

handed down on 26 July 2000. The judgment noted there were five other cases which remained outstanding "for various reasons" along with "some 28 new claims that [had] been notified within the last few months". It also noted that the findings in the Waterhouse Report (first published in February 2000) had assisted with the litigation and enabled the defendants "to make a number of admissions and thus shorten the litigation". Mr Justice Scott Baker dealt with unresolved issues of liability for some claimants, causation and the assessment of quantum for each claimant, finding that each claimant was entitled to damages (and that in most cases the defendants had wholly or largely admitted liability) and assigning various awards to each claimant.

74. Flintshire CC unsuccessfully appealed regarding the order on quantum in respect of one claimant (see further detail in response to Q8(j) below). I understand that the claims brought after the "cut-off" date against Flintshire CC were eventually settled with costs.

Gwynedd Tranche

75. I understand that defences were filed in respect of these claims between 1998 and 2000 (depending on when the claims were filed) and that witness and expert medical evidence was produced in a number of the claims, but that ultimately payments into court were made and 14 claims were settled before trial, which had been listed for October 2000. I understand that at least one other claim was discontinued and another not pursued due to a failure to comply with the Practice Direction.

Third Tranche

76. In relation to the claims against Bryn Alyn in the Third Tranche, as explained above, Zurich was not involved in the litigation between 2000 and 2006 and so I refer to the history set out in RSA's Case Summary (**Exhibit DN1/4**) for further detail covering that period.
77. In light of the finding that RSA was not the insurer of Bryn Alyn prior to 22 August 1976, the claimants' solicitors, Uppal Taylor, conducted investigations to identify the existence of earlier insurance. This resulted in the identification of an insurance broker (Geoffrey Evans) who gave evidence that Eagle Star had insured Bryn Alyn prior to 22 August 1976. Consequently, in June 2007, 12 of the claimants in the Third Tranche (four of the lead and eight of the non-lead claimants) who suffered abuse prior to 22 August 1976 at children's homes operated by Bryn Alyn