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Ms Clare Adamson
MSP
Convener
Education and Skills
Committee
Scottish Parliament

30 January 2019

Dear Clare,

I write to update you following my announcement in Parliament on 23 October 2018 that there will be a financial redress scheme for survivors of childhood abuse in care in Scotland. This was in response to the recommendations made by the SHRC InterAction Action Plan Review Group. Financial redress will provide acknowledgement and tangible recognition of the harm done to children who were abused in care by those who were entrusted to look after them.

We are now working on the detailed design of a financial redress scheme, building on the earlier survivor consultation, and drawing on the experience of other countries. There will be a full public consultation later in 2019. The responses to the public consultation will help shape the legislation for the statutory scheme. We will involve survivor organisations in our communications plans to ensure that as many survivors as possible are aware of the opportunity to make their views known through the public consultation and are supported to take part.

The Review Group recommended that legislation is in place before the end of this Parliamentary term in 2021. While we will give careful consideration to any opportunities to bring that forward, we must take the time we require to consult and engage in a meaningful way with survivors and others on the detail of the scheme.

Recognising this, you will recall that I also committed to make advance payments to those survivors who may not live long enough to apply to the statutory redress scheme on age or ill-health grounds. Common law powers will be used for advance payments, pending legislation for the statutory redress scheme. Passing of the Budget Act for 2019/20 would provide the necessary parliamentary authority for that expenditure.

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Work has been progressing at pace to develop the requirements and processes necessary to begin making advance payments from April 2019. We are continuing to work with the Review Group to gather their views on key aspects of the application process and how the scheme will be publicised to those survivors who may not live long enough to apply to the statutory scheme.

I will ensure the Committee has full details of the advance payments as soon as these are available, along with an update on plans for the pre-legislative consultation on the statutory redress scheme.

JOHN SWINNEY

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