ISSUE
23
APRIL
2020

NEWSLETTER OF
INFORMATION
ACAL LAW REVIEW

ACAL
Association of Child Abuse Lawyers

The Lambeth Children's Home Redress Scheme – 5th April 2020

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Articles

This article follows on from the two articles that I wrote on the 9th February and the 22nd August 2018 on Linked In about the Lambeth's Children's Home Redress Scheme.

Since that time, solicitors representing Applicants to the Scheme have seen the way in which it has developed in practice. I thought I would go back and look again at the questions that I put in those two articles, as well as giving an update on the latest developments.

In this article I refer to "Lambeth" but of course they act through their solicitors, Kennedys and most of the people who are representing Applicants will be familiar with the different fee earners at that firm.

This article is not intended as legal advice, but is based on my experience of what I have seen happen under the Scheme. I have taken advice on difficult issues from experienced counsel at One Crown Office Row and would advise others to do likewise, if they are unsure about an issue.

Did Lambeth set up a working group to discuss the way in which the Scheme develops?

Regrettably this never happened. Lambeth and their solicitors, Kennedys did meet with firms individually to discuss how the Scheme would work – which was helpful. However, there is no formal information sharing. The firms presenting claims on behalf of former children in Lambeth's care have shared information informally amongst themselves by email group but that, as far as the writer knows, is the limit of their co-operation.

One positive development that arose out of meetings with Lambeth was the settlement of a costs protocol in January 2019, which agreed hourly rates both in and out of London, and provided for an interim payment of £5,000 plus costs to be paid to the Applicant's solicitor on receipt of the medical report.

One other positive development was the agreement by Lambeth (around the end of 2018) to give each Applicant a choice of three psychiatrists,

Articles Cont'd

Case Reports

rather than insisting on a "cab rank" system.

What's happened about redaction of records?

The redaction of records was a major issue at the outset of proceedings, because Applicants would typically receive their records with large numbers of pages, and sections in blank. This was particularly frustrating for Applicants who were part of a large family group, all of whom had been taken into care. The redaction was particularly heavy where a person's records were contained in a "family file" rather than an individual file.

My firm did threaten Part 8 proceedings in three cases, but this was met with a counter threat from Lambeth to apply for a wasted costs order if those proceedings were issued. We did not proceed.

Lambeth did indicate that where the siblings in a family group all consented to disclosure of their records (which is never a "given"), they would disclose the unredacted notes. I was able to achieve this in a couple of cases. However, it is my experience that in many cases the social services do not really reflect what actually happened to the child in care and consequently, it is their statement of events and their medical records that tend to tell the true story, and that story is invariably accepted by Lambeth as what actually happened.

Moreover, when the Shirley Oaks Survivors Association began referring cases to various solicitors, they often did so by way of family groups. This meant that it is possible to compare records from one sibling against that of another.

How are Lambeth actually handling the applications that they receive?

As the Scheme developed, there was concern amongst survivors about the amount of time that it was taking to conclude their claims. The applications tend to follow (in my experience) a set process:

- Submission of the application and payment of the Harm's Way Payment (the initial interim payment that is paid to all live Applicants up to a maximum of £10,000)
- The taking of a detailed statement from the Applicant and the finding of their medical and other records

- The process whereby Willis Palmer, the independent set of social workers instructed by Lambeth prepare a chronology of the social services records and the agreement of that chronology with the Applicant's solicitors
- The selection and instruction of the psychiatrist (or other medical expert) and the Applicant's attendance at an appointment.
- The receipt of a psychiatric report, which until recently was accompanied by an offer of compensation from Lambeth. That offer now seems to be coming a little later.
- Negotiation with Lambeth on that offer – or appeal.

As at the 1st April 2019, Lambeth reported at a meeting that the Scheme had received more than 1,100 applicants so far and around £8.5 million in compensation was paid in the first year. However, that £8.5 million was made up of only 68 claims.

This process was always going to take time, particularly where there was a need to search for records in many different places. What I have noticed is that once the psychiatric (or other expert) evidence is to hand, Lambeth are quick to make an offer. They will also chase if they do not receive a response to a communication.

For instance, Applicants might have had a long history of psychiatric intervention, or they had claims for loss of earnings that might exceed the £25,000 limit under the Scheme for Band 4, which is loss of educational/employment opportunity. Some Applicants' social services records were held, either partly or wholly with other local authorities, or the London Metropolitan Archives. One of my clients had been taken into care in the 1950's by a local authority in South Wales, who duly yielded up her records. They proved to be considerably more detailed than those disclosed by Lambeth, even though she had spent the majority of her childhood at Shirley Oaks.

There was an additional problem with the claims brought on behalf of children in care, who had since died. From around April 2019, the Probate Registry began to have serious problems with a new system, which led to an appalling backlog in applications for probate, and which affected all probate solicitors for some months. In my firm's experience, we found that the Probate Registry had difficulty understanding why applications for probate/letters of administration were being brought so long after the deceased's death, and why there were no assets. These problems have now been resolved.

Are Applicants required to "front load" their claims?

I considered this question in my last article. One of the better features of the Scheme, is that it does not require the Applicant to front load their claim in the same way as they would in a civil litigation claim in court proceedings. There are no time limits for exchange of evidence. It is perfectly possible to submit new evidence, for instance an additional statement or new documentary evidence, at a very late stage, even after an offer has

been made.

How is the appeal process working?

In my last article, I said that we had very little information. Since that time, I have become aware (through communications with other solicitors and counsel) of two decisions, made by the appeal panel.

- An appeal decision dated 17th September 2018 (made by Sir John Goldring who chairs the appeal panel) was circulated by the Shirley Oaks Survivors Association amongst solicitors, where an Applicant claimed that he had been placed at a Lambeth Children's Home. His social services notes did not record that placement. This is not that unusual – I have at least three cases where this has happened. The Appeal Panel decided that on the balance of probabilities he had been at this home, because there was no other evidence to suggest otherwise. That seems entirely right – in an appeal decided entirely on paper with no scope for cross examination. It also seems just – because the record of Lambeth and its predecessor, London County Council in keeping proper track of where children were placed and how they were faring, was too often lamentable.

- Clause 8.2(iii) of the Scheme allows abuse to be compensated, if it is committed by a foster carer "*in circumstances where the person was moved from a Lambeth Children's Home into a foster care placement."* This is problematic for a person who is placed in one of the homes set out in the list, but is then removed to (for example) an entirely private home, followed by a foster placement, where they may suffer horrendous abuse. Unfortunately for such a person, I have heard (in an advice from counsel) that according to the appeal panel "*moved from a Lambeth Children's Home"* means moved immediately from that home into foster care. If a person is placed in a Lambeth home, and then into a private non-Lambeth children's home into foster care, they cannot claim for abuse in that foster placement.

