



## Crime Business Area – Public Protection Portfolio

Chair: Graham Sinclair, Assistant Chief Constable

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### By Email

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Your Ref:

Our Ref:

Date: 11<sup>th</sup> October 2012

Ms. Julie Muir  
Survivor Scotland Team  
Area 2ER  
St. Andrew's House  
Edinburgh  
EH1 3DG

Dear Ms Muir,

### National Confidential Forum

#### A Consultation on the Creation of a Forum for Adult Survivors of Childhood Abuse in Residential Care

I refer to your correspondence dated Friday 20<sup>th</sup> July 2012, requesting comment on the above proposals. This has been considered, on my behalf, by the chair of the ACPOS Child Protection Working Group which sits within the ACPOS Public Protection Portfolio, under the overall governance of the ACPOS Crime Business Area. The ACPOS Victims and Witnesses Working Group, which sits within the ACPOS Criminal Justice Business Area, has also been consulted and supports the comments below.

I would like to offer the following by way of comment in support of the proposals, albeit recognising that there is little police locus in some of the areas raised:

#### 1. Do you agree or disagree with the purpose of a National Confidential Forum?

ACPOS is wholly supportive of any initiative or process that would be likely to lead to victims obtaining increased access to justice on terms that are commensurate with their wishes.

Importantly such a process, irrespective of whether or not it leads to any formal complaint being referred to the police, will hopefully in of itself be of therapeutic value to the victims but also provide a pathway to other relevant and appropriate support services.

#### 2. Do you agree or disagree that the Forum should operate independently from Government?

Whilst not having a strong view on this matter, ACPOS would suggest that the appearance of independence might be of significant importance to some victims and as such the Forum should be as independent and impartial as possible – and seen to be so.

3. **Should the Forum:**
  - a. **be integrated into another public body ?**
  - b. **be a separate unit within another public body?**
4. **Do you agree or disagree that all adults who were placed in residential care by the State should be eligible to take part in the National Confidential Forum?**
5. **Do you agree or disagree that the process should be the same for all participants, regardless of whether they regard themselves as survivors of abuse in residential childcare?**
6. **Do you agree or disagree that people who were in the following types of residential care should be included:**
  - a. **residential schools and children's homes**
  - b. **residential educational provision for children with special needs**
  - c. **long-stay hospital provision for children with acute medical and/or mental health needs**
  - d. **secure accommodation**

With regard to **Questions 3, 4, 5 and 6** ACPOS has no strong views on who should be entitled to participate in the process. However, in line with the general support offered in the response provided to Question 1, and on the assumption that the process is being developed fundamentally to assist previously unidentified victims, and to provide learning for authorities, ACPOS would have hoped that the process should be as inclusive as possible. In that regard it may well be the case that persons with what are referred to in the consultation document as 'good experiences' still have something to offer. There is also an inherent fairness that is attractive in not excluding those wishing to offer positive experiences.

7. **What other support do you consider that participants would benefit from before, during and after the Forum?**

ACPOS has no comment to make on this question.

8. **Do you think that the participants should be protected from legal action in connection with their work for the Forum?**

ACPOS has no strong view on any general framework for legal protection for participants other than ensuring that:

- a. those who wish to report matters formally to the police can do so, and
- b. the professionals involved understand that absolute confidentiality cannot be guaranteed as there will always be circumstances that require the police to be informed. Furthermore, such circumstances should not be defined too prescriptively as there will always be individual cases which defy categorisation and where the police should be informed.

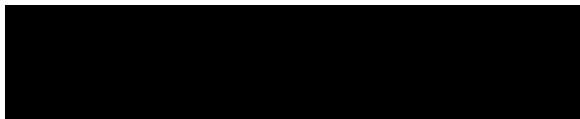
Ultimately the police in Scotland will engage with whatever process is provided in a professional manner.

9. **Do you think there are any barriers that would prevent people who are eligible to take part in the Forum from participating?**
10. **Do you wish to add any additional points about the Forum?**

ACPOS has no comment to make on **Questions 9 and 10**.

I hope that the foregoing proves useful. Should you require clarification on any of the answers provided, please contact Detective Sergeant Martin MacLean at [ACPOSPublicProtection@lbp.pnn.police.uk](mailto:ACPOSPublicProtection@lbp.pnn.police.uk) or by telephone on 0131-311-3569.

Yours sincerely,



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