

# **Victims and Survivors Forum Consultation on Redress: Summary Report**

**October 2020**

# Introduction

Engagement with victims and survivors is an important part of the Inquiry's work. It builds on the information we hear through our investigations, our research and through the Truth Project. The Victims and Survivors Forum is open to all victims and survivors of child sexual abuse. It was set up to facilitate this engagement, making it easier to ask questions, offer suggestions, and for the Inquiry to gather the views of victims and survivors.

So far, we have held three workshop series with Forum members. In April 2019, we met with the Forum to explore the topic of the [criminal justice system](#). In July and August 2019 we discussed [culture change in relation to child sexual abuse](#). Most recently, in November 2019, we spoke with Forum members about [accessing records](#) relating to the abuse they suffered.

A series of workshops were planned for March 2020 to explore the subject of redress. Due to the covid-19 pandemic, the Inquiry was only able to carry out one of these events, in Manchester. As the Inquiry was unable to hold face to face events, we developed an online questionnaire for members of the Forum on the topic of redress. 22 members attended our event in Manchester and we received 127 responses to our online questionnaire.

The online questionnaire was split into two sections. The first section gathered statistical information about those that had or had not tried to access redress for the abuse they suffered. The second section asked Forum members about their personal experiences and their views on redress schemes, both their features and how such schemes should operate.

This report combines the feedback from the online questionnaire with that we heard during the Manchester workshop. It first presents the statistical data we collected, before summarising the themes that emerged from Forum members' comments at the Manchester event and the written responses received.

The Inquiry would like to thank everyone who took part in this consultation.

# Background

The Inquiry has heard that child sexual abuse can have wide-ranging and serious consequences. For some victims and survivors these effects endure throughout adult life. Child sexual abuse can affect psychological and physical well-being, family and intimate relationships, faith, and education and career.

Some victims and survivors may attempt to seek redress for the abuse that they suffered. Redress means different things to different people. Generally speaking, it is an attempt to acknowledge the wrong and harm done to victims and survivors of child sexual abuse. It may include financial compensation, apologies and the provision of formal support services.

Existing avenues for redress include the Criminal Injuries Compensation Authority (CICA), the civil justice system, and directly from an institution. CICA provides financial compensation to victims of violent crimes. Additionally, victims and survivors can make a claim in the civil courts against those who failed to protect them from the abuse they suffered. Institutions may also offer redress directly.

Sometimes redress for victims and survivors of child sexual abuse is offered through a formal redress scheme. Redress schemes can be set up by institutions, local authorities or national governments. For example, Lambeth Borough Council and the governments of Ireland, Scotland and Australia have all introduced forms of redress schemes. Schemes can be established for a particular group, such as the victims of an individual abuser or institution. Following a [recommendation](#) from the Inquiry, the UK Government introduced one such redress scheme, specifically for surviving former child migrants. Redress schemes can also be used more generally for a group of victims of a particular type of crime.

During the Accountability and Reparations [investigation](#), the Inquiry heard evidence about redress and redress schemes. We heard evidence from victims and survivors about their experiences of accessing redress through existing avenues in the first phase of the hearings. In preparation for phase two of the investigation, a questionnaire on this topic was sent to victim and survivor Core Participants. It received 19 responses. We also heard evidence about redress and redress schemes during this second phase of hearings from lawyers, insurance experts and other professionals. We wanted to hear more from Forum members about their experiences and views.