- Verisona solicitors very helpfully wrote to the solicitors' group on the 12th February 2020 concerning a case that they had taken to appeal (and won), and which concerned the valuation of the Individual Redress Payment. The approach of the appeal panel was to value the award "from scratch". They would pick the worst injury banding as noted in paragraph 12.5 of the Scheme, which means considering the most severe harm and where this sat in the tariff. In this particular case, the attribution of causation of injury to the abuse in care was 100%. Finally, Verisona had argued on appeal for the aggravated damages uplift in the particular circumstances of this case. That argument however, had not succeeded. The email

- from Verisona repays reading and for obvious reasons I have not set out precisely what it says.

Still on the issue of foster placements, Switalskis solicitors wrote to the solicitors' group on the 6th November 2018 to say that they had persuaded Lambeth to treat a private home in Kent, "The Homestead" as a foster placement on the grounds that social workers described it as such at the time.

The appeal process carries risk. Lambeth have made it very clear that once the appeal process is underway, any previous offer made by them disappears and the appeal panel may make a reduced award. I suspect that many Applicants are deciding not to take the appeal process, because of that risk and the understandable wish to put the whole ghastly experience of compensation behind them.

How much are these claims worth?

Thus far only one firm of solicitors, Imran Khan & Partners has published formal reports. In their first set of four reports (released by the Shirley Oaks Survivors Association on the 29th November 2018), one of the Applicants had received an award of £205,000 and another £245,000, some way above the £125,000 upper limit set by the Scheme. This and the other settlements were described as "Out of court settlements" which had been settled according to common law principles. According to the reports, these claims had been initiated as civil litigation claims, and then had entered the Scheme, something for which the Scheme provides. There was then a further report from Imran Khan & Partners on the 22nd August 2019, on a case which had been settled using the tariff system of the Scheme. Finally, the solicitors' group were given two reports from Imran Khan & Partners on the 27th January 2020. These were described as "Out of Court Settlements" but they may have been finalised under the Scheme. These reports are useful to read.

At one point, Lambeth were making pre-medical report offers, although it is my experience that this appears to have stopped. They will make an offer if an Applicant does not wish to be examined by a psychiatrist, but if the Applicant does agree to be examined, they now appear to prefer to await that report.

It is clear since the inception of the Scheme – that it is perfectly possible to obtain an award over and above the £125,000 limit without undertaking civil litigation at the same time (where no such limit would apply).

- First of all, it is clear that Lambeth will consider paying for complex claims for damages under the Scheme. There is a document published by Lambeth -

- - "Appendix A" which can be found with the Agenda and Minutes of the Lambeth Cabinet Meeting on the 18th September 2019. This makes it clear that such claims will be considered, and we consider below other documents put out by Lambeth, which make the same point.
- Secondly, the Scheme says that Lambeth will pay for psychological treatment (Clause 7.2(iv)). That was confirmed in a subsequent letter from Kennedys to all the solicitors acting for Applicants dated the 7th October 2019. Psychological treatment is not mentioned in the tariff awards under Bands 1 to 4) and consequently it is paid over and above any award made under the tariff. I'm aware of at least one claim where the treatment recommended was for residential rehabilitation, which was very substantial indeed.
- Thirdly, a claim for care is not mentioned in the tariff awards. Using the same argument as for psychological treatment, this should be paid over and above any award made under the tariff or the £125,000 financial limit.
- Fourth, it is my experience that the award for aggravated damages (Clause 12.2(i) and 12.6) will be paid over and above the tariff award and the £125,000 limit. Again, in my experience that award is paid for racial abuse (a universal experience for all those children in care who were black or from a minority ethnic group). However, in theory, it could also be paid in the alternative circumstances found in the substantial caselaw on aggravated damages. The reader should also note that Imran Khan and Partners sent a letter to Lambeth on the 12th September 2019, challenging Lambeth's practice of awarding of 10% of the Band 1,2 or 3 award for aggravated damages. As that firm pointed out, there is no basis in caselaw for a standard award of 10% for aggravated damages.
- Fifth, in my experience, Lambeth will pay an amount over and above the £25,000 for Band 4 – loss of education/employment opportunity – in certain very restricted circumstances. Outside of the appeal process (where I'm not aware of any cases on this issue that have gone to appeal), this seems to be where the Applicant can demonstrate evidentially that they have a very strong claim for loss of earnings. The foundation of the argument that a limit exceeding award can be made, can be found in Clause 12.7 of the Scheme, in a "Questions and Answers" sheet issued by Lambeth in June 2018 and also Cabinet Meeting minutes from Lambeth Council (prior to the inception of the Scheme) which indicate that the council was prepared to pay over and above the financial limit for large special damages claims. Finally, "Appendix A" which can be found with the Agenda and Minutes of the Lambeth Cabinet Meeting on the 18th September 2019 makes it clear that such claims will

- be considered. I should say at this point that Lambeth's initial response to my own firm's request for compensation over the financial limit was confusing. Nonetheless, I have succeeded in obtaining an award over and above that limit where a conventional claim for loss of earnings was advanced. Lambeth made an award over and above the £25,000 payable for loss of education/employment, which was described as "additional losses." In child abuse civil litigation claims, the Claimant has to establish a clear connection between the effects of the abuse and the inability to work. Evidentially, and over the course two or three decades, this can be very difficult indeed, and the psychiatric injuries must be very serious. Plainly the injuries in the Lambeth cases are very serious indeed, but still it is difficult to show that reduction in earnings over the years. At this stage (outside of the appeal process), I have found it very difficult to convince Lambeth even with the provision of earnings evidence and a fully detailed Schedule that there is a conventional loss of earnings claim, or alternatively a claim based on the approach found in *Blamire v South Cumbria Health Authority [1993] PIQR Q1.*

In passing, I have also found it very difficult to persuade Lambeth to apply the apportionment approach approved by the Court of Appeal in *Coxon v Flintshire County Council [2001] EWCA Civ. 302.* Typically, a dispute arises where the psychiatrist apportions for instance 20% of an Applicant's psychiatric issues to the abuse in Lambeth's case. The Applicant's argument will be that 20% is a material contribution and consequently the damage and any claim for therapy should not be simply divided by a factor of five. According to the Court of Appeal *in KR & Others v. Bryn Alyn Community Holdings Ltd [2003] EWCA Civ 85,* provided the contribution of the abuse is "significant" then the claim for therapy should be paid in full. As for loss of earnings, according to the courts, this is a matter of feel. Lambeth have not gone as far as to apply a simple division of the tariff award, but they have only awarded a fraction of the treatment.

