

## Civil compensation claims for the victims of people trafficking<sup>1</sup>

The purpose of this study is to discuss the practicalities of civil compensation claims for victims of people trafficking for forced labour purposes.

### The scourge of trafficking and the dearth of compensation cases

The government informed the UK Joint Committee on Human Rights that there were an estimated 4,000 victims of trafficking for prostitution in the UK during 2003 at any one time.<sup>2</sup> However, there have been no documented post-conviction compensation orders in favour of victims by the criminal courts,<sup>3</sup> there have only been a handful of reported successful Criminal Injury Compensation Authority applications by trafficking victims,<sup>4</sup> and compensation has only been granted in one civil case to victims of trafficking.

### Case study: *AT and others v. Dulghieru*

The only successful award of damages to victims of people trafficking by a civil court in the UK was made in the case of *AT and others v. Dulghieru*.<sup>5</sup> It is not entirely clear when the Dulghierus' conspiracy to traffic women across Europe began, but what is clear is that it was generating massive profits for those at the top of the international enterprise with a complete disregard for the rights of the women they trafficked.

The Claimants' ordeal began in Moldova in 2003 when they were forced into making journeys all across Europe with false passports, having been duped into believing in better lives for themselves if they did so. The reality was one that none of them would have believed possible until confronted with the brothels in Mayfair and Soho.

Five of the women were able to stage an escape and seek sanctuary with their friend. They assisted the police in the prosecution of Mr and Mrs Dulghieru in a combined operation with the French police resulting in about ten people being convicted in France and about three in this country. The women sought legal advice and assistance from a solicitor, Jawaid Luqmani, who obtained leave to remain for them in the UK and assisted them in relation to obtaining compensation.

In February 2009, Treacy J assessed the general damages recoverable. Until then there had been no comparable cases. Although single incidents of rape have come before the courts as have periods of sexual abuse against minors, neither comparison bears detailed scrutiny. These were not single incidents of rape but a relentless and unceasing ordeal against adult women exacerbated by the fact of a significant period of false imprisonment. The court found that there were three aspects to the general damages recoverable: pain suffering and loss of amenity, aggravated damages and exemplary damages.

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<sup>1</sup> This document is based on a paper produced for and published by Anti-Slavery International in April 2010.

<sup>2</sup> Joint Committee on Human Rights, Human Trafficking, 2005-6, HL 245- 1, HC 1127-1, 9 October 2006 at [78]. Surprisingly these appear to be the last published figures relating to the UK.

<sup>3</sup> Anti-Slavery International's review of 41 criminal court cases, resulting in 95 convictions, revealed that there had not been a single compensation order, even in cases where assets had been confiscated from the trafficker:

[http://www.antislavery.org/english/campaigns/take\\_action/background\\_on\\_trafficking\\_for\\_forced\\_labour\\_in\\_the\\_uk.aspx](http://www.antislavery.org/english/campaigns/take_action/background_on_trafficking_for_forced_labour_in_the_uk.aspx); see also <http://www.ukhtc.org/about-ukhtc#Statistical>

<sup>4</sup> CICA does not keep a record of how many applicants have been subjected to people trafficking: Hansard, HC 14 Jan 2008: Column 947W

<sup>5</sup> [2009] EWHC 225 (QB)

The four claimants were each awarded between £82,000-125,000 for pain suffering and loss of amenity.<sup>6</sup> The main factor that the court bore in mind in coming to this assessment, was that each of the women suffered a moderate to severe depressive episode and the effects were still evident several years later. The court also awarded aggravated damages of between £30,000-35,000 to each of the claimants. The court found that their “essential human integrity had been grossly compromised”, covering aspects such as humiliation and loss of pride and dignity.

Finally the court made an award of exemplary damages in the sum of £60,000 on the basis that the defendants committed these torts with a profit motive and a cynical disregard of the claimants’ rights. Exemplary damages were used as a rough measure of compensation to deprive the traffickers of the inevitable profit that was generated at the claimants’ expense. Although victims cannot expect to be rewarded for any illegal activity, they can expect some form of restitution from the traffickers of the windfall of their forced work. As English law currently stands, however, restitutionary damages are not available outside of proprietary torts<sup>7</sup> and so recourse needs to be had to the exemplary damages mechanism.

