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Responses to Historical Abuse in Great Britain

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This paper provides an overview of the processes carried out by relevant Governments in response to historical institutional abuse in Scotland, England and Wales. It summarises those processes already undertaken, ongoing and proposed, including redress schemes and public inquiries.

This paper contains references to sexual, physical and emotional abuse, including in relation to children.

This information is provided to Members of the Legislative Assembly (MLAs) in support of their duties, and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as professional legal advice, or as a substitute for it.

Key Points

- In Scotland, a number of reviews and inquiries have taken place, some of these into specific locations or care settings.
- There have also been public apologies, new policies and legislation, and the establishment of the National Confidential Forum, which provides an acknowledgement function for survivors of abuse in care.
- Scotland's Redress Scheme for survivors of historical abuse in care opened for applications in December 2021. Decisions are made by Redress Scotland and the Scheme as a whole is administered by the Scottish Government.
- As of 31 March 2024, 3,602 applications for redress had been received with payments of more than £66 million made.
- The Scheme is funded by the Scottish Government and by contributions from organisations who were responsible. Currently those contributing organisations have provided over £122 million.
- The Scottish Child Abuse Inquiry was established in 2015 and is still ongoing. It has undertaken a number of investigations.
- In England and Wales, the Independent Inquiry into Child Sexual Abuse was established in 2015 and produced a final report in 2022. A specific redress scheme was among the many recommendations, but this has not yet been taken forward.
- The Criminal Injuries Compensation Scheme can provide government funded compensation to survivors in Great Britain, provided they meet specific eligibility criteria.

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Introduction

Following a previous paper on Irish Government responses to historical abuse¹, which was presented to the Committee for The Executive Office on 20 November 2024, a similar paper was requested on other Governments' responses to abuse in Great Britain.

As with the Republic of Ireland, there have been a number of different responses from both the UK Government and the devolved Governments. This paper first outlines what recent processes have taken place in Scotland, including the ongoing redress scheme, highlighting the funding model used. It then looks at the Independent Inquiry into Child Sexual Abuse in England and Wales, alongside some of the recommendations and specific redress schemes that have operated as a result. It then looks at the Great Britain-wide Criminal Injury Compensation Scheme. Whilst this is not a specific response to historical abuse, it is a potential route for survivors to avail of Government funded compensation. Finally, there is a brief mention of some examples of independent inquiries which are not part of Government processes.

This paper does not go into the specific detail of, for example, Inquiry findings and specific legislation. Instead, it aims to provide a sense of the scope of the more recent processes undertaken by Governments across Great Britain.

¹ RalSe, [Responses to Historic Abuse in the Republic of Ireland](#) NIAR 233-2024 2024

1 Scotland

In recent years, there has been increasing recognition in Scotland of historical abuses that have occurred in a number of settings. These settings include, for example, residential care institutions and where children were placed in boarding institutions. There have been a number of inquiries which have taken place and a range of public responses to this issue. This section will outline these and detail some of the processes involved in redress, both financial and otherwise. It will also look, in more detail, at Scotland's Redress Scheme and how it operates.

1.1 Previous Inquiries

There have been a number of inquiries related to the abuse of children in care in Scotland. The findings and recommendations of these inquiries have led to significant changes to the care and protection of children in Scotland. Some of significance are listed below alongside a short summary:

- The Edinburgh Inquiry into Abuse and Protection of Children (1999).² The City of Edinburgh Council agreed to hold an inquiry following the conviction of two former care workers in 1997. This was the first inquiry held under the Children (Scotland) Act 1995. The Inquiry looked at how and whether previous complaints were acted upon, what the current procedures and operational practices in Edinburgh were and what safeguards were in place. It produced 135 recommendations.
- The Fife Council Independent Inquiry (2002). This was commissioned by the Council following the conviction of a former care worker for abusing 18 boys at a Children's Home and a school. The report made 41 recommendations, including introducing a whistleblowing policy and requiring all allegations from children in care to be fully investigated. The Council also gave an unreserved apology to all of the victims.³

² Marshall K, Jamieson C and Finlayson A, '[Edinburgh's Children](#)' The Report of the Edinburgh Inquiry into Abuse and Protection of Children in Care (1999)

³ McKay R, [Inquiry calls for overhaul of child protection services](#), Community Care (2002)

- The Independent Inquiry into Abuse at Kerelaw Residential School and Secure Unit (2009).⁴ This was jointly commissioned by the Scottish Government and Glasgow City Council in 2007, following hundreds of allegations of emotional, physical or sexual abuse over the years during which the facility was open. The Inquiry's purpose was to secure comprehensive insight into the circumstances that led to abuse, to examine Glasgow City Council's stewardship of the school since 1996 and to consider the Council's investigation of what occurred and what arrangements were in place following closure of the school.⁵ The report made a number of recommendations, mostly addressed to residential child care providers.⁶

As well as these inquiries there were a number of reviews, in particular:

