I'M A SURVIVOR OF CHILDHOOD SEXUAL ABUSE IN FOOTBALL. SHOULD I PURSUE A CIVIL CLAIM?

A guide to help you make an informed decision.

WRITTEN BASED ON THE LIVED EXPERIENCE OF FORMER FOOTBALLERS, WHO'VE BEEN SUPPORTED TO PRODUCE THIS GUIDANCE BY THE FOOTBALL ASSOCIATION.

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"I wish this booklet had existed before I commenced my civil claim as I didn't really know what to expect and would have been better prepared to manage the stress and demands of the legal process and the impact on me and my family as a result."

A member of FASSSAG (FA Survivor Support and Safeguarding Advisory Group) who has not waived anonymity.

We hope this booklet will provide greater awareness about what's involved in making a civil claim.

It is also intended to signpost you to resources and organisations that can help you make an informed decision on whether to pursue a claim – a decision that only you can make, with the support of those around you.

If you're a survivor of childhood abuse[1] in football, are you asking yourself...

WHAT ARE MY OPTIONS IN PURSUING A CLAIM FOR COMPENSATION?

If so, we hope this booklet will guide you towards the resources and organisations that can help you answer that question. It will also outline the options open to you.

The overall intention of this booklet is to facilitate a period of reflection so you can make an informed decision. And when you do come to a decision, there's no 'right' or 'wrong'. Both options, either of pursuing or not pursuing a civil claim, have their different motivations as we intend to show. Our main hope is that this booklet will prepare you for potential issues you may need to navigate.

We also want you to be aware that pursuing a civil claim is challenging and you really need to be supported by a good legal team you can trust. In terms of financial outlay, there are potentially cost implications to bear in mind and which you should discuss with the lawyers you instruct.

Please be reassured that these guidance notes have been written based on the lived experiences of former grassroots and professional footballers – particularly those who have been through the civil claims process

Wherever you are on your journey, we wish you well.

[1] Child abuse is when a child is intentionally harmed by an adult or another child – it can be over a period of time but can also be a one-off action. It can be physical, sexual or emotional and it can happen in person or via technology. It can also be a lack of love, care and attention – this is neglect. You can find out more from the NSPCC website **here**.

Important: This booklet is about civil claims which may result in financial compensation to you. Below is a very high-level overview of the key relevant aspects of a civil and criminal claim. Claims under the Criminal Injuries Compensation Authority (CICA), which are different to criminal prosecutions, are dealt with in more detail at page 10.

Please note that it's possible for both criminal and civil proceedings to take place in relation to one matter.

A civil case:

- Is brought by an individual(s) or organisation and these cases must meet the 'balance of probabilities'[1] standard of proof.
- Its main purpose is redress. This means a civil case usually (but not always) seeks compensation or another type of financial agreement, if successful.
- At the conclusion of a civil claim, a single judge will determine whether the claimant has succeeded in establishing their case.
- Under certain circumstances, a civil claim can be pursued against the estate of someone who is dead.
- Either claimant or defendant can appeal against the findings of a civil case.

A criminal case:

- Will be brought by the Crown Prosecution Service (CPS), based on evidence gathered by the police and other agencies. After investigation by the police, the CPS will consider whether there is sufficient evidence for a realistic prospect of conviction. The standard of proof in a contested criminal case is 'beyond reasonable doubt'[2].
- Its main purpose is conviction and punishment (e.g. a prison sentence), for those found guilty, not financial redress.
- The verdict in a contested criminal case, where a jury will usually be present, is 'guilty' or 'not guilty' and where guilty, a defendant will receive a sentence considered appropriate by a judge.
- A criminal case cannot be pursued against someone who is dead.
- Only the defendant can appeal against the judgment in a criminal case.
- To read more about the work and role of the Crown Prosecution Service click **here**.

Please note: Whether criminal or civil, not all cases result in a court case. Some, primarily for less serious offences, result in out-of-court resolutions or by mutual agreement.

