



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

Published on 19 October 2026

SECOND SECTION

Application no. 20695/24
M.
against the United Kingdom
lodged on 22 July 2024
communicated on 28 September 2026

SUBJECT MATTER OF THE CASE

The applicant was sexually assaulted by a teacher, X, at her boarding school in 1990 when she was eight years old. The offence was reported to the police at the time but the applicant was not believed. She reported it again to the police as an adult in 2012 but the police declined to reopen the investigation even though, unknown to the applicant, X had been convicted in 2007 of the sexual assault of a child in very similar circumstances to the ones she had described. She reported the assault to a different police force in 2015. This led to a criminal investigation and the arrest of X in July 2016.

On 21 March 2017, during the criminal investigation, the applicant was convicted of a public order offence. The conviction arose from an incident where she took her dog to a shop where she worked to ask for unpaid wages. She conceded that her dog looked frightening and pleaded guilty to the offence charged. She was sentenced to a 12-month community order. Her conviction became spent on 19 March 2019.

Meanwhile, in July 2017 X was convicted of indecent assault (a historic offence, replaced in 2003 by the offence of sexual assault). In her victim impact statement in the proceedings, the applicant described how her abuser's actions had destroyed her childhood through the combination of being sexually assaulted and being disbelieved by her parents, law enforcement and social care professionals. X was sentenced to three years' imprisonment, following a referral by the Attorney General of his sentence to the Court of

Appeal on the grounds that the original sentence of 15 months' imprisonment was unduly lenient. The court referred to the offence as a serious sexual offence involving a cynical abuse of trust and misuse of power against a young child who suffered lasting harm as a result.

On 3 October 2017 the applicant applied to the Criminal Injuries Compensation Authority for compensation under the Criminal Injuries Compensation Scheme, which compensates victims of crimes of violence, including child sex abuse. Her application was rejected because the applicable rules denied compensation if, at the date of the application, the applicant had an unspent conviction which had resulted in a custodial or community sentence. Her challenge to the denial of compensation was unsuccessful, with the Court of Appeal finally refusing permission to appeal on 26 March 2024.

The applicant complains under Article 14 of the Convention, taken in conjunction with Articles 3 and 8 of the Convention and Article 1 of Protocol No. 1, about the failure to treat her and other victims of child sex abuse differently from other victims of violent crime; and about the failure to treat all victims of child sex abuse in a similar way.

QUESTIONS TO THE PARTIES

1. Does the applicant’s complaint of discrimination as a result of her ineligibility for compensation fall within the ambit of Article 3 and/or Article 8 of the Convention and/or Article 1 of Protocol No. 1 to the Convention (see, for the relevant approach and *mutatis mutandis*, *Stubbings and Others v. the United Kingdom*, 22 October 1996, §§ 61 and 72-74, *Reports of Judgments and Decisions* 1996-IV; *Stec and Others v. the United Kingdom* [GC], nos. 65731/01 and 65900/01, §§ 51-56, ECHR 2006-VI; *Konstantin Markin v. Russia* [GC], no. 30078/06, §§ 129-30, ECHR 2012 (extracts), and, *mutatis mutandis*, *X and Others v. Bulgaria* [GC], no. 22457/16, § 193, 2 February 2021)?

2. Does the applicant have “other status” for the purposes of Article 14 (see *Clift v. the United Kingdom*, no. 7205/07, §§ 55-63, 13 July 2010)?

3. Has there been:

- (a) a difference in treatment compared to others in an analogous situation (see, for example, *Djeri and Others v. Latvia*, nos. 50942/20 and 2022/21, §§ 138-42, 18 July 2024, and *Stott v. the United Kingdom*, no. 26104/19, §§ 94-95 and 98-105, 31 October 2023)?
- (b) a failure to treat differently persons whose situations are significantly different (see *Thlimmenos v. Greece* [GC], no. 34369/97, § 44, ECHR 2000-IV, and *D.A. and R.A. v. the United Kingdom*, no. 46692/19, § 87, 17 March 2026)?

4. If so, did the difference in treatment, or failure to treat differently, have an objective and reasonable justification (see *Stec and Others*, cited above, §§ 51-52; *Savickis and Others v. Latvia* [GC], no. 49270/11, §§ 183 *et seq.*, 9 June 2022; and *D.A. and R.A. v. the United Kingdom*, cited above, §§ 87 and 101-10)?