



The Impact of Being Wrongly Accused of Abuse in Occupations of Trust: Victims' Voices

EXECUTIVE SUMMARY

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Introduction

1. Recent decades have seen an emerging body of research focused on crime victims and their perspectives. In particular, there has been concern that allegations of sexual abuse, particularly non-recent abuse, have not received an appropriate response. Among politicians, criminal justice agencies and charities in the UK, there is a collective sense of remorse that reports of abuse were often not properly investigated and that those who reported it were often not believed. From this has emerged a new determination to correct past and prevent further injustices of this kind. Not surprisingly, there has been a cultural shift towards believing allegations of abuse, and the presumption now is in favour of trusting those who present as victims. It is important that all agencies, particularly the police, are alert to the needs of those who claim to be victims of abuse, but not to the extent of overlooking those who are victims of wrongful allegations.
2. In a society which has made so much progress in addressing the needs of victims and in taking account of their perspective, those who have been smeared by false allegations of grievous crimes sometimes see themselves as the forgotten victims (of official errors if not of their accusers). They feel disregarded, and that they and their partners and children are left to suffer the ignominy alone. This qualitative study of people's experiences of being falsely accused of child/adult abuse in occupational contexts gives a voice to these other victims, by way of a content analysis of first person accounts.
3. Set against the background of a broad social discourse focused on prosecuting child abusers and sex offenders, one which recognises that victims of abuse need great courage to report crimes against them, it may seem perverse to shine a spotlight on the wrongly accused. Some may worry that dwelling on them will drive victims back into the shadows for fear they will not be believed. However, hearing about the experiences of those who are falsely accused does not diminish lessons that can be learnt from victims of abuse.
4. The Independent Inquiry into Child Sexual Abuse (IICSA) has invited victims and survivors of child sexual abuse to share their experience with the Inquiry team, and advises that the information provided will feed into the 'Truth Project'. However, the IICSA also intends to hear testimony from those who have been falsely accused to ensure a balance between encouraging the reporting of child sexual abuse and protecting the rights of the accused. We believe the IICSA is likely to hear evidence similar to the data presented below.

Methodological Approach

5. We started this research from a position of full and unequivocal support for the progress that has been made in recognising the problem of sexual and physical abuse of vulnerable people at the hands of those who should care for them. We applaud efforts to support victims of abuse. Furthermore, we understand that some claims to being falsely accused are also false. Some people will tell lies to deny the crimes they have committed to avoid both the shame and stigma associated with child sexual abuse in particular and the punishments imposed following conviction for such serious offences. We also fully acknowledge that once convicted, innocence is difficult to establish without irrefutable evidence to show that an accusation was false. In other words, in this area it is hard to establish who is guilty and who is innocent with absolute certainty. We have therefore taken a stringent approach to selecting participants for this study.
6. We analysed 30 accounts from among current and past members of FACT (a voluntary organisation that supports people wrongly accused of abuse in occupational contexts), as well as others who had never been members, only if they had:
 - not been charged with the alleged abuse (14 cases),
 - were charged but acquitted (15 cases), or
 - were convicted but had their conviction overturned on appeal, as long as their convictions were not overturned because of procedural errors unrelated to innocence (1 case).

Thus all of our participants have the status of 'legal innocence' based on the presumption of innocence until found guilty, or – for one person whose conviction was quashed – restoration to that presumption of innocence. Most of our participants were male, though six were women; most worked as teachers or in other educational roles; most allegations were of sexual abuse of children and the majority were 'historical' cases, though almost a quarter were recent. We acknowledge that it cannot be guaranteed that each of our participants are factually innocent, given the inherent difficulty of any legal disposition that relies on competing testimony. There is simply no clear empirical means that can settle the matter. However, all of them are considered to be innocent by the criminal justice system.

7. Following a review of the relevant literature, the empirical methods comprised:
 - 30 in-depth interviews with victims of false accusations and their families or, if the individuals preferred, guided written accounts.
 - A focus group with further victims of false allegations attending a conference.