Although a future loss of earnings claim may be considered, the difficulty is that if the victims have obtained immigration status in the UK their earnings here are likely to be much more than earnings in their home country, even with the handicap of a psychiatric injury. Claims for care necessary to deal with the injuries sustained should, however, be recoverable.

There are several points of practice and procedure that can be derived from the case. Hopefully the analysis below will provide useful guidance to those involved in bringing such claims in the future.

## Tort

English law does not have a specific tort of trafficking in people,<sup>8</sup> but several torts overlap in this area: assault and battery, fraud, false imprisonment, harassment, intimidation and unlawful means conspiracy. In Scotland one would also need to consider the additional delicts of enticement<sup>9</sup> and seduction.<sup>10</sup>

Although this common law response may work in most cases, not one of these torts adequately reflects the central issue of trafficking. The problems with relying on those torts include: (1) where

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<sup>6</sup> Note, however, that an award payable under the Criminal Injuries Compensation Scheme will be reduced by the full value of any payment in respect of the *same injury* which the applicant has received or to which he or she has any present or future entitlement in respect of, inter alia, civil court damages: see para 48 of the Criminal Injuries Compensation Scheme (2008).

<sup>7</sup> *Devenish Nutrition Ltd v. Sanofi-Aventis SA and others* [2009] Ch 390

<sup>8</sup> Cf. *Siliadin v. France* (2006) 43 EHRR 16. A possible solution could be a statutory tort of trafficking, by amending the criminal legislation (sections 57-59 of the Sexual Offences Act 2003) so that it specifically creates a civil cause of action, whilst at the moment it is at least questionable whether it does. In the US in 2000 the Trafficking Victims Protection Act was passed, as supplemented by the Trafficking Victims Protection Reauthorization Act in 2003, and further amended by the Trafficking Victims Protection Reauthorization Act of 2005, Pub. L. No. 109-164, 119 Stat. 3558, (codified in scattered sections of 18 and 22 USC). The Act as amended provides civil remedies against those who knowingly obtain forced labour (18 USC § 1589); intermediaries in trafficking transactions (18 USC § 1590) and all knowing participants in the trafficking of children (18 USC § 1595(a)). In principle there is no reason why a smaller group of persons should be liable in the UK.

<sup>9</sup> Where a person entices a member of one’s family away from him or her without justification.

<sup>10</sup> “obtaining sexual relations with a virgin by fraud, circumvention, guile, misrepresentations or other persuasive practices and deflowering her” David M Walker, *Delict*, (1966) at 698

distress, as opposed to psychiatric injury, is the only harm suffered (for example where the victim escaped early on) it does not necessarily sound in damages;<sup>11</sup> (2) the main torts of conspiracy and intimidation are primarily economic torts aimed at acts like unlawful strikes or competition, not people trafficking; (3) traffickers may be able to escape secondary liability (ie as an accessory to the sexual abuse committed by the "clients") if they can show that there was no common plan or design between the traffickers and the clients that the latter would commit torts against the women;<sup>12</sup> (4) the way the crime of trafficking works is precisely by keeping the victims at a distance so that the traffickers (rather than the people they use along the way) often lack the necessary knowledge directed at any particular victim to found a claim for an intentional tort. However, there should be a safety net in the form of the interpretative obligation of the Human Rights Act 1998 if the available torts fail.

Defences that a trafficker might raise are likely to be speculative since once primary liability is established, defences such as consent cannot absolve their wrongdoing.<sup>13</sup>

### Identifying defendants

A major problem in all trafficking cases is that the conspirators in the UK ultimately responsible for the trafficking will often be so far removed from the victims, that the victims will never have any idea who they actually are and the individuals who do have contact with the victims will use pseudonyms to frustrate identification. Furthermore the mental state of the victims will often leave them unable to properly identify or describe the traffickers and their henchmen.

In such circumstances, the cooperation of the police will often prove to be essential since in the more serious cases the police may have undertaken an investigation resulting in either convictions or evidence that can be used to identify the defendants. If there has been a criminal case, transcripts of the evidence could be obtained; telephone, banking or other investigative material may be obtained with the prosecutor's consent, or an application made to the court for third party disclosure either before or after the civil case has started.

In the UK, the average earnings of a trafficked person in prostitution for her trafficker have been estimated at about £130,000 per year.<sup>14</sup> Where such large sums of money are involved, that will often open up lines of investigation in seeking to identify the traffickers, as may phone numbers given to a victim or the addresses to which they are confined.

