

Abuse and Sexual Assault

A guide to making a claim

Expert advice

Talking about cases of abuse, whether it happened recently or many years ago, is never an easy thing to do for anyone who has experienced it. The thought of discussing these personal, emotional and often quite distressing issues with a lawyer can be quite traumatic.

Having specialised in cases of abuse and sexual assault for many years, Slater and Gordon understand just how difficult this can be and it's our aim to make the process as easy as possible for everyone concerned, ensure you get the best possible outcome, and the justice you deserve.

As well as having a commitment to securing the right result for our clients, we go that extra mile to help reduce the burden of dealing with any of the additional worrying issues faced at such a difficult time.

What is abuse?

Abuse can happen at any stage of life and can present itself in many forms.

There are three main forms of abuse:

- **sexual abuse** – a person making sexual contact without consent
- **physical abuse** – hitting, kicking, punching and biting
- **emotional abuse** – racist name calling, bullying, threats of violence

How do you know if you're entitled to compensation?

There are various situations where compensation may be claimed. The most common abuse claims include:

- abuse suffered as a child in local authority or foster care
- a failure by Social Services to protect a child from abuse
- abuse by a person in a position of trust (for example a priest or teacher)
- abuse suffered within the family
- abuse of the elderly in a nursing or care home
- sexual or physical abuse suffered as an adult
- a single incident of a sexual or physical assault

Whether you have been abused physically, emotionally or sexually, as an adult or a child, it's important given the complex nature of these cases that those who have suffered from abuse or assault speak to a lawyer who has experience in this area of law.

Slater and Gordon has a vast amount of experience in this area and once we take details of the incident, we'll be able to advise on whether or not a claim can be made.



Why would you sue an abuser?

Abuse can be very damaging. It causes both physical and psychological harm which can often be lifelong, especially so if untreated. A victim may be unable to work and so suffers hardship. The treatment that's needed may be unaffordable. These are just some of the reasons why someone may wish to claim compensation.

What if your case is one which will attract the media?

Slater and Gordon's Abuse and Sexual Assault team have dealt with many high profile abuse cases over the years. We're very experienced when it comes to dealing with the press regarding abuse cases and ensuring anonymity for our clients.

We're also often asked to quote on high profile cases, given our expertise in this area of law. We've acted for many victims in some of the most high profile cases in recent years.

Advice on making a claim for compensation

For those who don't have experience of the legal process, contacting a lawyer and making a claim for compensation can be a daunting prospect. However, we're with our clients every step of the way, ensuring they understand the claims process, and relieving the burden of having to deal with a variety of practical issues, at what can be a difficult time.



What should you do if you think you have a claim?

Contact us. Our team of specialists have a vast amount of experience of dealing with cases of abuse and assault.

Once we've taken details, we'll tell you whether or not you have a claim. If you're entitled to compensation, we can start work on your case straightaway and begin gathering evidence. There are time limits which can apply when making a claim for compensation, so do not delay in contacting us.

What is the cost of making a claim?

We understand that the cost of legal advice can be a worry, but there are options available to fund personal injury cases.

You may have legal expenses insurance under an existing insurance policy which entitles you to free representation. If legal expenses insurance is not in place, we can conduct your case under a Conditional Fee Agreement, also known as a 'No Win, No Fee' Agreement. This means if the case fails, no payment is due.

If a claim is brought under the CICA Scheme, it can be funded under a Contingency Fee Agreement.

Once we know the circumstances of your case, we'll be able to discuss your funding options in more detail.

What is the amount of compensation likely to be?

Compensation will be based on the severity of the abuse/assault, and also on your personal circumstances. For example, if you've been unable to work as a result of what happened to you, loss of earnings may be accounted for. If you require counselling and treatment, these costs will also be taken into account.

How long is the case likely to take?

Every case is different so it's difficult to estimate how long a case is likely to take without first reviewing the circumstances. However, the case will be dealt with by an expert from our abuse and sexual assault team who will deal with the case as quickly and efficiently as possible.

Frequently asked questions

Will I have to go to court?

Understandably, many people are concerned about having to attend court. However, the vast majority of cases successfully conclude before a final hearing. Even if the case does reach a final hearing, it is unlikely that the abuser would be present at the hearing.

Will criminal proceedings affect my civil claim?

Criminal proceedings are completely separate from a claim for compensation, although the outcome of criminal proceedings are relevant. If an abuser is not found guilty of abuse, it may still be possible to make a claim as there are many reasons why an alleged abuser has not been convicted. The evidential burden in a civil case is lower and the issues are often different to those in a criminal case. We'll be able to advise further once we know the circumstances of your case.

Can a claim still be made if I don't live in the UK or the abuser does not live in the UK?

It's still possible to pursue a claim for compensation whether you live overseas or the abuser lives overseas. If the abuse itself occurred whilst overseas, it's still possible to make a claim, but other factors have to be taken into consideration such as the laws in other countries. We can advise you further once we have all the details.

What if I need assistance in other areas?

We have experts in many areas of law such as employment, family, welfare benefits, trusts, and disability rights and work closely with those departments to ensure that you get the best possible outcome.