



JUDICIARY OF
ENGLAND AND WALES

Between
Patrick Raggett
- and -
The Society of Jesus Trust 1929 for Roman Catholic Purposes
-and-
Governors of Preston Catholic College

Before

Mrs Justice Swift DBE

Queen's Bench Division of the High Court

9 November 2012

SUMMARY TO ASSIST THE MEDIA

This summary is provided to assist in understanding the Court's decision. It does not form part of the reasons for the decision. The full judgment of the Court is the only authoritative document.

1. The claimant claims damages for personal injury, loss and damage consequent upon sexual abuse perpetrated on him by the late Father Michael Spencer, SJ, a teacher at Preston Catholic College, Preston, Lancashire. I tried the issues of limitation and liability in this case in March 2009. On 5 May 2009, I delivered judgment in favour of the claimant on both issues (<http://www.bailii.org/ew/cases/EWHC/QB/2009/909.html>). In that judgment, I accepted that, during his time at Preston Catholic College, the claimant had been the victim of a sustained course of sexual abuse by Father Spencer, starting in the early part of 1970, when he was 11 years old, and finishing when he was aged 15 years.

2. I have now heard evidence on issues relating to causation and quantum of damages. That evidence was directed mainly at establishing what, if any, lasting psychiatric injury had been caused by the abuse and, if such injury had occurred, at determining the effects of that injury on the claimant's personal and professional life. The claimant contended that, as a result of the abuse, he suffered both immediate and long term psychiatric effects which impacted on every aspect of

his life, in particular his former career as a lawyer. His claim, which included substantial claims for loss of past and future earnings and for pension loss, was for a sum in excess of £4 million.

3. I have found that, as a result of the abuse to which the claimant was subjected, he suffered intense feelings of violation, dread, isolation, shame and humiliation during the years for which the abuse continued. Members of the claimant's family referred to him appearing taciturn, moody and sometimes distressed during his adolescent years. I am satisfied that this behaviour was attributable to the abuse which he was suffering. As a result of the abuse, the claimant had difficulties relating to some of his school mates and became somewhat withdrawn from his family. I have concluded that the abuse also had an adverse effect on the claimant's attitude to his school work and, therefore, on his examination results. I have found that the effects of the sexual abuse persisted for a period of about eight years from the start of the abuse until the beginning of the claimant's third year at University, by which time he was living in a house with friends and taking a full part in the usual student social and sporting activities.

4. In April 2005, the claimant experienced a sudden overwhelming realisation of the extent of the sexual abuse to which he had been subjected more than 30 years earlier. I described the events leading up to that realisation in my previous judgment. The episode resulted in an awakening of memories of certain incidents of abuse that had occurred and, more particularly, of the emotions associated with those incidents. Following that episode, the claimant suffered symptoms of distress and low mood, together with repeated ruminations about the abuse. I have concluded that those symptoms persisted until some time after the trial of limitation and liability. By the end of 2009, the claimant was showing some improvement and I am glad to say that this has been maintained ever since. He has now remarried and his new family, together with the career as a therapist and counsellor on which he has embarked, have brought him considerable satisfaction and fulfilment.

5. Having considered carefully the extensive medical and other evidence, I have been unable to accept the claimant's contention that the abuse caused him to develop a number of recognised psychiatric disorders which caused him to behave in a way that eventually brought about the loss of his legal career. Consequently, I have concluded that he is not entitled to the very large award of damages that he claimed. I have assessed the appropriate level of damages for pain and suffering in the sum of £40,000. Together with interest and expenses, including the cost of therapy, the total award is £54,923.03.

6. I am well aware that the conclusions I have reached in my judgment will be disappointing to the claimant and that its contents may cause him some distress. This is particularly unfortunate and regrettable since there is no doubt that he was the victim of an insidious form of abuse involving a grave breach of trust and that he has suffered significantly as a result. As a result, he is deserving of sympathy. Over recent years, he has come to believe that all the adverse events that have occurred in his life are attributable to the abuse and that belief, which I do not doubt is sincerely held, has clearly brought him a great deal of comfort.

7. Having heard all the evidence, I have come to a different conclusion. In setting out my reasons for doing so, I have had to make observations and findings about aspects of the claimant's personality and behaviour which may appear critical of him. However, in concluding that the claimant has certain personality traits which have caused difficulties in his personal, social and employment life, I do not intend to suggest that he is to blame for that. We all have different personalities and some are more difficult to manage than others. Most of us do not have our actions and behaviour subjected to the type of detailed analysis that I have had to undertake in this case. I doubt that it would be a pleasant experience for anyone. However, since the claimant has brought this claim, it has been my duty to conduct that analysis and to set out my conclusions in this judgment.

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