[1] 'Balance of probabilities' means that the judge must be convinced that the claims are more likely true than not.

[2] 'Beyond reasonable doubt,' means the judge or jury must be sure of the defendant's guilt, to the point that no reasonable uncertainty remains.

"It was traumatic enough going through it in therapy, but others whose evidence was taken forward in a criminal case shared that being in an open court, with a set of people trying to prove you wrong, was brutal.

"I went through a civil case and that was also deeply challenging. The abuse and the impact it had on me ultimately came down to a number that simply didn't cut it, given the lifelong effects of the abuse.

"For me, the period that my case was going on took over my life. Whatever decision you make, go into it with your eyes wide open and make sure you have a good support network around you as you try to seek the truth or justice you want to achieve."

A member of FASSSAG (FA Survivor Support and Safeguarding Advisory Group) who has not waived anonymity.

"My experience in pursuing a civil claim consisted of a multitude of different feelings, thoughts, assumptions, predictions and many 'knowings unbeknown' to me. Having to wait for the criminal case to conclude prior to the civil case commencing, was challenging due to the uncertainty as to whether the evidence provided by the police, would meet the CPS' charging threshold?

"The process of taking out a civil claim, from start to finish, can vary widely. In my experience, it took just over (circa) five years. Instructing the right law firm is imperative and key to any potential success (as well as your wellbeing!!). Choose wisely!

"However, throughout the journey of a civil claim, whether it be long or short in duration, taking care of yourself on an emotional level, is by far THE MOST IMPORTANT factor in all of this. Even when there is a successful outcome at the end, it is the time within the journey when having to re-live, re-open, repeat and possibly/potentially re-scrutinise the past, that can be tough; and you may not notice how it is affecting you at the time.

"Therefore, it is important to seek support (professionally or from those whom you trust within your community) throughout, during and after. This helped me exponentially."

Jimmy Aggrey

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The guidance in this booklet reflects the legal framework in England at the time of publication. It may differ in other parts of the UK and in other countries, so if you live outside England, please check your country's relevant legal provisions.

A look at why you might be considering a civil claim.

Child abuse is a terrible and highly impactive crime.

If you are considering pursuing a civil claim, it's important to reflect on your objectives, as it can be a difficult journey. Is your goal about justice and tangible recognition that a crime took place? As part of this – if they are still alive – do you want the perpetrator or organisation they worked for to be punished for the suffering they have caused?

Justice is a very personal matter, so it's perfectly okay to decide what it means for you[1].

Strongly associated to justice is compensation. Are you also looking for financial compensation? Money cannot retrospectively remove suffering, but it can help to alleviate financial hardship a survivor incurs as a result of their experience. Financial compensation can also help fund support services such as counselling.

Making a civil claim can fulfil some – and sometimes all – of the above objectives. Before you start your journey, we recommend taking the following two steps:

1. Speak to a specialist solicitor equipped with the right questions so as to be aware of what you are entering into and what may happen if your claim is successful, or if it is not (see page 12).

2. Speak to someone who has been through the process or if you don't know anyone and you are in football, you could contact:

- Survivor Support and Advocacy Service (SSA): This service is delivered by the Professional Footballers' Association (PFA) and jointly funded by The FA. It is available to anyone in football, not just former or current professional players. i.e. it's available across the men's and women's games to club officials, volunteers, players, referees etc. The service is a trauma-informed, person-centric service which means the survivor is the decision maker, no-one else.

Email: SupportAdvocate@thepfa.com

Tel: 07940 324285

- The FA's Survivor Support and Safeguarding Advisory Group (FASSSAG): Set up in 2018, this Group comprises former footballers with lived experience, alongside independent safeguarding professionals and specialist organisations. The Group has co-authored this guidance.

Email: Safeguarding@TheFA.com

- Other potential sources of wider support and guidance are listed on pages 17 and 18.

