

Deputy First Minister and Cabinet Secretary for Education and Skills
John Swinney MSP

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28 June 2016

Dear [REDACTED]

As the Scottish Government Minister with portfolio responsibility for the Scottish Child Abuse Inquiry, it is with regret that I write to inform you that I have received a letter of resignation from one of the Panel members to the Inquiry. Professor Michael Lamb has indicated that he no longer wishes to work as part of the Inquiry, on the basis that he believes the independence of the Inquiry was being limited by the actions of the Scottish Government.

I must also express my regret if you have already heard this news through the media. I received Professor Lamb's letter, of which I have appended a copy to this letter, at a very late hour last night, and had hoped to be able to inform survivors before the news was made public.

Whilst I am grateful to Professor Lamb for his work as a Panel member, I want to reassure you that I entirely reject any allegations of government interference in the work of this independent statutory inquiry.

The Scottish Government has a clear obligation to fulfil its responsibilities within the requirements of the Inquiries Act 2005 and other relevant legislation, and has acted appropriately at all times in doing so.

My primary objective is now to ensure that this situation does not impact on the progress that the Inquiry has made so far, and will continue to make over the coming weeks and months. I have therefore acted swiftly and decisively to ensure the continuing successful operation of the Inquiry, and have instructed my officials to begin planning for the appointment of a new Panel member to the Inquiry. That process will take place over the summer.


In the meantime, I can confirm that the work of the Inquiry team will continue and that none of the planned work of the Inquiry over the coming weeks and months is expected to be interrupted or adversely affected by Professor Lamb's resignation.

You will have already received an invitation from my office to attend a meeting at St Andrews House next week where I will invite survivor groups representatives to share their views and ideas, and to discuss issues and concerns that they have, in relation to the Inquiry's progress and wider survivor support.

This will mark the beginning of a process of engagement that I and my Ministerial colleagues will be undertaking, and that I intend will continue over the coming months, as we work towards our collective outcome of ensuring that vulnerable young people are better protected in the future and that good quality support services are available to survivors of in-care abuse across Scotland.

My key focus is, and will remain, that the Scottish Child Abuse Inquiry uncovers how the abuse of children in care was perpetrated - to avoid a repeat of the systemic, institutional failings, which saw children abused by the very individuals who were entrusted by the state and others to care for them over an extended period - and to ensure that vulnerable young people are better protected in the future as a result of its findings.

I look forward to the opportunity to meet with survivor groups representatives next week and hope that you will be able to attend.

Yours truly


JOHN SWINNEY

Michael E. Lamb
Professor of Psychology
Fellow, Sidney Sussex College
Editor, *Psychology, Public Policy & Law*
President-Elect, Division 7 (Developmental),
American Psychological Association

June 28 2016.

Mr John Swinney
Deputy First Minister and Cabinet Secretary for Education and Skills
Scottish Government

Dear Mr Swinney

After much thought and with deep regret, I must resign from my role as Member of the Panel for the Scottish Child Abuse Inquiry.

I was deeply honoured to be appointed to the Panel last October. With the assurance of complete independence, the Inquiry was invited to assess 1) the extent to which Scots had been abused while in public care, 2) how those experiences had affected and might be expected to affect their lives, 3) whether their maltreatment had been made possible by the failures of various care-providing, regulatory, investigative, criminal justice, and health service institutions, 4) whether further changes in these domains were necessary to avoid the recurrence of such abuse, and 5) whether the provision of services for survivors of abuse were historically, and are now, sufficient to redress the adverse effects of maltreatment. These were worthy and noble goals, and I was eager to be involved in such an important endeavour alongside the distinguished Chair, Susan O'Brien QC, and the other Panel Member, Mr Glenn Houston.

However, it has become increasingly clear over the last nine months that the Panel cannot act independently and that the Scottish Government intends to continue interfering in ways large and small, directly and indirectly. Continuing interference threatens to prevent the Inquiry from investigating thoroughly and taking robust evidence of the highest quality. To be worthwhile, the Inquiry must ask fearlessly about what happened to children in care, who and what institutions failed in their duties of care at the time and subsequently, how the affected individuals can 'be made whole,' and how we can ensure that such unconscionable events never happen again. Crucially, its factfinding should not be constrained or micro-managed by one of the bodies whose actions or failures to act may ultimately be criticised.

Repeated threats to the Inquiry's independence have undermined the Panel's freedom to address the Terms of Reference and have doomed the Inquiry before the first witness has been heard. The Scottish Government has delayed or prevented the appointment of crucial members of staff for prolonged periods of time while its officials have questioned the decisions made by the supposedly independent Inquiry. As a result of this interference, the Inquiry has been forced to work without the key personnel and resources needed to ensure progress.

This continuing pattern leaves me with no option but to resign. I cannot in good conscience give credibility and credence to an Inquiry that is so profoundly limited in its independence and freedom to explore the troubled history of abuse in Scottish institutional care.

Sincerely

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