

Publicity offence:

written by Dennis_ Rombaut_ | March 28, 2022

Indecent exposure means committing an act of a sexual nature against a person or with the help of a person who does not consent to it. This is for example the unwanted touching of a person or unwanted kissing of a person. It is required that the act contains a sexual aspect. The latter is a factual matter. In some cases, there will be little discussion, for example touching someone's breasts or bottom without permission. Other cases must be judged within the context. Think for example of standing very close together during a concert or on a crowded bus. If this occurs without any sexual connotation on the part of the 'offender', this will not constitute indecent assault. However, if someone consciously seeks out such situations, deliberately singling out a particular person in order to make physical contact in order to fulfil their own sexual desire, this could be considered indecent assault.

It is necessary that there be a physical assault. Words or, for example, voyeurism are not indecent assault, but can be covered by another crime. There does not necessarily have to be a touching of the body. Forcing the victim to undress and show his/her genitals is also sexual assault.

There is an increased penalty if it is committed on a minor, with blood relatives and/or if violence or threats are used. For offences committed against a minor, the judge may also decide that the offender may not, for a specified period, exercise a profession or engage in an activity in which he or she comes into contact with minors (teacher, scoutmaster, coach of a youth sports team, etc.).

For more information about this crime, a concrete punishment and/or advice tailored to your needs, contact our criminal lawyers at info@studio-penale.be.