Topics in the interviews, written accounts and the focus group focused on the wide-ranging effects of false allegations, from the harms done to their employment prospects, to their finances, to their physical and mental health, to the effects felt by family members, to their own self-concept and reputation, beliefs and outlooks, as well as their wider relationships with friends and their community. The participants were also asked about the support they received, if any. (Given the sensitive nature of this study, participants' identities have been kept strictly confidential, and personal details anonymised.)

8. The main purpose of the project was to gain understanding of and share insight into the human costs of false allegations of abuse, by collecting new narrative material and reviewing existing literature. The aim is to start a conversation about the impact of being wrongly accused of abuse, including the social, economic and psychological consequences, and the effects on families of the accused. It is intended that the data and analysis will prove a valuable resource for support groups and for those responsible for criminal justice policy, appellate processes and for post-exoneration measures.

Key Findings

9. The experience of being falsely accused causes enduring trauma, even for those who are not arrested, prosecuted or convicted. This report has explored the many structural, cultural and psychological harms suffered by those who generously shared their experiences with us. Much can be learned from their accounts.
10. Those accused but not convicted of the majority of other types of crimes do not tend to lose their jobs. However, this research suggests that the majority of those accused of abuse in the workplace do. Most of our participants who were working at the time of the allegation lost their jobs or faced impassable barriers against working with children or vulnerable adults again. Mechanisms to check the reliability of potential employees who wish to work with vulnerable populations – such as CRB or DBS checks – can exclude those who have fallen under a cloud of suspicion even if they are not found guilty of any criminal offence. Risk averse environments militate against those falsely accused and the upshot is damaged reputations and ruined careers. Innocent men and women are left without a career, while different institutions lose skilled and caring employees.
11. There are considerable financial burdens accruing from this but loss of earnings is not the sole consequence; the wrongly accused may also face steep legal fees, the loss of a home, and financial pressure on their partner. For many, the loss of a vocation they had trained for and worked at for years caused multiple other harms.

Being accused in an occupation of care or trust carries the additional consequence of the accused having to let down those they assisted in these vocations – both co-workers and children or vulnerable adults. Some of our participants had to abandon care work, teaching, friendships and other working relationships spanning decades, resulting in social withdrawal, panic, fear, anxiety and a complete inability to trust others, with the inevitable costs on mental health. Measures taken to prevent the accused from discussing the allegations with colleagues make it incredibly difficult for them to mount a defence and prevent them from drawing on support from co-workers, who are often also friends.

12. Some of our participants struggled to reconcile the need to ‘fight the allegations’ with the desire to shut down and hide from the shame of an unwarranted label. Several accounts described the wrongly accused as a ‘fighter’, presenting a tough, no-nonsense person who would resist all suggestions of wrongdoing. The battleground analogies extended to support networks, with many describing others who were ‘on our team’, ‘closed ranks’, or ‘came out fighting for me’. Alongside this, however, our participants revealed fear and emotional vulnerability, and a sense of being worn down by the accusations and the concern that those close to them may be persuaded of their veracity. The stigma of the label ‘paedophile’ was a recurring theme in our participants’ accounts. It was made clear that the stigma associated with child sexual abuse is so great that they felt it a long time after they had been declared legally innocent. For such cases, mud really does stick.
13. Their trauma was, in some cases, aggravated by a fear of further allegations. Again, this very real concern separates this group of wrongly accused from many others who face false allegations. Being wrongly accused of murder or robbery is a deeply unpleasant experience but not so likely to be repeated once the status of the wrongly accused has returned to ‘legally innocent’. Conversely, our participants, working with vulnerable and often troubled youths and adults, who may well have been abused in other contexts or by other people, were exposed to risk of further allegations that would be equally difficult to challenge. They had, in other words, rational concerns. These concerns about past and potential future allegations left a few feeling ‘obsessive’ about their cases. They pored over legal documents, attempted to investigate further the source of the allegations. This obsession is unsurprising but, in some cases, strained relationships with others.
14. In the majority of accounts, an overwhelming sense of anger and betrayal emerged. More often this was not directed at their accusers, but at employers who were thought to have encouraged the allegations, at the police for what our participants saw as treating them as guilty from the outset, and at a ‘victim-centred’ criminal justice system, with its provisions for complainants on one hand, and what they felt

