

Claire Mooney submission of 3 November 2022

PE1979/B: Establish an independent inquiry and independent national whistleblowing officer to investigate concerns about the alleged mishandling of child safeguarding enquiries by public bodies

I have a family member who was horrifically restrained by four members of staff at school. My family member is non-verbal with significant additional support needs. We were mortified at the state of her physical injuries and I work in frontline NHS. My family member was taken to hospital where staff assumed they had been in a car crash. We were beyond distraught to think our family member had been treated in this way at what should have been a safe nurturing environment.

We have had an ongoing battle to seek justice. Two members of staff were initially charged, but the case was not taken to court as my family member would have been unable to testify due to their disability. We have encountered numerous brick walls along the way to seeking redress.

Our family members injuries have been used in many campaigns and shown on national TV as examples of illegal restraint.

I have petitioned the Scottish Parliament twice asking for CCTV to be installed in Additional Support Needs (ASN) schools. Since this family member is non-verbal with learning difficulties, the police could not use their evidence.

We are now seeking redress through a private court case. It's taken many years to reach this stage and the toll it's taken on family members has been dreadful. There's not a day goes by where flashbacks do not occur.

I also run a support page for families facing similar situations of illegal restraint and seclusion. I have been shocked at the amount of times families tell me illegal restraint happens as a first, not final, resort. Despite all the campaigning and petitioning, children are still physically and mentally abused on a regular basis.

Had a direct “whistleblower” route been available to my family at the start it would never have reached this stage and taken so long.

There is NO accountability, and the local authorities are a law unto themselves.

I wish the Petitioners every success because this action is sorely required.