against Christian Brothers in each of the decades from the 1920s onwards and certainly in the 1940s and 1950s, generally the response to allegations of sexual abuse was kept within the Christian Brothers Order itself; rather than them notifying external agencies.</p> <p>There did not appear to be any formal selection procedures as applied by the Catholic agencies. Some insight can be gained from Father Murphy's reply to a questionnaire sent by the WGPW, in 1949, which noted that children were usually selected:</p> <ul style="list-style-type: none"> a. due to an approach by the parents; b. for the purpose of removing the child from danger; or c. on the basis of the wishes of the individual child. <p>Children could be migrated between the age of two and 15, but in practice no child under seven had been migrated.</p> <p>The Health Select Committee in 1998 found that it could only find</p>		
--	---	--	--

evidence of consent by parents in 19% of cases of children migrated. This increased to around 20% by the time of the Australian Senate IICSA in 2001. It was noted that of the 41 children migrated, parental consent was obtained in 30 cases and Directors' consent in the remaining 11. For those children who were migrated, the IICSA saw no evidence that consideration was given to fostering or adoption, despite a suggestion to this effect in a Catholic recruitment brochure.

It would appear that many allegations of physical and sexual abuse were made from the late 1980s, with Catholic institutions setting up support services for survivors, leading to an apology to survivors. Support services focused on access to records, family reunification and origins work, together with counselling and practical assistance with travel and Accommodation; "the support and reparations offered by Catholic institutions in England and Wales were provided to all former child migrants regardless of whether they had suffered sexual abuse. Former child migrants sought to access services and information in England and Wales in relation to access to records, family reunification and origins work. Where reports of sexual abuse were made, they typically emerged during this process or as

	<p>background information. Sexual abuse formed but one part, albeit a significant part, of a broader picture of other forms of abuse and a profound sense of loss and a lack of identity”.</p> <p>In Scotland, on 31 March 2021, there were 40,632 registered places in adult care homes, of which there were an estimated 29,317 long stay residents in care homes for older people (65 and over).</p>	Care home Census for Adults in Scotland Statistics for 2011 to 2021	
Disability	<p>No information is available on the number of disabled people likely to be affected by the amendment.</p> <p>Certain groups of children were excluded from migration as countries would not accept disabled or black children, for example. One of the earlier motives of the schemes had been to maintain the racial unity of Britain's Empire.</p> <p>The urgent need to recruit may have impacted on the levels of consent gathered before the children were chosen for migration. In one case a young girl whose mother had died, and who had spent over three years in hospital, wearing callipers, had her callipers removed for her migrant examination and sent abroad as not being disabled. It is not clear how many disabled children may have been migrated, with their impairments and health conditions hidden and unsupported for the harsh life ahead.</p>	<p>Child Migrant Trust</p> <p>Scottish Child Abuse Inquiry – Child Abuse and Scottish Children sent Overseas through Child Migration Schemes January 2020</p>	No specific data on being disabled are available, however, related data is available that assumptions can be made from.

	<p>The IICSA heard evidence that children were subjected to brutal conditions. They were physically beaten and deprived of medical care and a proper education. They were often not given enough food to eat and endured a regime where cruel punishments were the norm.</p> <p>In Scotland between 2017-20, the poverty rate after housing costs for people in households with a disabled person was 23% (500,000 people each year). This compares with 17% (540,000 people) in a household without disabled household members.</p>	<p>IICSA Child Sex Abuse - Child Migration Programmes Investigation Report March 2018</p> <p>Poverty and Income Inequality in Scotland 2017-20</p>	
Sex	<p>No information is available on the number of people from each sex likely to be affected by the amendment.</p> <p>An investigation revealed that in the 1920s the suicide rate among male juvenile migrants brought into Australia was more than ten times higher than among the same age group among Australian males. This suggests a toxic environment and culture that impacted on the mental health of young males.</p> <p>Choices of children migrated often related to the receiving institutions with a Catholic institution receiving government funding to extend their building in Australia if they recruited 100 girls to their institution. As the number of girls was not high</p>	<p>Scottish Child Abuse Inquiry – Child Abuse and Scottish Children sent Overseas through Child Migration Schemes January 2020</p>	<p>No specific data on being disabled are available, however, related data is available that assumptions can be made from.</p>