What kinds of issues have fallen away and arisen?

Looking at Clause 8.2 of the Scheme, it appeared initially that the Scheme was very much skewed towards abuse by members of staff working in the Lambeth homes. It is possible to bring a claim under Clause 16.2 for child on child and visitor above, but it was unclear how much the Applicant would have to do to establish that type of claim.

What has actually happened in my experience, is that Lambeth have been prepared to

make awards and agree the instruction of psychiatrists on the basis of the Applicant's entire experience at the homes/foster placements in question, which includes abuse by other children, visitors to the home, and even parents who visit the home to abuse their children or take them out briefly to be abused.

Lambeth have also made it clear through their solicitors that they are not settling these claims as an insurer would in a civil litigation claim. They say that they make the best offer they can, based on the available evidence. Having said that, it is perfectly possible to increase on that best offer.

At the same time, the Applicant's account of abuse is accepted by Lambeth. There's no attempt to say (in my experience) that any Applicant is exaggerating or fabricating their experiences. The Scheme does not give Lambeth the facility to seriously question, which must be right. Indeed, Lambeth's sole counter evidence would be contained in their own social services records, and there is no attempt on their part to say that because the notes contain no reference to abuse, none occurred. Realistically such an argument would be unlikely to work against the Applicant's own live evidence. This approach is confirmed by a document entitled "*Executive summary of Audit report on the Administration of the Lambeth Children's Homes Redress Scheme*" which is attached as Appendix D to the minutes of the meeting of Lambeth's Cabinet that took place on the 18th September 2019. This states:

"The status of the evidence provided: the anecdotal evidence presented by the applicants was taken at face value and there are no examples in the 53 files of file handlers seeking to be judgmental on the grounds of credibility or any other basis. To the extent that issues of credibility may have become relevant, these were raised by the jointly instructed Psychiatrists in the context of their written medical reports and such issues were never flagged at the instigation of the file handlers or Lambeth. In all 53 cases the file handlers adopted a straightforward interpretation of the facts in favour of applicants when seeking to categorise the abuse within the appropriate compensation bands and range."

This "Executive summary" repays reading as it sets out how claims are being resolved under the Scheme.

Where Lambeth have drawn the line and refused to compensate, where the Applicant has a "failure to take into care" claim (in other words they say that they should have been

taken away from abusive parents sooner) or where they have been formally discharged back into their parents' care, or simply discharged from care with no support or monitoring at all. Similarly, there are a number of private homes and Inner London Educational Authority schools, where Lambeth have said that the Applicant is not eligible for compensation. I'm not aware of any Applicant successfully challenging that kind of argument.

On the issue of homes that are included under the Scheme, Lambeth put out a list of 33 homes that were included within the Scheme following their Cabinet Meeting on the 18th September 2019. The list dated the 27th July 2018 only included 32 homes. Almond House Hostel has been added as the second home on the list after Shirley Oaks.

Conclusion

In a Scheme, where limitation was not a bar to compensation, where the Applicant's account is accepted and there is joint instruction of the psychiatric/medical expert, it was bound to be the case that the awards made would compare favourably with those agreed at settlement for the majority of child abuse civil litigation claims. The Scheme has not been extended by another two years from the 1st January 2020.

At the last meeting of Lambeth that took place on the 18th September 2019, as at the end of June 2019, a total of 1,250 applications had been received since the Scheme was introduced. A total of £20,447,060 had been paid out of the scheme (including £3,333,040 in legal fees). 534 claims had been "finalised" of which 47 claims had been rejected. The total forecast for the whole Scheme was £49,580,102. In a Lambeth Cabinet Meeting of the 18th December 2017, some 3000 claims were forecast at a total cost to the Scheme of £100 million.

Lambeth now intended to advertise the Scheme in both national, targeted and specialist publications in recognition that many affected individuals lived outside London in other parts of the UK.

In my first article written in early 2018 just after the Scheme had incepted, I wondered

whether other local authorities such as Nottingham City Council and Nottinghamshire County Council would set up their own redress scheme. From what I understand from solicitors representing local authorities and insurance companies, there is great interest in redress schemes. March 2019 saw Manchester City Football Club launch their own compensation scheme to compensate former young footballers who had been victims of abuse. However, we have not seen any further compensation schemes launched by local authorities.

I represent clients who are making applications to the Windrush Compensation Scheme, and that particular Scheme has proved a grave disappointment. This, I believe is because there is no provision for the payment of solicitors' costs (a key feature of the Lambeth Redress Scheme) and the unit set up by the government to handle the claim is proving as slow as the immigration system that consigned so many British citizens to years of suffering.

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Analysis of the law of Limitation and its barriers

By: David Greenwood, Switalskis

Imagine you were subjected to sexual abuse as a child from a teacher or care worker. None of us like to talk about our first sexual experiences (or any for that matter) but to expect this child to talk about abuse from the teacher before reaching the age of 21 is frankly ridiculous as we all know.

Most people don't disclose for many years (and most don't). Despite this truth we have defendants and insurers taking limitation where possible. The only exception appears to be Ecclesiastical insurance at the moment. Organisations could pay compensation direct themselves but most organisations are unable or unwilling to unshackle themselves from insurers, citing charity rules, obligations to shareholders or the council tax payer. I can't help feeling survivors view the system as corrupt.

In 2008 with the judgement in A v Hoare we thought limitation would be pretty straightforward. However a spanner chucked into the works by Lord Brown with his unhelpful comments suggesting that some claims are false and that courts should by no means allow all claims through. Until that point the judgment had been going in the Claimants' favour 100%.

Successive appeals since then have tried to capitalise on Lord Brown's remarks and I am sorry to say they have been succeeding. The Court of Appeal seems to have been taken in by technical arguments and has ignored the overwhelming justice of allowing those who can prove they were abused in childhood to be compensated. Here are a few of the cases that pushed back against claimants rights to compensation :

Min of Defence v AB [2010] EWCA Civ 312; RE v GE [2015] EWCA Civ 287; Archbishop Bowen and The Scout Association v JL [2017] EWCA Civ 82; and *CD v The Catholic Child Welfare Society & Others [2018] EWCA Civ 2342.*

The law on Limitation is preventing me and colleagues in other firms from taking on otherwise deserving cases. It is wrong.