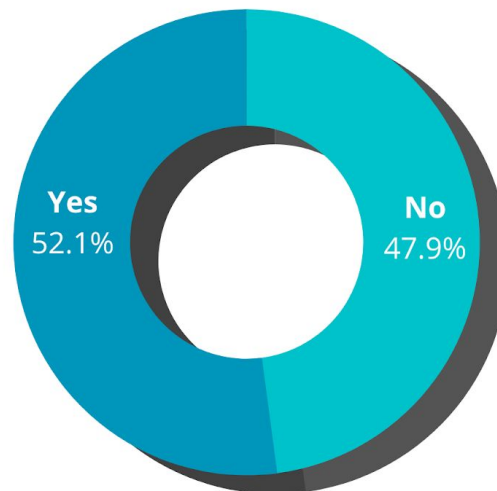


# What did the Forum say?

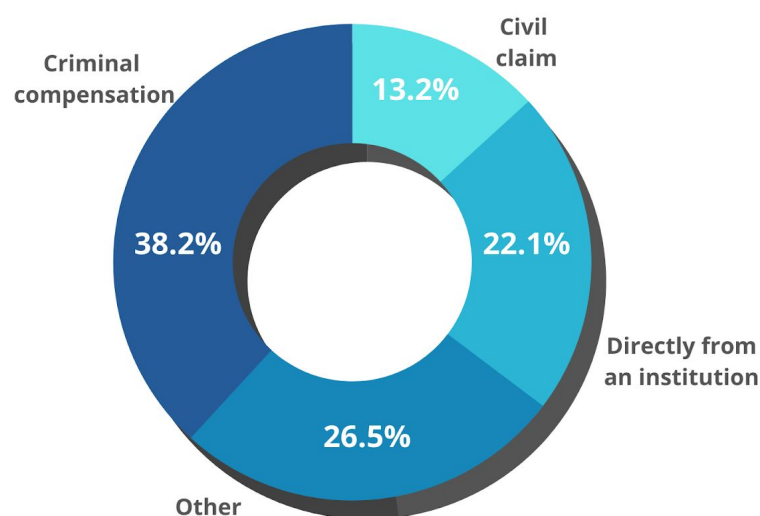
## Quantitative information

The first section of the online questionnaire gathered quantitative information on Forum members' experiences of redress.

1. The first question we asked Forum members was "have you ever sought redress for the abuse you suffered?". We received 121 responses to this question.



2. We then asked those who had sought redress how they had done so. We received 68 responses to this question.<sup>1</sup>