- Skinner (1992). This was a review of residential child care in Scotland, considering enduring themes for practice and leadership. Along with good communication, good education, and training for staff and managers, Skinner concluded that state care needs to develop the capacities "to love and be loved".⁷
- Kent (1997). This was a review on Children's Safeguards. It made a number of recommendations across several areas, including: child protection; independent scrutiny; selection, vetting and training of residential child care staff and registration and inspection.⁸
- Shaw (2007). Otherwise known as 'The Historical Abuse Systemic Review: Residential Schools and Children's Homes in Scotland 1950-1995'. This Review was a direct outcome of a debate held in the Scottish Parliament on 1 December 2004 by the Public Petitions Committee,

⁴ The Scottish Government, *Independent Inquiry into Abuse at Kerelaw Residential School and Secure Unit* 2009

⁵ McKay R, [Inquiry calls for overhaul of child protection services](#), Community Care (2002), p3

⁶ As footnote 5, p143

⁷ Skinner, A. '[Residential child care in Scotland: Themes for practice since Another Kind of Home](#)', Scottish Journal of Residential Child Care 2017 – Vol.16, No.3 p1

⁸ UK Government, [The Governments Response to Kent Report on Children's Safeguards Review](#)

seeking an inquiry into past institutional child abuse. It was a systemic review, focusing on the regulatory framework that governed residential schools and children's homes. It made a number of recommendations around strengthening the welfare and safety of children in the care of the state, meeting the needs of support services for former residents and ensuring the proper preservation of, and access to, public records.⁹ These recommendations, in part, led to the Public Records (Scotland) Act 2011.¹⁰

⁹ RaISe, [Historical Abuse Systemic Review: Residential Schools and Children's Homes in Scotland 1950 to 1995](#), Briefing note 42/10, 2010

¹⁰ Scottish Government, [Scottish Government Records Management Plan Progress Update Review](#), 2024

Table 1: Overview of significant inquiries and reviews in Scotland

Title and year	What was covered	Outcome
Skinner Review (1992)	Review of residential child care in Scotland, considering enduring themes for practice and leadership.	Conclusions made including around improvements in communication, education and training for staff and managers.
Kent Review (1997)	Review on Children's Safeguards.	Recommendations in several areas including: child protection; independent scrutiny; selection, vetting and training of residential child care staff; and registration and inspection.
The Edinburgh Inquiry into Abuse and Protection of Children (1999)	<p>How and whether previous complaints were acted upon;</p> <p>What the current procedures and practices in operation in Edinburgh were and;</p> <p>What safeguards were in place.</p>	135 recommendations produced covering a large number of areas including updating and reviewing policies and procedures, as well as a number of issues specific to the Council structure in the area of child protection.

Title and year	What was covered	Outcome
The Fife Council Independent Inquiry (2002)	Inquiry following abuse of boys by a care worker in a Children's home and a school.	41 recommendations, including introducing a whistleblowing policy and requiring all allegations from children in care to be fully investigated. Unreserved apology to victims.
Shaw Review (2007)	Outcome of Scottish Parliament debate requesting inquiry into past institutional child abuse. Systemic review focussing on the regulatory framework that governed residential schools and children's homes.	Recommendations around strengthening the welfare and safety of children in the care of the state, meeting the needs of support services for former residents and ensuring the proper preservation of, and access to, public records. In part, led to the Public Records (Scotland) Act 2011.
The Independent Inquiry into Abuse at Kerelaw Residential School and Secure Unit (2009)	To secure insight into the circumstances that led to abuse; To examine Glasgow City Council's stewardship of the school since 1996 and; To consider the Council's investigation of what occurred and arrangements following closure of the school.	A number of recommendations, mostly addressed to residential child care providers.

1.2 Scottish Government Responses to Historical Abuse in Care

It is important to note that redress in areas such as historical institutional abuse, can take a number of different forms. The financial redress in Scotland is covered in more detail in section 1.2.2. First, it is worth outlining the other responses which the Scottish Government has taken in addition to reviews and inquiries. The Policy Memorandum for the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Bill provides a helpful overview.¹¹ The package of measures undertaken by Government includes:

- the apology on behalf of the Scottish people made by the then First Minister on 1 December 2004, and the apology on behalf of the Scottish Government made by the Deputy First Minister on 23 October 2018;
- the National Confidential Forum, which provides an acknowledgement function for survivors of abuse in care, established by the Victims and Witnesses (Scotland) Act 2014;
- the establishment of the Scottish Child Abuse Inquiry in 2015;
- Future Pathways, established in 2016, providing personal outcome-focused support to survivors of abuse in care;
- the passing of the Apologies (Scotland) Act 2016, intended to encourage a change in social and cultural attitudes towards apologising; and
- the Limitation (Childhood Abuse) (Scotland) Act 2017, which removed the three-year time limit on personal injury claims for damages in respect of childhood abuse.

