



A Call for Help: False Counter-Allegations and the Effects on Future Reporting

Handout

ADVANCETALK

Unpacking the Intersection of Domestic Abuse and the Criminal System

Content Advisory

This handout discusses topics including domestic abuse, mental health challenges, and suicide. These subjects may be sensitive or distressing to some readers. Please engage with the material at your own pace and seek support if needed.

Introduction

One of the most difficult and insidious barriers to justice for women experiencing domestic abuse is malicious accusations or false counter-allegations.

Women facing domestic abuse might be at the receiving end of false counter-allegations, malicious reporting, and criminalisation when they call the police for help. This, compounded by systemic prejudice and misunderstandings of trauma, coercive control, and the dynamic of power and abuse, can lead to devastating consequences for victims and their children.

At Advance, we have supported numerous women who have faced malicious counter-allegations from a partner, ex-partner, or family member. We want to shine a light on this unseen issue and explore ways in which the police and other agencies can improve their response to victim/survivors of domestic abuse.

Women in prison and links to domestic abuse

- ➔ **Over 60% of women in prison have experienced domestic abuse.**
- ➔ **70% of women supported by Advance's criminal justice services have similar experiences. Many of these women end up in custody either directly or indirectly due to the abuse they endured.**

→ **Research shows that women are three times more likely to be arrested than men in domestic abuse cases, despite being the victims in many instances. [1]**

Counter-Allegations and the Fear of Reporting

Insight from Advance’s specialist services indicates that abusers can frequently use counter-allegations as a weapon to control victims, exploiting systemic gaps in understanding abuse dynamics. SafeLives [2] highlights how perpetrators strategically accuse victims of violence, manipulation, or even parental alienation to discredit them. This tactic is particularly effective when a woman has acted in self-defence or “snapped” under prolonged abuse, as injuries inflicted in these moments are often misinterpreted by police as evidence of her aggression, rather than the culmination of years of coercion and control.

The threat of being falsely accused, arrested, or disbelieved can prevent women from feeling safe enough to call the police. This fear is often intensified for black, minoritised and migrant women, and those with complex and intersecting needs, such as addiction, mental health struggles, or prior criminalisation . Abusers may exploit these factors to tighten their control, using a woman’s addiction to undermine her credibility or threatening to expose it to authorities, including social services.

The Role of Children in Manipulation

There is growing concern that children may be used by abusers as tools of manipulation, particularly in cases involving family court proceedings. Women may be accused of “parental alienation” [3]—a claim that they are unjustly turning their children against the other parent—to undermine their credibility. Being labelled this way and facing the loss of custody can be a powerful deterrent against calling for help, compounded by fear that any police involvement might portray them as unstable or vindictive.

This manipulation not only harms the mother but also has a profound impact on children, who are caught in the crossfire. Living in a household dominated by coercion and control can have long-lasting psychological effects on children, exacerbated by the ongoing conflict and the fear of being separated from their primary caregiver.

Impact of Criminalisation and Social Services Involvement

Women who have previously been criminalised often tell us that they feel they cannot rely on the police for protection, fearing disbelief. Those who have been arrested in the past due to counter-allegations or misunderstanding by police are acutely aware of the risks involved in seeking help again. This fear is compounded by the involvement of social services. Many victims worry that reaching out for help might lead to their children being taken away, rather than receiving the protection they desperately need. This fear silences victims and leaves them trapped in abusive situations.



The Police's Role and the Misunderstanding of Trauma

When women do call the police, their behaviour, which can be shaped by trauma, fear, and years of coercive control, may not align with what officers expect from a "typical" victim. The Independent Inquiry by Dame Vera Baird KC [4] into custody practices in Greater Manchester highlights the systemic failures in recognising trauma and its effects. Women may appear agitated, angry, confused, or erratic. These are often symptoms of deep distress that are often misunderstood as signs of dishonesty or culpability.

This misunderstanding can result in victims being arrested, particularly if counter-allegations have been made. Shockingly, some women are even placed in custody under the pretext of safeguarding their mental health. However, this approach is deeply harmful, compounding their trauma and reinforcing their mistrust of authorities.

The Role of Misogyny

Misogyny in society also influences how women are perceived in these situations. Women who report abuse are sometimes wrongly labelled as liars or troublemakers, particularly in a culture where harmful stereotypes about women are still widespread. [5] Misogynistic attitudes are deeply rooted in society, influencing both public opinion and institutional responses. For example, women who do not conform to traditional gender roles may face greater suspicion or hostility when seeking help.