If a single defendant or group of defendants are identified, and a group of claimants wish to bring claims against them, consideration should be given to seeking a Group Litigation Order.<sup>15</sup> Such an order would have advantages in terms of case management. However, a GLO is not designed to provide the sensitive handling that individual claimants may require in a trafficking case and may well give rise to ethical and practical issues, such as regards the duty to "publicise" the GLO.

### Expert evidence

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<sup>11</sup> Cf. *Wilkinson v. Downton* [1897] 2 QB 57; *Wainwright v. Home Office* [2003] UKHL 53

<sup>12</sup> Obviously most clients plead ignorance, although it would still be a criminal offence on the part of the client, see section 53A of the Sexual Offences Act 2003.

<sup>13</sup> Article 3(b) of the Palermo Protocol; Article 4(b) of the Council of Europe Convention on Action against Trafficking in Human Beings. See also *R v. Tang* (2008) 237 CLR 1, 21 (Gleeson CJ).

<sup>14</sup> Lord McColl of Dulwich, "Human Trafficking...A Global Problem" (2008) 60 Mercer L Rev 791 at 800-1

<sup>15</sup> See rr.19.10 ff. of the Civil Procedure Rules

In order to dispel some of the myths surrounding human trafficking, it will be important in most cases to call at least some expert evidence.<sup>16</sup> There are various types of experts that one may wish to call to assist a court or tribunal in relation to matters outside its knowledge, for example a psychiatrist or social worker, experts who can contextualise trafficking generally, those that can speak about trafficking in the country of origin and expert medical evidence.

In most cases of trafficking one should consider calling a psychiatrist with expertise in women's issues. The Poppy Project in England and the TARA Project in Scotland have a wealth of experience in these issues. Such experts should be able to inform the court that, "Trafficking often has a profound impact on the health and well-being of women. The forms of abuse and risks that women experience include physical, sexual, and psychological abuse, the forced . . . use of drugs and alcohol, social restrictions, . . . economic exploitation, . . . legal insecurity, abusive working and living conditions, and a range of risks associated with being a migrant and/or marginalised."<sup>17</sup> To retain control over each woman, traffickers create an unpredictable and threatening environment to keep them continually on edge and immediately following their release or escape, most of them are burdened with numerous and concurrent physical and mental health problems.<sup>18</sup> This will be important to a court that may be asked to assess a victim's credibility where that person is unable to give the linear chronology of appalling events that a court may otherwise expect. Post-traumatic stress disorder will not be an unusual consequence and cognitive behavioural therapy is seen as the treatment of choice for those suffering from PTSD. Where there are physical injuries as well, further specialised medical evidence may need to be adduced. This could include gynaecological evidence but in many cases the victims will consider this too traumatic.

Expert evidence relating to the country from which the victims were trafficked will be essential to put the whole experience into context. Such research is widely available and includes state reports and other objective evidence such as Amnesty International and Human Rights Watch reports as well as the invaluable 2008 OSCE trafficking report.<sup>19</sup> Evidence should be available to substantiate all aspects of the trafficked victim's claim, such as the level of debt bondage, the systems employed to bring them into the country, that trafficking occurs in all or some parts of a country, the lies they are told and treatment they endure. It may also be useful to call evidence as to the common destination to which trafficking victims are taken from their home country.

There should be some expert enquiry into the background of the particular victim, whose age, gender, experience, health, skills and family ties may all be very relevant. Factors such as having been trafficked before, being poor, a woman, uneducated, unemployed, orphaned, involved in petty crime, without family and from a developing country where there is little protection from traffickers<sup>20</sup> make it much more likely that a person will be the victim of trafficking.<sup>21</sup>

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<sup>16</sup> See for example the experience of Dr McCollum in Minnesota, who himself misapprehended cases of trafficking: Lord McColl of Dulwich, "Human Trafficking...A Global Problem" (2008) 60 Mercer L Rev 791 at 796-7

<sup>17</sup> London School of Hygiene & Tropical Medicine, *The Health Risks and Consequences of Trafficking in Women and Adolescents: Findings From A European Study* (EC, 2003), available at <http://www.lshtm.ac.uk/hpu/docs/traffickingfinal.pdf> at p3.