In relation to the rights of survivors of historical child abuse in care, the policy memorandum also highlights two other “significant developments”¹² which were informed and pushed forward by the Scottish Human Rights Commission (SHRC). These are:

¹¹ Scottish Government, [policy memorandum for the Redress for Survivors \(Historical Child Abuse in Care\) \(Scotland\) Bill](#) 2020 p9

¹² Scottish Government, [policy memorandum for the Redress for Survivors \(Historical Child Abuse in Care\) \(Scotland\) Bill](#) 2020 pp10-11

- In 2010, commissioned by the Scottish Government, and drawing on human rights law and research, the SHRC published a human rights framework for ensuring effective access to justice, remedies and reparation for childhood abuse.
- An InterAction process (a facilitated negotiation within a human rights framework with key stakeholders) followed, to develop an Action Plan on Justice for Victims of Historic Child Abuse. Delivered in partnership between the SHRC and the Centre for Excellence for Children's care and protection (CELCIS), this process brought together survivors and other stakeholders for the first time. The Action Plan arguably provided the basis and structure for many of the current reparations already in place. The strategic steering group that had been established for the InterAction Process continued as the Review Group for the Action Plan.¹³

The Scottish Government also set up the Scottish Child Abuse Inquiry in 2015. This paper provides a more detailed overview of this Inquiry at Section 4.1.

There have also been a large number of Scottish policy changes, including:

- The Children (Scotland) Act 1995, which saw children's rights and participation integrated into legislation. It outlined responsibilities to prepare and support children for leaving care;
- Regulations on a range of children's care settings;
- National standards introduced in 2002 for children's care homes, foster care and family placement services, and school care accommodation services;
- Registration and inspections of services, including residential and foster care since 2001;
- A Commissioner for Children and Young People, established in 2003;
- The National Residential Child Care Initiative, set up in 2008;
- The Scottish Social Services Council, established in 2002 to develop standards and codes of practice;
- Register of social services workers established in 2003;

¹³ As above

- The Protection of Children (Scotland) Act 2003, which established a list of individuals unsuitable to work with children, and;
- The Children and Young People (Scotland) Act 2014, which introduced a number of developments, including placing corporate parenting duties on a range of publicly funded organisations intended to improve the outcomes for looked after children, accept responsibility for them and make their needs a priority.¹⁴

1.3 Scotland's Redress Scheme

In 2018, following the recommendations from the InterAction Action Plan Review Group, the then Scottish Deputy First Minister made a statement to the Scottish Parliament. In this he apologised unreservedly to those who were subject to abuse and neglect while in care in Scotland. He also confirmed that the Government had accepted the Review Group's main recommendation to establish a financial redress scheme.¹⁵

The Government also committed to an advance payment scheme for those who suffered abuse in care in Scotland before 1 December 2004 and who either had a terminal illness or were aged over 68. This scheme opened on 25 April 2019. It was a discretionary scheme, providing acknowledgement and recognition of the abuse suffered by way of an *ex gratia* payment of £10,000 alongside a reiteration of the Deputy First Minister's apology.¹⁶ This scheme continued to operate until the opening of the statutory scheme in 2021.

The statutory scheme, known as Scotland's Redress Scheme ('the Scheme'), was established through the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021 and opened for applications on 8 December 2021.

¹⁴ Scottish Government, [policy memorandum for the Redress for Survivors \(Historical Child Abuse in Care\) \(Scotland\) Bill](#) 2020 pp11-12

¹⁵ Scottish Government, [Response to recommendations on financial redress for survivors of child abuse in care](#) 2018

¹⁶ Scottish Government, [policy memorandum for the Redress for Survivors \(Historical Child Abuse in Care\) \(Scotland\) Bill](#) 2020 p15

There are two bodies involved in the scheme: a new, independent, non-departmental body known as Redress Scotland; and a division of the Scottish Government itself.

1.3.1 The application process

Redress Scotland was established to assess and make decisions on applications for financial redress. The body's core function is to make decisions on applications for financial redress – both fixed rate payments and individually assessed payments.¹⁷

The Scheme applies to abuse that happened when a survivor was in a care setting in Scotland and below the age of 18, and where that abuse happened before 1 December 2004. A 'care setting' is a place or an institution, where children are looked after by people who are not their family. This includes most children's homes, schools, care facilities, secure accommodation boarded-out and foster homes.¹⁸

When a person applies for financial redress through the Scheme, they make it through the Scottish Government and are given a Scottish Government caseworker. This caseworker will help them to complete their application and also signpost them to other support that may be required. Once the application is completed, it is then sent to Redress Scotland, who will make the final decision.¹⁹

Once received by Redress Scotland, it will be placed in a queue and then allocated to a panel day. There are currently 37 Panel members of redress Scotland with a variety of backgrounds, including in the fields of justice, law, policing and equality and human rights. Each panel is made up of 2-3 panel members.²⁰ Panel members are given the application two weeks in advance to

¹⁷ SPICe Briefing, [Redress for Survivors \(Historical Child Abuse in Care\) \(Scotland\) Bill](#) SB 20-62 2020 p11