If we are to treat survivors with respect and dignity we need new legislation to erase the law of limitation and which prevents circumventing the law by other means such as "prejudice" or " want of prosecution". If the new battleground is proving that the abuse took place then so be it.

I have long argued that the civil litigation system is not the venue to deal with these cases.

We need a redress system which recognises that the number of false allegations are negligible and compensates survivors adequately, not using the strict criteria of civil litigation The CICA is not fit for its purpose. If devised well, it could actually save insurers money wasted in legal costs.

I am hoping that the IICSA will recommend both the abolition of limitation and the introduction of a redress scheme.

David Greenwood

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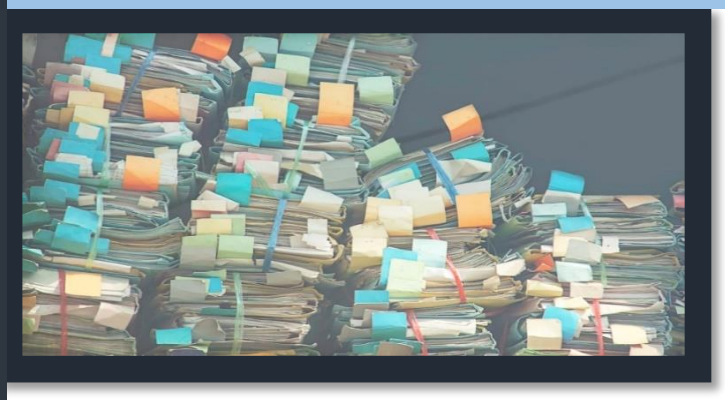

Paperless Working in Abuse Claim Work

By: Caroline Packer. DMR Collation.

There are many reasons for an office to go paperless – indeed at a time that we need to preserve our trees more than ever, it is alarming to learn that paper usage has risen by 400% in the last 40 years. Trees play a critical role in absorbing C02 from our atmosphere and producing oxygen in turn to help support life on our planet. Rapid deforestation is a massive concern for our environment and with so much of it taking place to create paper products anything that you can do to reduce your use of paper will contribute towards a healthier planet for us all.

So where to begin? It can seem like an impossible task – so much of the way we work revolves itself around the use of paper from handing out documents in meetings, to the signing of contracts/statements and the use of trial bundles at court, but it can be easier than you think to reduce the amount of documents you need to print and manually circulate around the office, especially if done one step at a time.

Emailing rather than sending letters, paying invoices by bank transfer or credit card, using digital calendars to organise reminders and employee holidays and scanning files rather than keeping hard copies are all good places to start.

Software like Docusign and E-fax have allowed businesses to drastically cut down on the amount of paper used and there are plenty of different software options available to assist with other everyday office tasks too such as the introduction of case management systems with secure portals which ensure digital documents can be shared and viewed without the requirement to print.

Aside from the environmental considerations, there are other benefits worth considering:

Reducing costs - One might think that the savings made on reducing paper in the office would be negligible – not so! An average UK employee uses 10,000 sheets of paper per year, that's 20 reams of paper (500 sheets per ream) or 4 boxes of paper in total with an estimated cost of £10 per box. This calculation doesn't even factor in the costs associated with ink, printer maintenance or the cost of purchasing paper files and cabinets to store the records within. Secure shredding services and courier/postage costs are other costs to consider.

Creating additional data security - Files and records kept online can be password protected and extra layers of security added. Documents kept in filing cabinets or storerooms, or those which are required to be transported by courier service, are open to theft or access by unauthorised people resulting in potential security breaches, data protection contraventions and loss of money.

Mitigating human error - Digital documents are not only easier to locate, they are far easier to file in the first instance. It's estimated that 3% of all paper documents are filed incorrectly leading to hours of precious time and resources being wasted looking for what often turns out to be mislabelled or misfiled documents. Add to that the fact that if you store your reports digitally there is software available that will update your report in real time ensuring it will never be out of date or inaccurate and you can see how storing your files digitally can really benefit your business.

So, where does a paperless working ethos come into play with the collation of medical and social care records in child abuse claims?

At DMR Collation, our system of work removes the need for any future printing of records by the client with the digital documents being returned securely via a shared client portal. All our collated records are scanned and returned in digital format along with digital copies of any prepared indexes, chronologies or other documentation.

At DMR Collation we actively encourage our clients to choose digital, rather than paper return of records, and our fixed cost scheme reflects this with a lower charge being made for work where clients opt for a digital only return of completed instructions.

Our **Digital Booklet Service** also reduces our clients' paper usage**.** Our Digital Booklets are an amalgamation of the prepared index, chronology, scanned records and any prepared schedules (such as a schedule of radiology). The digital booklet is bookmarked and hyperlinked from all page references to the actual record, meaning you can view the record referred to with one click of a button, saving an immeasurable amount of navigation time for lawyers, barristers and experts alike. Not only is this service advantageous for all the reasons set out in this article, it also allows the finished product to be fully searchable. Our clients are able to locate any part of the chronology speedily saving them time and resources, and quite possibly a headache in the process!

But don't just take our word for it, check out our most recent testimonial from Dianne Collins, ACAL Lawyer at Nelsons Solicitors Ltd dated February 2020:

"I cannot recommend DMR Collation highly enough. I was provided with an overwhelming number of social services and medical records on an historic abuse case which is particularly complicated on causation. DMR collated and paginated all of the records and provided me with a digital booklet which made cross-referencing so easy. They also provided me with a detailed summary chronology and memorandum which highlighted all of the relevant issues with cross-references to the relevant records. Their secure portal makes it so easy to upload the records securely without having to send discs by post with passwords that never work. It is also possible to grant experts access to the same portal so that you don't have highly confidential records being sent through the post. Ten out of ten on all fronts. I will definitely use them again". To find out more about how our ISO 9001 and 27001 accredited services can help your law firm go paperless, please email us at support@dmrcollation.co.uk or visit https://www.dmrcollation.co.uk.

Why do survivors pursue legal claims?

A call for parcipitation in a research project

By: NAPAC

NAPAC are undertaking an innovative and exciting research project to explore the external influences and internal motivations for survivors of abuse in childhood who pursue legal claims.

This research will be a collaboration between solicitors and the National Association for People Abused in Childhood (NAPAC). The findings will be useful for organisations supporting survivors of abuse in childhood who are considering or are taking legal action. We may be able to develop a decision-making tree to help understand how, when and why survivors choose to start, proceed, or withdraw from legal action.

In the longer term, the findings may complement insights gained from The Truth Project, IICSA, and research being undertaken by the Office of National Statistics and the Home Office. We want this research to inform our practice and empower more people who were abused in childhood to take advice on legal action if they wish to do so.

