

CAMBRIDGE SURVIVORS

Issue 26

August 2004

A letter to the Survivors

Greetings. This could be the last issue of the Cambridge Survivors Newsletter - the 26th edition which has been going since August 1998. This issue comes at the end of the 3rd wave of 32 claimants all of whom were residents either at Kneesworth House School or Midfield, Oakington and one only from Red House, Little Shelford. The total award of compensation came to £625,000. This 3rd wave of 32 follows the 1st wave whose lead claimant was Rhiannon Carter with 34 claims settled at £1,000,000. The 2nd wave was known as Swann and others and that settled at £650,000 with 22 claims. This makes a total of 85 successful claims with a total payout of £2,275,000.

The awards are now being paid out. If you are employed you get the lot. It may come in 2 chunks, one with the payment from the Defendants direct to us and the second when the Court Accounts Office pays us the money that the Defendants paid into Court. Remember those first low offers, which we rejected? That money was paid into Court and we are still waiting for it to be paid to us for distribution to the claimants.

What do our successful claimants spend the money on? "Peter Wilson" went to the Norfolk Coast staying in the best hotels and is writing a book called "The Copper Coin". He has a red sports car on the road with the compliments of Cambridgeshire County Council. One claimant had a two week holiday in Malta which he recommends. And Sam White is off to Cuba with the whole family for a well deserved holiday. A lot of money is being spent on making homes better, with white furniture, carpets and general painting and decorating. Running shoes are a must for the children.

During these cases the *Newsletter* has asked for poems and you will see a brief selection of some of the powerful and inventive poems published throughout the last 6 years; a testament to the anguish and pain of abuse and the ability of the spirit to raise above abuse and ill treatment.

And what's new? Some of us are left with a sense of disappointment. Now all the anxiety is over what is going to happen to me? The awards will be spent, sometimes quickly sometimes slowly. A lot of us got reasonable awards. A holiday is as good as a series of counselling sessions. One of our group spent the money on splendid top of the range karaoke equipment and is now singing popular songs around the pubs of Cambridge. Good luck Dee with the singing career.

A lot of gardening has gone on down in Romsey Town.

If you want counselling it is available from Choices for Women and Choices for Men which started in the early days of the 1st wave. Choices started at the Bath House, Gwydir Street and now has its own premises in Cherry Hinton. The number is 01223 471 574.

INSIDE THIS ISSUE

- 1 Letter to Survivors from Andrew Grove**
- 2 Special Needs Trusts**
- 3 Picture of Seltzman**
- 4 Remembering – poem by Sheena**
- 5 I was that Child – poem by Josephine**

We all wonder about the perpetrator. Where is he? What does he do all day? Is he kept in solitary confinement? Will he die in prison? Does he feel sorry for what he has done to all of us? Does he pray for forgiveness? Or is he still in denial as he was all the way through the six week trial in Chester in March 1997 when he was convicted and sentenced to 18 years imprisonment? This was the longest sentence of any of the paedophile group that seemed to start in Greystone Heath Children's Home, Warrington, Cheshire in the years before 1970 when the perpetrator got the Housemaster and science teacher's job at Kneesworth House. Who appointed him to the job? Why didn't they spot someone who from the start appeared a weird person? We know that he was the favourite of a Miss Florence Valentine, the old Head of the Children's Department and Deputy Director of the newly formed post of the area based rather than skill based Social Services Department. There were managers who "looked after" the perpetrator by ignoring the complaints about him and going blank on serious problems and therefore helped his career to flourish. In 1987 he was moved out of Midfield and into a desk job in Shire Hall as the Policy and Planning Manager and later Chairman of the Guardian ad Litem panel. On 27th November 2003 the Defendants admitted generic liability for Midfield and Red House in open Court but continued to deny generic liability for Kneesworth House. If more claimants come along from Kneesworth House they might have difficulties. Not so for Midfield and Red House. As I write this 26th Newsletter, thinking it might be the last one, 3 more potential claimants have contacted the office. Is this the fourth wave? They complain about the same pattern of abuse including "Pindown" and lots of it. "Pindown" is when a child has all their clothes taken away and is left in a nightie or pyjamas in an attempt to stop them from absconding. It is very bad child care practice and can lead to other more serious forms of abuse.

It is inevitable that other Cambridgeshire victims will present themselves in the future. Many of the Kneesworth boys are scattered all over the world, as are some Midfield people. When the perpetrator is released from prison there may well be more claimants wanting counselling and support. Is the Department any better now? We know that Cambridgeshire has difficulty recruiting staff. Things got so desperate they started recruiting from Adelaide in South Australia. Are things better? The children's homes are thankfully closed and fostering is relied upon more and more.

During this 3rd wave our champion, "Sooty", ran a one man campaign on his Matso.TV web-log to clean up Shire Hall and one senior staff member was retired early.

It has been a privilege to work with all our clients from the 1st client in May 1996 to the last client, James Connolly whose claim is now satisfied. The survivors have had to put up with a lot in the course of the litigation disclosing to various experts on both sides. I like to think that our occasional evening meetings have helped to make the process more bearable and have lightened the severity of the litigation generally.

This edition of the Newsletter is closure for the third wave. We wish all our claimants lots of luck.

