

REDRESS FOR SURVIVORS (HISTORICAL CHILD ABUSE IN CARE) (SCOTLAND) ACT 2021

EXPLANATORY NOTES

DETAILED PROVISIONS

Part 7: General and miscellaneous

Section 102: The Survivor Forum

300. This section requires the Scottish Ministers to establish the Survivor Forum, a forum consisting of survivors of historical child abuse in care in Scotland and such other persons as the Scottish Ministers consider appropriate. For example, this could allow next of kin or persons representing survivors to take part in the Forum.
301. The purpose of the Forum is to provide feedback to the Scottish Ministers and Redress Scotland on the exercise of their functions under or by virtue of the Act. Subsection (3) clarifies that the Forum may not provide feedback on determinations made in relation to individual cases. Section 87 of the Act (on confidentiality of information) already ensures that Forum members will not have sight of details of individual applications or information that may allow individual applicants to be identified (unless an applicant were specifically to request that this should happen or were to provide the information to the Forum themselves directly).
302. Forum members may be paid such allowances or expenses as the Scottish Ministers consider appropriate (subsection (4)). Subsection (5) provides for a general regulation-making power to make further provision in relation to the Forum (for example, to provide for the existence of the Forum to be signposted to applicants) and for the dissolution of the Forum in connection with or following the dissolution of Redress Scotland. Whilst under subsection (6) regulations can modify any enactment, including this Act, that power could only be used to make provision about or in connection with the Forum itself, and could not be used to make unrelated alterations to the redress scheme.