<sup>18</sup> London School of Hygiene & Tropical Medicine, *Stolen Smiles: The Physical and Psychological Health Consequences of Women and Adolescents Trafficked In Europe* 32 (2006), available at [http://www.lshtm.ac.uk/hpu/docs/Stolen%20Smiles%20-%20Trafficking%20and%20Health%20\(2006\).pdf](http://www.lshtm.ac.uk/hpu/docs/Stolen%20Smiles%20-%20Trafficking%20and%20Health%20(2006).pdf) at 36

<sup>19</sup> [http://www.osce.org/publications/odihr/2008/05/31284\\_1145\\_en.pdf](http://www.osce.org/publications/odihr/2008/05/31284_1145_en.pdf)

<sup>20</sup> Check which tier the country of origin falls into in the Trafficking in Persons Report 2009 as judged against the US Trafficking Victims Protection Act's minimum standards, <http://www.state.gov/g/tip/rls/tiprpt/2009/index.htm>

<sup>21</sup> See for example, *HC & RC (China CG)* [2009] UKAIT 00027

## Transnational issues

The nature of human trafficking cases gives rise to several transnational issues. The most common issues to consider include the applicable law, service of proceedings and dual criminality.

Very often different actors are involved in recruitment, forging of travel documents, facilitating issuance of visas or accompanying the trafficked victims. These people will be based in different countries along the route that the victim takes to the destination country. The general rule is that the law applicable to issues in tort is the law of the country in which the events constituting the tort in question occur.<sup>22</sup> Where elements of those events occur in different countries, the applicable law under the general rule is to be taken as being, in a cause of action for personal injury, the law of the country where the individual was when he sustained the injury.<sup>23</sup> So, for example, the agent based in the home country of the trafficked victim could potentially be sued for conspiracy according to the law of the destination country.

As to service of the proceedings in England and Wales, that will be determined by Part 6, IV of the Civil Procedure Rules. If the defendant is present in the United Kingdom, or has solicitors here, it may well be possible to serve them directly, or if they are based in an EU country it is increasingly likely that service by post from the UK will be a possibility.<sup>24</sup> However, service of proceedings can be a complicated issue and careful analysis of this issue is required.

Given the transnational nature of trafficking as a crime, it is quite possible that a trafficker in the UK may have been convicted of related offences in a foreign jurisdiction. In such circumstances it is important to obtain a translation of the foreign judgment, as well as the original. It will be necessary to obtain a statement of the conduct involving people trafficking abroad which it is alleged is unlawful under the criminal law of England and identify the provisions of English criminal law alleged to make such conduct unlawful.<sup>25</sup> The court will have to examine the conduct alleged to have occurred in the foreign country and consider what offences that conduct would give rise to in the UK. The advantage of relying on the conviction as evidence of criminal conduct is that it circumvents the need to seek the cooperation of the foreign police and effectively retry the foreign criminal proceedings in the UK.

## Employment tribunal claims

Human trafficking is perpetrated for many different purposes including bonded labour on farms and in households, the sex trade, fishing in dangerous waters, and also to commit crime, such as cannabis cultivation or shoplifting.

In trafficking cases where a person has been working for another or been employed, but which are at the less extreme end of the spectrum, it may be appropriate to consider bringing employment tribunal proceedings for one of the statutory claims, such as breach of the minimum wage provisions, working time provisions, unfair dismissal or discrimination, or breach of contract. The time limits for such claims are very short, usually only three months. If there is a genuine potential claim it may be worthwhile lodging protective proceedings which could then be withdrawn if it later becomes clear that the case will not proceed to a successful outcome. There are no fees involved in issuing an ET1 claim form and it can be done via the internet. Moreover legal costs are not at risk unless the claimant has acted unreasonably (a rather high threshold for a respondent to prove).

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<sup>22</sup> Section 11(1) of the Private International Law (Miscellaneous Provisions) Act 1995

<sup>23</sup> Section 11(2)(a) of the Private International Law (Miscellaneous Provisions) Act 1995

<sup>24</sup> See Regulation (EC) No 1393/2007 of 13 November 2007 at article 14

<sup>25</sup> *Director of Assets Recovery Agency v. Virtosu and another* [2009] 1 WLR 2808 at [13], [14] per Tugendhat J

