

Petitioner submission of 3 March 2023

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

We write to thank the petitions committee for their initial consideration of our petition in February. We greatly appreciate the thoughtful contributions of members during the short session and also for the actions agreed.

In support of our call for a **distinct inquiry into unresolved allegations**, we can confirm that we would be happy to speak to our concerns. Some of these are necessarily confidential as highlighted during committee.

In speaking to our concerns, we thought it might be useful to committee members to take you through several actual case studies highlighted by whistleblowers and victims. It is also our hope that some whistleblowers will be prepared to speak directly to the committee with our support. You will appreciate that there will be understandable reluctance for some to do so, given their experiences. Again, it may be necessary for such evidence to be heard in private session.

To further aid the committee, when considering case studies that might be presented by petitioners or the evidence presented by individual whistleblowers, we would suggest that the committee request from the public bodies referenced any relevant investigation reports¹ commissioned by the institution concerned together with their response to allegations.

Petitioners have noted that it is not uncommon for there to be a mismatch between what whistleblowers allege and report, and the conclusions of the associated investigation (including the institution's public utterances). This is one of the **most significant claims by whistleblowers** which is why we strongly urge that initial reports alongside investigative reports are shared with those presenting; so that

¹ For example, City of Edinburgh Council commission independent reports from the company Safecall.

any disparity can be highlighted. We believe this would be a powerful aid to the committee in considering our petition.

Regarding our call for the **gaps in the extant SCAI** to be closed. The petitions committee should be advised that it has been well publicised that a legal note has been submitted to the inquiry on **Child Trafficking Through Prostitution of Children in Care in Scotland**. It is claimed there is insufficient transparency relating to this report², the locust of which is undoubtedly within the SCAI's remit, as defined by its terms of reference. We believe this evidence should be fully and transparently considered by the SCAI. Petitioners would suggest the petitions committee call for this evidence in considering whether there are gaps in the implementation of the current SCAI.

Generally, with regard to public inquiries we note that last month a question was posed during [First Minister's Questions](#) in relation to the recent BBC Disclosures³ documentary relating to abuse. The First Minister replied saying "*... under the Inquiries Act the remit and the conduct of a Public Inquiry is entirely for the inquiry and for the chair of the inquiry and Ministers cannot intervene in that*".

Petitioners note that the **remit of an inquiry** is defined by the Minister in setting or amending the inquiry's terms of reference and that the Minister has wide powers under the Inquiries Act. It follows that the failure to adhere to the remit of an inquiry is a matter for public concern.

The First Minister in responding to the question went on to state "*... it is really important that all the matters raised in whatever way is necessary are properly scrutinised, probed and investigated*". Petitioners believe this commitment by the First Minister, accompanied by necessary and essential transparency, accords with the aims of our petition.

Best Regards

Alison Dickie, Christine Scott, Neil McLennan, Bill Cook

² Scottish Daily Express 28thDecember 2022, 8thJanuary 2023, 14thJanuary 2023, and The Sunday Times 22nd January 2023

³ BBC Disclosures 'Beneath the Magic Circle Affair'