

## COMPENSATION TARIFF FOR APPLICATIONS PROCEEDING UNDER

### THE LAMBETH CHILDREN'S HOMES REDRESS SCHEME

This Compensation Tariff has been drafted with reference to the Judicial College Guidelines (2017), case law and Court approved historic abuse compensation schemes.

The compensation payment is an amount of money which is paid in an attempt to put right the wrong which the Eligible Applicant has suffered. The amount of compensation payment should fairly reflect the severity of the abuse which the Eligible Applicant has suffered and causative consequences which the abuse has had on the Eligible Applicant both in childhood and adulthood.

Lambeth will compensate any Eligible Applicant where there is evidence of them having suffered:-

- physical abuse and/or;
- sexual abuse and/or;
- emotional abuse and/or;
- a recognisable psychiatric/psychological injury which has been caused by the abuse and has been diagnosed by an appropriately qualified expert.

The Compensation Tariff contains 4 compensation tariff bands.

Compensation for psychological abuse will only follow in circumstances where an Eligible Applicant has suffered a recognisable psychiatric injury, diagnosed by an appropriately qualified expert.

Bands 1-3 are designed to compensate for pain, suffering and loss of amenity, including psychiatric/psychological injuries. In addition to medical evidence the following factors will also be taken into account when considering which band is most appropriate to compensate an Eligible Applicant:-

- frequency of abuse;
- effect on relationships with family;
- extent to which treatment would be successful;
- future vulnerability;

- prognosis;
- the extent and/or nature of an associated physical injuries;
- whether medical assistance/help has been sought.

The severity and consequences of the abuse will be assessed with reference to a points based tariff detailed below. The schedules attached to each compensation band provide guidance as to the appropriate level of compensation payment. Rather than aggravating awards for sexual/physical/psychiatric awards the Eligible Applicant will be allocated points which fairly reflects their individual circumstances for pain/suffering and loss of amenity.

In addition to damages for pain/suffering and loss of amenity Band 4 is designed to award additional points for an Eligible Applicant loss of opportunity arising from the abuse and its effects. The standard of proof and test of causation will apply in the same way as damages for pain/suffering and loss of amenity.

- Band 1 - 1-25 points - see schedule 1
- Band 2 - 1-25 points - see schedule 2
- Band 3 - 1-50 points - see schedule 3
- Band 4 - 1-25 points - see schedule 4

Awards payable by way of compensation are as follows:-

- Band 1 - up to £25,000
- Band 2 - up to £50,000
- Band 3 - up to £100,000
- Band 4 - up to £25,000