

Pilot Forum Q & A

Time to be Heard: Pilot Forum for Adults in Residential Care as Children

If you spent time in residential care as a child, are a survivor of child abuse, or are someone interested in survivor issues, you may well have questions about *Time to be Heard*. This pilot is being taken forward by Tom Shaw and two Commissioners, Anne Carpenter and Kathleen Marshall. They are being given support, in the preparation stage, by the SurvivorScotland Team at Scottish Government, who are working with survivors and others to produce positive outcomes in the lives of survivors. Everyone wants to ensure that this work is done openly, transparently and thoroughly.

You may have already heard the Pilot Forum described as a 'Truth and Reconciliation Commission,' and then as an 'Acknowledgement and Accountability Forum'. Neither of these names reflects completely the plans for the Pilot Forum, and therefore a new name *Time to be Heard* has been chosen.

The SurvivorScotland Team has strong links with survivors, survivor support organisations and those who are currently involved in providing residential child care. It's known that many survivors don't disclose their experiences and that there are many people who don't identify themselves as survivors. It is particularly important that these people also have the chance to hear about and contribute to the development of *Time to be Heard* if they so wish.

What is *Time to be Heard*?

Time to be Heard is a 'Pilot Forum', in other words, it is designed to test out one way for former residents who were in care as children - for instance, in a children's home, residential school or other institution - to describe their experiences, to be listened to in good faith and to be supported. Up to 100 former residents of Quarriers Homes are being invited to come forward because it's important to hear about the variety of experiences - good and bad - that people had in residential care as children. *Time to be Heard* thinks it may be unhelpful, in advance of the pilot, to try and define who 'survivors' are. One of the aims of *Time to be Heard* is to give people the opportunity to describe their experiences in the way and in the words that suit them best – no one wants to make that more difficult by using possibly limiting definitions.

What are the aims of the pilot?

The aims of *Time to be Heard* are

- To listen to former residents
- To acknowledge and record their experiences
- To provide a historical record of their experiences

- To signpost available services for survivors and support, advocacy, advice and information about these services
- To enable lessons to be learned which can assist in the further improvement of residential services for children, including protection from harm
- To test out a particular model - a Confidential Committee model

What model is being used?

The Confidential Committee model that was used very successfully in [Ireland](#) to hear from former residents has been chosen for the pilot. People giving testimony will not be publicly named or identified, but the accounts they give will be part of a published record.

What is the Confidential Committee model?

The Confidential Committee model is designed to give former residents the opportunity to describe their experiences in a confidential setting. The process is private and is designed to make it as easy as possible for anyone who chooses to take part to describe his or her experiences. Former residents will be listened to with respect and what they say will be accepted in good faith. They can bring with them a friend, family member or someone else to provide support at the hearing. Institutions and alleged or convicted abusers will not be present or represented.

Lawyers will not be involved and there will be no investigations carried out by *Time to be Heard* itself. But participation in *Time to be Heard* does not prevent anyone from continuing to pursue criminal or civil cases against his or her alleged abuser(s). What participants say will be made anonymous and published. No person will be identified in any report of *Time to be Heard*. Confidentiality will only be relaxed where this is essential to prevent harm, for example where the person that a participant says abused them is still working with or has the care of children or adults.

Why has this model for the pilot been chosen?

This model has been chosen for the pilot because it relates only to former residents and offers an opportunity for participants to describe their experiences in a supportive environment to understanding people. It also means that a record can be made of the experiences of former residents and this will provide a lasting and powerful testimony of what happened to them. The reasons for choosing this model are set out in full in Paper AA1/1 of the Advisory Group papers which are available on the SurvivorScotland website or from the SurvivorScotland Team.

Why is Accountability not part of the Pilot Forum?

Time to be Heard is not designed to hold institutions accountable for any harm caused to survivors. An accountability process would have different elements from

the Confidential Committee model, would require full investigation of any allegations and therefore would take longer and be much closer to a legal process.

Why is it only a pilot?

It's important to find out what works for participants so as to ensure that any larger scale forum is the best it can be for the participants, rather than launching something large scale which may not work well. The pilot will be evaluated and those who took part will be asked to give feedback.

How many survivors will participate in the pilot and from where?

Time to be Heard will hear from up to 100 former residents from Quarriers. Quarriers has been chosen because it was the largest provider of residential childcare up to the 1980s and took children from all over Scotland. Quarriers has also acknowledged publicly that some children in their care were abused.

How will survivors of abuse be involved in *Time to be Heard*? Have they been consulted about these steps?

Extensive consultation, [consultation document](#) - has already taken place with survivors through a process where individual survivors and groups of survivors were asked for their views directly. All consultations and responses can be found in the [publication section](#) of the Scottish Government website.

The SurvivorScotland National Reference Group, which oversees development of the strategy and includes survivor representation, assisted with the consultation. There were also several discussions with the Reference Group about the Pilot Forum when it was first proposed.

An Advisory Group has been established for *Time to be Heard* which includes survivors, care leavers, representatives from organisations providing residential child care and the Scottish Institute for Residential Child Care.

We recognise that survivors do not always tell of their experiences nor wish to do so, but we have tried in a number of innovative ways to obtain their views and opinions.

Papers for the Advisory Group are posted on the SurvivorScotland website. If you cannot access the website please call the SurvivorScotland Team who would be happy to send you the papers by post.

We welcome any feedback either through the SurvivorScotland website itself or by phone.