Understandably, if you decide to pursue a civil claim you will have to talk about and share details of what you experienced. For some people this can be deeply distressing to re-live, so it's important that you've thought through the support network you will have in place around you if you choose to go ahead.

Please note: Every potential claim is unique. It does not follow that one survivor's experience of pursuing a claim will be the same as yours. Asking your solicitor the right questions from the outset and having them answered formally in writing for the avoidance of doubt is advisable.

[1]In this connection, please see: Redefining Justice: Survivors Perspectives, Pathways and Positive Outcomes, produced by NAPAC (The National Association For People Abused in Childhood).



WHAT TYPE OF CLAIM CAN YOU MAKE?

A Criminal Injuries Compensation Authority (CICA) claim, or a civil claim or both?

If you've suffered abuse, there are two main types of compensation claims that you can make personally:

1. A claim to the **Criminal Injuries Claims Authority (CICA)**.
2. A **civil claim**, which may or may not go to court.

Or you may decide to pursue concurrent claims via both the above routes.

What is CICA?

CICA was set up by the UK Government in 1996. It deals with compensation claims from people who have been physically or mentally injured because they were the victim of a violent crime in England, Scotland or Wales.

CICA manages the Government's **Criminal Injuries Compensation Scheme**. This scheme sets the criteria for claims and the amounts of compensation it can pay based on a tariff.

The tariff system means potential compensation payments are limited by the type of abuse or incident. Compensation limits can – and do – change. You can find the latest figures by clicking **here**.

But make sure your first step is to report the abuse to the police. Claims via CICA cannot proceed unless the abuse has been reported to the police and the person reporting it has co-operated with police investigations.

Generally, and at the time of publishing this guidance, you have two years from the date(s) of the incident(s) to make a claim via CICA. However, CICA set out some specific exceptional circumstances where, if the abuse happened many years ago, you may still be able to make a claim. This is where taking legal advice is recommended (see pages 14 and 15).

You do not necessarily need to obtain legal advice before making a CICA claim, as most cases can be completed by the claimant. Where someone doesn't have the capacity to complete the claim form themselves, there are some free resources online to help you. In addition, CICA itself has an advice line (0300 003 3601), or you can contact **Victim Support**. The PFA Survivor Support Advocate can also give general support for those in football (see contact details on page 17).

'No win, no fee' solicitors will charge up to a 25% success fee, so bear this in mind. You may not need to appoint them to make a claim via CICA.

Please note: You do not need a successful criminal claim to pursue a CICA claim. This is because the threshold for criminal law is very high.

You can read more about CICA and the role it fulfils **here**.

You can read about how to pursue a claim via CICA – and your eligibility – **here**.

What is a civil claim?

The main difference between a civil claim and claim via CICA are that there are no statutory limits on compensation which can be awarded in a successful civil claim.

However, you must first decide who the claim is against: an individual or an organisation?

If the abuser – or the organisation they represented – does not have sufficient assets or money to pay a judgment against them – or is no longer alive – there may be little point in making a civil claim, if financial compensation is one of your goals. A civil claim can either be settled out of court or go to a court hearing.

Following the final report of the Independent Inquiry into Child Sexual Abuse in 2022, the law was changed in 2026 to remove the three-year time limit for victims and survivors of child sexual abuse to make a civil claim. The burden of proof that previously rested on the shoulders of victims, with victims having to prove it is possible to hold a fair trial for one to go ahead, has also been shifted. The burden of proof has been moved to defendants, who must now show that a fair trial is not possible. The intention of this change is to enable cases to be heard more easily.

The vast majority of claims will require careful navigation. Therefore, save for more straightforward CICA claims, trusted and skilful legal advice will likely be important. Initially, this legal advice may be simply to help you decide which type of claim to make. Please see pages 14/15 for some tips on the questions to ask to help you find a lawyer who's right for you.