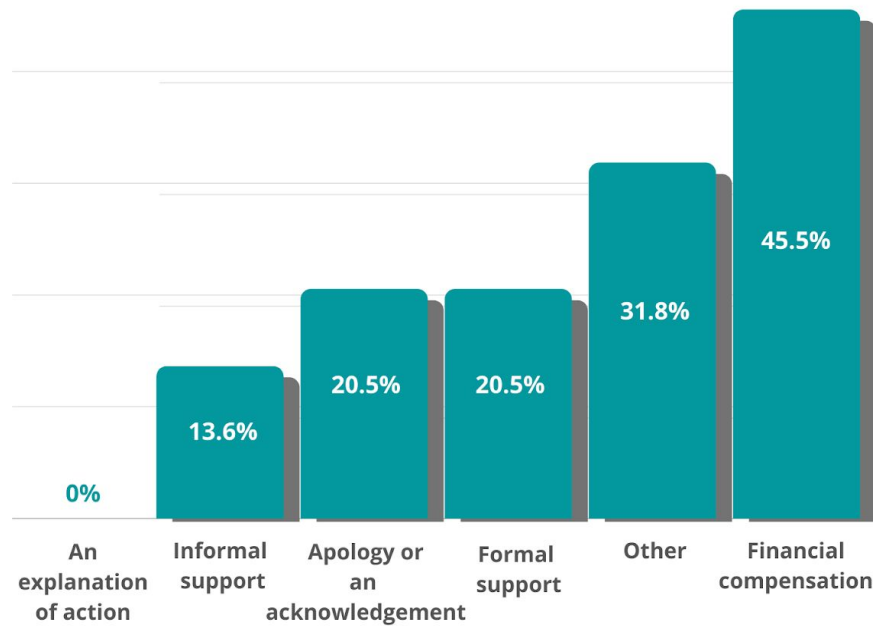


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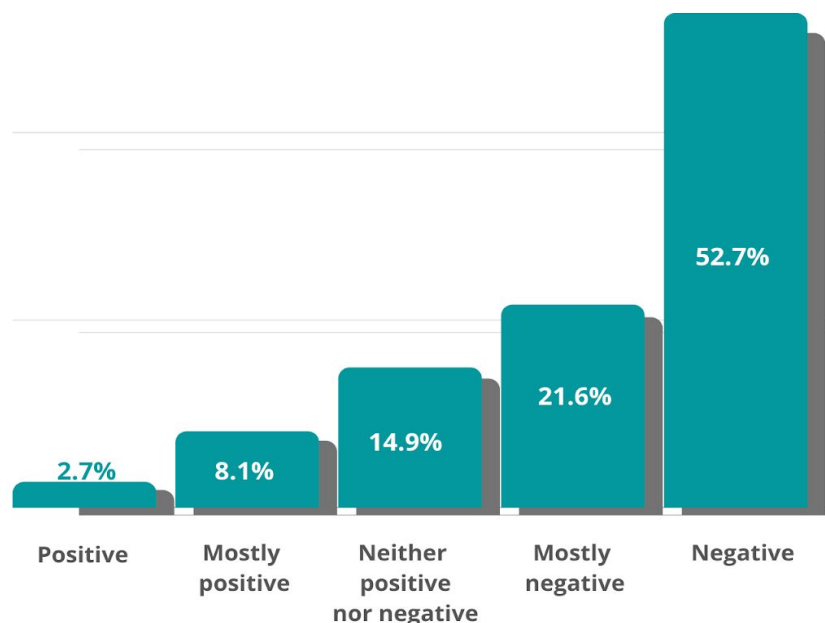
<sup>1</sup> This number is higher than the amount who answered "yes" to question one. This is because some Forum members chose to answer question two without answering question one.

Those that answered “other” described different methods of seeking redress. Some had tried to speak to specific staff members at institutions, others had sought support from medical professionals and a few had tried to find records about the abuse they suffered.

- The questionnaire then turned to the types of redress received by Forum members. To explore this topic we asked “did you receive any of the following as a result of seeking redress?”. We received 44 responses to this question.



- The final question asked Forum members to reflect on the overall process of seeking redress. We asked “what was your overall experience of seeking redress?”. We received 74 responses to this question.



Question one - What is your experience of seeking redress, for example financial compensation, an apology, an explanation of actions to prevent child sexual abuse, or provision of support? If you haven't sought redress, was there a particular reason for not doing so?

Forum members who did seek redress

1. As noted above, Forum members sought redress through a range of different means. These included the CICA, the civil justice system and directly from institutions. Some of the issues we heard about were only relevant to particular systems through which victims and survivors sought redress. Many, however, were common to the experiences victims and survivors had across these bodies.

### *Experiences of financial redress*

2. Most commonly, Forum members told us that they faced administrative issues while seeking redress. Two challenges emerged, both of which related to CICA. Firstly, CICA requires that applications for compensation must be made within two years of the crime taking place, although there are a number of exceptions to this rule. For example, claims for child sexual abuse cases, must instead be made within two years of the child turning 18. Additionally, CICA staff have discretion to grant an extension if the applicant did not apply earlier due to exceptional circumstances. The issues that victims and survivors face in disclosing historic child sexual abuse cases can be categorised as an "exceptional circumstance". We heard from some Forum members that they had their claims rejected on the grounds of the two year rule, however, many went through an appeals process following this judgement in order to secure a redress package. Secondly, the time that had elapsed since the abuse also made it harder to provide CICA with the evidence required during the application process. As one individual told us, "I applied to CICA but I was turned down due to no longer having access to the police and court records because my abuse happened over 50 years ago and the records were not kept that far back. So I just gave up".
3. Some of those who received financial compensation noted that they were left with negative feelings about the awards. For most, this was due to a sense that the compensation did not adequately represent, or account for, the full impact of the abuse they had suffered. One summed up the impact of receiving what they felt was a small award, "I was left feeling that the abuse I

suffered was irrelevant and minor”. Another explained how they felt when CICA calculated their award on the basis that the damage caused was “non permanent”:

“I was so angry... how could they say it wasn't permanent? I was 45 years old. I had been suffering with depression all my life. How could they possibly know it wasn't permanent? I was furious. Not only did he steal my childhood but he stole my future; my ability to ever own my own home, or to have a successful career”.