If more survivors who wish to are able to pursue and complete legal action with a better understanding of the process and improved support, more survivors will achieve and sustain more outcomes **the survivors consider positive.** This is key; understanding motivational factors will assist in what advice and support is offered and whether, indeed, litigation is for them.

We want to collaborate with solicitors who represent survivors of abuse. In addition to increasing the number of survivors reached and offered the opportunity to participate it would also enable the law firms to work together in a different context and share best practise learning.

If you are interested in collaborating with NAPAC or would like to discuss please contact Kim Bond, Fundraising Manager, NAPAC (e: kim.bond@napac.org.uk, t: 07498187737) or Gary Walker, Enable Law (e: gary.walker@enablelaw.com, t: 03303 116 772).

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Hidden extras - a first-hand account of secondary traumatic stress

By: Lee Moore

Lee Moore, a non-practising barrister, pioneered, designed and presented the first UK accredited training for lawyers on Recognising and Dealing with Secondary Traumatic Stress, Burnout and Vicarious Trauma, at Cambridge University in 1999. She founded The Association of Child Abuse Lawyers.

Photographic evidence was always the toughest to study

The photograph, from a paedophile's journal, showed two boys, about eight years old, lying side by side, across a railway track, their arms and legs tied to each rail. They were naked, save for the white underpants pulled down to their knees. I felt shocked.

The image, especially the haunted look on each boy's face, replayed in my mind's eye for weeks, together with intrusive thoughts about what other horrors they may have experienced. I was revolted by the motivations of the person or individuals who had bound and placed them there. I felt nauseous wondering about potential parental involvement and how terrified those boys must have felt, defenceless against evil. The photo sickened me, as did practising family and criminal law without possessing the knowledge enabling me to recognise and deal with the adverse impact of distressing cases upon my health and quality of work. In 1974, secondary trauma was unrecognised. Its many symptoms, such as loss of concentration and errors, were hidden extras that came with the job.

Secondary Traumatic Stress

Minutes of scrutiny resulted in decades of traumatic memories sitting silently in my psyche, and muted by my stiff upper lip which, I believed, affirmed professionalism, waiting for the field of traumatology to evolve.

As expressing emotion was regarded unseemly by peers, I suppressed uncomfortable feelings through self-medication, I went drinking with colleagues. Exposure to upsetting evidence often propelled us to unwittingly seek succour in the nearest hostelry; alcohol, our emotional anaesthetic.

Owing to the absence of risk assessments regarding exposure to traumatic cases and with no self-care protocol to follow, a series of back to back child abuse cases caused me to express a prime symptom of Secondary Traumatic Stress, [STS], that of leaving a field of work prematurely. In 1975 I switched to maritime law.

The Association of Child Abuse Lawyers

In 1996, I returned to the field of child abuse following the abduction and non-return of my

Hidden extras - a first-hand account of secondary traumatic stress - continued 1

of my child. I founded The Association of Child Abuse Lawyers (ACAL). I hoped to break the denial regarding the prevalence of child sexual abuse in the UK and to support victims. Neither I, nor ACAL members who were practising personal injury lawyers, were prepared for the negative effects cases had upon us. We did not know that:

- being a parent
- experiencing a trauma
- unhealed trauma
- being exposed to children's suffering

rendered us more vulnerable to Secondary Traumatic Stress.

As coordinator, I took disclosures by phone, and read letters and emails detailing acts of neglect, physical, and sexual violence. Prolonged exposure caused my immune system to weaken, viral infections followed. My husband remarked, 'you are either flat out or flat out.' Besides overworking, I began overeating to suppress the discomfort of bearing witness to other people's pain.

In 1998, when feeling depleted, I read a letter describing acts of sexual sadism. The imagery haunted me. Sleep evaded me. Self-medication did not work. I needed help. Fortunately, the field of trauma had evolved.

I read *Compassion Fatigue, Coping with Secondary Traumatic Stress Disorder in Those Who Treat the Traumatized*, Figley, Brunner / Mazel 1995. I was symptomatic of STS. I learned this is the natural stress that occurs when exposed to the suffering of others. Unlike burnout, which is a process, STS is unavoidable and can strike suddenly, without warning; unrecognised it develops into Secondary Traumatic Stress Disorder, the symptoms of which, mirror Post Traumatic Stress Disorder.

On the road to recovery

Following guidance on recovery, I took a holiday. On my return, I developed a self-care plan. It included setting boundaries around my workload, daily meditation, engaging in acts of creative self-expression, taking breaks and enjoying restorative activities such as being in nature.

As research confirmed sharing with colleagues helps mitigates the impact of STS, I introduced regular meetings for ACAL members. We shared about the effects that cases and clients had upon us, plus secretaries, temporary staff and costs clerks who were exposed when typing up statements and reading files. Discussions helped us identify symptoms and offer suggestions on what helped us avoid or process and release them. We supported each other without judgment.

Hidden extras - a first-hand account of secondary traumatic stress - continued 2

Acting for victims of child sexual abuse: the impact on the practitioner

To fill the vacuum in legal education I worked with Sue Richardson, a psychotherapist and author, to design CPD accredited training for lawyers. We successfully presented, Acting for Victims of Childhood Sexual Abuse: The impact on the practitioner, at University of Cambridge in 1999.

Encouraged by enthusiastic feedback, approaches were made to unresponsive legal education providers and professional bodies to tackle the issue of secondary traumatisation. Students intending to practise family, criminal or personal injury law, plus lawyers and judges already working in those areas, needed vital education, tools and guidance enabling them to prepare for, identify and deal with Secondary Trauma, burnout and more.

In 2013, the Diagnostic and Statistical Manual of Mental Disorders [DSM V] published by The American Psychiatric Association expanded the definition of trauma and diagnostic criteria for Post Traumatic Stress Disorder to include: "Indirect exposure to aversive details of the trauma, usually in the course of professional duties." Despite such corroborative support, the legal establishment remained obdurate. At one meeting in 2015, I was told, "this would open a can of worms," suggesting that some lawyers and judges maybe practising, albeit unintentionally, whilst traumatised.

Wellbeing at work has recently emerged as an issue, with some support and training being offered. However, until education is compulsory, and self-care protocols, guidance and risk assessments are mandatory, many judges, practitioners and staff working on traumatic cases will be exposed to the 'cans of worms' that remain buried in photos, statements and recordings as 'hidden extras' that come with the job and which can and probably are adversely affecting health and professionalism.