¹⁸ Redress Scotland, [Applying for redress](#) 2021

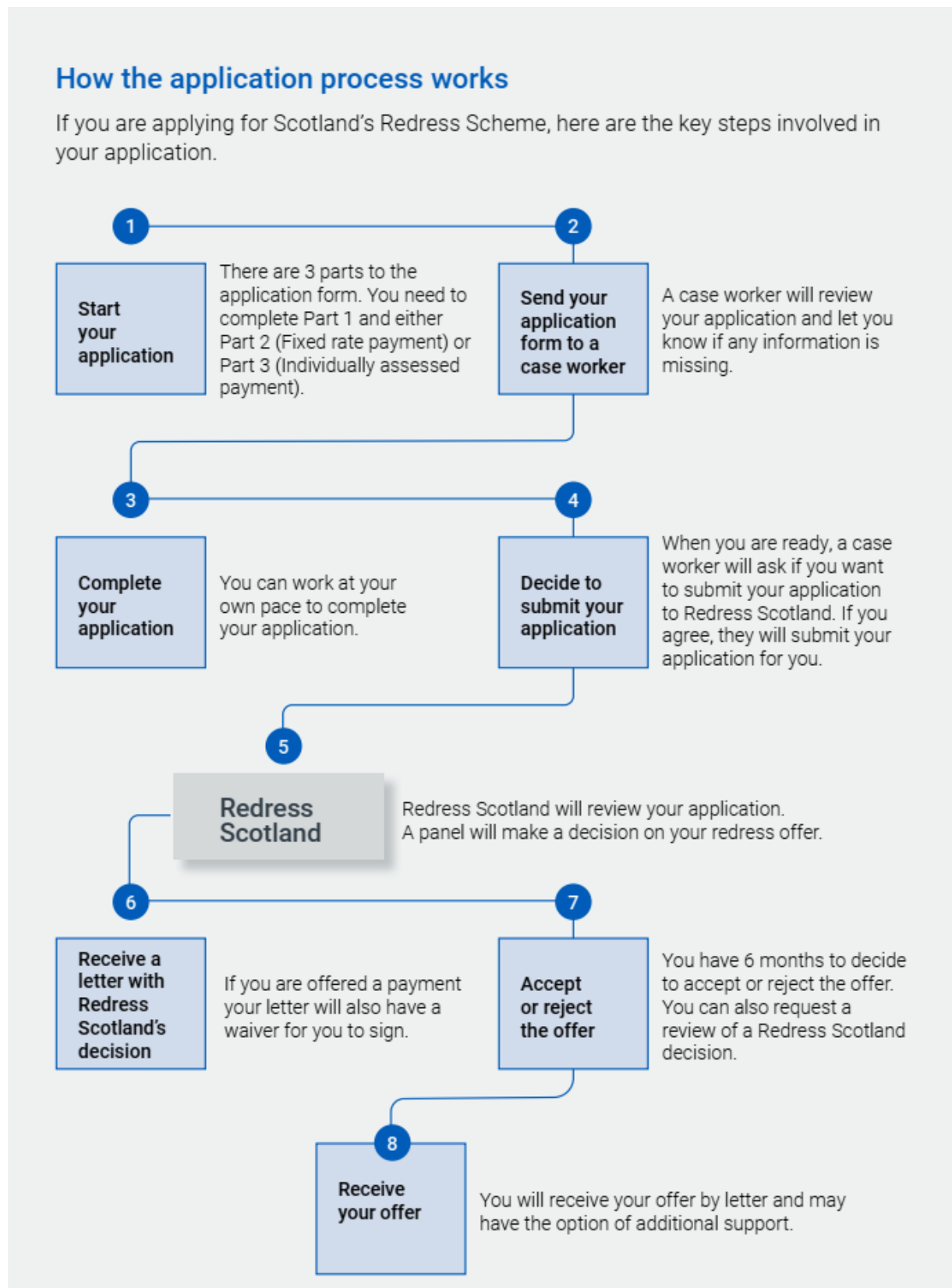
¹⁹ Mygov.scot, [Scotland's Redress Scheme](#) Updated 2024

²⁰ Redress Scotland, [Decision Making at Redress Scotland](#), 2024

allow them to prepare. Panel members will discuss between themselves on the day their own notes on whether the applicant is eligible for redress and, if they have applied for an Individually Assessed Payment, what the appropriate level of award is, in line with statutory guidance.²¹ Once this has been agreed, they will then write a letter explaining their decision. This is then sent to the applicant's Scottish Government caseworker. The caseworker will send the letter to the applicant who can then choose to accept or reject the offer. If the offer is rejected, the applicant can ask for a review of the Redress Scotland decision. It is the Scottish Government who will then administer any payment to an applicant.²² A flow chart, taken from the step-by-step guide, shows the application process at Figure A.

²¹ Redress Scotland, [Applying for redress](#) 2021

²² Redress Scotland, [Step-by-step guide](#) 2021

Figure A: Scotland's redress Scheme: Application Process²³

²³ Scottish Government [Scotland's Redress Scheme: Help to Apply](#) 2022 p7

1.3.2 Types of application

Survivors can make an application for one of two types of redress from the Scheme:

- A fixed rate payment of £10,000, or
- An individually assessed payment of up to £100,000.

If a survivor accepts a payment offer, any UK benefits they access will not be reduced or stopped. For a fixed rate payment, survivors must show they were living in a care setting when they were abused. However, they do not need to give documents as evidence of this abuse. For an individually assessed payment, supporting documents as evidence of the abuse will be required as the panel will need to consider these.