	<p>enough for the Catholic institution to meet its quota active recruitment prioritised girls from the UK. This urgent need to recruit may have impacted on the levels of consent gathered before the girls were chosen for migration. In one case a young girl whose mother had died, and who had spent over three years in hospital, wearing callipers, had her callipers removed for her migrant examination and sent abroad as not being disabled.</p> <p>From the surviving records from various organisations that recruited and migrated children overseas it would appear that many more boys were migrated than girls as the bigger need was for farm labour, with only some girls needed to work as domestic servants in private homes.</p> <p>The Inquiry heard that there were concerns about some receiving institutions in Australia at the time of migration, including a concern about an apparent laxity in the operation of the Pinjarra hostel for returning Fairbridge boys and girls, the culture of sexual behaviour there, and the fact that when Fairbridge girls under 16 became pregnant they were expelled. There was a high pregnancy rate among ex-Fairbridge girls. One Duty Master was convicted of “immoral relations” with Fairbridge boys.</p>	<p>IICSA Child Sex Abuse - Child Migration Programmes Investigation Report March 2018</p>	
--	--	---	--

A memorandum was submitted to the Home Office by Mr Dallas Paterson (a former Principal of Pinjarra), in which he was extremely critical of the migration schemes and stressed the need for the sending organisations to retain a sense of responsibility for the child migrants. In an appendix to the memorandum, Mr Paterson referred to a Western Australia Committee member whose "philandering conduct towards girls in his wife's employ" was notorious. He also noted "by far the most serious case" of a 14 year old girl who had been subjected to the "most seriously immoral" behaviour, over a long time, by the son-in-law of the Western Australia Committee Chairman.

In late 1945/early 1946 the Fairbridge NSW Council informed Fairbridge UK that "one of the Fairbridge girls had made very serious allegations against the Company Secretary, of sexual misbehaviour towards her, which were brought to the notice of the Child Welfare Department by a local parson who had heard of the alleged incidents". It appears that the police were involved, but that the Child Welfare Department report later exonerated the Company Secretary, expressed high regard for Fairbridge and thought that the allegations "can only be put down to the sexual stirrings of a

	<p>hysterical adolescent mind” .</p> <p>The Child Welfare Department’s Mr Heffernen spent three days at the school investigating the allegations and in a report dated 5 March 1948, concluded that none of the charges were substantiated. The “other matters” included a concern about improper use of a vessel of urine. Mr Heffernen found the replies of a child who had been questioned not convincing and noted that “The same lad was questioned regarding alleged sex misbehaviour in the bake house. In regard this he says ‘we just suspected it’. When asked why he did not report the matter to the Company Secretary he said ‘I couldn’t very well because I couldn’t prove anything”.</p> <p>Other allegations against the Company Secretary included that he had made a boy’s eyes bleed by assaulting him and had beaten boys with a hockey stick. Although these incidents amounted to physical and not sexual abuse, we consider they are relevant to the overall conditions at Molong, especially because they were carried out by the person in charge.</p> <p>This correspondence provides some evidence of a recognition that for an adult to “interfere” with a vulnerable young girl was unacceptable and was</p>		
--	--	--	--

	<p>something which an institution with a caring responsibility for that child should be concerned about.</p> <p>The Inquiry highlighted a letter from Nigel Fisher MP to Fairbridge UK dated 21 July 1958, indicating that he did not think it sensible to push for a proposed adjournment debate on child migration because he had been told of a “really rather bad case of sodomy between a teacher and boys at one of the Barnardo’s Schools in Australia”.</p> <p>Barnardo’s apparently appreciated the risk of sexual abuse to child migrants, given the steps they implemented in respect of the placement of girls in Canada after the conviction of Mr Owen in 1889, and the evidence that they stopped migration of girls between 13 and 17 post-War because of problems of isolation and “vulnerability” experienced by pre-War female child migrants in that age group.</p> <p>In the National Children’s Homes’ record it shows that ‘Child C’ disclosed, while in a group session, that she had been raped at the age of five by an eight year old boy living in the same home. She responded by offering an individual conversation. The former child migrant said that she did not want any further action and wanted to remain anonymous. ‘Child D’</p>		
--	--	--	--

alleged, again in a group setting, that he was sexually abused by a 14 year old boy when he was around the same age. He also said that he did not want any further action and wanted to remain anonymous.

