

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

Petitioners written submission, 9 January 2025

This submission responds to the Scottish Government's submission of 12th December and their key points, as paraphrased below.

The Scottish Government has already actioned child protection improvement work

Petitioners acknowledge the ongoing work to keep children safe, especially by the many dedicated frontline professionals, but we do not share the Minister's level of confidence about current safeguarding practice and the impact of improvements.

Petitioners welcome any action that strengthens the protection of children and young people. However, we feel that the Scottish Government's responses and those of other public bodies, continue to be defensive and fail to address some fundamental points.

This particularly includes the importance of independently investigating unresolved allegations of mishandled child abuse and child protection concerns. Our question remains:

How can we be confident about the safeguarding of children whilst there is still doubt about historic and current abuse and the personnel, networks, and systems that may still be in place?

This is vital where allegations have relevance to serious and organised abuse.

The Scottish Government will not widen the Scottish Child Abuse Inquiry

It appears that the Scottish Government continues to misunderstand the petition in relation to the Scottish Child Abuse Inquiry.

It has been stated on many occasions that the call is not to widen the current Inquiry. Nor would petitioners support any delay for care experienced survivors. We are acutely aware of the scale of allegations relating to children in care, especially secure care, and their long wait for any justice and accountability.

Instead, petitioners call for child abuse allegations beyond the Inquiry's terms and references to be distinctly investigated – including educational settings and wider children's regulated activities. We have though supported closing gaps, such as Fornethy House and Edinburgh Academy, and recognise the greater scrutiny required for Celtic Boys Club as well as the need to examine past prosecution policy changes and their impact on safeguarding.

There's no public money to fund an Inquiry

Petitioners acknowledge the current financial climate but believe that money should never come before the protection of children. Importantly, the UNCRC is now Scots law, and the Government must do everything it can to ensure children are protected.

Petitioners have long raised the cost of child safeguarding failures and crucially, the human cost of lost childhoods and the impact of lifelong trauma.

Enormous amounts of public body money have been spent on safeguarding failures. This includes the costs associated with public inquiries, legal expenditure, employment tribunals, police investigations, courts and prosecution services, victim support and recovery treatments, redress schemes and compensation claims.

As one example, the Scottish Child Abuse Inquiry has to date cost £85million. The accompanying redress scheme has settled on just 40% of claims. That's a staggering £100 million. Over 2,000 survivors applied for redress and tragically, there have been many who didn't make it this far. The overall impact is likely to be well over £300 million.

PE1979 calls for an independent investigation, but not more of the same, and what feels increasingly like profitable and lengthy child abuse businesses which result in little justice and accountability for all survivors.

Rather, survivors and whistleblowers should be supported to lead in exploring alternatives that better guarantee a robust and independent investigation of the wider allegations. Importantly, this includes shaping terms and references to ensure scrutiny across cases, connections, personnel and knowledge, and an investigation not limited to history or any one institution, population, or area. Fundamentally, allegations with relevance to child sexual exploitation and trafficking should be included.

Current inquiries provide a sufficient evidence base to inform improvement work

As above, the current Inquiry is limited to historic in-care abuse, and it has taken the efforts of campaigners to highlight gaps. Petitioners also share the concerns of others about the omission of child trafficking and potential conflicts of interest that may influence findings.

The evidential base for safeguarding improvements has therefore been constricted. Petitioners and whistleblowers believe that a wider independent investigation will best identify the true scale of child abuse in Scotland and, alongside the collection of richer data, will more robustly inform future child protection policy and keep children safe.

However, whilst stressing the vital role of investigation, petitioners support stronger implementation work. We would particularly highlight the 2022 recommendations of the Independent Inquiry into Child Sexual Abuse in England and Wales and ask what learning the Scottish Government has already actioned in Scotland?

In terms of the national child protection guidance, we would highlight that it is 'guidance' based on what is currently known.

There is no need for an independent national whistleblowing officer for education and children's services given the set of bodies and processes already in place

In simply listing the bodies and processes in place, we feel the Scottish Government continues to defend a system that is not working for all survivors, whistleblowers, and those raising child protection concerns.

[Petitioners referenced the existing issues in their submission of November 2024.](#)

This includes complex and lengthy complaints procedures that feel stacked against the complainant; power imbalances; public bodies (often the employer of the alleged perpetrator/s) and those with oversight, marking their own homework; an over-reliance on partner information within multi-agency work (particularly where there are connections); a lack of robust and independent investigation; and systematic gaps.

Petitioners also commented on the Review of Scotland's Commissioner landscape. In particular, the loss of public trust in the wider governance system that may explain the increased demand for the independent scrutiny of commissioners but also, their lack of legislative powers to enforce any findings.

Exploring support for more robust and consistent investigations

We are thankful that the Minister acknowledges the need for more robust and consistent investigation of child protection allegations. However, whilst we welcome improvement work involving the Association of Education Directors and public protection leads, we consider that the level of allegations about child abuse cover ups will be best addressed through independent scrutiny and the establishment of a national whistleblowing office.

Petitioners urge the Committee to support the petition at their meeting on 5th February.