

**Our specialist lawyers
fight for just and fair
compensation for survivors
of Institutional Child
Sexual Abuse.**

**Turner
Freeman**
LAWYERS

We are determined to use our experience, accreditation and expertise, as well as our deep compassion and empathy, to achieve results and make a meaningful difference for our clients.

What is an institutional abuse claim?

An institutional abuse claim is a claim arising from historical or recent child sexual or severe physical abuse that took place in an institution such as a school, church or orphanage.

The claim is usually based on the fact that the institution (for example, a government or privately run school) failed to protect a young person in its care from sexual or serious physical abuse or that the institution is responsible for the actions of an employee who committed the abuse.

An institutional abuse claim is a common law claim. It is different to a claim made under the National Redress Scheme, which limits the amount a survivor of abuse can receive by way of compensation. Institutional abuse claims usually result in higher payments of compensation.

Time limits no longer apply to these claims. However, a survivor of institutional abuse should still act quickly and obtain legal advice.

Institutional abuse claims can be finalised with or without Court action being taken. It is a question of what works best for the individual client. Turner Freeman will make all attempts to achieve a fair settlement without taking Court action. However, if the relevant institution delays in agreeing to a settlement, Turner Freeman will take Court action on behalf of the client, if requested to do so.

Why do survivors of abuse make these claims?

We have learnt through our work with survivors of sexual abuse that the reasons for making a claim vary from survivor to survivor.

In some cases, a survivor makes a claim as a way of bringing the institution to account for the abuse. Sometimes the impact of the abuse has been so dramatic that the survivor has been unable to hold down employment and so the survivor might bring the claim in order to obtain financial compensation to provide for themselves and their family. In other cases, a survivor might make a claim as a way of making the institution recognise that the abuse occurred.

What evidence do I need?

In some cases, the perpetrator of the abuse has been charged or the circumstances of abuse are a matter of historical record. In some cases, the perpetrator has not been charged and the only evidence of what occurred is what the survivor of the abuse says happened to them. The survivor's account is the most important piece of evidence in a claim and even if there is nothing else available, we can build a case around the survivor's evidence.

What amounts can be claimed?

If successful, a survivor of abuse is usually entitled to payment for:

- Pain and suffering;
- Past and future medical and other expenses;
- Past and future loss of income;
- Care and domestic assistance, provided on a voluntary and paid basis;
- Loss of capacity to provide domestic services to a dependant.

In addition, the victim of institutional abuse can require an apology from the institution that was responsible for the abuse.

Time limits no longer apply to these claims, however, a person should still act promptly to bring a claim.

**At Turner Freeman,
our specialist lawyers
will fight for fair and
just compensation
for those who were
sexually or physically
abused as children
in an institution.**