In its investigation into the Catholic institutions, the Australian Royal Commission heard evidence of many boys being sexually, physically and emotionally abused. Eleven men gave oral evidence at the hearings, during which they made allegations of sexual abuse against sixteen Christian Brothers. The Commission found that that in each decade from 1919 to the 1960s, there were allegations of child sexual abuse against Brothers, about which the Provincial Council knew; and that in each decade from the 1930s to the 1950s, allegations were raised against Brothers against whom there had been previous allegations. It concluded that the leadership of the Christian Brothers from 1947-1968 had failed to manage the institutions so as to prevent child sexual abuse.

In another report it was suggested that awareness of sexual abuse among staff at these residential institutions extended to the operation of 'sex rings' in three of these Western Australian residential institutions, in which Brothers collaborated with

	<p>one another in their activities, assisted and covered for each other, and may have shared the same boys.</p> <p>With the Marist Brothers, another religious order, it was found that an older child migrant wishing to return home to the UK had “interfered with” some of the younger boys in the college and was dismissed. He then went to Clontarf and Bindoon, and was again found to be interfering with younger boys.</p>		
Pregnancy and Maternity	<p>No information is available on the pregnancy or maternity of people likely to be affected by the amendment.</p> <p>The Inquiry heard that there were concerns about some receiving institutions in Australia at the time of migration, including a concern about an apparent laxity in the operation of the Pinjarra hostel for returning Fairbridge boys and girls, the culture of sexual behaviour there, and the fact that when Fairbridge girls under 16 became pregnant they were expelled. There was a high pregnancy rate among ex-Fairbridge girls.</p>	<p>IICSA Child Sex Abuse - Child Migration Programmes Investigation Report March 2018</p>	<p>No specific data on the pregnancy and maternity status of applicants is available.</p>
Gender Reassignment	<p>No information is available on the gender reassignment status of people likely to be affected by the amendment.</p>		<p>No specific data on the gender reassignment status of applicants is available.</p>
Sexual Orientation	<p>No information is available on the sexual orientation of people likely to be affected by the amendment.</p>		<p>No specific data on the sexual orientation of applicants is available.</p>

<p>Race</p>	<p>No information is available on the race of people likely to be affected by the amendment.</p> <p>A 1949 Home Office memorandum on selecting child migrants from the UK made clear that choosing based on race, creed or colour was to be avoided to prevent any discrimination. However, it also made clear that if a child might suffer racial prejudice in the receiving country then discrimination could take place to protect the child. Receiving countries like Australia had a whites only policy which meant that, in effect, no minority ethnic children would be accepted.</p> <p>Politicians in Australia were especially keen to populate their under-populated territory with more 'white British stock'. This was a mission also endorsed by the white minority colonial regime in Southern Rhodesia, and more modestly in New Zealand.</p> <p>The UK Government's passed the Empire Settlement Act of 1922 and related financial arrangements. This legislation was principally passed to ease a post-war unemployment problem by subsidising the emigration of adults and of families and at the same time to satisfy a demand by 'white' settler societies in the overseas Empire for more 'white' immigrants from the motherland. It was</p>	<p>Scottish Child Abuse Inquiry – Child Abuse and Scottish Children sent Overseas through Child Migration Schemes January 2020</p>	<p>No specific data on the race of applicants is available, however, related data is available that assumptions can be made from.</p>
--------------------	--	--	---

