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# UNDERSTANDING YOUR SEXUAL ASSAULT CASE

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**GERARD MALOUF  
AND PARTNERS**  
solicitors & barristers

# SEXUAL ASSAULT INCLUDING CHILD ABUSE COMPENSATION

## UNDERSTANDING SEXUAL ASSAULT LEGALLY

It is important to acknowledge that sexual assault can happen to anyone, most people find it hard to talk about but it is well within your rights to seek legal support and justice when you have been violated. **It is never a victims fault that they were sexually assaulted regardless of the circumstances.**

Sexual assault is legal terminology that describes a range of sexual offences. These sexual offences range from; showing obscene images to a person, to touching someone inappropriately and also penetration of a person's body. If someone acted in a sexual way that made you feel violated or if someone touched you without consent this may be classified as sexual assault.

It is important to consider seeking help from health services, sexual assault counselling services and legal services if you believe you may have experienced sexual assault. **Seek out help regardless of whether you have contacted police or not- even if the police don't believe a crime has been committed.**

## IMPORTANT LEGAL ELEMENTS CONCERNING SEXUAL ASSAULT

Some elements that must be considered when determining sexual assault are:

- Issues around consent.
- The victims age.
- Where and how the assault took place?
- What was the perpetrators thought process?
- What was the victims thought process?
- What would a reasonable person have thought in the circumstances?

There are no statutory time limits relating to sexual assault therefore you are able to bring a claim long after the assault has occurred. Establishing liability of the perpetrator is "unofficially" a lower standard of proof so it is definitely worth enquiring with legal counsel to determine if your case is viable.

Sexual assault matters mostly settle before going to court therefore your case remains private and has fewer people involved in the process. Lawyers have a duty to keep all information confidential about their clients. **During the legal process you will not be required to meet with the perpetrator, the whole process is non-confrontational and your wellbeing is always considered.**

## **IT IS IN YOUR BEST INTEREST TO SEEK LEGAL HELP**

The trauma of sexual assault causes significant emotional, psychological and physical problems for victims, this can detrimentally affect a victims life, livelihood, relationships, physical and mental health. Sexual assault matters often settle for large sums of money due to the extensive damage it causes victims.

At Gerard Malouf And Partners we obtain the most compensation possible for our clients as we claim under all of the heads of damages (areas of loss). GMP is able to provide you with up to triple the amount of compensation compared to the Victim Support Scheme NSW under their 'recognition payments' for a sexual assault matter.

The finalisation of a victims legal claim often contributes to emotional closure. The course of justice is served and a psychological end occurs, this supports the healing process for many victims of sexual assault.

## **CHOOSE GERARD MALOUF AND PARTNERS TO REPRESENT YOUR CASE**

Gerard Malouf and Partners will provide you with the highest quality legal service:

- We respect the highly private nature of your abuse case.
- It's highly unlikely you'll ever be required to provide formal evidence in front of a judge or have the facts of the matter become public.
- You will not need to see or meet the perpetrator.
- We have a team of medical and financial experts to explore all of your losses and make a significant claim for damages for the past and ongoing loss and damages you've sustained.
- We are accredited specialist in personal Injury.
- The firm has an excellent track record and reputation.
- Senior lawyers with experience will take on your case.
- We provide excellent Client Care service.
- GMP is a specialised personal injury firm with decades of experience winning cases.
- Our expert lawyers will build a strong case for you by investigating the facts thoroughly and obtaining expert evidence to support your case.
- GMP will provide you with an excellent and fair "no win no fee" arrangement and keep you fully informed regarding the merits of your case.
- You will obtain a maximised financial result utilising the expertise of our lawyers who claim all the relevant areas of damage.
- You will be provided with all the information you require relating to costs and compensation during your claim and at its conclusion.

Gerard Malouf and Partners is Australia's leading compensation firm. We have won over 35,000 compensation claims and close to 4 billion dollars for our clients over the past +35 years, all while under the same management. We have a 98% success rate for our cases that have gone to court.

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