

Two Hertfordshire women win freezing order at High Court following landmark House of Lords ruling

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Pictons represented two young women at the High Court on 4th February 2008 to secure compensation from their abuser Graham Pope. Pope was jailed in 2006 at Luton Crown Court for 20 indecent assaults on five girls between 1985 and 2000. Two of these women, who cannot be named, now wish to sue him in the civil courts. Pope sexually abused the women when they were children but until last week there was no prospect of getting compensation from him, because they had both passed their 24th birthdays. Their cases were among the first to benefit from last week's landmark House of Lords' ruling against the man known as the 'Lotto Rapist'. This case effectively changed the law on time limits for civil compensation claims by survivors of sexual abuse against their abuser.

Mr Justice Treacy held the women now had 'strong prospects' of overcoming the time limit hurdle and was satisfied that the women had good arguable claims. Although Pope has denied having any financial means to make suing him worthwhile, the court heard that Pope was in the process of selling his property worth around £450,000, where his now wound up Hyundai dealership business is situated. For these reasons the court ruled that assets owned by Pope of £200,000 should be frozen. This sum will be protected until the cases, which were registered at the High Court on the same day, have been fully heard.

Last week the Law Lords ruled that a 79-year-old retired teacher, known as Mrs A, should be paid compensation by Iorworth Hoare, who attacked her in Leeds in 1988 and has since won £7m in the Lotto competition. She was many years past the time limit to bring a civil claim against him, but the Law Lords ruled that the discretion of the court could now apply in such cases.

Claims for compensation for survivors of childhood sexual abuse, previously time barred, may now be possible. Until the House of Lords' ruling the only redress for survivors was limited compensation from the Criminal Injuries Compensation Authority, a government body funded by tax payers' money. Now survivors can pursue their abusers direct. The ruling has corrected a long standing injustice and anomaly in the law.

Of significance too is that even if the abuser does not have any assets if he was employed at the time of abusing it may be possible to pursue his employer many years after the abuse.

Tracey Emmott, a specialist in child abuse law at Luton-based solicitors Pictons who is representing the women, was delighted with the High Court ruling, seeing it as clear recognition of the court's changed attitude to survivors of sexual abuse. She hopes to achieve adequate compensation for her clients to put them back in the position they were in had the abuse never happened, in so far as that is ever possible. One of her clients went to university but soon after suffered a breakdown and is too ill to work. Her loss of earnings claim may be substantial. Compensation will also aim to cover psychiatric treatment costs to help the women get better.

Pictons has a team of specialist child abuse lawyers who can advise you whether you now have a chance of pursuing for compensation someone who abused you or someone you know.

Please contact Tracey Emmott or Emma Anthony who will be delighted to discuss your case with you in confidence:

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