If a survivor has applied for an individually assessed payment, and Redress Scotland is satisfied they are eligible for a redress payment of £10,000, they must then decide whether a further payment is appropriate. There are five levels of further payment available, leading to potential total redress payments of £20,000, £40,000, £60,000, £80,000 or £100,000.²⁴

Redress Scotland will consider the nature, severity, frequency, duration and other relevant matters relating to the abuse. They will assess the facts and circumstances for each survivor, as described in their application and all accompanying supporting documents or information, before making any determination.²⁵

The 2024 Combined Annual Report shows that, as of 31 March 2024, 3,602 applications for redress have been received. Of these, 1,910 initial applications have been passed to Redress Scotland for consideration. 1,319 applicants have

²⁴ Scottish Government, [Redress For Survivors \(Historical Child Abuse In Care\) \(Scotland\) Act 2021 - assessment framework: statutory guidance - updated August 2024](#) 2024

²⁵ Scottish Government, [Redress For Survivors \(Historical Child Abuse In Care\) \(Scotland\) Act 2021 - assessment framework: statutory guidance - updated August 2024](#) 2024

accepted a payment offer from Redress Scotland with payments of more than £66 million having been made.²⁶

Next of kin applications can also be made by people whose partner or parent was abused in a relevant care setting in Scotland before 1 December 2004 and that this abuse occurred when they were a child. They must also have died on or after 1 December 2004. These payments are fixed at £10,000.²⁷

In 2023/24, 946 decisions were made by panels as to whether to award redress. Of these:

- 908 (96%) resulted in a redress award;
- 611 decisions made on individually assessed applications;
- 275 decisions made on fixed payment applications; and
- 60 decisions made on next of kin applications.²⁸

1.3.3 Waiver

The Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021 requires that, should a survivor wish to accept a redress payment, they must sign and return a waiver. This waiver is designed to encourage ‘meaningful’ financial contributions from organisations that were involved in the case of children when abuse occurred.²⁹ These contributions are discussed in the next part of the paper. By signing the waiver, a survivor agrees not to continue or raise civil actions. This includes actions for damages, in respect of abuse eligible under the Act, against the Scottish Ministers and those on the contributor list, at the time their application was determined by Redress Scotland.

Only organisations who are included on the contributor list when an application is determined, are covered by the waiver.³⁰

²⁶ Scottish Government, [Scotland's Redress Scheme – 2024 Combined Annual Report](#) 2024 p4

²⁷ Mygov.scot, [Scotland's Redress Scheme](#) Updated 2024

²⁸ Redress Scotland, [Annual Report and Accounts 2023/2024](#) 2024 pp31-32

²⁹ Scottish Government, [Redress Scheme: information for organisations](#) 2021

³⁰ As above

1.3.4 Funding of the Scheme

The Scottish Government has encouraged those organisations responsible for the care of children during instances of abuse to contribute to the Scheme and is actively seeking contributions from them. The Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021 requires Scottish Ministers to publish the details of those organisations who have committed to contributing to the Scheme. The Government have set out that these contributions are to be ‘fair and meaningful’.

This is a tricky concept to define, but the Scottish Government has published a fact sheet on this which sets out what a ‘fair and meaningful’ contribution means. This states that:

“A fair and meaningful contribution is one where an organisation that is relevant to an application for redress pays the relevant share of any individually assessed payment above and beyond the Scottish Government’s contribution.

A meaningful contribution is one that represents sincere and committed participation in the national collective endeavour to acknowledge the harms of the past and which provides access to a trauma informed and non-adversarial redress scheme for survivors.

It means that scheme contributors participate on the understanding that they will not see or be able to comment on applications.”³¹

Specific organisations on the contribution list do not pay redress to particular named survivors, instead their contributions are part of a collective scheme to provide redress in respect of the harms done in the past.³²

³¹ Scottish Government, [*The Redress for Survivors \(Historical Child Abuse in Care\) \(Scotland\) Act 2021: financial contributions - statement of principles - information note*](#) Updated 2024

³² As above

There are currently 20 organisations on the contributor list as well as Scottish Local Authorities, with contributions to the Scheme totalling over £122 million.³³

These organisations are:

- Aberlour Childcare Trust
- Action for Children
- Barnardo's
- Charity Trustees of the Church of Scotland
- Daughters of Charity of St Vincent de Paul
- East Park School, Glasgow
- Harmeny Education Trust Limited
- Loaningdale School Company
- Local authorities
- Mugdock Children's Trust (Archibald and Isabella Barr Memorial)
- NHS Scotland Boards
- Ochil Tower School Limited
- Poor Servants of the Mother of God
- Rossie Young People's Trust
- Royal Blind Asylum and School Edinburgh (Sight Scotland)
- Royal Scottish Society for the Prevention of Cruelty to Children (Children 1st)
- Salesians of Don Bosco
- Save the Children UK
- Scottish Ministers
- Scottish Prison Service
- Sisters of Nazareth
- WCH Trust for Children

The Scottish Government ensures that all survivors receive the full redress payment as determined by Redress Scotland. Where the relevant organisation is on the contributors list, the general rule is that the Scottish Government will

³³ Scottish Government, [Scotland's Redress Scheme – 2024 Combined Annual Report](#) 2024 p3

fund £10,000 or one third of each individually assessed payment, whichever is greater.³⁴ Therefore, the starting point for a 'fair and meaningful' contribution from another organisation is, subject to considerations of affordability, sustainability and an agreed cap, that the organisation will pay a share of the remaining two thirds of all individually assessed payments which relate to that organisation.³⁵ Where a relevant organisation is not participating in the scheme, the Scottish Government will ensure the applicant receives the redress payment to which they are entitled. This may require the Scottish Government paying the full redress payment.³⁶