About the author

Lee Moore offers training and talks that address STS (Secondary Traumatic Stress), PTSD (Post-traumatic stress disorder), burnout and vicarious trauma

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Compensation Scheme for trainees at Detention Centre

By: Rob Casey, Switalskis

Switalskis have been pursuing cases of abuse at the Medomsley detention centre since 2003 when Kevin Young complained about brutal treatment there. Numerous former trainees at Medomsley, a detention centre for boys aged 17-21, have claimed damages for sexual assaults notably the head chef, Neville Husband

There have been prosecutions for physical and sexual assaults of other individuals more recently arising from the Durham Police Operation Seabrook.

Throughout, alongside other solicitors I have pushed for compensation to recognise the boys who were subjected to equally violent physical brutality that was meted out at Medomsley. Finally the Ministry of Justice has recognised the plight of boys physically abused at Medomsley and have set up a scheme of compensation for anyone harmed by the harsh environment at Medomsley.

Switalskis Solicitors and a number of other Solicitor firms who together represent over 1000 Claimants, have finally agreed a compensation scheme with the Ministry of Justice.

Generally cases involving historical physical abuse have poor prospects of success due to the issue of time limits. A claim for personal injury must be brought to the Court within 3 years of the date of the incident(s) giving rise to the claim.

The limitation period has already expired in all these cases from the 1970's and 1980's. Courts do have a discretion to set aside the limitation rule and allow a claim to be presented out of time in limited circumstances. Courts don't tend to allow the three year time limits to be extended in physical abuse cases and will only extend in sexual assault cases.

There is a very clear risk that if assault cases went to court they would fail on this point. It was for this reason that we had discussions with MOJ to ensure that boys who were at Medomsley had the best opportunity to receive compensation.

The scheme will operate outside of the Civil Courts with the amount of compensation dependent on the length of the period of detention. There is also a provision in the scheme to compensate for long lasting physical and/or psychological injury.

To be eligible for the scheme:

Compensation Scheme for trainees at Detention Centre - continued

A claimant must have suffered physical abuse committed by a member of staff who was employed at Medomsley during the period he was detained there and who has been convicted in respect of such offences; and

A claimant must have independent evidence of his period of detention (eg a criminal record showing detention at the time).

The awards will fall into three categories:

Category 1

A claimant was detained at Medomsley for 3 months or less and will received a payment of compensation in the sum of £1,750;

Category 2

A claimant detained at Medomsley for more than 3 months and will receive a payment of compensation in the sum of £2,500;

Category 3

The Claimant has provided medical evidence to show that they sustained a lasting physical or psychological injury as a direct result of their treatment at Medomsley will receive a payment of compensation between £3,000 and £5,000.

The amounts of compensation have been agreed to reflect not only the assaults that a detainee suffered but also witnessing and living with the brutal regime at Medomsley. An award scheme based on the length of detention was considered to be the fairest way to administer the scheme. The amounts under the scheme are not huge but provide recognition of the wrongdoing by the prison officers involved.

I am aware that this scheme will not be available for every person who suffered physical abuse at Medomsley. Discussions are continuing with the MOJ on how they intend to deal with claims where detainees suffered physical abuse by as yet unconvicted members of staff.

I am also gathering evidence of how widespread the short sharp shock regime and indiscriminate assaults on detainees was during the1970s and 1980s as I believe the MOJ should set up a scheme to compensate all victims of this brutal regime. Please contact us if you suffered as a youth in detention.

Rob Casey

Switalskis, March 2020

IICSA Internet Investigation

By: Kieran Chatterton, Switalskis

The Independent Inquiry into Child Sexual Abuse (IICSA) published its latest report on 12 March 2020. The report investigated how the internet has facilitated the online grooming and abuse of children, and importantly what can be done to stop this from happening in the future. The Inquiry heard three weeks of evidence from law enforcement, the internet companies and also from people that had been groomed and abused online. Switalskis were the only Solicitors representing victims of abuse.

The report noted that the scale of online facilitated abuse is enormous, with millions of indecent images of children in circulation. An eye watering statistic provided in evidence to the Inquiry was that BT alone found that there were over 30,000 attempts to view child sexual abuse material online every 24 hours. What is particularly alarming is that the vast majority of images are not on the so called 'dark web', but in fact are on services such as Facebook, Instagram and Snapchat. In addition the NSPCC estimated that around 500,000 men in the UK have at some point used or viewed child sexual abuse images. The National Police Chief Lead for Child Protection and Abuse, Chief Constable Simon Bailey, told the Inquiry that there was an increase in reporting and also that the seriousness of the images being viewed was getting worse. He spoke of how babies were sometimes the subject of abuse in some images. He was clear that it was simply not possible to arrest everyone and that something had to be done to stop these images from circulating in the first place.

The Inquiry report was critical of the technology industry, saying that at times their response was reactive and seemingly motivated by the desire to avoid reputational damage. It was said that the transparency reports prepared by the technology companies did not provide the full picture. The overall impression that Switalskis formed was that because technology moved so quickly new services were simply released without consideration being given to their wider impact, because to do so would hand competitors an advantage.

There was a particular focus on age verification. Many of the technology companies which provided evidence said that they had a policy whereby users must be at least 13 years of age. However, what became clear was that in fact there was nothing to prevent a user lying about their age. So, an 11 year old can claim to be 16, and equally worrying, a 40 year old can claim to be a 20 year old. The effect of this is that often it is not possible to know with certainty who it is that a child is communicating with.

It also became clear in the course of evidence that the technology companies were not pre-screening material before it was uploaded to their websites. While the material was screened

While the material was screened once it was on their website, this allowed for child sexual abuse images to be shared and circulated before they were removed. No clear reason was given for why images were not checked before they were uploaded even though it was possible for this to be done.

The Police were also particularly concerned about the increased move towards encryption, particularly end to end encryption. There are obvious advantages in terms of privacy and security for encryption, but there were also concerns from the Police who said that it makes their task more difficult when investigating online child abuse offences. This leaves a gap which can be exploited by those wishing to view and distribute child abuse images online. The Inquiry was not able to provide any immediate recommendation or answers to this problem but it is clear that a solution needs to be introduced which respects privacy but which also allows the Police the power to access communication which may assist in detecting and preventing crime.

There was, inevitably, a significant focus on technological solutions. What is probably not as widely recognised is that there is an army of human moderators who review content online to check whether it is child abuse or not, before removing it. Facebook, for example, employ over 15,000 moderators. What was not clear from the Inquiry was whether that is enough, and the Inquiry concluded that the technology companies need to understand much better the scale of the problem. The inquiry said that only once the scale of the problem is known can the resources be known to be adequate, or not as the case may be.

