

What is Sexual Assault?

A sexual assault is any sexual act that a person did not consent to or is forced into against their will. Sexual assault is a form of sexual violence and includes rape, groping, forced kissing or the torture of a person in a sexual manner. It happens when someone either touches another person in a sexual manner without consent or makes another person touch them in a sexual manner without consent. It includes unwanted kissing and the touching of someone's genitals, breasts or bottom. Sexual assault can also involve the touching of skin, clothing or the use of something else to touch skin or clothing. No one ever deserves or asks for sexual assault to happen. All of the blame, shame and responsibility lies with the perpetrator. Sexual assault is not uncommon and victims may not tell anyone. It can have long lasting emotional and physical effects. You may also need to consider if they could be experiencing domestic abuse.

Further Information

There are many services and support that might be considered and used in both preventing and supporting individuals at risk of or experienced sexual assault including: [St Mary's Sexual Assault Referral Centre](#); [Rape Crisis](#) and [Manchester Rape Crisis](#); [Victim Support](#); [Survivors Manchester](#) for men only; [GALOP](#) and the [Lesbian and Gay Foundation](#) for LGBTQ+ support; the [Survivors Trust](#); [Crimestoppers](#); [Sexual Violence Support](#); and the [Independent Domestic Violence Advisory \(IDVA\) Service](#).

Reporting

There are a number of issues you need to consider if the individual wishes to report the offence to the police or not. If the victim wishes to report the assault, ask how you can support them, they may want you to report on their behalf. If the victim is under 18 years old you must report to the police and Children's Social Care.

If the individual does not want to report to the police they have a right not to do so however, you need to consider if there is a wider public safety concern. Discuss this with your manager as you may need to consider reporting without consent and you may need to consider if they have capacity in relation to reporting.

Remember to 'Think Family'; ask yourself:

- If the perpetrator is known to the victim and the victim has children, are those children at risk?
- If the perpetrator is known and has children, are those children at risk?

In a case potentially involving domestic abuse and if the victim has given consent, consider completing the [Domestic Abuse Stalking and Honour based violence \(DASH\)/MARAC referral form](#) with the victim.

Responding to Sexual Assault

Practitioners can be concerned about how to respond to disclosures of rape and sexual assault. Such disclosures may reveal current risks to others from an alleged perpetrator. You have duty of care for the people you are supporting and in regards to safeguarding others therefore you could be put in complex positions when trying to negotiate and balance your duties and responsibilities. Disclosing can be very traumatic for the individual and often they will have spent some time thinking about whether or not to tell someone what has happened, is happening or what they are worried about. You may have built up a relationship with them and they now feel comfortable disclosing information to you. Listen carefully, do not interrupt them and take all disclosures seriously. Try to remember the words they use and anything they want to happen next. Do you need to update their risk assessment?

Confidentiality

Practitioners need to be accountable for the decisions they make and effective in supporting individuals, whilst ensuring they meet their duty to safeguard children or adults who may now be at risk. It is important you clearly outline that because you have a duty to safeguard all children and adults, the information disclosed to you cannot always be kept confidential. This should be made clear at the start of conversations.

Rape

All rape and sexual assault is serious. The terms 'rape' and 'sexual assault' are used simply to differentiate between two types of offence. Greater Manchester Police state that the legal definition of rape is when someone puts their penis in another person's vagina, anus or mouth, without the person's permission. The intentional removal of a condom during penetrative sex without the person's knowledge (sometimes called stealthing) is also rape. Rape carries a maximum sentence of life in prison.

Assault by penetration is when a person penetrates another person's vagina or anus with any part of the body other than a penis, or by using an object, without the person's consent. The overall definition of sexual or indecent assault is an act of physical, psychological and emotional violation in the form of a sexual act, inflicted on someone without their consent.

Victims of Rape and Sexual Assault

Good Practice

It is important you record accurate and factual notes. If the case is prosecuted you may be called to court. It is important to ask the individual when this assault occurred; if it was recent evidence may need to be preserved via referral to a Sexual Assault Referral Centre (SARC) who provide support, advice, a forensic investigation and support services. The individual may require treatment for injuries or health support from A&E, Sexual Health Centre, GUM (genitourinary clinic), or their own GP. It is also important that they have a sexual health screening. If there is any doubt about their capacity, complete a Mental Capacity Assessment. It is vital that you record your decision making at this stage, even if you believe the individual has capacity you must show how you arrived at that decision.

Website: www.oldhamsafeguarding.org

Email: OldhamSafeguardingAdultsBoard@Oldham.gov.uk