was a failure to recognize rights or due process of the accused on the other. Indeed, almost all of our participants had lost faith in the criminal justice system though only one had been convicted and half of the cases did not even go to trial.

15. The majority reported high anxiety levels, severe depression, ill health and associated symptoms of trauma, with short and longer-term symptoms, with some experiencing permanent behavioural and personality changes. The effects of false allegations were felt by their partners and children too, with anxiety and depression experienced by many family members, in addition to consequential financial burdens. The stigma of a false allegation is felt by the whole family and can lead to family breakdown, or permanently damage the relationship.
16. Those whose relationships were irretrievably harmed met challenges when attempting to form new relationships. They cannot know 'who knows what' and so are faced with the choice either to inform others that allegations have, in the past, been made against them – and risk poisoning their own reputations and future friendships – or remain silent and suffer guilt and angst that the relationship could be ruined if the allegations are revealed. Clearly, being wrongly accused can poison future relationships as well as established ones.
17. Most of our participants received no professional psychological support; either it was unavailable or they could not tolerate baring their soul to a counsellor for fear of being judged or disbelieved. The lack of support, formal and informal, apology or recognition of the pain caused to the accused was a constant theme. It resulted in deep mistrust of others, particularly those in authority and the media, and a sense of alienation.
18. That said, more than half of our participants found solace from assisting others facing false allegations. This provided a sense of self-worth, raising self-esteem which had, perhaps inevitably, been damaged by the allegations. Assisting with campaign work and support groups also provided a sense of solidarity and fostered positive relationships in a non-judgmental atmosphere.

Discussion

19. In our view, the cumulative impact of these interviews is both shocking and immense. It is widely accepted that to be described as a paedophile will be damaging. However, until we conducted this study, we had little grasp of the extent to which a false allegation is likely to affect every aspect of a person's life, psychological, material and physical. Most of the participants, it should be recalled,

were able to refute the accusations made against them at a relatively early stage of the legal process. Despite this, their lives were, to put it simply, wrecked. It need hardly be stated that for factually innocent defendants who are wrongly convicted and imprisoned, but who cannot legally demonstrate this, the consequences will be still greater.

20. It is also of deep concern that the experiences described by the participants in this study are far from rare. A 2015 survey by the Association of Teachers and Lecturers of 685 of its members found that 22% of school and college staff had been the subject of a false allegation of abuse by a pupil ('False allegations are blighting careers and putting added stress on education staff'). The survey also found that, not surprisingly, the prevalence of false allegations and the publicity given to them is driving experienced staff out of teaching, and, presumably, deterring others from seeking to enter it. This is a damaging cost which society can ill afford.

21. The authors of this study hope that it will provide a valuable corrective to the somewhat uncritical discourse that has dominated media, political and policy-making discourse over the past 20 years – the discourse which states that victims will, almost invariably, be telling the truth. It is worth here repeating the Metropolitan Police statement on Operation Midland, 'our starting point with allegations of child sexual abuse is to believe the victim until we identify reasonable cause to believe otherwise.' No doubt the intentions behind that statement were honourable: a desire to right an historic wrong, and to give victims who had been previously ignored a voice. But this study suggests that in the process, a whole new and growing class of victims is being created, whose suffering is intense – all the more so for having been, until now, largely ignored. The road to hell, it is said, is paved with good intentions. Unfortunately, that is where the victims of false allegations of abuse are likely to find themselves – in a living hell.