"I soon realised that in my case, making a civil claim was pointless, as my abuser wouldn't have the financial means to pay compensation – and he also wasn't officially working for a club when the abuse occurred, so I couldn't make a claim against his employers. Getting all that clear at the start helped me focus my efforts on a claim via CICA.

Anonymous

IMPORTANT NOTE:

Clubs' insurance companies

In most cases, when an individual is making a civil claim against a football club, the claim will be passed on to their insurer. Like most large companies in the UK, football clubs carry insurance against civil claims. While this may be a very personal matter to you, for the insurance company, it is not; it is purely transactional. Understanding this can help navigate through what can feel like an impersonal process.

FREQUENTLY-ASKED QUESTION:

Q: Can you make a civil claim for compensation and one to the Criminal Injuries Compensation Authority (CICA)?

A: Yes, but if you succeed in a civil claim, you may have to reimburse CICA the compensation they awarded you.



IMPORTANT NOTE:

Therapy

Many survivors of non-recent abuse have found benefits in seeking therapeutic support, as looking after your health and emotional wellbeing is essential.

Engaging with the right therapist for you is important. Your therapist should be qualified and experienced in working with those who have suffered non-recent abuse. They should provide a safe and confidential space for you and have an understanding of any legal or civil case that you might be engaged in or are considering.

You should discuss your confidentiality at the outset of your relationship with your therapist. This should include the rights of legal bodies to request information and notes from your therapist for both legal and civil actions. The important thing is that you feel safe discussing what you want with your therapist.

The Crown Prosecution Service guidance (see **here**), states that therapy should not be delayed for any reason connected with a criminal investigation or prosecution.

Historically, there was a fear that engaging in therapy might cause a criminal or civil prosecution to fail on the basis that it might be argued that the treatment could have tainted the victim's evidence by interfering with the accuracy of their recall of the incident(s). While this fear has largely diminished, you should discuss the type of therapy you are engaging in with your therapist.

While we suggest that you tell your legal representative whether you have been or are engaged in therapy, the overriding priority is always that you receive the best therapy for you when it is needed. Therapy should not be delayed pending court proceedings, which can take many months.

For further information, please click on the links below:

https://www.cps.gov.uk/legal-guidance/pre-trial-therapy-accompanying-note-therapists
and
Pre-Trial Therapy | The Crown Prosecution Service

If you were or are involved in English football, to discuss whether you can access therapeutic support, contact Sporting Chance:

Tel: **07585 900000**
Email:
support@sportingchanceclinic.com

Psychiatric Assessment

It is common for participants in a civil claim to be asked to attend a psychiatric assessment. This is to assess the emotional impact that any historic abuse may have caused you and how this may have affected your life. This is a clinical process and an assessment; it is not designed to offer support. We would encourage you to make sure that you have good personal and/or professional support around you at this time.

HOW DO YOU FIND QUALIFIED LEGAL SUPPORT?

Some questions to ask solicitors if you decide to make a claim.

"Be wary of solicitors/legal advisers offering life-changing amounts of money for a successful claim. The reality is often quite different – there are no guarantees!"

Anonymous

Here's some general advice on appointing legal advisers:

1. Decide the basis on which you will work with your legal adviser

Are you happy to go with a 'no win, no fee' agreement? This will depend on your individual circumstances, but you should be clear about this before you contact a legal firm. You will need to carefully consider any terms of engagement so that you fully understand if there are any costs which may come your way.

You'll find information about paying for a solicitor from the Law Society website **here**.

2. Ask practical questions

By asking practical questions, you'll gain more understanding of a legal advisor's experience of managing these sensitive types of cases, as well as how the process works. This should aid your decision about whether this is the right legal advisor for you.

Questions could include:

- Does the legal advisor have a proven track record of handling non-recent child sexual abuse cases? If so, over what time period?
- Do they have established relationships with relevant experts, e.g. barristers, psychiatrists and any relevant agencies?
- Do they say they practise in a trauma-informed way? If so, can they show examples of how they do this in their work?
- Are they accredited and members of:
  - The Association of Personal Injury Lawyers (APIL);
  - The Law Society/Personal Injury Accreditation Panel.
- Crucially, what's their cost structure and are they willing to travel to meet you if necessary? If they are not prepared to travel to see you, then perhaps they are not the right solution for you?

