

injury was attributable, might be capable at that time of giving rise to an action for damages;

(f) the steps, if any, taken by the plaintiff to obtain medical, legal or other expert advice and the nature of any such advice he may have received.”

442. Bearing in mind the provisions of this section, I have come to the conclusion that it would be equitable to allow this action to proceed. There is, it seems to me, minimal prejudice to the defendants who have largely admitted the aspects of the claim that I have found proved. The position would have been otherwise with regard to the allegations of sexual abuse that I have found unproved. Furthermore, I am well aware that it is very painful for many, if not all, of these claimants to bring to the forefront of their minds and relive events that occurred long ago. The Waterhouse Enquiry has brought matters into the public domain and recently helped this painful exercise. I do not think the evidence on the matters I have found established is any less cogent than it would have been had the action be brought in the time allowed and I think it would be wrong to prevent M from recovering relatively modest damages for abhorrent behaviour on the part of the defendants.

## SUMMARY

443. Each one of these claimants has established an entitlement to damages in a greater or lesser amount, although I point out in fairness to the defendants that in most of the cases liability was either largely or wholly admitted and the main issue has been the assessment of damages. There is a great sense of indignation that vulnerable teenagers should have been treated so disgracefully in places where they and the public had every right to believe that they would be safe. The court’s task has been to put into monetary terms the loss that each of them has suffered as a consequence of the abuse. This exercise has involved first quantifying a conventional figure for pain, suffering and loss of amenities and then quantifying any financial loss such as lost earnings or the cost of psychotherapy. The conventional figure is of course first of all dependant on what the court finds has occurred in the particular case and secondly has to bear some relationship to awards made by the courts for other kinds of injury. Psychiatric damage is particularly difficult to evaluate in monetary terms particularly when, as in this case, the damage was inflicted on teenagers who had not developed completely as individuals. Also, in each case there were other adverse factors operating quite apart from the abuse. In these circumstances it is hardly surprising that there has been such a great variance between the amounts sought by the claimants and the amounts submitted to be appropriate by the defendants. The amounts I have awarded are as follows:

Claimant	Pain, Suffering & Loss of Amenities £	Lost Earnings		Psychotherapy £	Total £
		Past £	Future £		

B	35,000	20,000	5,000	10,719.80	70,719.80
C	7,500				7,500.00
D	2,500				2,500.00
E	50,000	20,000	17,500	6,525	94,025.00
F	30,000	10,000			40,000.00
G	25,000			5,000	30,000.00
H	24,000				24,000.00
J	15,000				15,000.00
K	5,000				5,000.00
L	2,000				2,000.00
M	14,000				14,000.00