This rise in misogyny, combined with biases in policing and family court systems, has created an environment where women are more likely to be criminalised when they report abuse.

The Role of Technology

Technology is increasingly used by perpetrators to exert control and manipulate victims, often in highly coercive and threatening ways. Abusers may record victims during moments of distress, particularly when the victim fights back or reacts defensively to prolonged abuse. These recordings are then used as evidence to portray the victim as the aggressor, either to the police or in court settings.

This tactic is particularly harmful in family court, where perpetrators often weaponise recordings to undermine the victim's credibility, threatening to use them as evidence to block access to their children or secure custody. The fear of these threats leaves victims feeling trapped and reluctant to seek help or defend themselves.

False Counter-Allegations and Intersectionality

False counter-allegations in domestic abuse cases often misidentify victims as perpetrators, and these issues are even worse for women from marginalised groups due to systemic bias and discrimination. Black and minoritised women often face mistrust from police and are disproportionately arrested in domestic abuse situations and can be unjustly perceived as aggressors when police are called. [6]

The Centre for Women's Justice (CWJ) and Imkaan report, 'Life and Death?' [7] highlights that minoritised women frequently find themselves disbelieved, especially when their abuser is white.

The report further notes that Black women are particularly vulnerable to criminalisation when they attempt to seek help. This aligns with broader findings, as noted in the Lammy Review on Systemic Racism in Policing [8] and later the Casey Report on the Metropolitan Police, that there are problems with systemic racism within policing. This bias not only harms the women involved but also deepens their mistrust of criminal justice agencies, deterring them from reporting future incidents.

Similar challenges are faced by immigrant women, especially those with an insecure immigration status. As noted in the Domestic Abuse Commissioners report, 'Safety Before Status' [9], abusers frequently use immigration threats as a tool of coercion, knowing that women with "No Recourse to Public Funds" may fear police involvement due to concerns about deportation or losing custody of their children. Even settled immigrants report facing discrimination and disbelief. Imkaan report, 'Not Safe Here' also notes how the UK asylum system compounds existing trauma experienced by women, and can exacerbate further risk of violence and abuse. [10]

Disabled women and LGBTQ+ survivors also face systemic misunderstandings. Disabled women are twice as likely to experience domestic abuse than no-disabled women, and yet it takes them longer on average to access support.[11] Abusers with disabilities may exploit societal assumptions about vulnerability, portraying themselves as the victim, while the true victim is criminalised. [12] For LGBTQ+ survivors, police often misinterpret the dynamics of abuse, labelling it as "mutual abuse" and arresting both partners.[13] This lack of understanding denies victims the protection they need.

Re-traumatisation and the Long-Term Implications

The criminalisation of victims has profound consequences. Women who are arrested after seeking help, even if they are ultimately not charged with an offence, often experience re-traumatisation, further affecting their mental health and eroding their trust in justice systems. This will likely discourage them from contacting the police in the future, leaving them vulnerable to continued abuse. This cycle of abuse and mistrust can trap victims. As their mistrust of the system grows, so does their isolation, increasing their dependence on their abuser and placing them at greater risk.

A coordinated response to supporting victims who are criminalised

Advance's Criminal Justice Services/ Minerva model is steeped in our 25 years' experience of community-based support for survivors of domestic abuse.

Advance's Wraparound Support

This approach provides tailored and long-term support for women and girls aged 15 and above who have multiple and complex needs and are or have been in contact with the criminal justice system. The service ensures that survivors of domestic abuse have ongoing support, helping to prevent reoffending by addressing the root causes of their struggles, including trauma, housing instability, and financial pressures. This support allows women to access help when they need it, reducing the likelihood of them becoming involved in further criminality.

Diversion

In partnership with the Metropolitan Police, Advance aims to divert women and young women away from the criminal justice system. Through this initiative, police can offer a conditional caution instead of charging women with a criminal offence. This caution requires the woman to attend two mandatory sessions with an Advance Keyworker, who provides tailored support, including helping her to address any underlying issues such as domestic abuse or trauma. The woman is then able to refer herself to our Wraparound support for longer term-support. The service also allows women to self-refer, making it easier for those at risk of or currently in contact with the criminal justice system to access support before they are formally involved.

