

Recommendations of the Scottish group of the Movement for an Adoption Apology

Framework

Recommendation 1

We recommend the following key elements:

- A National Scottish apology
- A National framework to enable every council to provide standardised, appropriate, trauma based therapy or counselling services
- A National strategy for the harmonisation of all birth record access and reunion services across all local authorities
- A National Record of Historic Forced Adoption Experiences

Apology

Recommendation 2

We recommend that the Scottish government issue a formal statement of apology that identifies the practices and policies, including those within social and health services, that resulted in coerced and forced adoptions and acknowledges, on behalf of the nation, the harm suffered by parents whose babies were forcibly removed and by the sons and daughters who were removed from their parents, culture and families, and by extended members of those families, across the generations.

Recommendation 3

We recommend that institutions that administered adoptions should issue formal apologies that acknowledge practices that were illegal or unethical, as well as other practices that contributed to the harm suffered by parents whose babies were forcibly removed, and by the sons and daughters who were removed from their parents, culture and families, and by extended members of those families, across the generations.

Recommendation 4

We recommend that all apologies mentioned above should satisfy the following criteria:

- Acknowledgement of the wrong done or naming the offence
- Accepting responsibility for the wrong that was done
- The expression of sincere regret and profound remorse
- The assurance that the wrong done will not recur
- Reparation through concrete measures

(Canadian Law Commission)

Recommendation 5

We recommend that official apologies should include statements that take responsibility for the past policy choices made by the leaders and staff of institutions, and **not be qualified by references to values or professional practice at the time.**

Recommendation 6

We recommend that the formal national apology is accompanied by concrete steps that offer appropriate redress. Namely:

- Government funding for research into the ongoing long term nature of trauma caused by forced adoption, and the consequent need for the development of specific counselling and therapeutic services to be delivered by well trained and experienced professionals
- Government funding for the development of guidelines and training materials for GPs and mental health professionals to assist in the diagnosis, treatment and care of those affected.
- Government funding to support access to specialist therapeutic support services, peer and professional counselling support and records tracing support for people affected by forced adoptions
- Government funding for the National Record of Historic Forced Adoption Experiences

Recommendation 7

We recommend that the formal apology be presented in a range of forms, and published across a wide range of media, appropriate to the demographics of all those affected.

Support Services

Recommendation 8

We recommend that the government determines a framework to establish free and universally available via clear referral pathways, specialist counselling and psychological services, to be delivered by recognised professional service providers with **relevant expertise and experience** and who have **no connection with past and forced adoption practices**, and who would not seek to substitute therapeutic counselling with informal, general and emotional support.

Recommendation 9

We recommend that the government provide funding for peer-support groups that assist people affected by former forced adoption policies and practices, to promote public awareness of the issues, facilitate opportunities for networking and provide therapeutic activities.

Reparation

Recommendation 10

We recommend that institutions, agencies and government bodies, that had responsibility for adoption activities in the period from the 1950s to the 1980s establish grievance mechanisms that will allow the hearing of complaints and, where evidence is established of wrongdoing, ensure that

redress is available. Accessing grievance mechanisms should not be conditional on waiving any right to legal action.

Reunion and Records

Recommendation 11

We recommend that integrated birth certificates are adopted and issued to eligible people on request, and that they be legal proof of identity of equal status to other birth certificates.

Recommendation 12

We recommend that the government provides funding to establish an independent central body with **no connections with past and forced adoption practices**, to maintain and operate a secure national database of all adoption records and practices from the historic forced adoption era

Recommendation 13

We recommend that all institutions involved in forced adoption practices are compelled to comply with providing adoption records to the secure national database, and in instances where files have been destroyed, be required to provide details regarding when and why this occurred, including evidence of fires, floods etc

Recommendation 14

We recommend that new principles to govern post-adoption information and contact are developed and implemented for pre-reform era adoptions to include:

- All adult parties to an adoption be permitted access to all information, including court orders
- All adult parties have an ability to regulate contact, but that there be an upper limit on how long restrictions on contact can be in place without renewal
- All adult parties have the right to be automatically informed of the death of a parent or a child
- The independent central body that operates the secure national database offers free information and mediation services to assist parties to adoption who are seeking information and contact

Recommendation 15

We recommend that the government sets up a fund to provide grants to parents whose sons or daughters were forcibly removed and then were subsequently taken abroad, to enable them to reunite or meet at end-of-life stages or funerals.

Commemoration

Recommendation 16

We recommend that the Scottish government commission an exhibition documenting the experiences of those affected by former forced adoption practices