Please note: If you instruct a solicitor on a 'no win, no fee' agreement they may charge you for all incurred costs but if your claim is unsuccessful there will generally be nothing to pay under the 'no win, no fee' agreement. If you win, the defendant pays the legal fees and disbursements (e.g. any out-of-pocket expenses). However, if there's a shortfall between what the defendant is ordered to pay and the actual costs, then in some circumstances these can be deducted from your compensation. It is important that you understand what is covered by any 'no win, no fee agreement', including any possibility of the shortfall being deducted from your compensation.

- If your claim is successful will the lawyer retain any of your compensation in lieu of fees and disbursements? If so, what percentage and when can you expect to be paid?
- If your claim is unsuccessful, but the lawyer wishes to appeal and you don't, will they allow you to walk away without being issued with a bill for fees and costs incurred?
- If – for any reason – you want to change your legal representative, how would this work and what would be the position regarding any costs already incurred?
- Will you have any influence or ability to decide whether to go to court, or could you be forced to settle out of court for an amount with which you're unhappy?
- Where an out-of-court settlement is proposed and you are unhappy with what your legal representative suggests, should you settle, or can you influence or decide the amount on which you are happy to settle? Or will this be dictated to you?

Important notes:

- All your questions should be answered formally and in writing to avoid any doubt.
- If you decide to instruct a solicitor on a 'no win, no fee' basis, they will usually ask you to sign a conditional fee agreement (CFA). This agreement should confirm that your solicitors' fees are only payable if your case is successful. It's important you read the agreement carefully to ensure you understand how the arrangement is going to work in practice, including the extent to which expenses and other costs incurred by your solicitors may remain payable regardless of the outcome. If you have any questions, as with all your dealings with solicitors, you should put them in writing and ensure you get a written response.
- If you win your case, generally, the other side (the defendant) has to pay your solicitor's fees and expenses. But if there's a shortfall between what the defendant is ordered to pay and the actual costs, then as mentioned earlier, this shortfall could be deducted from your (the claimant's) financial compensation. This could mean that you come away from the civil claim process, with less compensation than you thought you might.

If you are within football and need any general support with navigating the terms of a credit finance agreement, you can contact The PFA's Survivor Support Advocate. You'll find contact details and a service description on page 17.

FREQUENTLY-ASKED QUESTION:

Q: Are there therapeutic support services I can access?

A: Yes, please see page 17 for a list of organisations working within football who will be able to advise you.

Q: I've heard that The FA has a Benevolent Fund that former professional players can access – can I make a claim against that?

A: You cannot make a claim for the abuse you suffered, as The FA Benevolent Fund is not a compensation fund. However, the Fund's purpose is to provide financial assistance to those connected to the game who are experiencing financial hardship. If this applies to you, you could make an application for support. The FA has published some guidance notes on how you apply – click **here** and scroll down, and you'll find it as Guidance Notes 9.3 at the foot of the page.



"If you are considering taking out a civil claim for abuse you have suffered, you should be aware that the whole process usually takes at least a year to 18 months, and can, on occasion, take much longer. Sometimes several years. This can mean you are revisiting your past for a considerable period which can often be retraumatising. Take care of yourself. Seek support where you can, if possible, from family and/or friends. Utilise therapy or a counsellor and use any services available to you. I found sharing my concerns and how I felt, helped me enormously, to navigate the often difficult and unpredictable path of pursuing a civil claim."

Ian Ackley, Survivor Support Advocate, Professional Footballers' Association.