This Forum member also reported being told that they were not eligible to have their counselling expenses reimbursed, partially because they had not been employed at the time they were abused, “I was furious - I was a child [at the time of abuse]!”.

4. Some thought that small awards suggested that the organisations set up to provide redress did not have a good understanding of the impact of child sexual abuse. For example, one victim and survivor said “I was disappointed that they never asked what the long term impact of the abuse was”.
5. Several other individuals felt uncomfortable about receiving financial compensation for the abuse that they had suffered. For example, one Forum member said, “the financial compensation has in honesty been difficult to get my head round. It feels like 'blood money' and I've not touched any of it since it was allocated to me. I understand that there are few ways that people can be compensated yet it did not sit well with me at all”.

### *Emotional impact of seeking redress*

6. Many Forum members told us that there was a significant emotional impact to seeking redress. Some described the process as retraumatising and told us that it had caused them harm. For example, one individual said “[My] past experience [was] appalling, [I was] left with further distress and confusion by solicitors, social services [and] CICA: all organisations that are meant to support [me] caused more harm”. Another Forum member, who had received redress following a civil claim, said they were not able to take any positives from the experience. This was because they said they were treated as “collateral” by the “no win no fee” legal firm who had taken on their case.
7. A related, but distinct, issue was that some Forum members felt that they had been treated poorly by those from whom they had sought redress. This was primarily raised by those who had engaged with the institution in which they were abused, or through the civil justice system. These victims and survivors told the Inquiry that they had felt dismissed. One individual said “they only



wanted to cover it up”. Another member told us that they had been informed of the institution’s view that they had “consented” to the abuse they suffered as a child.

8. Another prominent theme was that seeking redress had been a protracted and complex process. This exacerbated the negative emotional impact it could have. Many Forum members had spent years seeking redress from CICA, through the civil justice system and directly from institutions. One victim and survivor articulated the impact of this: “Barriers in the system, including delays - you have to fight for everything and it puts you off and you can feel belittled”. Another felt that this long and complex process meant there was a personal ‘cost’ to seeking redress, “It’s a very difficult process, that is both costly on time, effort and energy”. This quote from an individual, who had sought redress from the institution in which they were abused, sums up the experiences of many:

“The whole experience which has lasted years has been a time of hypervigilance and anxiety on an almost daily basis”.

9. It was clear from the responses we received that very few had a positive experience overall. Nevertheless, some positive aspects were identified. For example, a number of Forum members talked about how having their “day in court” during civil proceedings had been an important stage in their recovery process. One individual had a positive experience seeking an apology from the institution in which they were abused:

“I really felt the person I met...was very, very genuine. She got on her knees and apologised on behalf of the school. She said, ‘I hope I never have to meet another situation like you went through ever again’.”

## Forum members who did not seek redress

### *Lack of awareness*

10. The most common reason why Forum members had not sought redress was a lack of awareness. Many told us that the Inquiry’s consultation was the first time they became aware of the concept of redress. For example, one Forum member told us “everything and everyone around gave out [the] vibe [of] ‘no help get over it’”. Others had heard of redress, but did not know how to start the process. This was often a matter of frustration. One victim and survivor told us:

“I wish I had sought redress. I wish I had known how”.

## *Concerns about the emotional impact of seeking redress*

11. A number of Forum members had not sought redress because they felt afraid. For some, this fear was related to disclosing information about the abuse they had suffered. One individual said, "I was scared [that] to get redress I would have to say more than I want people to know". Others were afraid that the process of seeking redress would be unpleasant. For example, a Forum member told us:

"I worked with victims/survivors and was party to the acute suffering and deprivation involved in the redress process. This too influenced my attitude to my own case. I did not think I had the stamina to endure what I saw some of my clients endure".

