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# Lambeth Children's Homes Redress Scheme

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## What is the Scheme?

The Scheme deals with applications for compensation payments to people who, as children, were abused or feared abuse at a Lambeth Children's Home and/or Shirley Oaks Primary School.

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The Scheme provides two types of payment:

### 1. Harm's Way Payments

For people who were resident at a Lambeth Children's Home and feared that they would be physically and/or sexually abused, and/or who were neglected and/or suffered cruelty whilst resident at a Lambeth Children's Home where the criteria below is met.

### 2. Individual Redress Payments

For people who suffered sexual abuse and/or physical abuse and/or psychological injury at a Lambeth Children's Home and/or Shirley Oaks Primary School where the criteria below is met.

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## Can I apply for a Harm's Way Payment?

You can apply for a Harm's Way Payment if you can answer "YES" to both of the following questions:

1. Did you live in a Lambeth Children's Home and fear that you would be physically and/or sexually abused; and/or were neglected and/or suffered cruelty?
  2. Did your experience have a negative impact on your childhood?
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## Can I apply for an Individual Redress Payment?

You can apply for an Individual Redress Payment if you can answer "YES" to both of the following questions:

1. Did you live in or visit a Lambeth Children's Home or attend Shirley Oaks Primary School as a child and suffer sexual abuse and/or physical abuse there?
2. Was the abuse committed by a member of staff at the Lambeth Children's Home and/or Shirley Oaks Primary School?

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## Can I apply for a Harm's Way Payment and an Individual Redress Payment?

**Yes, you can apply for both.**

If you are eligible, the Harm's Way Payment will be included in your overall compensation amount.

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## Can an application be made on behalf of a person who is deceased?

**Yes.** If an eligible person is deceased an application can be made for an **Individual Redress Payment ✓**, but **not** for a **Harm's Way Payment ✗**

The Personal Representative can make the application for an Individual Redress Payment by providing a copy of the death certificate, a copy of the grant of probate and proof of identity.

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## How do I apply?

**You need to complete an application form** which will ask you questions about your experiences living in or visiting a Lambeth Children's Home/ Shirley Oaks Primary School.

It is important that you **provide as much information as possible** to help us process your claim.

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## Where can I get an application form?

You can get an application form by:

- Calling us on **020 7926 6980**
  - Downloading one from our website **[lambeth.gov.uk/redress](http://lambeth.gov.uk/redress)**
  - Writing to us at **Lambeth Redress Scheme, PO Box 747, Winchester, SO23 5DP**
  - Visiting the **council's main offices or libraries**
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## What is the deadline for applications?

**All application forms must be submitted by 1 January 2020.**

After that date the scheme will be closed to new claims.

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## Who can help me apply?

You can ask a friend, relative and/or support group to help you complete and submit an application form.

Or you could ask for help from a solicitor.

If a **Harm's Way Payment** is made to you, fixed legal costs will be paid by the council direct to your legal representative for any legal advice you obtained.

If an **Individual Redress Payment** is agreed, your reasonable legal costs and expenses will be paid by the council direct to your legal representative.

The council will not deduct legal costs and expenses from your Individual Redress Payment or from your Harm's Way Payment.

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## What if my legal costs are high?

There is a chance that some people's legal costs could go over the amount the council is prepared to pay.

### **When you first ask a solicitor to help you:**

You need to agree with them what will happen if your legal costs go over this amount. Would you need to pay anything?

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## How do I find a solicitor?

If you wish to have legal help with your application, the following organisations may be able to help signpost you:

**Association of Child Abuse Lawyers** – website: [childabuselawyers.com](http://childabuselawyers.com);  
Tel: 020 8390 4701 (10am-1pm and 2pm-4pm Tuesday and Thursday only)

**The Law Society** – website: [solicitors.lawsociety.org.uk](http://solicitors.lawsociety.org.uk); Tel: 020 7320 5650  
(Monday to Friday from 9am-5pm)

Your **local Law Centre or Citizens Advice Bureau** may also be able to assist you with your application.

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## Who will deal with my application?

Your application will be received by the **Lambeth Redress Team**.