For third sector contributors, the Government has agreed to discuss whether a maximum financial contribution, or "cap" is appropriate. The Government's Statement of Principles, in relation to financial contributions, states that this is to provide contributors with a degree of certainty regarding their financial planning. Any cap agreed will be based on an estimate of individually assessed payments likely to relate to that organisation whilst noting the considerable uncertainty which exists in this regard.³⁷

As well as providing financial contributions to the Scheme, under the Act, contributors must prepare and send to the Scottish Ministers a report on the actions taken during the reporting period to redress the historical abuse of children (a "redress report"). Scottish Ministers can also direct non-contributors to the scheme, to undertake these same reporting requirements. In the most recent reporting year to 31 March 2024, four non-contributors were issued with a reporting direction: Congregation of Christian Brothers, De La Salle Trust, Kibble Education and Care Centre, and Sailor's Society.³⁸

³⁴ Scottish Government, [Information for organisations considering participating in the Redress Scheme for Survivors of historical abuse in care in Scotland](#) 2021 p7

³⁵ Scottish Government, [The Redress for Survivors \(Historical Child Abuse In Care\) \(Scotland\) Act 2021: financial contributions - statement of principles](#) Updated 2024

³⁶ Scottish Government, [Information for organisations considering participating in the Redress Scheme for Survivors of historical abuse in care in Scotland](#) 2021 p7

³⁷ ³⁷ Scottish Government, [The Redress for Survivors \(Historical Child Abuse In Care\) \(Scotland\) Act 2021: financial contributions - statement of principles](#) Updated 2024

³⁸ Scottish Government, [Scotland's Redress Scheme – 2024 Combined Annual Report](#) 2024 p4

1.3.5 Feedback from Survivors

Following the opening of the Scheme, there were a number of criticisms from survivors who had applied and their representatives. These criticisms broadly centred around the process being seen as too complicated, a lack of communication throughout the process and the delays to applications being processed and decisions made.³⁹

In April 2024, Redress Scotland published some of the changes they'd made in response to the concerns that had been raised. These included:

- increased communication by post in relation to the progress of an application.
- further, simplified communication regarding the application process.
- regular updates about the work of Redress Scotland and other survivors' experiences.⁴⁰

Redress Scotland also now publishes its current timescales to give survivors an idea of how long an application may take.⁴¹

1.4 Scottish Child Abuse Inquiry

The Scottish Child Abuse Inquiry ("the Inquiry") is a statutory inquiry set up to examine the abuse of children in care in Scotland. It was set up on 1 October 2015 and is chaired by Lady Anne Smith. The Inquiry is currently ongoing, and will report to Scottish Ministers as soon as reasonably practicable, with recommendations to improve law, policies and practices in Scotland.⁴²

The Inquiry is looking at what happened, as well as why and where abuse took place. This includes looking at the effects of abuse on both the children involved and their families. It is also examining whether organisations responsible for

³⁹ BBC, [Child Abuse Survivors Lose Faith in Redress Payment Scheme](#) 2022

⁴⁰ Redress Scotland, [You Said, We Did](#) 2024

⁴¹ Redress Scotland, [Timescales at Redress Scotland](#) 2025

⁴² Scottish Government, [Scotland's Redress Scheme – 2024 Combined Annual Report](#) 2024 p5

children in care failed in their duties, whether these have been corrected and if changes to policies, procedures and the law itself are needed.⁴³

1.4.1 Investigations

The Inquiry is currently investigating a number of establishments and organisations. Not all of these are listed on their website but they do list those which have become the subject of focused investigations. 117 investigations have been announced and these cover 12 wider areas:

- Roman Catholic orders
- Scottish Catholic hierarchy
- The Archdiocese of Glasgow
- Church of Scotland
- Non-religious/voluntary organisations
- Boarding schools
- Foster care
- Local authority establishments
- Healthcare establishments
- Scottish Prison Service
- Independent providers
- Child migration⁴⁴

1.4.2 Cost of the Inquiry

Whilst the Inquiry is a public inquiry and operates independently of Government, it is funded by the Scottish Government. As the Inquiry is still ongoing, it is unknown what the total cost will be, but they publish the inquiry's spending at the end of each quarter. As of 31 December 2024, the current cost of the inquiry is £91,912,115.⁴⁵

⁴³ Scottish Child Abuse Inquiry, [About the Inquiry](#) Accessed December 2024

⁴⁴ Scottish Child Abuse Inquiry, [Investigations](#) Accessed December 2024

⁴⁵ Scottish Child Abuse Inquiry, [Cost of the Inquiry](#) Accessed January 2025

2 England and Wales

There have been a number of inquiries and investigations in England and Wales in relation to the historical abuse of children. A number of these were police investigations, set up to look at the abuse undertaken by specific individuals. An example was Operation Yewtree, which investigated allegations in relation to Jimmy Saville. This paper however, will concentrate on the more recent main process undertaken by Government rather than police investigations.