Advance Domestic Abuse Services

Advance offers comprehensive support for women affected by domestic abuse, based in London. These services are designed to meet both the practical and emotional needs of survivors, helping them to navigate the challenges that come with escaping abuse, such as securing housing, accessing legal support, and managing mental health. The services are integral to ensuring that women have access to the help they need in times of crisis, and beyond.

Co-located IDVAs

Advance works in collaboration in offices like housing and social services teams, as well as hospitals, to provide co-located Independent Domestic Violence/abuse Advocates (IDVAs).

This model allows IDVAs to work directly with other professionals to ensure a streamlined approach to supporting women affected by domestic abuse. It also improves training, understanding, and awareness of domestic abuse issues among other professionals, leading to quicker referrals to support services and ultimately better outcomes for women.

Advance Whole Justice Approach

The Whole Justice Approach involves working in collaboration with Standing Together Against Domestic Abuse (STADA). This model includes access to Specialist Domestic Abuse Courts (SDACs) and support from Advance's Criminal Justice Independent Domestic Abuse Advocates (CJ IDVAs), who are embedded within police stations and courts. From reporting and investigation to trial and post-trial, this approach helps survivors navigate the criminal justice process with continuous support. It offers evidence-based solutions to some of the systemic challenges women face when engaging with the justice system, including misidentification and lack of support during trial proceedings.


Partnership Working

Effective partnership working is crucial in ensuring that victim/survivors of domestic abuse receive the best support possible. This means working alongside specialist organisations, including those focused on perpetrator behavioural change and by-and-for advocacy organisations that cater to specific communities. Collaboration between statutory organisations and criminal justice agencies is essential to provide a holistic response to domestic abuse, improving outcomes for women and reducing the risk of them being criminalised or failed by the system.

Insights

At Advance we have supported many women where a partner, ex-partner, or family member has threatened, or carried out a report to police as a tactic of their abuse and control. For many of the women, it is their first time being arrested and they benefit hugely by having a keyworker's support.

Referrals to Domestic Abuse services in these cases are often missed by police as the women are seen as the primary perpetrator. Many cases through our London Diversion Service, where a woman has been arrested by domestic abuse flagged crimes/incidents have been subject to No Further Action (NFA). However, the experience of arrest and investigation is incredibly traumatic for the women and is likely to impact on their likelihood of reporting abuse in the future.



Lee-Anne - Woman supported by Advance

"Seven years after I got out of my first abusive relationship, I met someone else. Another abusive man. A man I'd marry and have a son with. This time the abuse didn't start when I was pregnant, but when my little boy was two years old. I put it down to jealousy about how much attention and love I gave my son.

This time, my abusive husband would always throw the first punch but I'd hit back and so many times, it would be ME in trouble with the police. When I discovered that my husband was cheating on me as well as beating me, the state of my mental health got so bad that I made a very serious attempt to end my life.

Eventually, my husband was convicted of two counts of common assault."

Frances - Advance Diversion Keyworker

"Through my role in Diversion, I support women in contact with the police, I've seen how easily the system can misidentify victims as perpetrators. This misjudgment doesn't just disrupt their lives—it destroys their sense of safety and trust in the very agencies meant to protect them. One woman came to the police to report her ex-partner, who had been violating a protective order. Instead, she was arrested after he accused her of perverting the course of justice.

I had another case where a woman I supported had called the police as she felt unsafe from her ex-partner. When the police arrived, he made a malicious allegation against her, and she was arrested. She later told me that she felt unsafe to call the police again.

In another case, a woman returned to her former home to retrieve personal belongings. Her ex, still holding power over the situation, accused her of burglary. Despite a lack of evidence, the stress of the accusation weighed heavily on her. Even though the charges were later dropped, the damage was done.

False allegations, especially when children are involved, carry even greater risks. I've seen cases where perpetrators manipulate their children into making accusations against their mothers. The psychological toll on both mother and child is profound. For the woman, it often feels like a betrayal by the very system she thought would safeguard her family.

Often these cases end with "no further action". While that may seem like a relief on paper, for the women involved, the harm is already done. The emotional toll, the loss of trust, and the stigma of being accused affects them long after the case is closed.

Abuse is rarely straightforward, and identifying the true victim requires time, curiosity, and a commitment to fairness. A multi-agency approach that prioritises safeguarding and transparency can help ensure that victims are not left to feel like criminals in their own stories."

