



Historical Institutional Abuse  
Redress Board

# **Banding Guidance**

## Explanatory Note

Please note that the bands set out below are given in broad terms and with relatively broad ranges to take account of the infinite variety of factual situations. **They are meant as guidance only and not to be considered as providing inflexible and formulaic scales for the panels.** These guidelines provide assistance to panels in determining consistently and transparently the appropriate redress in the individual circumstances of each application. Equally, the descriptions included in the ‘Sequelae’ section are provided for guidance only – they are not a pre-requisite for compensation under a given band. **The focus of the panel will remain on the severity of the matters raised in the application.**

Bands	Examples	Sequelae (Consequences)
<p><b>Band 1</b> <b>£10,000</b> Section 12(2)(a) application only – lower end examples of neglect / maltreatment and emotional abuse</p>	<p><b>A harsh environment may include examples such as;</b>            -Unacceptable practices at bath time (use of ‘Jeyes’ fluid);            -Unacceptably punitive approach to enuresis (bedwetting);            -Excessive level of physical chores;            -Name-calling / derogatory remarks by staff;            -Concealing evidence of siblings / parental communications / gifts;            -Issues in relation to quality of food / clothing provided;            -Not celebrating birthdays;            -Poor care when ill;            -Other matters contributing to a harsh / bleak / loveless - environment</p>	<p>In terms of sequelae (consequences), general speaking the examples of neglect / maltreatment / emotional abuse falling under this category are likely to have left the victim/survivor with unpleasant and enduring memories of his/her time in care but will not have caused either physical or psychological disorder which required a medical intervention at the time.</p> <p><b>In the longer term, their experiences may not have required medical intervention beyond general counselling or seeking support from friends / family.</b></p>
<p><b>Band 2</b> <b>£10,000 to £30,000</b> Section 12(2)(a)&amp;(b) application including more serious &amp; protracted examples of maltreatment, neglect and emotional abuse and less serious physical /sexual abuse, for example</p>	<p>-Over-reliance on corporal punishment / corporal punishment which was excessive / general rough-handling which was tantamount to a lower end physical assault;            -Occasional peer bullying / “charge boy” bullying;            -Protracted and systemic name-calling / derogatory remarks in relation to the child or child’s parents amounting to clear and damaging emotional abuse;            -Witnessing the physical / sexual abuse of other children and protracted exposure to a climate of punishment and fear;            -Sexual abuse such as touching through clothes;            -Inappropriate sexual language/innuendo            - Combination of section 12(2)(a) examples above, which taken together amount cumulatively to more serious abuse.</p>	<p>In terms of sequelae (consequences), those falling into this category are likely to have been left with unpleasant and troubling memories from their time in care. Those who suffered physical abuse may have required some form of minor medical treatment, but may well not have needed to attend a hospital or to see a medical professional. Any physical injuries sustained should have substantially resolved within a few days or weeks.</p> <p><b>Psychological sequelae may have resulted in disrupted sleep or disruption to daily activities and may have required a more intensive / protracted intervention than under s12(2)(a), but should have substantially been resolved with only minor symptoms persisting after 1-2 years.</b></p>

<p><b>Band 3</b>  <b>£30,000 to £50,000</b>  Section 12(2)(a)&amp;(b) application incorporating more serious physical and emotional abuse and more serious sexual abuse</p>	<ul style="list-style-type: none"> <li>- Persistent and protracted emotional abuse of a child which was so denigrating and demeaning that it was likely to undermine self-esteem and create longer term problems with emotional health and well-being;</li> <li>- Physical abuse, including manifestly excessive corporal punishment / beating by staff, peers or “charge boys” which was tantamount to a more serious physical assault;</li> <li>- Sexual abuse, including sexual touching.</li> </ul>	<p>In terms of sequelae (consequences), those suffering physical abuse in this category are likely to have required some form of professional medical intervention for the injury suffered (regardless of whether or not that treatment was in fact provided). Victims and survivors in this category may typically have suffered some form of <b>recognised psychiatric damage</b>, resulting in severe disruption to sleep and/or daily activities but may have <b>substantially recovered</b> (with proper medical intervention and support), albeit with the potential for occasional relapse or reoccurrence of the symptoms of psychiatric damage.</p>
<p><b>Band 4</b>  <b>£50,000 to £70,000</b>  Section 12(2)(a)&amp;(b) application including the most serious forms physical abuse and sexual abuse</p>	<ul style="list-style-type: none"> <li>-Extremely serious, violent physical abuse (equivalent to an assault occasioning grievous bodily harm), or repeated serious physical abuse over a protracted period of time;</li> <li>-The most serious sexual abuse, including oral, vaginal and anal rape;</li> </ul>	<p>Physical injuries under this category would typically require serious medical intervention and hospitalisation.</p> <p>Psychological sequelae (consequences) (involving severe disruption to daily functioning) may persist indefinitely, with a <b>poor prognosis of recovery</b>.</p>
<p><b>Band 5</b>  <b>£70,000 to £80,000</b>  Section 12(2)(a)&amp;(b) application covering the most grave and pernicious cases of physical and sexual abuse where the panel consider that only a top bracket award will suffice.</p>	<ul style="list-style-type: none"> <li>- Repeated instances of the most serious physical violence or the most serious sexual abuse, or a combination thereof, or cases of serious physical or sexual abuse accompanied by particular aggravating factors (such as the age or vulnerability of the victim).</li> </ul>	<p>Physical injuries falling under this category may typically have resulted in some form of <b>life-long disability or reduced physical functioning</b>.</p> <p>Psychiatric sequelae (consequences) may typically include severe <b>psychiatric injury which has caused permanent and severe dysfunctional harm</b>.</p>

\* The medical interventions, treatments and prognosis referred to above are designed to assist the reader in understanding the nature and severity of the abuse and injuries described in the category, however the Redress Board recognise that appropriate medical treatment may not have been provided and that prognosis will vary considerably from patient to patient.

\*\* The term 'abuse' encompasses physical, sexual and emotional abuse along with neglect and maltreatment. The definition of abuse includes witnessing the abuse of other children and the experience of harsh environment within an institution, as well as being sent to Australia under the programme commonly known as the “Child Migrant Programme. The term 'maltreatment' includes the 'unacceptable practices' referred to in the Inquiry Report such as unpaid labour and the unacceptably punitive treatment of enuresis. Neglect has a broad meaning and can cover a wide range of matters, including a failure to provide access to appropriate education.