12. For some victims and survivors, shame was the reason that they had not sought redress. Primarily, this was due to a sense that they would be judged negatively by society if they disclosed that they had been sexually abused as a child. One Forum member said that shame made them feel "dirty". Another commented that "cultural barriers, such as victim blaming and denial, meant that I felt pressure to keep silent about my experiences...the main barrier was the silence and ignorance of the wider society".

## *Practical barriers*

13. Other Forum members had not sought redress because they felt that they would not be successful or would not receive an adequate package. For some, this was due to feeling that they would not be believed. One victim and survivor summarised their feelings about the challenges they faced "I mainly didn't seek redress because it was hopeless". For others, this belief was due to a general scepticism of statutory services, and a sense that systems did not function well for vulnerable people. This point was made by one member when they said "It's very difficult to get redress...unless you have lots of money you've little or no chance of getting compensation".

14. Victims and survivors of child sexual abuse can face a wide range of challenges to disclosing the abuse they suffered. It can take years or even decades for them to feel able to do so. A number of Forum members discussed feeling like it was "too late" to seek redress. Some had been given this message by others, including institutions in which they were abused. Others indicated that it was their own view. This view emerged largely from feeling that the elapsed time meant it would be harder to prove that they had suffered abuse. For example, one individual said:

“there is not enough evidence to support my experience, only my word and health difficulties and thus it would be a lot of emotional upset for nothing”.

15. A number of other issues were discussed by a smaller number of Forum members. One such issue was that several victims and survivors were not able to access records relating to the abuse they suffered.<sup>2</sup> This had two main effects. From a practical perspective, it was more challenging to provide evidence of the abuse they suffered. From an emotional perspective, it had left some feeling defeated and as if there were too many hurdles to securing redress. Another issue mentioned by a handful of Forum members was that existing processes do not offer support to applicants. The importance of this feature is discussed more fully below.

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<sup>2</sup> Victims and survivors’ access to records was the focus of a previous series of workshops with Forum members. The summary report from these workshops can be found [here](#).

Question two - Redress schemes can include features such as financial compensation, apologies, an explanation of action, and support services. Which features would be the most important or meaningful to you, and why?

16. We carried out an analysis of the responses we received to this question from the online questionnaire. It is important to note that some respondents discussed only one feature and others discussed multiple features, with many indicating that all four of the options would be important and meaningful. The table below lists the four features in order of how often they were discussed by Forum members.

1. Apologies and acknowledgements
2. Financial compensation
3. Support services
4. An explanation of action

Victim and survivors' views on these options are explored in further detail below.

### *Apologies and acknowledgements*

17. A majority of Forum members stated simply that an apology was the most important aspect of redress. These quotes, from two individuals, reflect this.

“An apology - my life has been destroyed!”.

“An apology, because so many people never apologise or say these words, ‘I am so sorry this happened to you’”.

18. Forum members stressed the importance of an apology feeling sincere and relevant. For some, this meant wanting to receive it from the perpetrator of the abuse they suffered, or from those who had failed to protect them from this abuse. Other victims and survivors focused more on the style of the apology, referencing the value of written communication and an emotive, personal approach.

19. A number of other respondents referenced the importance of an apology being accompanied by practical action to prevent further abuse. Some Forum members noted that apologies can be tokenistic, lacking substance and true engagement with the abuse that has been suffered. For example, one Forum

member said they would like an apology but, in their experience, they are “usually empty”.

20. Some victims and survivors explicitly referenced their desire to receive an apology from the police. This was connected to negative experiences reporting their abuse. For many, this had caused a very significant amount of suffering. One Forum member told us, “going to the police and then court is the worst thing to happen to me in my adult life”. Another individual explained that the police and social services failed to adequately safeguard them from child sexual abuse. They felt that an apology from these institutions would need to acknowledge the “huge harm and repercussions” of their actions. They wrote, “I was 12 when the decision was made and this issue still affects me as a 36 year old woman and has affected my family, my wellbeing, my mental health and feelings of self worth”.
21. It was very common for respondents to discuss how important it is for the abuse they suffered to be acknowledged. Many told us that they felt a deep need for their experiences to be recognised openly. For example, one individual said “some acceptance by the organisations involved would be a start for me to feel less than a 'dirty secret’”. It was also clear that acknowledging the profound impact that abuse can cause is a hugely valuable part of redress for victims and survivors. This is a point that is well summarised by a Forum member who had received one such apology:

“an apology was very meaningful to me, as it acknowledged the impact of abuse on me, even though the writer of the apology was not the abuser”.

