



Victim Blaming in Family Court

My husband raped me in a hotel room. I did not scream because our child, who had night terrors, was in the room. It was not the first time he had done it but it was the first time he had used force. The following day we had a row in the car and he threw me and his child out, 5 hours from home. 3 days later he broke into the family home with a crowbar. He also brought a male friend. I later found out that the friend was a psychiatric nurse. I rang 999 and the police sent 3 cars to the house because I had seen a man with a crowbar (the psychiatric nurse) walk away from the house and the whole house had shaken when he tried to force open the back door.

The first incident of victim blaming would be the police officer who attended the scene. She issued him with an harassment warning notice and assessed me as 'medium risk', telling me that an officer trained in sexual offences would take my statement the next day and someone would also instal a panic button the next day. Neither happened. I waited in all day and finally, at the end of the day, I rang the police only to be told that they were busy and that I had been downgraded to 'low risk' so would no longer get a panic button. It would be months until I understood why.

When the Judge in the Family Court asked for the Police records to be disclosed, the (female) police officer had written that I was hysterical (my husband had brought a burly friend with him and they had broken in using a crowbar , I was terrified. I believed they were going to attack me) and that I obviously had mental health issues and my house was dirty with dishes that had not been washed in days (I had to empty the dishwasher to repair it before letting it run on a cycle empty). She had also put in her report that he had been calm and apparently I had just 'kicked off' for no reason and that he had meant no harm.

Months later, the Judge, at the Fact Finding would say that I had overreacted to the break in.

The next bit of victim blaming was the police 2 weeks later (again a woman). Because of the Harassment Warning Notice, he was not allowed to come to the house without the police in attendance. He wanted to pick up his things. The police woman told me that I needed to 'grow up' and behave like an adult and that it was not her job to supervise 'a domestic'. This was not why she joined the police, she joined to fight 'real crime'. My friend pointed out that he had raped me and the police officer rolled her eyes.

The next year was taken up with hearings in the Family Court over our child. We had 4 judges for various stages of the hearings which included a fact finding hearing on domestic violence. At the same time the police conducted an investigation into the rape but did not have enough evidence so filed it as No Further Action.

Here are some of the comments from the various Judges:

'Well, if you had not asked for 50% contact, she would not have cried rape.'

' Sometimes, in a marriage, one person wants sex more than the other and that does not make



it rape.'

'The husband does have an anger problem but only in relation to the mother, not to the child'

I was told, by counsel, not to bring up the rape in the Fact Finding because A) it did not affect child contact B) I still got into the rapist's (my then husband's) car the next day so that would not count in my favour.

I found it astounding that a civil court Judge could equate No Further Action with innocence.

In Court, my then husband made a huge point of saying that the friend who helped him break in with a crowbar was a psychiatric nurse - presumably so I could be 'instantly diagnosed' as having some disorder of some kind. At no point did the Judge think this was coercive!

Several months after the rape, I found out that his teenage daughter was posting nasty comments about me on Twitter and I went to the police to get them stopped before my children saw them. Shortly after that I was arrested for harassment. He had fabricated 'evidence' saying that I had written emails, letters, sent texts, left voicemails to harass him. He told the police that I had managed to get him sacked from work and he was now unable to work. (He rented out a room for an hour to run meditation classes). He also submitted an email I had written to him in response to one of his defamatory rants but it had been conveniently 'doctored' so that his comments were not apparent. The police sent the 'evidence' to forensics for DNA testing and fingerprinting. One of my solicitors thought it incredible that police resources would be used for this as she did not feel he could justify his distress in spite of all his fabricated 'evidence'. but he had complained to the IPCC about the police officer investigating the rape, saying that the investigation had not been handled properly and he wanted the No Further Action turned into a No Crime so I am assuming that the police had to 'investigate properly'

3 months later, the police said there was no evidence that I had harassed him.

The fact that he had gone through all this trouble did not bother the Judge at all, even the fact that he admitted to drug use. As long as he agreed not to take drugs whilst our daughter was in his care, the Judge saw no reason to have cause for concern over contact.

Is Victim Blaming a problem?

My husband raped me in a hotel room and broke in with a crow bar but was not arrested. He then fabricated evidence against me to say that I was harassing him and I WAS THE ONE THAT GOT ARRESTED!

In my experience, a man's reputation is more important than the alarming reality that most rapists get away with their crime because there is either not enough evidence or the burden of proof is too high.

Is victim blaming a problem?

I'd say so.