The **Redress Team** will try to confirm your time/placement at a Lambeth Children's Home and/or Shirley Oaks Primary School.

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## What will the Scheme do when my time/placement is confirmed?

- Send a written apology (if requested)
- Offer a meeting with a senior representative of the council
- Make a **Harm's Way Payment** of up to £10,000
- Offer signposting to counselling, therapy or other suitable treatments
- Offer signposting to further specialist advice and help with things like housing, welfare, benefits and employment.

The council will not argue that your claim has been brought too late whilst it is being dealt with in the Scheme.

Applications from people who are also eligible for an **Individual Redress Payment** will be processed further.

If there is any dispute, there is an **Appeal Panel** (see page 6) who will decide if an application is eligible for an **Individual Redress Payment** under the Scheme.

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## How will the awards be assessed and calculated?

### **Harm's Way Payments**

This is a stepped payment up to a **maximum of £10,000**, based on the length of time you lived at a Lambeth Children's Home, as detailed below:

- More than 6 months – £10,000
- 3 to 6 months – £5,000
- More than 1 week and up to 3 months – £2,500
- Less than 1 week – £1,000

Applicants seeking a Harm's Way Payment will need to provide written evidence to support their application.

Applicants who were in a **specialist unit** will receive a payment of **£10,000** which does not depend on how long they were in the unit.

These applicants will not have to provide any written evidence to support their application for a Harm's Way Payment.

## 2. Individual Redress Payments

The Individual Redress Payment is calculated after looking at:

- **How severe the abuse was and the harm it caused you**

Having looked at any medical evidence, compensation will be paid to reflect:

- How often the abuse occurred
- The effect and impact it had on you
- If there are mental injuries alongside any physical injuries
- Your overall prognosis
- The likely outcome following any recommended treatment.

- **Medical Expenses**

- Any additional expenses from medical or psychiatric treatment recommended by the medical expert to deal with the effects of the injuries suffered as a result of the abuse.

- **Other costs and expenses**

- Any other reasonable costs and expenses from making your application. This could include travel costs for attending medical assessments related to your application.

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## How will the Harm's Way Payment and Individual Redress Payment be paid?

When each payment has been calculated, it will be paid in one amount directly into your bank or building society account.

**Please note:** **Individual Redress Payments** may take longer to calculate and process than the **Harm's Way Payments**.

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## What will happen if I have already received compensation for the same abuse?

If you have received compensation for the same injuries from either the perpetrator or Lambeth Council, then this compensation previously received will be treated as an interim payment. This means that if you are awarded an amount under the scheme which exceeds the compensation you previously received, your previous compensation payment will be deducted from your award under the Scheme. If you have received compensation from the Criminal Injuries Compensation Authority (CICA) the council will notify the CICA of any settlement reached under the Scheme.

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## What is the Appeal Panel?

If there is a dispute the **Appeal Panel** decides

1. If your application is eligible under the Scheme
2. The amount of compensation to be awarded to you under both the **Harm's Way Payment** and/or the **Individual Redress Payment**
3. The amount of legal costs and expenses the council needs to pay.

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## What if I am not happy with the amount of payments to me?

If there is a dispute (if you are not happy with the amount) the Appeal Panel can ask for extra written information from the council and from you to reach a fair decision.

**The decision of the Appeal Panel will be final**, regardless of previous offers made.

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## Can I apply if I was abused in foster care?

The Scheme is intended to give redress to survivors of abuse in Lambeth Children's Homes.

The Scheme will also seek to provide redress for survivors who were placed in foster care directly from a Lambeth Children's Home.

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## Can I apply if I was abused by a visitor to the Lambeth Children's Home? Or another child?

The council will look at your application outside of the Scheme at first and if it is accepted that the council were at fault, you will be invited to transfer your claim to the Scheme.

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## Can I change my mind and stop my application?

You can decide not to carry on with your application at any time before accepting the offer of an Individual Redress Payment. You will not have to repay the Harm's Way Payment unless you bring another claim in the future. The Harm's Way Payment will then be deducted from any further payments made to you.