Others explored the need for a recognition that abuse should not have happened, “First and foremost an acknowledgement that it did happen and that it shouldn't have been allowed to happen”. For some, this included institutions taking responsibility for allowing child sexual abuse to happen. One Forum member said they wanted “an acknowledgement that [social services] should have intervened and didn't”.

### *Financial redress*

22. Financial compensation was the next most referenced feature of redress.
23. Of those who discussed the importance and meaning of receiving financial compensation, most told us that they would use the money to access support services. Forum members commented on the difficulties they had faced trying to secure appropriate services at the appropriate time. Some stated that they wished to regain control of the process of accessing services by funding them

privately. One individual described their attempt to secure support through their GP as like a “nightmare merry-go-round”.

24. Child sexual abuse can cause financial hardship for a number of reasons. A very common theme amongst respondents was that financial compensation is necessary to directly address this impact on their lives. For example, many Forum members told us that their education had been significantly impacted by child sexual abuse. Others referenced the fact that trauma or mental health conditions, which resulted from the abuse they suffered, had held them back in their careers. One quote from a Forum member reflects many victims and survivors’ responses on this topic:

“Financial compensation would be most important to me because I have suffered spectacular financial loss as a result of having been abused sexually, physically, emotionally and neglected at home throughout the whole of my childhood”.

### *Support*

25. Provision of support was the next most commonly discussed feature of redress. Many Forum members highlighted their need for support following the abuse they suffered. One individual said that it is “the only way forward after abuse”, while another remarked that they did not believe they would be alive “if [they] had not had some amazing counsellors and [their] GP”. It was clear that, for some, there was a need for support to be long-lasting. A victim and survivor told us that they would require “lifelong medical support for [their] post-traumatic stress disorder, without question”.
26. Another theme of these responses was that victims and survivors wished to better understand how their experiences had impacted their lives and how to better cope with this impact. One individual told us “I need help to understand what my abuse has done to me”.
27. We also received a number of comments which expressed frustration at the current levels of support available through public services. For example, one respondent said:
- “There is nothing in my part of [England]. I had to travel 50 miles to get help in the end”.
28. Many Forum members felt that support was necessary to help them progress in their lives. Without it, some felt stuck. For example, one respondent said they would need to “work through [their] buried feelings and trauma” before they would be strong enough to “face the truth and take control”. Another individual said support would enable them to “go on to the next step [of their

journey] with help". A number of others referenced the need for support around criminal trials.

### *Explanations of action*

29. A number of Forum members expressed an interest in the concept of 'explanations of action'. This is where where an institution explains what they have done, and are doing, to prevent child sexual abuse in the future. As noted above, no one in the Forum recorded having received such an explanation. Some respondents expressed their view that this is the form of redress with the potential to make the widest positive impact. One individual said "they can't undo what happened, but I'd like the organisation to acknowledge it and to show how they prevent it happening today". Many others saw these explanations as a way to hold institutions to account: "[an] explanation of action would confirm that they are not just offering sympathy but are actively doing things".

Question three - How would you like the process for seeking redress to be handled? For example, eligibility, the application process, 'fact-finding' or evidence gathering, and funding.

30. This was a broad, open question and we received a wide range of views.

### *Nature of engagement with applicants*

31. The most common theme amongst the responses to this question was that applications for redress should be handled sensitively. A number of Forum members explicitly referenced the need to avoid victim blaming. For example, one member said a redress scheme “must not be victim blaming/shaming. I feel the current systems seek to show we are lying rather than help us”.