With very best wishes,

Andrew Grove

SPECIAL NEEDS TRUSTS

We can set up Special Needs Trusts for those who need them so that Claimants do not lose their right to claim welfare benefits. The Trusts are known as “discretionary” trusts and out of all forms of Trusts they provide the most flexibility, since a beneficiary of a discretionary trust has no "right" to anything - merely the hope that the trustees will exercise their discretion in the beneficiary's favour. The obvious advantage here is that the Claimant's entitlement to means-tested benefits should not be affected, as long as the actual amounts paid out to him or her are limited. The Trusts cost £500 + VAT each totalling £587.50. The Special Needs Trust is a very worthwhile investment because if people receive income support and housing benefit, and particularly if they have children, then their welfare benefits can sometimes add up to more than a hundred pounds a week. If personal injury awards are not placed in Trust Claimants can lose their entitlement to benefits and the award simply replaces the welfare benefits.

If you wish to place your money in a Special Needs trust all you need to start with are two Trustees whom you trust implicitly and who will look after the money for you and pay it out in such a way so that you never have more than £3,000 in your own bank account. Cheques for amounts larger than £3,000 can be made by Trustees direct to third parties so that they do not pass through the Claimant's bank account. If you are in prison, the Special Needs Trust can be used to protect your right to benefits when you come out of prison. If you are in a mental hospital and the award is over £20,000 the money must go to the Court of Protection where a Trust is created without your choice. The Special Needs Trust can be revoked or the Trustees changed at any time if you become dissatisfied. The Trusts are very much a co-operative venture between Claimants and their Trustees.

If you do not have 2 people who can be your Trustees then Andrew Grove and Kathy Yates can take the role. However please remember that, as solicitors, Andrew and Kathy are professional Trustees and do charge for their services. The hourly rate of £80.00 is much reduced from their normal hourly charge out rate and charges should not be much if you only have the occasional cheque. However if you are going to be one of those Claimants who insists on cash at very short notice and keeps Andrew running up and down to the bank at regular intervals then the charges could be significant, so please keep this in mind.

If you are going to take advantage of the Special Needs Trusts then you must make a decision before you get your hands on any money. It is not something you can do at a later date because the Benefits Agency want to see the money go straight from your solicitor's client bank account into the Trust account. The Special Needs Trust is a major governmental concession and the Benefits Agency must be sure that the funds in the Trust are only those awarded in a personal injury settlement.

After reading this article if anyone needs any further information on the Special Needs Trusts please contact Andrew or Kathy.

I hope that you are all satisfied with your awards. Some are high; some are low, depending on all the individual circumstances of each case. The average pay out is £20,000 with damages ranging between £1,000 and £45,000. Part of the award is still in the Court Funds Office at the High Court in London and it will be distributed as soon as it arrives in this office.



“Seltzman and friend, August 2004.”

Remembering by Sheena

There is no way to tell you now of the pain you caused to me,
You've moved onto another world; I suffer, you don't see.
My body may have grown up, but a child remains within,
Remembering the torture, the agony of your sin.

There were so many of us; how did it last so long?
The anguish and the brutality of the road we travelled on.
Alone I sat and cried each night, for freedom I would pray
Just to be within a family, to live a normal day.

The smells, the sounds, the hatred, remain here with me still,
They will not set me free of you, I guess they never will.
Your face appears here in my home, I thought you'd gone for good,
They said they'd throw the key away, I really think they should.

A battle in order to survive, another day I fight
Because you chose to take from me my innocence, my right,
One day I'll wake and there won't be another thought of you,
When I can be a loving Mum, you see that's what I do.

I try to give my children love and tenderness and care
But when they cry your twisted face somehow will reappear.
Don't think you're here forever, locked up within my mind,
You are a man so evil, twisted and unkind.

There is no place for men that do the wicked things you do
An eternity of torment I hope you will go through.
But for now they keep you locked away from children just like me
Their happy smiling faces I know you will never see.

Remember though that one day even you will have to die
And many, oh so many of us, will come to say goodbye.
Not just to the body that will rot below the ground
But to the thought of knowing that you are still around.

Maybe then upon that day each of us will know,
As we look into each other's eyes, all thoughts of you can go.

I Was That Child

I was that child whose innocence was
taken

And like all the others was left
forsaken.

I was that child on whom people
turned their backs
And left us to the devices of the Keith
Laveracks.

I was that child who used to be free
I was that child who once played
happily.
I was that child who was told not to tell
Of the nights in "that room" or of the
living hell.

I was that child who used to lie there
and shiver
I was that child, abused and aquirer.
I was that child wracked and laden
with guilt
About what went on, under that quilt.
I was that child in straps and chained
I was that child left alone and in pain.
I was that child who was told she was
bad
And if she told the truth they would say
she was mad.
I was that child who once ran away
But was soon taken back, and was
then made to pay!

I was that child, and like lots of others
The years have now past and many
are mothers.

I was that child with a secret untold
Until a knock on the door, and the
story unfolds.

I was that child filled with guilt and with
shame
Who had to tell the Police, again and
again.

I was that child, now with 18 years
past
Had to relive the nightmares and the
freezing cold baths.
I was that child who had to explain, to
parent and partner
About what happened then.

I was that child, when tears started to
fall
Was told it wasn't my fault
I couldn't help it at all.

I was that child - I wasn't to blame,
And one thing's for sure it won't
happen again!

I was that child and when I look and
see

I look in the mirror and that child is

ME.

Josephine

Please don't forget to send us your contributions to the Newsletter.

Send to: Andrew Grove

11 Norfolk Street, Cambridge, CB1 2LD

Tel: 01223 367133 e mail: andrew.groveandco@virgin.net

www.andrewgroveandco.com