It is only likely to be in cases where there has been no separate tort (such as false imprisonment or intimidation where the victim will be able to claim for the losses she suffered but for the tort) that the victim will have to rely on a contractual agreement between herself and the trafficker. In cases at the least extreme end of the spectrum it may be said that the work is not so inextricably bound up with any illegal conduct so that the tribunal may permit her to recover compensation without appearing to condone that conduct.<sup>26</sup> There are essentially two types of illegal contract: those that are illegal in inception, which are likely to involve the more extreme forms of trafficking, and those that are illegal in performance. Those that are illegal in performance require that the employee knew of the facts producing the illegality and actively participated in it.<sup>27</sup> However, it is certainly arguable that in such cases it would be unjust to allow the fact of trafficking to be relied on as a defence by the trafficker. Where a person knowingly works in breach of a visa condition it is likely that the hours worked in excess of the visa condition will be deemed illegal, but the hours worked within the visa condition will not necessarily be.<sup>28</sup> Workers should also be informed that working for less money than was stated in their visa application will not automatically result in a revocation of the visa.<sup>29</sup> In discrimination cases, the claim is not based on any contract of employment and so it is much less likely that a defence of illegality would succeed.<sup>30</sup>

### The way forward

From the foregoing discussion it will be clear that civil claims in trafficking cases are novel. There are a considerable number of measures that could be taken to give victims better access to justice<sup>31</sup> and two issues of particular concern are highlighted below.

The main difficulty for people who perceive themselves as victims of people trafficking in bringing compensation claims is that they are frequently too afraid or feel too ashamed to make a formal claim. As a result it is important to ensure that court or tribunal procedures are as suited to the victims as possible. Normally court procedures are formulated from the standpoint of ensuring that the defendant has a fair trial, but in deserving cases the victims' rights are arguably more important. It will often be crucial to ensure that victims are informed of and take advantage of court procedures designed to safeguard their anonymity.<sup>32</sup> Furthermore it should be considered whether it is genuinely necessary for victims who have established liability to give oral evidence in front of their traffickers for the purposes of a damages assessment only, especially in light of the literature that giving evidence in a court (even with special measures) where the traffickers are present can be seriously detrimental to the trafficked victim's mental health.<sup>33</sup> Although it is not possible to have a "closed material" procedure in a civil claim for damages,<sup>34</sup> the Judge at the hearing will be able to

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<sup>26</sup> See, for example, *Beijing Ton Ren Tang (UK) Ltd v. SP Wang* Appeal No: UKEAT/0024/09/DA, 14 October 2009

<sup>27</sup> *Enfield Technical Services Ltd v. Payne* [2008] IRLR 500

<sup>28</sup> *Blue Chip Trading Ltd v. Helbawi* [2009] IRLR 128

<sup>29</sup> *San Ling Chinese Medicine Centre v. Lian Wei Ji* (unreported) Employment Appeal Tribunal, 25 January 2010; see also *R. (on the application of Ochieng) v. Secretary of State for the Home Department* [2008] EWHC 3302 (Admin)

<sup>30</sup> *Hall v. Woolston Hall Leisure Ltd* [2000] IRLR 578

<sup>31</sup> See generally Opportunities and Obstacles: Ensuring access to compensation for trafficked persons in the UK, J Lam and K Skrivankova, Anti Slavery International 2009

<sup>32</sup> See, for example, rules 5.4C(4), 39.2(3) and 39.2(4) of the Civil Procedure Rules.

<sup>33</sup> London School of Hygiene & Tropical Medicine, *Stolen Smiles: The Physical and Psychological Health Consequences of Women and Adolescents Trafficked In Europe* 32 (2006), available at [http://www.lshtm.ac.uk/hpu/docs/Stolen%20Smiles%20-%20Trafficking%20and%20Health%20\(2006\).pdf](http://www.lshtm.ac.uk/hpu/docs/Stolen%20Smiles%20-%20Trafficking%20and%20Health%20(2006).pdf) (URL is case-sensitive).

<sup>34</sup> *Al Rawi v. The Security Services* [2010] EWCA Civ 482

decide the extent to which, and manner in which, a claimant gives evidence, for example with special measures such as a video link, and in trafficking cases the Judge will need to consider whether questioning of the Claimant by the traffickers or their advisors in respect of liability and or quantum would itself amount to further abuse.<sup>35</sup>

Compensation claims may appear to be academic without rules that make sure the burden is not on the trafficked person to enforce a compensation order. This is also another common reason for victims not pursuing the offenders. It has been said on more than one occasion that legislation should specify that the confiscated proceeds of trafficking will be used for the benefit of victims of trafficking.<sup>36</sup> Other jurisdictions have already followed such an approach.<sup>37</sup> No doubt claimants are likely to feel victimised twice over if deprived of the prospect of enforcing a compensation award only by reason of the state itself having benefitted from the proceeds of crime.