	<p>renewed in 1937 and 1952 and subsequently as the Commonwealth Settlement Act in 1957, 1962 and 1967. It only expired in 1972. The Acts, applicable of course in Scotland, also supported child and juvenile migration programmes, and allowed the UK Government to subsidise the equipping, shipping and resettling of child migrants and the cost of their maintenance overseas until they reached the age of 16.</p> <p>Certain groups of children were excluded from migration as countries would not accept disabled or black children, for example. One of the earlier motives of the schemes had been to maintain the racial unity of Britain's Empire.</p> <p>The Inquiry was concerned to find that children were often selected on the basis of populating other countries with 'white British stock', or to help strengthen the presence of faith based institutions overseas. The welfare of the children should have been paramount, but was frequently secondary.</p> <p>Her Majesty's Government's rationale for participating in and approving the child migration programmes was a combination of reasons related to the welfare of the children and a desire to populate the white British Empire.</p>	<p>Child Migrant Trust</p> <p>IICSA Child Sex Abuse - Child Migration Programmes Investigation Report March 2018</p>	
--	--	--	--

	<p>The Fairbridge Society's sole purpose was child migration. Its rationale throughout was that children from British slums would be better off and healthier in the rural areas of the Empire, that migration would enhance the Empire's white stock, and in the case of Southern Rhodesia, the ruling white elite in the country.</p> <p>The Catholic agencies' rationales for involvement in the programmes included the best interests of the child, the provision of better living conditions for them, the safeguarding of their religious faith, the growth of the Catholic faith within Australia itself, financial considerations and the social imperial motivation of populating the Empire with white British stock.</p>		
<p>Religion or Belief</p>	<p>No information is available on the religion or belief of people likely to be affected by the amendment.</p> <p>The IICSA was concerned to find that children were often selected on the basis of populating other countries with 'white British stock', or to help strengthen the presence of faith based institutions overseas.</p> <p>The organisations that migrated the children were: Barnardo's The Fairbridge Society The Children's Society The National Children's Home The Royal Overseas League Cornwall County Council</p>	<p>IICSA Child Sex Abuse - Child Migration Programmes Investigation Report March 2018</p>	<p>No specific data on the religion or beliefs of applicants is available, however, related data is available that assumptions can be made from.</p>

	<p>The Salvation Army The Church of England Advisory Council for Empire Settlement The Sisters of Nazareth Father Hudson's The Catholic Church</p> <p>The National Children's Home's rationale for migration was that Australia was felt to be a land of better opportunities and weather for children; it was envisaged that the central importance of religion would be emphasised; and that a stable family-like environment would be provided.</p> <p>The Salvation Army UK is an international charitable organisation affiliated with Protestant Christianity.</p> <p>The Sisters of Nazareth is a Catholic order of nuns founded in the nineteenth century in France. It operates through an international network of "Nazareth Houses", which provide lodgings to the nuns and care services to the local community.</p> <p>Father Hudson's was established in 1902 as the Birmingham Diocesan Rescue Society for the protection of homeless and friendless Catholic children.</p> <p>Pre-war, other Catholic Church organisations migrated over 10,000 children to Canada, and 115 to Australia. It then migrated an estimate of 958 children to Australia with 946 under the auspices of the Australian</p>		
--	---	--	--

	<p>Catholic Immigration Committee from 1945-1956.</p> <p>The Catholic agencies' rationales for involvement in the programmes included the best interests of the child, the provision of better living conditions for them, the safeguarding of their religious faith, the growth of the Catholic faith within Australia itself, financial considerations and the social imperial motivation of populating the Empire with white British stock.</p>		
<p>Marriage and Civil Partnership (the Scottish Government does not require assessment against this protected characteristic unless the policy or practice relates to work, for example HR policies and practices - refer to Definitions of Protected Characteristics document for details)</p>	<p>This Protected Characteristic is not relevant to this assessment.</p>		<p>This Protected Characteristic is not relevant to this assessment.</p>

Stage 3: Assessing the impacts and identifying opportunities to promote equality

Having considered the data and evidence you have gathered, this section requires you to consider the potential impacts – negative and positive – that your policy might have on each of the protected characteristics. It is important to remember the duty is also a positive one – that we must explore whether the policy offers the opportunity to promote equality and/or foster good relations.

Do you think that the policy impacts on people because of their age?