Advance Social Care Independent Domestic Abuse Advocate (IDVA)

Sarah's Story

In my role co-located with Social Care, I work closely with professionals on high-risk cases, often involving women and their children facing serious safeguarding concerns. Through my work, I've seen a troubling pattern of perpetrators of domestic abuse manipulating the criminal justice system to further their abuse.

One woman I supported had endured years of abuse from her partner and, in one desperate moment, defended herself during an attack. He called the police, framing her as the aggressor. Despite her visible bruises and clear distress, she was arrested. No one seemed interested in understanding her side of the story. While the charges were eventually dropped, the damage was already done. She lost her job, her home, and her children's custody temporarily.

In another of my cases, a serial abuser falsely claimed to be the victim and managed to secure a protective order against the woman. He then used their children as tools to orchestrate breaches of the order, knowing that would lead to her arrest.

It is not at all uncommon for perpetrators to use children as pawns. In the case of one woman I supported, her ex-partner not only made false allegations but also threatened to involve social services, playing on her deep fears of losing her children.

It feels like perpetrators are becoming more adept at weaponising the criminal justice system, turning it into a tool for abuse. And when victims are misidentified as perpetrators, it's a systemic failure that compounds their trauma and puts them at even greater risk."



Recommendations

1. Study False Counter-Allegations and Malicious Reporting

- Conduct research to understand how abusers use counter-allegations to manipulate the justice system, and/or further their abuse. This includes:
 - How police determine credibility in these situations.
 - How these allegations affect victims' willingness to report abuse.
 - The impact on marginalised women, such as Black, disabled, LGBTQ+ individuals, or those with insecure immigration status.
- Evaluate current police training and how it could be improved to prevent misidentifying victims and ensure better handling of trauma-related cases.

2. Create an Immigration Firewall for Survivors

- Establish a clear separation between reporting domestic abuse and immigration enforcement. This ensures that survivors, especially migrants, can seek help without the fear of being deported. Information shared with the police or support services should not be used against them in immigration processes.

3. Expand Domestic Abuse Specialist Support Across the UK

- Ensure that every area has access to Independent Domestic Abuse Advocates (IDVAs) and specialist advocacy services, especially for women from diverse or marginalised communities.
- Secure long-term, dedicated funding for these services to ensure they can provide consistent support over time.

4. Develop Women's Centres Nationwide

- Create women's centres in every region that provide holistic, trauma-informed support, offering services such as housing, healthcare, legal aid, and domestic abuse advocacy.
- These centres should act as safe spaces for women, especially those affected by the criminal justice system or domestic abuse.

5. Increase Use of Out-of-Court Disposals and Diversion Schemes

- Rather than prosecuting women arrested for minor offences related to abuse, offer alternatives like diversion into support services. This helps address the underlying trauma and avoids further criminalising victims.

6. Strengthen Collaboration Between Police and Specialist Services

- Police and domestic abuse organisations should work closely together, developing joint protocols to identify victims, prevent abuse from being ignored, and ensure survivors are immediately referred to support services.
- Having domestic abuse specialists embedded within police teams could improve early interventions and reduce misidentification

7. Enhance Training for Criminal Justice Agencies

- Provide mandatory, ongoing training for police officers, judges, and prosecutors to recognise the signs of domestic abuse, trauma, and coercive control. This training should also include awareness of the impact of race, immigration status, and gender nonconformity to reduce bias and better identify victims.

Noted

1. <https://www.bristol.ac.uk/news/2009/6514.html> <https://safelives.org.uk/resources>
2. [library/responding-to-counter-allegations-guidance-a-review-of-practice/](#)
3. [Women's Aid - Parental Alienation](#)
4. [The Dame Vera Baird KC Review](#)
5. ['Culture of misogyny' in criminal justice system 'failing' women who kill abusers – The Justice Gap](#)
6. [BARONESS CASEY REVIEW Final Report](#)
7. [Life+or+Death+Report+-+Nov+2023.pdf](#)
8. [Lammy review: final report - GOV.UK](#)
9. [FINAL-DOC_Firewall-Report_2023_V2.pdf](#)
10. [Not+Safe+Here+-+Report.pdf](#)
11. [Disabled-Survivors-Too.pdf](#)
12. [Disabled-Survivors-Too.pdf](#)
13. [GALOP](#)