2.1 The Independent Inquiry into Child Sexual Abuse

The Independent Inquiry into Child Sexual Abuse (IICSA) was established by the Home Secretary in 2015 and covered England and Wales. Its purpose was to:

- consider the extent to which State and non-State institutions have failed in their duty of care to protect children from sexual abuse and exploitation;
- consider the extent to which these failings have since been addressed;
- identify further action needed to address any failings identified;
- consider the steps which it is necessary for State and non-State institutions to take in order to protect children from such abuse in future; and
- publish a report with recommendations.

No specific timeline was given for IICSA's inquiry, instead incidents were to be 'in living memory'. It produced an interim report in 2018 and a final report in 2022.⁴⁶

The work of IICA was extensive, more than two and a half million pages of evidence were obtained as well as written statements from over 1000

⁴⁶ Independent Inquiry Into Child Sexual Abuse, [The Report of the Independent Inquiry Into Child Sexual Abuse](#) 2022 p112

witnesses. The Inquiry's public hearings took place over 325 days and more than 700 witnesses gave evidence in person.⁴⁷

During the course of the inquiry, as well as the interim report, IICSA also published 19 investigation reports. Each of these set out the Inquiry's conclusions and, where appropriate, recommendations for change. In total there were 107 recommendations from these reports, and the institutional response to each recommendation, as at June 2022, was also published. Information published on the Inquiry's website also provides additional updates on the institutional response following publication of the Inquiry's investigation reports.⁴⁸

2.1.1 Recommendations

As well as the recommendations stemming from the investigation reports, the IICA's final report also produced 20 concluding recommendations. These were:

- A single set of core data relating to child sexual abuse and child sexual exploitation;
- Child Protection Authorities for England and for Wales;
- A cabinet-level Minister for Children;
- A public awareness campaign;
- Prohibiting the use of pain compliance techniques;
- The amendment of the Children Act 1989;
- Registration of care staff in children's homes;
- Registration of staff in care roles in young offender institutions and secure training centres;
- Greater use of the Disclosure and Barring Service barred list;
- Improvements to compliance with statutory duties to refer concerns to the Disclosure and Barring Service;
- Extending the disclosure regime to those working with children overseas;

⁴⁷ Independent Inquiry Into Child Sexual Abuse, [The Report of the Independent Inquiry Into Child Sexual Abuse](#) 2022 p116

⁴⁸ Independent Inquiry Into Child Sexual Abuse, [The Report of the Independent Inquiry Into Child Sexual Abuse](#) 2022 pp 115-116

- Pre-screening for illegal images of children;
- Mandatory reporting of child sexual abuse in certain circumstances;
- Compliance with the Victims' Code;
- The removal of the three-year limitation period for personal injury claims brought by victims and survivors of child sexual abuse;
- A national guarantee of specialist therapeutic support for child victims;
- A code of practice on access to records about child sexual abuse;
- Further changes to the Criminal Injuries Compensation Scheme;
- A tiered redress scheme; and
- Age verification in relation to online services and social media platforms.

In May 2023, the then Conservative UK Government, published its response to IICSA's final report. This laid out a number of steps that they had already taken in this area. These included:

- The Tackling Child Sexual Abuse Strategy, which set out long-term plans to tackle all forms of child sexual abuse, whether it takes place online or in families, institutions or communities, in the UK or overseas;
- Stronger sentences for child abuse under the Police, Crime, Sentencing and Courts (PCSC) Act 2022, and;
- Investing in the independent Centre of Expertise on Child Sexual Abuse (CSA Centre) and the police's Vulnerability Knowledge and Practice Programme (VKPP).⁴⁹

In relation to a redress scheme, as noted in the recommendations (recommendation 19) the then Government committed to consulting on a scheme to consider the eligibility, types of redress, extent of financial redress and the application process.⁵⁰ The new Labour Government at Westminster did not say anything specific in relation to a redress scheme in their 2024 manifesto. However, in a debate on the IICSA recommendations in the House

⁴⁹ UK Government, [Government Response to the Final Report of the Independent Inquiry into Child Sexual Abuse](#) 2023 pp4-5

⁵⁰ UK Government, [Government Response to the Final Report of the Independent Inquiry into Child Sexual Abuse](#) 2023 p44

of Lords in January 2025, the Minister of State for the Home Office stated that the Government acknowledges that victims and survivors deserve access to appropriate support and routes to compensation. The minister stated they are working at pace to identify how to best deliver the inquiry's recommendations.⁵¹

2.1.2 Child Migrants

One of the IICA's investigation reports pertained to child migration programmes. This report, published in March 2018, looked at 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 programmes. It focused on their experiences and how much care institutions took to protect these children from sexual abuse.⁵²

The report made three recommendations. These covered public and personal apologies from institutions involved to the children they were responsible for, access to records for former child migrants and financial redress.

