

## "Lotto Rapist" case and others: landmark House of Lords decision in child abuse cases

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In a landmark ruling, five Law Lords have overturned the current bar on historic claims being brought for sexual abuse. Survivors of sexual abuse can now bring cases for compensation as a result of sexual and physical abuse many years after the events if a court considers that a fair trial is still possible.

Until now survivors of sexual assaults have been unable to bring claims more than six years after an assault or, where the abuse happened in childhood, more than six years after reaching 18. This was an absolute cut off date and not subject to any discretion by the court. Now the courts can exercise their discretion and allow such claims to proceed.

The Law Lords' ruling now means that Mrs A can seek compensation from Iorworth Hoare, who was convicted of attempting to rape her in 1988 and subsequently won seven million pounds on the lottery while on day release from prison.

There are wide implications for this judgement. Survivors of abuse can pursue not only their abusers many years after the event but also, if their abusers were employed, the abuser's employers.

The Law Lords' decision has brought about a long awaited fairer system for survivors of abuse. Because of the nature of abuse, it is not uncommon for survivors to be unable to bring themselves to do anything about the abuse in their past until many years after the event. The ruling finally recognises this and also corrects a long standing anomaly in the law.

The ruling finally enables victims of abuse who until now have not been able to gain justice through the civil courts to proceed. The courts will have a wide discretion to do what is fair and just in each case.

If you are a survivor of sexual abuse, no matter how long ago it happened, you may be able to pursue your abuser or their employer for compensation in the civil courts. You should not delay.

Tracey Emmott is a panel member of the Association of Child Abuse Lawyers. She specialises in civil claims on behalf of survivors of abuse and is already representing clients who wish to pursue their abusers or the abuser's employers in the civil courts.

Tracey and her team will be pleased to assist in any enquiry by you. We recognise the sensitive nature of discussing such claims.

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Please [click here](#) for more information on our Child Abuse team