The Inquiry made 4 key recommendations;

1. The Government should require industry to pre-screen material before it is uploaded to the internet;
2. The Government should lead international cooperation to ensure that those countries hosting indecent images of children take stronger action to have them removed;
3. The Government should introduce legislation to require more stringent tests to ensure that users are the age they say they are;
4. The Government should publish the interim code of practice in respect of child sexual abuse as proposed by the online harms paper.

These are all sensible recommendations which should help to reduce the scale of the problem. However, there were no recommendations which would have held the technology companies to account for the damage that is caused to victims of this abuse. We asked the Inquiry to make the internet companies accountable by either paying compensation or introducing a levy on income to ensure that victims of abuse receive the help and compensation they deserve. There was a recommendation that the Criminal Injury Compensation Scheme should be reconsidered to ensure that these offences are brought within the definition of ‘crime of violence’,

but that is a taxpayer funded scheme and it would have been better if the Inquiry had concluded that it should have been the multi-billion dollar internet companies that should be accountable and responsible for such payments.

Kieran Chatterton

Solicitor, Child Abuse Department
Switalskis Solicitors

Audacious Attempt to Overturn Positive Claimant decision Fails

By: David Greenwood, Switalskis

Haringey LB v FZO [2020] EWCA Civ 180

The hitherto pretty successful trio of Michael Kent, Nicholas Fewtrell and Anthony Maden have been stopped in their tracks by the Court of Appeal which upheld the decision of Mrs Justice Cutts to waive the limitation period in a non-recent child abuse claim.

The Claimant had been groomed as a 13 year old by his PE teacher in the 1980s. The teacher who broke down his psychological barriers and engaged him in sexual activity beyond the age of consent and after he had left school. The perpetrator had pleaded guilty in 2012 and served almost 6 years in prison.

The Defendants used the well worn tactic of adding up minor inconsistencies in an attempt to persuade the judge that they were so heavily prejudiced that the time limit should not be extended. Mrs Justice Cutts found that in this case possible inconsistency in evidence did not render claimant entirely unreliable or untrustworthy of belief as the Defendant had submitted.

The case was subject to extreme attack of the type we have seen succeed in the past. Orchestrated by Michael Kent QC, Nicholas Fewtrell and using the evidence of the psychiatrist Professor Anthony Maden, the attack had to be extreme as the perpetrator had pleaded guilty and was still alive.

The Defendants team embarked on an all out assault on the Claimant by alleging he was variously mistaken due to past drug use, and they even alleged he had tried to persuade clinicians to re-categorise his diagnosis to enable him to avail himself of insurance. In the face of these attacks the judge was forced to make decisions on the claimant's credibility which inevitably bled into her determination on limitation. The court of appeal had no sympathy for the Defendant's argument in the Appeal that the judge had decided the claimant's credibility when considering limitation (something judges are generally warned against). The court of appeal judges rejected this ground of appeal saying the Defendant's legal team had brought it upon themselves and that the judge had, by their heavy handed tactics, been forced to evaluate credibility alongside limitation.

Professor Anthony Maden employed an argument "I don't believe him because of all the many minor inconsistencies but if I'm wrong then he has suffered seriously due to the abuse alleged". Here the judge was forced to analyse the claimant's credibility and rejected Professor Anthony Maden's characterisation of the claimant.

Mrs Justice Cutts dealt with Professor Anthony Maden's allegations of inconsistency at

paragraph 168-178 of her judgement. These paragraphs are produced below at the end of this article.

Professor Anthony Maden also alleged that Complex PTSD could not be a diagnosis as (1) it hasn't been formally published in the formal psychiatric diagnosis book (ICD-10) and (2) because the claimant didn't suffer a "trauma" by way of a threat to personal integrity. This was said to be on the basis that the claimant was groomed gradually and "consented" to the abuse. Mrs Justice Cutts rejected these arguments, preferring the more reasonable evidence of the Claimant's expert psychiatrist Dr Jane O'Neill.

On the issue of causation Professor Anthony Maden also suggested that because the claimant maintained a friendship with the Defendant the contribution of the abuse to his psychological problems must have been minor. This was again rejected.

These were indeed extreme and audacious tactics from Messrs Kent, Fewtrell, using Professor Anthony Maden and I am pleased the Court of Appeal decided that Mrs Justice Cutts had given an exemplary judgement with which they would not interfere.

This judgement is hopefully the beginning of a recognition that Defendants are not as prejudiced as they like to make out to the courts. Judges please take note…

(Extract from the original judgement dismissing Professor Anthony Maden's evidence. Perhaps more judges ought to take apart Professor Maden's evidence in the same way).

Mrs Justice Cutts :

1. *Whilst I accept that there are some inconsistencies in the claimant's account I do not accept that Professor Maden is correct on every occasion that he criticises the claimant on the basis of inconsistency. By way of example I do not accept that the school records from Highgate Wood are inconsistent with the claimant's account. They are wholly silent on the issue of whether or not the claimant was disengaged with his education because of the abuse. That is to be expected as the other teachers were unaware of it. It is not in dispute that the abuse was in fact occurring. These teachers saw the claimant as often absent and unmotivated. They do not seek to say why. The two things are not in any sense mutually exclusive.*

2. Professor Maden was particularly critical of perceived inconsistencies in the claimant's account of his childhood home circumstances. He was reluctant to accept that the family was as poor as the claimant has made out, pointing to the fact that he went to Franklin House, a private school, when he first left Highgate Wood and that his father was a director of a steel construction company which had a contract for work on the construction of the Barbican. He was sceptical about the claimant's account that in spite of his success his parents did not come to watch him swim or act in the West End. He pointed out in his report that neither FZOJ nor the first defendant make any mention of the claimant appearing in Oliver in the West End which he would have thought would be a notable event, thus questioning whether such a thing

happened at all.

3. I accept that there are some inconsistencies in the evidence about the claimant's family but they are not in my view of great consequence. I do not accept Professor Maden's criticism of the claimant in this regard. This in part is because he has made assumptions as to what he would expect of parents in the same situation as those of the claimant. Although it is right to say that FZOJ did not speak in her witness statement about the claimant being in a West End production of Oliver she confirmed in evidence that he had. This was before he went to Highgate Wood School. There is nothing unusual in those circumstances in my view of the first defendant failing to mention the fact. FZOJ said her parents had been to see him in that production. She was less sure that her parents had been to see him swim. Professor Maden has expressed scepticism that parents would not watch a successful child of the claimant's age saying it is "inherently implausible". I do not accept that this is the case against the background of a hard working self-employed father and a mother with other children.