SOURCES OF WIDER SUPPORT

- **Survivor support organisations *inside* football.**
- **Survivor support organisations *outside* football.**

Organisations working specifically in football (listed alphabetically)

Organisation	Website	Contact	Services offered
Sporting Chance	www.sportingchanceclinic.com	T: 07500 000777	Sporting Chance provides access to talking therapy through a national network of practitioners who are qualified and experienced to help those who have experienced non-recent abuse within a football setting.
Survivor Support and Advocacy Service (SSA):	www.thepfa.com/	T: 07940 324285 E: SupportAdvocate@thepfa.com	Delivered by the Professional Footballers' Association (PFA) and jointly funded by The FA. This service is available to anyone in football, not just former or current professional players. i.e. it's available across the men's and women's games to club officials, volunteers, players, referees, etc. The service is a trauma-informed, person-centric service which means the survivor is the decision maker.
The FA	www.TheFA.com/safeguarding	E: safeguarding@TheFA.com	Information on safeguarding in football, and if you wish to speak with someone about the abuse you experienced in football.

click here and scroll down, and you'll find it as Guidance Notes 9.3 at the foot of the page.

Organisations working across society

Organisation	Website	Tel no	Services offered
NAPAC	https://napac.org.uk/	0808 801 0331	Supports adult survivors of all forms of childhood abuse, provides training for those working with survivors, and uses research to help survivor voice shape change.
NSPCC	www.nspcc.org.uk/	0808 800 5000	Wide-ranging services aimed at tackling every form of child abuse.
Marie Collins Foundation	www.mariecollinsfoundation.org.uk/	01609 751631	Providing support and resources for people recovering from technology assisted child sexual abuse.
Rape Crisis	www.rapecrisis.org.uk/	24/7 Support Line: 0800 500 2222 Online chat: via 247sexualabusesupport.org.uk	The 24/7 Support Line is a free phone and confidential online chat service for anyone aged 16 and over in England and Wales who has been affected by any kind of sexual violence, abuse or harassment.
Safeline	www.safeline.org.uk/	Main no: 01926 402 498 National male survivor helpline: 0808 800 5005	Free, trauma-informed support for anyone impacted by sexual abuse. National male survivor helpline/online support service for men/boys age 3+ and national telephone and online counselling service for child sexual abuse victims age 16+. We also support non-abusing supporters.
SurvivorsUK	www.survivorsuk.org	020 3598 3898 National Helpline: 0786 0003 1252. Webchat via website	Supports boys, male and trans and non-binary survivors of sexual abuse. Providing case work, counselling, groupwork and Independent Sexual Violence Advisor (ISVA) services based in London and a national online helpline.

CONCLUDING THOUGHTS

There's no definitive answer to the question on the front of this booklet. Everyone's experience of pursuing a child abuse claim will be unique.

Our intention has been to give you the information to support your decision-making process about whether or not to pursue a civil claim – a decision that's right for you with the support of those closest to you.

Given making a claim means talking about your experience, which can impact you further, we also encourage you to reach out to organisations who can offer you support and advice in coming to a decision, particularly the organisations working within football.

We wish you all the best in arriving at the decision that's best for you.

For reference, there is another booklet co-authored by FASSSAG. It's to help guide you on whether to waive your anonymity or not. You can find it under 'Useful Resources' at the foot of this page on The FA's website.



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- Clare Kelly and Denise Pringle, practitioners in the prevention of child sexual abuse.
- **The Hydrant Programme**
- **NAPAC** (National Association for People Abused in Childhood)

Disclaimer:

The information in this document relating to civil claims applies to crimes that have happened in England and Wales. The process is different if the crime happened in **Northern Ireland**, Scotland or **another country**. The information relating to CICA claims relates to violent crime that occurred in England, Scotland or Wales.

The contents of this booklet are for general informational purposes only and do not constitute legal advice.

While efforts have been made to ensure the accuracy and relevance of the information offered, it should not be relied upon as a substitute for professional legal advice. We do not accept any responsibility or liability for any actions taken or not taken based on the content provided. In preparing this booklet, we acknowledge information gathered from third-party websites.



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