32. Some felt that a redress scheme could only ensure the welfare of its applications if it proactively provided support: “support is essential throughout the process and beyond. It may open a Pandora’s box for some”. The value of empathetic engagement from staff working for a scheme was also highlighted. For example, one individual said “A redress scheme must be handled with compassion and empathy - those who are handling redress [should imagine walking] a mile in the shoes of the person seeking it”.

33. Victims and survivors indicated the importance of a person-centred and tailored approach to redress. Forum members frequently told us that they would value personalised engagement. The importance of this flexibility was summed up by one response:

“[I want to be] treated as an individual and not one of many. Having always been a 'number' it would have been nice to feel that my history and experience mattered”.

Some Forum members talked about the value of having staff who were specifically trained in child sexual abuse and the impact of trauma.

34. Another central message was that a redress scheme would need to ensure that its application process was accessible. Forum members said that this meant prioritising simplicity, as well as guidance and support during the application process. Some individuals suggested that this guidance should include visual features, such as videos and flow charts. Others proposed an online portal system through which victims and survivors could track the progress of their application. Some individuals told us that a redress scheme should be well publicised, so that victims and survivors do not miss out for lack of awareness. Another theme that arose was that a redress scheme



should be left open for a long time, as victims and survivors may initially feel nervous about the application process.

### *Funding*

35. Funding for a redress scheme can be sought from a variety of different places including the government, the institution itself and insurers. We heard a range of views about these funding options, as well as the issue of funding more generally.
36. A very common theme was that it was important for a redress scheme to be well funded. Many Forum members indicated that this should be the central priority when deciding issues of funding.
37. A number of victims and survivors stated explicitly that funding should come from the government. For those who offered reasons for this view, many felt that this would mean that the redress scheme could be relied upon.
38. Another group of respondents suggested that funding should come directly from the institutions in which victims and survivors had been abused. Some of these individuals noted that, for them, this would feel like a fairer system and would mean that the institutions were being held to account.

### *Fact finding*

39. Redress schemes can involve 'fact finding' as part of the application process. This is a process by which a scheme seeks to establish whether the applicant was sexually abused. Fact finding requires evidence to be provided and for a scheme to establish that a standard of proof has been reached. We heard a number of different perspectives from Forum members on how this aspect of a redress scheme should be handled.
40. The most common theme in victims and survivors' responses was that fact finding was an important part of redress. Many told us that it would be meaningful to go through this process and have their experiences affirmed. One individual, for example, said that they would support "detailed investigations".
41. Where it was discussed, most Forum members were supportive of the standard of proof of "on the balance of probabilities". Some victims and survivors saw this as a way to ensure that those who had suffered historic abuse were still able to receive redress.
42. There were a number of different views about the nature and quantity of evidence that a redress scheme should require. Some felt that a scheme should ensure evidence is provided and that it is thoroughly checked. For

example, one individual said “there has to be a threshold of evidence to ensure that the redress scheme does not become [something that] unscrupulous people may seek to exploit”.

43. Others felt that a scheme should place less emphasis on evidence. A few respondents suggested accepting evidence that applicants had been in an institution at which abuse had been established, while not requiring further details. This was largely due to victims and survivors feeling that more stringent requirements could create a sense of distrust. We heard from some Forum members that the welfare of applicants should be prioritised when considering the evidence that a scheme requires. For example, one person who made this point said “fact finding and evidence gathering must always be done with the victim in mind”. Another individual said:

“They should not make you jump through hoops. It feels as if we are being treated with suspicion, not with empathy as the victims of crime”.

Some said that it would be challenging to obtain records, or other relevant evidence. One Forum member said that they would need support to get hold of their personal files from the local authority in whose care they had been abused.

### *Independence*

44. Another prominent theme in victims’ and survivors’ responses was that any scheme should be run and managed by an independent body. Many felt that institutions in which abuse has taken place should not play an active role in a redress scheme. Independence was also cited as a way in which victims and survivors could trust a redress scheme: “total independence is key”.

## What happens next?

45. The Inquiry will examine the issues raised by those who took part in this consultation. The information Forum members have provided will, alongside other evidence we have heard, inform the preparation of the Inquiry’s Final Report.