Age	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	X			<p>This amendment may benefit older age group categories more than younger age group categories as the majority of victims and survivors are likely to be older people. For many applicants it will vindicate their lived experience of abuse, which may have previously not been believed.</p> <p>However, individuals of all age groups will be able to apply to the Child Migrant Trust, as it is anticipated that the beneficiaries of any former child migrant who was alive on 1 March 2018 and has since passed away will be able to apply.</p>
Advancing equality of opportunity	X			<p>The amendment proposed will ensure that people will retain the full value of any payment made via the Child Migrant Trust if subject to charging for residential care and support. This will ensure equality of opportunity with those receiving payments who plan to live in residential care.</p>
Promoting good relations among and between different age groups	X			<p>Although, it is likely to benefit older people more, individuals of all age groups are able to apply to the Child Migrant Trust. It is anticipated that the beneficiaries of child migrants will be able to apply.</p> <p>Younger family members may feel a stronger connection to their older loved ones who experienced the abuse, and vindication of their loved ones' lived experience of abuse.</p>

Do you think that the policy impacts disabled people?

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful	X			<p>This amendment may benefit disabled people more than non-disabled people</p>

discrimination, harassment and victimisation				as it is more likely that a person using a care home has an impairment or long term health condition. For many applicants it will vindicate their lived experience of abuse, which may have made them disabled, and which may have previously not been believed.
Advancing equality of opportunity	X			<p>The amendment proposed will ensure that people will retain the full value of any payment made via the Child Migrant Trust if subject to charging for residential care and support. This will ensure equality of opportunity with those receiving payments who plan to live in residential care.</p> <p>As families with a disabled person are more likely to experience poverty, ensuring that the financial payments to a disabled survivor, or a disabled child migrant's family is disregarded will enable them to retain more of their income. This may be more pertinent if a person is disabled due to the abuse, and as a result, has been financially disadvantaged in life.</p>
Promoting good relations among and between disabled and non-disabled people	X			Both disabled and non-disabled people will be able to apply to the Child Migrant Trust. Beneficiaries of child migrants will be able to apply. This disregard may have a positive effect on raising awareness of the experiences of people affected by abuse as child migrants.

Do you think that the policy impacts on men and women in different ways?

Sex	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	X			<p>This amendment may benefit men more than women as most child migrants were boys. It is likely that more men than women will apply to the Child Migrant Trust.</p> <p>For women, the shame and disadvantage of any unplanned or unwanted pregnancies as girls, due to being in the receiving institutions, will vindicate their lived experience of abuse and lack of safeguarding for them.</p>
Advancing equality of opportunity	X			It is anticipated that the number of men likely to apply is significantly higher than the number of women. The abuse of

				<p>boys in institutions is less well discussed in public discourse, and therefore, it may enable men to gain a wider understanding of their abusive childhood.</p> <p>For women financially and socially disadvantaged by unplanned or unwanted pregnancies as girls, the ability to provide a better financial future for them and their loved ones will be welcomed.</p>
Promoting good relations between men and women	X			Individuals of both sexes are able to apply to the Child Migrant Trust.

Do you think that the policy impacts on women because of pregnancy and maternity?

Pregnancy and Maternity	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	X			For women, the shame and disadvantage of any unplanned or unwanted pregnancies as girls, due to being in the receiving institutions, will vindicate their lived experience of abuse and lack of safeguarding for them
Advancing equality of opportunity	X			For women financially and socially disadvantaged by unplanned or unwanted pregnancies as girls, the ability to provide a better financial future for them and their loved ones will be welcomed.
Promoting good relations	X			The recognition that their unplanned or unwanted pregnancies as girls, and the life that they had to endure after leaving the institutions, while pregnant, will heal emotional and financial wounds.

Do you think your policy impacts on transsexual people?

Gender reassignment	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	The evidence is not available to make any analysis.

Advancing equality of opportunity			X	The evidence is not available to make any analysis.
Promoting good relations			X	The evidence is not available to make any analysis.

Do you think that the policy impacts on people because of their sexual orientation?

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	The evidence is not available to make any analysis.
Advancing equality of opportunity			X	The evidence is not available to make any analysis.
Promoting good relations			X	The evidence is not available to make any analysis.

