

# Top ten FAQs about an abuse claim

## 1. What should I do if I want to make a claim for abuse I suffered?

Deciding to seek legal advice about abuse you suffered can be an important step to help you seek redress for what happened to you. Abuse claims are a specialist area of law and you should approach lawyers who are experts in bringing cases on behalf of survivors.

When you speak to a lawyer, you may be asked to provide details of:

- What kind of abuse you were subjected to, such as sexual abuse, physical abuse or emotional abuse.
- When and where the abuse you suffered happened.
- Whether you have spoken to anyone about the abuse in the past.

The lawyer might want to see any paperwork, documents or photographs that you have that are relevant to the abuse.

## 2. What if I have never spoken about the abuse before?

It is common not to speak about the abuse you suffered, including for many years. Abuse involves a breach of trust, and you may find it difficult to trust someone enough to tell them what happened to you.

A specialist abuse lawyer will be experienced in helping clients who have difficulties talking about the abuse they suffered. Your lawyer will explain to you what information they need in order to provide you with legal advice. You will be listened to in a patient and sensitive manner.

You may find it helpful to write down what you want to say before you speak to a lawyer or someone else about the abuse.

## 3. Do I need to make a report to the police?

If you feel able to, it can be a good idea to report the abuse you suffered to the police. The police may already be aware of the person who abused you, or other victims. Only the police can conduct a criminal investigation into what happened to you.

You can report the abuse you suffered to the police by going into a police station, calling 101 or reporting on your local police force's website.

If you would prefer to speak to a male or female officer, you should explain this when you first make contact with the police. Depending on the police force, you might speak to an officer from a dedicated sexual offences investigation team, a criminal investigation department ('CID'), or a child protection team.

The police will ask you for some basic information and take a 'first account' from you. You can do this over the telephone, at your home, or at your local police station.

After this, you may then be asked to provide a more detailed account to the police. This could be by providing a written statement, or a video interview. You can ask the police for a copy of the statement you made.

The police should listen to you and take your report seriously. Not every report of abuse to the police will result in a criminal trial. If a case does not proceed to a criminal court, the police should explain the reasons for this to you. You may still be able to take a civil claim for the abuse you suffered even if you have never made a report to the police.

#### 4. What if the abuse happened a long time ago?

It can be possible to seek redress for abuse that happened to you many years ago. Time limits do apply to abuse claims, but your lawyer may be able to argue that your case should be able to proceed in any event. At Leigh Day, we have successfully settled many claims for clients who were abused decades ago.

If you thinking about making a claim for abuse that happened to you as a child then it is important that you seek specialist legal advice as soon as you feel able to do so.

#### 5. Can I take a case directly against the person who abused me?

In some circumstances you will be able to take a claim directly against the person who subjected you to abuse. This may depend on whether the abuser has enough financial assets to pay you compensation. Your lawyer may advise you that it is better to take your case against an institution connected to the person who abused you, such as an organisation that failed to protect you.

#### 6. Will anyone else know that I am bringing a legal claim?

Your case will be kept completely confidential and we will not inform anyone about your claim without asking you first. We are able to keep the legal proceedings anonymous to protect your identity if your case is issued at court. This means that you would be known in the court case as a set of letters, such as 'XY'.

#### 7. How can I pay for my legal fees?

Your lawyer will discuss the options that are available for you to fund your abuse claim. It may be possible for you to obtain Legal Aid, or your lawyer may recommend a 'no win no fee' agreement. You may also be advised to take out a special insurance policy to protect you during your legal claim.

#### 8. Will my case go to court?

We understand that you may be nervous about appearing in court, particularly if the person who abused you is still alive. In most of the cases we bring at Leigh Day, we are able to reach settlements with the opponent so that our client does not have to go to court.

If your case does proceed to a trial or a hearing, your lawyer will ensure that you are fully prepared and supported to appear at court.

#### 9. How much compensation will I get?

If your case is successful, you will obtain an award of compensation. The amount that you receive will depend on the individual circumstances of your case.

At the outset of your case, it will not be possible for your lawyer to tell you exactly what your claim is worth. Instead, your lawyer will work with you to value your case. This may include getting evidence from an expert, such as a psychiatrist or psychologist, to provide a report on the harm you suffered.

#### 10. Who can I speak to for support?

You may find it difficult and emotional to speak about the abuse that you suffered. Your lawyer will always take the time to listen to you, but he or she is not a healthcare professional. It is important that you have access to any help you need throughout your claim and after your case concludes.

You should seek support from a professional who can offer you support, therapeutic advice or counselling. Your lawyer can put you in touch with a specialist charity, or you can ask your GP for a referral.