

PRESSING CHARGES

It is in your best interest to press charges as quickly as possible after the assault.

Call the police (17) to inform them that you wish to file a complaint for rape or sexual assault and they will direct you to the appropriate service.

You can ask the police to provide you with an interpreter.

At the station you will be asked to recount everything that happened before the assault, and during the assault itself.

- ⇒ Where? When? How? Were you alone? Could there be witnesses?
- ⇒ How did the assailant approach you? Did he say anything?
- ⇒ When did you start getting scared? Did he threaten you? Did he hurt you? What did you fear? What did you want to do?
- ⇒ How did the assault end? What are you afraid of now?

Describe what you did after the assault: how you felt, your fears, your doubts, how you sought help, your worries.

The narrative and the details you provide the police are essential to the investigation

It will help arrest your assailant. If more elements come back to you later, you will have the opportunity to add to the narrative you gave.

You should ask for a copy of your deposition once the complaint is filed.

If for security purposes you do not wish to provide your home address, you may ask to write down someone else's address (of your choice), such as an association's, or the address of the police service where you are filing your complaint.

If you decide to press charges some time after the event, or if you are already back in your home country, you can write to the offices of the *Procureur de la République du Tribunal de Grande Instance* (the State's Attorney's office) of the *département* (county) where the facts occurred.

MEDICAL EXAMINATION AND CARE

It is essential to have a health professional examine you as soon as possible, even if the crime is not recent.

If you have pressed charges:

The police will have you examined by a medico-judicial service (*UMJ Unité Médico-Judiciaire*).

You will be greeted by a nurse, who will explain to you what is going to happen during the examination. She will answer your questions and will stay by your side during the whole exam.

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The examination

The physician will need you to tell them what happened so that they can see and gather relevant evidence including:

- ⇒ a clinical exam, a gynecological exam, any trace of violence, biological samplings, your state of shock, and any psychological trauma.

You may be given additional treatments and care for your health to prevent sexually transmitted diseases/infections or AIDS, and pregnancy.

The physician will write a report describing what they have observed during the exam.

This report will be given to the police service that sent you there.

If you have not pressed charges

Even if you have not filed a complaint, you should not neglect your health. Go see a doctor.

POLICE ENQUIRY AND LEGAL PROCEEDINGS

First, the police or *gendarmerie* will conduct an investigation. They might contact you and may want to see you again.

The evidence they gather will be transmitted to the *Procureur de la République*. He will be in charge of deciding whether to pursue the investigation or not.

In the case of rape, the case will then be transferred to a "*juge d'instruction*" (an investigating magistrate) who will have to establish the charges and determine the relevant court to judge the case.

At that time, you will have the opportunity to file for a civil suit in order to gain access to every element in your file, including those provided by the assailant.

The entire procedure may take from a few months up to several years. During that time, you may need professional legal advice.

**Please don't hesitate to call
Viols-Femmes-Informations
at 0 800 05 95 95 (+33 800 05 95 95).**

They will help you understand every step of the procedure and will provide you with answers to your questions.

FRENCH LAW ON RAPE AND SEXUAL ASSAULT

Rape:

“Any act of sexual penetration, whatever its nature, committed on another person by force, coercion, threat or surprise constitutes rape.”

Article 222.23, Code Pénal.

This means forcing a person to be subjected to vaginal, oral or anal penetration while using threat, violence, coercion or surprise constitutes the criminal offense referred to as rape.

After a rape,

- a victim who was an adult at the time the crime was committed has 10 years to the day (of the crime) to press charges;
- if the victim was a minor, they have 20 years to press charges, starting at their 18th birthday. After that time, the statutory period of limitations runs out and the victim will not be able to press charges anymore.

Sexual assault:

Sexual assault with no sexual penetration (such as harassment, sexual exhibition, molesting, hazing...) is considered a “délit”, a.k.a a misdemeanor.

Article 222.27, Code Pénal.

After a sexual assault,

- with no sexual penetration, an adult victim has 3 years to the day (of the event) to press charges;
- if the victim was a minor, they have 10 years to press charges, starting from their 18th birthday. After that time, the statutory period of limitations runs out.

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FINDING HELP DURING THE PROCESS

Your consulate or your embassy can take care of you and help you assert your rights.

Furthermore:

- In France, you might qualify for the *Aide Médicale d'État* (National medical aid fund). This means that, since you're a foreigner, you can ask the state to take over the medical expenses resulting from the assault;
- Check whether your insurance covers legal and/or medical fees;
- Check whether your credit/debit card insurance might take over some of your expenses;
- In the event of a trial, you have the right to demand to receive compensation for your legal and medical fees.

Once you're back in your home country, do not keep it to yourself.

Please get the medical attention you need, and seek help and guidance from your friends and family, a therapist, or associations that fight sexual assault.

Don't go through this alone.

There are reliable people in official departments and associations who can help you.

**In France,
call Women-Rape-Helpline
and find the help you need.**

**COLLECTIF FEMINISTE
CONTRE LE VIOL**
VIOLS FEMMES INFORMATIONS

N° national **0 800 05 95 95**
APPEL GRATUIT DEPUIS UN POSTE FIXE / LUN-VEN 10H - 19H

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**You have been
victim of
sexual assault
in France**

If you are a victim of rape or sexual assault, you are in no way responsible for what happened to you.

You have done nothing wrong:
your attacker is the guilty one!
He had no right to do this.
The law forbids it.

Speak up and press charges in order to assert your rights.

If you need assistance, you can call:

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The call is toll-free from a landline or a payphone.
Someone will answer the phone from Mondays to Fridays, from 10 am to 7 pm.
You can also call the victim helpline:
08 842 846 37 (+33 8 842 846 37).

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