### Key steps

All trafficking cases are complex and highly fact sensitive. Although the conclusions will not always be the same in each case, the thought processes will often be similar. Below I have set out a list of key considerations for practitioners involved in bringing civil compensation cases:

- 1 Are any criminal proceedings in respect of the trafficking (here or abroad) anticipated, in progress or concluded? If anticipated or in progress, there is a risk that any civil proceedings would be stayed pending the outcome of the civil proceedings. If criminal proceedings have concluded consideration should be given to obtaining evidence from the criminal case.
- 2 If criminal proceedings have resulted in a conviction, consider obtaining the prosecutor's case opening, certificate of conviction, basis of plea, the judge's sentencing remarks and transcripts of oral evidence. Also consider making applications to obtain access to the exhibits in the case, whether court exhibits or not, such as telephone schedules and interviews. If the criminal proceedings concluded abroad, consider how that conviction will be presented in the UK.
- 3 Is it appropriate to bring a class action or a test case? This will depend on a series of factors including, the number of potential claimants and what the common issues are.
- 4 Is it possible to obtain Legal Services Commission funding to bring the case? Specialist solicitors will be able to offer further guidance on this.

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<sup>35</sup> See *Regina (F) v. Lewisham London Borough Council* [2009] EWHC 3542 (Admin) at [30, 35]

<sup>36</sup> See the Report of the United Nations High Commissioner for Human Rights to the Economic and Social Council, U.N. Doc. E/2002/68/Add.1 (2002), at Guideline 4(4). The Convention on Transnational Organized Crime at article 14(1) only requires states to dispose of such assets "in accordance with its domestic law and administrative procedures." The US Congressional Human Rights Caucus has proposed an express provision in the Trafficking Protocol on the use of confiscated assets to compensate victims: Jordan, *Human Rights or Wrongs: The Struggle for a Rights-based Response to Trafficking in Human Beings*, 10(1) *Gender and Dev.* 28, 33-34 (2002).

<sup>37</sup> In the United States confiscated assets are indirectly available to promote awareness of trafficking: 18 U.S.C. § 2253. In Hong Kong confiscated assets are centralized in the Government Treasury, and are at least indirectly available, through a bidding process, to government departments and NGOs to support anti-trafficking programmes and services to victims of trafficking: Robyn Emerton, *Translating International and Regional Trafficking Norms into Domestic Reality*, 10 *Buff. Hum. Rts. L. Rev.* 215 (2004) at 245.

- 5 Would it be more appropriate to bring an employment tribunal claim?
- 6 What is the appropriate court and jurisdiction? If the claim is being brought in England, Wales or Northern Ireland, is it a county court claim or should it be brought in the High Court? If the claim is to be brought in Scotland, will it be brought in a Sheriff Court or the Outer House?
- 7 Who is the proper defendant? This will involve consideration of what evidence lies against any particular defendant, his/ her responsibility for what happened to the victim, the likelihood of succeeding against that defendant, and the assets that the defendant has which could be enforced against.
- 8 What claims should be brought? Consider torts, restitution and contract. Also some thought will need to be given to the types of compensation that are sought, such as compensatory, aggravated and punitive damages. If there are financial losses, it will be useful to draw up a schedule of loss.
- 9 When do the limitation periods in respect of each of the claims expire? Do applications need to be made to the court to extend any limitation periods?
- 10 Is it necessary to apply for a freezing order to prevent the defendant dissipating assets or to apply for a search order to prevent the destruction of relevant evidence?
- 11 How can proceedings be served on the defendant?
- 12 Apply for anonymity orders, orders that hearings take place in private and that no one be allowed access to the court file without the permission of a Judge.
- 13 Obtain medical evidence in support of personal injury claims.
- 14 Consider what expert evidence should be called to dispel the particular myths and prejudices surrounding the claim.
- 15 If there is to be a court hearing, what special measures will be necessary?
- 16 Once judgment has been obtained, where are the assets to enforce against? Also note that once judgment has been satisfied, the claimants may have to use it to repay any criminal injuries compensation award made in their favour.

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