How will survivors' rights be protected?

The Scottish Human Rights Commission (SHRC) <http://www.scottishhumanrights.com/> is an independent body that promotes and protects the human rights of everyone in Scotland. SHRC works to increase awareness, recognition and respect for human rights in Scotland by bringing human rights into everyday life. SHRC was commissioned by Scottish Government to design a human rights framework to ensure that the human rights of survivors, alleged abusers and institutions are all taken account of in planning *Time to be Heard*. This includes the rights of survivors to privacy and confidentiality and the rights of alleged abusers to a fair hearing. The framework is in two parts:- an analysis of the law and an engagement with survivors and others interested in survivor work. The Scottish Institute for Residential Child Care <http://www.sircc.org.uk/> was subcontracted by SHRC to undertake the second part of the framework. The Framework was published on 9 February 2010 and is an important part of preparations for *Time to be Heard*.

Will institutions be involved in *Time to be Heard*?

Institutions will not give evidence at the Pilot Forum hearings. We are looking at other ways in which they could be involved in our work with in care survivors, including opportunities for restorative justice. Restorative justice options offer ways for institutions to acknowledge the harm done, for survivors and institutions to work together in building bridges between them and for constructive solutions to be found.

How will *Time to be Heard* affect the legal process?

Time to be Heard is not a trial or a court hearing. Survivors who take part will still be free to report allegations to the police for a criminal investigation, to seek compensation from the Criminal Injuries Compensation Scheme and to try and bring a civil action. Nothing that is said at *Time to be Heard* will be used in any legal proceedings, (although of course survivors may choose to repeat their testimony in separate legal proceedings, and the experience of the Pilot Forum may itself help people to decide if they want to go forward with legal proceedings). An exception would be where a survivor discloses abuse committed by a person who is known to be working currently with children or in a caring role with adults or who has responsibility for the care of children or adults. In those cases allegations must be reported to the police. *Time to be Heard* plans to have access to a dedicated team of police officers with understanding of survivor issues who will conduct any investigation.

Won't *Time to be Heard* just re-traumatise survivors of abuse?

Describing traumatic events is always difficult and painful. Everyone who decides to participate in *Time to be Heard* will be offered support, help and advice before, during and after giving testimony - and will be provided with full information about *Time to be Heard* and other options for survivors of in-care abuse - through specialist services that are local to them. The In-Care Survivors Service Scotland

offers counselling, advocacy, advice and information specifically to adult survivors who were abused in care as children. Their contact details are at the end of this note.

We are also seeking the advice of experts on trauma to ensure that taking part in *Time to be Heard* is a positive experience for everyone. Travel and subsistence costs of participants and up to 2 supporters will be paid for.

What experience does Tom Shaw have to be selected as the Chair of *Time to be Heard*?

Tom Shaw was appointed as Independent Expert to lead the Historic Abuse Systemic Review and was responsible for the Report of that Review, which was published in 2007. <http://www.scotland.gov.uk/Publications/2007/11/20104729/0> His report concluded that former residents had a wide variety of needs. While he did not specifically recommend the establishment of a forum, it is very much in keeping with his findings about the needs of former residents. His recommendations have all been accepted by Scottish Government and work is ongoing to implement them. In 2007 he was appointed a member of the advisory body for the inquiry into the abuse of children in Kerelaw, a residential school for boys in Glasgow. <http://www.scotland.gov.uk/Publications/2009/05/08090356/0>

What experience do the Commissioners have?

Anne Carpenter has extensive experience as a clinical psychologist working with victims of crime, including many survivors of abuse, particularly sexual abuse. Kathleen Marshall has a long history as an advocate of children's rights, including her most recent post as the Commissioner for Children and Young People. She was also the Chair of the Edinburgh Inquiry into Abuse and Protection of Children in Care.

Where can I get further information about the Chair and Commissioners?

You can get further information at <http://www.scotland.gov.uk/News/Releases/2009/12/01152528>

When will *Time to be Heard* start its work?

Time to be Heard will begin its work in the Spring of 2010. A final report should be available early in 2011.

Where can I get help as a survivor of abuse in care?

The In Care Survivors Service Scotland (ICSSS), a partnership led by an established support agency, Open Secret, is a new support service for adults who suffered childhood abuse in care and also for their families.

A national confidential telephone support line - **0800 121 6027** - providing support, guidance and advocacy and operated by trained staff and volunteers.

A website and leaflet campaign highlighting the support available. Their website is: **www.incaresurvivors.org.uk**

Help for survivors to access the Criminal Injuries Compensation scheme and support to pursue other legal issues (for example support to attend court).

If you would rather write to ICSSS their address is: **ICSSS, Open Secret, 98 Thornhill Road, Falkirk FK2 7AB.**

Where can I find out more?

You can find out more on the SurvivorScotland website <http://www.survivorscotland.org.uk/> including a statement by Tom Shaw, the Pilot Forum Chair, and papers for the Advisory Group. The Website will be updated regularly with information and requests for your views. Press statements will also be issued at regular intervals.

You can also get copies by post of any information available on the Website from:

**SurvivorScotland Team
Adult Care and Support Division
Room 2 ER
Saint Andrews House
Regent Road
Edinburgh
EH1 3DG**

or talk to someone at the SurvivorScotland Team about *Time to be Heard* by phoning:

SurvivorScotland Team : 0131 244 3633
0131 244 3214