The UK Government agreed to a financial redress scheme and this opened on 1 March 2019. It was open to all former British child migrants who had been sent to specific countries before 1971 by a voluntary care agency or local authority, regardless of whether they had suffered abuse.⁵³ The applications are handled by the Child Migrants Trust and all eligible applicants receive a payment of £20,000.⁵⁴

2.1.3 Lambeth Children's Homes

Another of the IICA investigations concerned the sexual abuse experienced by children in the care of Lambeth Council in London. As a result of this investigation, Lambeth Council opened a financial redress scheme for survivors

⁵¹ House of Lords, [Child Sexual Abuse Inquiry: Recommendations Volume 842: debated on Wednesday 8 January 2025 column 713](#)

⁵² Independent Inquiry Into Child Sexual Abuse, [Child Migration Programmes Investigation Report Rapid Read](#) 2018 p1

⁵³ UK Government, [Payment scheme for former British child migrants](#) 2019

⁵⁴ Child Migrants Trust, [Payment scheme for former British child migrants](#) accessed January 2025

who were abused or lived in fear of being abused while in the Council's care as children. Specifically, those who lived in or visited a Lambeth Children's Home or attended Shirley Oaks Primary School.⁵⁵ The Scheme closed to new applications on 1 January 2022 and the final few applications are being concluded. By July 2021, 1887 people had made applications and more than £71.5 million had been paid out of the scheme.⁵⁶

There were a number of types of redress available. These were:

- Harm's Way Payment of between £1000 and £10,000;
- Individual Redress Payment up to £125,000 (an individual can receive both redress payments);
- A written apology from the Council;
- A meeting with someone senior from the Council;
- Counselling, specialist advice and housing advice.

⁵⁵ Lambeth Council, [Lambeth Children's Homes Redress Scheme](#) accessed January 2024

⁵⁶ As footnote 55.

3 Criminal Injuries Compensation Scheme

Whilst not a scheme specifically for victims of child abuse, the Criminal Injuries Compensation Scheme (CICS) 2012 may provide government funded compensation to survivors, provided they meet specific eligibility criteria. The CICS is administered by the Criminal Injuries Compensation Authority (CICA). It pays compensation to people physically or mentally injured because of a violent crime in Great Britain, or in an act of terror abroad. It is worth noting here that Northern Ireland has a separate scheme known as the Northern Ireland Criminal Injuries Compensation Scheme 2009. Given the scope of this paper, this section will focus on the Great Britain CICS.

Victims of child abuse, whether recent or (as is pertinent here) historical, can claim for compensation under the CICS, providing they meet strict eligibility criteria. The rules of the CICS and the value of the payments awarded are set by the Secretary of State and approved by Parliament.⁵⁷ Claims can be considered for mental or physical abuse following a crime of violence and incidents of sexual or physical abuse. Claims can also be made in other areas such as special expenses, loss of earnings and bereavement payments.

Decisions are made on 'the balance of probabilities' based on the evidence available. Although an offender in any incident does not need to have been convicted, any incident must have been reported to the police. There are also time limits for applying, although CICA has discretion to extend these, should an applicant show they could not reasonably have applied earlier.⁵⁸

Should an applicant have already received a payment from a redress scheme such as Redress Scotland, it would be taken into account under paragraph 85 of the CICS and an award may be withheld or reduced as a result.⁵⁹

The current CICS was updated in 2012 and there have been a number of calls to review and update it. Indeed, one of the IICSA recommendations

⁵⁷ UK Government, [Criminal injuries compensation: a guide](#) Updated 2024

⁵⁸ UK Government, [Criminal injuries compensation: a guide](#) Updated 2024

⁵⁹ Ministry of Justice, [Criminal Injuries Compensation Scheme 2012](#) p21

(recommendation 18) related to the CICS. In it, the IICSA recommended that the UK Government make certain changes to the CICS to:

- “include other forms of child sexual abuse, including online-facilitated sexual abuse;
- amend the rule on unspent convictions so that applicants with unspent convictions are not automatically excluded where offences are likely to be linked to the circumstances of their sexual abuse as a child; and
- increase the time limit for child sexual abuse applications so that applicants have seven years [rather than the current two] to apply from (a) the date the offence was reported to the police or (b) the age of 18, where the offence was reported whilst the victim was a child. In either circumstance, the claims officer’s discretion to extend the time limit remains.”⁶⁰

As yet, no changes of this nature have been made.

⁶⁰ Independent Inquiry into Child Sexual Abuse, [The Report of the Independent Inquiry Into Child Sexual Abuse](#) 2022 p116

4 Independent Investigations in Great Britain

There have been a number of independent investigations undertaken by organisations themselves, which are separate from wider public inquiries or reports. These include:

4.1.1 Scottish Catholic Safeguarding Standards Agency (SCSSA)

The SCSSA was established as an independent agency to promote and assure compliance with national safeguarding standards across all Catholic Church jurisdictions in Scotland.

The Director of Safeguarding was formerly a Detective Superintendent with Police Scotland and then worked with the Investigatory Powers Commissioner's Office.⁶¹

4.1.2 The Cross of the Moment

The Cross of the Moment is a report from the Boundary Breaking Project at the Centre for Catholic Studies, University of Durham.

This report is about the impact and implications of clerical Child Sexual Abuse (CSA) in the Catholic Church in England and Wales. It explores how the abuse crisis has been experienced by different groups within the Church, most painfully by victims and survivors of abuse and their families, and also affecting parish communities, laypeople, priests, deacons, bishops, religious communities and others.⁶²

⁶¹ SCSSA, [About Us](#) Accessed December 2024

⁶² Durham University, [The Cross of the Moment: A Report from the Boundary Breaking Project](#) 2024 p7