4. As to the family's means I am prepared to accept that the claimant has described their financial situation in somewhat dramatic terms but in my view this does not distort the general picture that his family were less well off in his younger years, becoming more comfortably off as he got older. There is nothing in FZOJ's account to contradict that. Her evidence that in general terms her family was working class and not particularly well off but able to afford electricity and gas and put food on the table does not mean that the claimant's account of them getting better off over time is untrue. She was not asked to concentrate on any particular period of her childhood, only asked about this aspect of her evidence in the most general terms.

5. Finally it seems to me that Professor Maden in finding inconsistency in the claimant's account has made assumptions not borne out by the evidence. It may be that the claimant's father was a director of his own steel construction company but aside from the evidence of the claimant who described it as a "one person company" there is no evidence as to the size of it. He may have had a contract at the Barbican but again there is no evidence of the size of that contract in relation to the size of the project overall. There is thus no proper evidential basis to use that fact as gainsaying the claimant's account that money was tight in his childhood. The same can be said for the fact that the claimant went to private school for a short time. Without knowing more about the school beyond the claimant saying that it consisted of two rooms in a church and any fees charged it is not possible to say that this fact again contradicts the claimant's assertions about the means of his family.

6. There are however four areas of the evidence where it seems to me that the

the defendants' criticism of the claimant in terms of inconsistency or unreliability have greater force.

7. The first concerns the claimant's account that when the abuse started he was pre-pubescent and feared that he may be pregnant to the extent that he believed he felt an arm in the area of his abdomen. He said that his nipples were also getting bigger. He said that he spoke with his mother about this fear and she simply told him that he was not pregnant but going through puberty. The claimant spoke of this to emphasise his naivety concerning sexual matters at the time the abuse began. It is perhaps surprising that a boy of 13-14 years of age even in 1980 would believe he may be pregnant. The claimant's account that he told his mother also does not sit easily with his evidence that he did all he could to avoid his parents finding out what was going on for fear that he would be despised and thrown out. There is no dispute that he was being sexually abused by the first defendant at this time. Whatever the circumstances of that it seems likely to me that he would not have wanted his parents to find out. In those circumstances I have difficulty accepting that he had this conversation with his mother. This is perhaps an example of him exaggerating and being overly dramatic in his anxiety to convey how naïve he was.

8. In 1996 the claimant had one consultation with Dr Read, a psychiatrist, as a result of binge eating, bulimia and feeling depressed. Dr Read in a letter dated 27th November 1996 says that the claimant has had relationships with both men and women. The claimant has admitted that this was not true. He said that he could not bring himself to expose who he was or to disclose the abuse. He said in evidence that he told Dr Read that he had relationships with men and women because of his feelings of self-disgust. He did not want the psychiatrist to think of him in that way or to see the real him. He wanted him to be sympathetic with him. I accept this explanation. These lies are however of importance in this case where the question of causation rests on the accuracy and reliability of the claimant's account to the psychiatrists who gave evidence in the trial. I have given this issue careful consideration and have come to the conclusion that the fact that the claimant lied to a psychiatrist in 1996 does not mean that he lied to the psychiatrists 20 years later in 2016-17. In 1996 the claimant did not disclose the abuse and was plainly not prepared to let the psychiatrist know the real him. In 2016-17 the position was totally different. The claimant had suffered a breakdown in 2011 and has not functioned well since. It is plain from his evidence and in what he has said to his treating psychiatrists that he is now desperate to feel better and to find a way forward with his life. That has caused him to be completely open about his past and to talk about things he has been reluctant to talk about for many years, including the abuse. This is supported in my view by his disclosure to the police in 2012 and the nature of the discussions he has had with his psychiatrists since. It follows that I do not consider that the lies he told in 1996 to Dr Read render him unreliable and incapable of belief now.

Audacious Attempt to Overturn Positive Claimant decision Fails – continued 4

9. The claimant in this trial has not hidden that he has in the past been a user of cocaine. There is however a discrepancy between his evidence that he last used cocaine in Spain in 2009 and records of what he said to medical staff at the Capio. A letter written by Dr Basquille, the claimant's treating psychiatrist in the Capio, in July 2013 states under the heading "past psychiatric history" that the claimant in 2011 attempted suicide after a binge on alcohol, cocaine and benzodiazepines at a time when he was taking cocaine weekly which helped him to concentrate. Although it would usually be reasonable to assume that this must have come from the claimant it is in my view far from clear. There is a nearly contemporaneous document in the medical records dealing with the claimant's use of cocaine in the handwritten admission note for his first admission to the Capio on 21st November 2011 in which it is noted "cocaine. 1g weekends. Snorting. Last used 3 days ago". This does not however support that which is said by Dr Basquille in his letter two years later. No contemporaneous note from the Capio records any such binge. The claimant disputes that which is in Dr Basquille's letter, saying that he had no such binge. He disputes that he took cocaine 3 days before his first admission to the Capio. In many ways it is difficult to understand why a member of the medical staff would have written that if it was not said. On the other there are other factual inaccuracies in the note. In my view the position is far from clear. I do not consider in those circumstances that the evidence on cocaine renders this claimant unreliable or unworthy of belief.

10. The claimant has repeatedly said that he moved from job to job in his adult life as he found it difficult to integrate with his work colleagues and often felt isolated from them. He feared being found out for the evil person he was. Professor Maden and counsel for both defendants argue that such contemporary witnesses as there are from some of these companies do not support this view. There is force in these submissions. I do not however consider that these discrepancies are such that they should cause me to reject the claimant's evidence as wholly unreliable. It is clear that, aside from a wobble in 1996, until 2011 the claimant was able to function reasonably well at work. He was clearly talented in the IT field. It is entirely possible that a person can see themselves very differently from the way they are seen by others. It is realistic to assume that the claimant's work colleagues did not see him every minute of every day and that they were not socialising every single night. I do not therefore consider that the failure of some colleagues to see that the claimant felt isolated renders him such an unreliable witness and historian that his claim could not succeed.

11. In conclusion I find that whilst there is some inconsistency in the evidence and that it can properly be said that at times the claimant has exaggerated or over-dramatised aspects of his evidence these are not such that the claimant is rendered so unreliable or incapable of belief that his claim must fail. They are matters to which, if the limitation period is disapplied, I would have careful regard in assessing the claimant's evidence and the extent to which I accept it.

You can find the full decision by clicking here.

David Greenwood, Switalskis

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Upcoming Events

- **APIL Abuse Conference 2020. London.**
  NEW DATE: Friday 13th Novemebr 2020 - Currently awaiting full details of the program.