

individual can be identified. Our experience is that often the names provided are wrong or incomplete.

- 6.6 The Council investigate claims as fully as possible and considers the merits of each claim in context of the legal frameworks and on a balance of probability. In view of the historic nature of the claims, and taking into account the Limitation Act 1980, unless there is clear evidence in support of a claim, claimants will generally be put to strict proof.
- 6.7 The Council is and has been very mindful of the difficulties faced by child sexual abuse claimants when bringing claims and have endeavoured to manage these claims as sympathetically and empathetically as possible. However, the Council also has a duty to safeguard the public purse. As previously set out, a large proportion of the claims relating to Stanhope Castle School are not covered by insurance and therefore public money funds any damages and costs paid. We therefore cannot pay out on these claims where there is no legal justification to do so.

The nature of the Council's relationship with (i) their insurer(s); and (ii) their lawyer(s)

7. Where insured periods were covered by MMI a claims 'run-off' service is provided by Zurich Insurance who appoint independent external solicitors in child sexual abuse cases. In these cases, as insurance is in place, responsibility for making decisions lies with Zurich.
- 7.1 Claims for uninsured periods are handled by independent external solicitors further to direct instructions from the Council.

Details of any policies and guidance relevant to the handling of CSA claims by the Council

8. In respect of child sex abuse allegations, the authority does not have any policies or written guidance for dealing with claims. All staff members involved with the handling of these claims have extensive claims handling experience and are guided by advice from independent external solicitors.

whether they were still instructed in respect of this claim. On 10 August 2017 the Council received an email from DAC Beachcroft advising that the claim was not being pursued.

9.16 **Name Redacted**

The claimant alleged that he was at Stanhope Castle School from **DPA** 1972 until approximately **DPA** 1975 and then was re-admitted to the school on **DPA** 1975 until **DPA** 1976. He alleged that he was subjected to violence and physical abuse.

Social Care records were traced and provided to Zurich. A letter of response dated 23 October 2013 was sent to the claimant's solicitors denying liability and requesting medical, hospital and any counselling records and any medical report upon which they intended to rely.

DWF were initially instructed to act on behalf of the Council. They received the claimant's GP records and pointed out to the claimant's solicitors that the claimant had made a claim in respect of an accident which showed that he had both the capacity to litigate and the knowledge of the possibility of making a civil claim for compensation and requesting that the claimant's solicitors provide reasons for the claimant's delay in litigating this alleged claim. It would appear from the claimant's solicitors response that their client had litigation in mind for 2 or 3 years. They were therefore invited to withdraw the claim.

DAC Beachcroft took over handling of the claim for the Council. On or around 8 August 2017 DAC Beachcroft wrote to the claimant's solicitors enquiring as to whether they were still instructed in respect of this claim. On 10 August 2017 the Council received an email from DAC Beachcroft advising that the claim was not being pursued.

9.17 **Name Redacted**

The claimant alleged that he was at Stanhope Castle School from **DPA** 1969 until **DPA** 1972. He alleged that he was regularly subjected to violence and physical and mental abuse by members of staff.

Social care records were traced and provided to DWF, who were initially instructed on behalf of the Council. A letter of response was sent to claimant's solicitors on 13

October 2014 stating that the claim is statute barred. The claimant's solicitors responded stating that the claimant was unaware that he could make a claim until he met **Name Redacted** at the end of 2013. Further, he was aware that school was closed and this further compounded his view.

Following discussions with DWF an offer was made to settle the claim for £1000 which was accepted.

9.18 **Name Redacted**

The claimant alleged that he was at Stanhope Castle School between **DPA** 1973 and **DPA** 1975. He alleged that he suffered physical abuse from several teachers before being removed from the school.

The matter has been repudiated on the basis that the claim is statute barred and all of the conduct alleged against the School represented lawful chastisement when judged by the standards between 1973 and 1975.

On or around 8 August 2017 DAC Beachcroft, who were instructed to act on behalf of the Council, wrote to the claimant's solicitors enquiring as to whether they were still instructed in respect of this claim. On 10 August 2017 the Council received an email from DAC Beachcroft advising that the claim was not being pursued.

9.19 **Name Redacted**

The claimant alleged he was at Stanhope Castle School from **Name Redacted** 1977 to **Name Redacted** 1978. He alleged that he was subjected to constant physical abuse.

The matter has been repudiated on the basis that the claim is statute barred.

On or around 8 August 2017 DAC Beachcroft, who were instructed to act on behalf of the Council, wrote to the claimant's solicitors enquiring as to whether they were still instructed in respect of this claim. On 10 August 2017 the Council received an email from DAC Beachcroft advising that the claim was not being pursued.

9.20 **Name Redacted**

The claimant alleged that he was at Stanhope Castle School from **DPA** 1975 until **DPA** 1979. He alleged that he experienced regular physical abuse.