Do you think the policy impacts on people on the grounds of their race?

Race	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	X			This policy is likely to benefit individuals of white ethnicity more than other ethnic groups. All the policies surrounding the child migration schemes were based on race.
Advancing equality of opportunity			X	There is no indication that the equality of opportunity for the migrant children was either positive or negative as the predominantly white children moved to countries that welcomed white children.
Promoting good race relations			X	Individuals of all racial groups will be able to apply to the Child Migrant Trust, including the beneficiaries.

Do you think the policy impacts on people because of their religion or belief?

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	X			The majority of child migrants were selected based on the priorities of the Christian countries taking part and Christian religious organisations to populate the commonwealth countries with children raised in the Christian faith. The majority of the child migrants are therefore more likely to identify as

				Christian, or had a Christian upbringing.
Advancing equality of opportunity			X	There is no indication that the equality of opportunity for the child migrants of being Christian in predominantly Christian countries will have advanced their equality of opportunity.
Promoting good relations	X			Financial payments awarded by the Child Migrant Trust may foster a shared sense of justice for child migrants, and their families, sharing different religious beliefs. Individuals of all religious or belief based groups will be able to apply to the Child Migrant Trust.

Do you think the policy impacts on people because of their marriage or civil partnership?

Marriage and Civil Partnership¹¹	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	This Protected Characteristic is not relevant to this assessment.

¹¹ In respect of this protected characteristic, a body subject to the Public Sector Equality Duty (which includes Scottish Government) only needs to comply with the first need of the duty (to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010) and only in relation to work. This is because the parts of the Act covering services and public functions, premises, education etc. do not apply to that protected characteristic. Equality impact assessment within the Scottish Government does not require assessment against the protected characteristic of Marriage and Civil Partnership unless the policy or practice relates to work, for example HR policies and practices.

Stage 4: Decision making and monitoring

Identifying and establishing any required mitigating action

Have positive or negative impacts been identified for any of the equality groups?	Yes - positive
Is the policy directly or indirectly discriminatory under the Equality Act 2010 ¹² ?	No.
If the policy is indirectly discriminatory, how is it justified under the relevant legislation?	N/A
If not justified, what mitigating action will be undertaken?	N/A

Describing how Equality Impact analysis has shaped the policy making process

No equality issues have been raised that will require changes to the framing of the legislation.

Monitoring and Review

Any monitoring and review of the disregard for the Child Migrant Trust payment scheme will be undertaken by SG officials in the Redress, Relations and Response Division.

Stage 5 - Authorisation of EQIA

Please confirm that:

- ◆ This Equality Impact Assessment has informed the development of this policy:

Yes No

- ◆ Opportunities to promote equality in respect of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation have been considered, i.e.:

- Eliminating unlawful discrimination, harassment, victimisation;
- Removing or minimising any barriers and/or disadvantages;

¹² See EQIA – Setting the Scene for further information on the legislation.

- Taking steps which assist with promoting equality and meeting people's different needs;
- Encouraging participation (e.g. in public life)
- Fostering good relations, tackling prejudice and promoting understanding.

Yes No

- ◆ If the Marriage and Civil Partnership protected characteristic applies to this policy, the Equality Impact Assessment has also assessed against the duty to eliminate unlawful discrimination, harassment and victimisation in respect of this protected characteristic:

Yes No Not applicable

Declaration

I am satisfied with the equality impact assessment that has been undertaken for The National Assistance (Assessment of Resources) Regulations 1992 and give my authorisation for the results of this assessment to be published on the Scottish Government's website.

Name: Dr ST Cuthbert-Kerr

Position: Deputy Director for Improving Standards and Quality Division, Directorate for Social Care and National Care Service Development Directorate

Authorisation date: 11 February 2022



Scottish Government
Riaghaltas na h-Alba
gov.scot

© Crown copyright 2022

OGL

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3 or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.scot

Any enquiries regarding this publication should be sent to us at

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-80435-380-6 (web only)

Published by The Scottish Government, April 2022

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS1074762 (04/22)

W W W . g o v . s c o t