



STOP CRIMINALISING SURVIVORS:

FIVE WOMEN'S STORIES



The following stories summarise the experiences of the five survivors who appear in our 'Stop Criminalising Survivors' film series.

These five women were all criminalised in different circumstances as a direct result of their experience of domestic abuse and other forms of violence against women and girls. They have shared their stories because they are determined to stop this happening to other women and girls in the future. We are grateful for their generosity and courage. We have used pseudonyms for some of the women, to protect their identity.

www.centreforwomensjustice.org.uk/stop-criminalising



LU

Lu was in an abusive relationship for 12 years. She experienced frequent physical violence, verbal abuse and humiliation. This included strangulation, being kicked, punched and slapped. On one occasion after leaving the relationship, Lu's partner beat her around the head with a large plastic water pipe while she was on the floor. When she eventually reported the abuse to the police, Lu's partner was interviewed but no further action was taken.

After she had left the relationship, Lu continued to be pressurised by her ex-partner into looking after the paperwork for his horse breeding business. When he was prosecuted for animal welfare offences, and despite a wealth of evidence of Lu's experience of abuse and her lack of control, she was prosecuted as 'co-keeper'.

No safeguards were put in place for Lu in court – she was seated beside her ex-partner as co-defendant. She pleaded guilty in order to avoid going through the trauma of the trial, because she needed to look after her young daughter, and in order to avoid the risk of imprisonment and separation from her children. She was convicted and received a community order. Lu comments:

"I have been let down and failed by ... Police and all the other bodies involved, I am being punished by the system that was supposed to be there to help and protect me..."



FRI

Farieissia (Fri) Martin was convicted of murdering her abusive partner in 2015. She was aged 22 at the time and the mother of their two small children. Her experience of domestic abuse was not properly explored at trial. Fri explains:

“My first legal team were all male. I don't believe they were bothered about what I'd gone through, so the domestic violence was never really...they never really brought it up. It was uncomfortable speaking to men especially. I felt like they weren't interested in anything I had to say about the domestic violence. Any time I tried to bring it up it was kind of, I feel like, brushed off”

In 2020, the Court of Appeal quashed Martin's conviction on the basis of new psychiatric evidence of post-traumatic stress disorder caused by domestic and sexual violence, and a retrial was ordered. Her lawyers wrote to the Crown Prosecution Service (CPS) indicating that she would be willing to plead guilty to manslaughter despite evidence supporting self-defence which, if successful, would lead to her acquittal.

The CPS refused to accept a plea to manslaughter and so the case was prepared for retrial. As the trial was beginning, new evidence came to light supporting Fri's account that she was strangled shortly before the offence took place. The CPS agreed to accept her guilty plea to manslaughter. She was sentenced to ten years' imprisonment for the manslaughter plea on 21 May 2021, and has since completed her sentence and been released from prison. Fri comments:

“Being in prison for all that time, I've met so many women in prison who go through similar things I went through, some even worse. I wasn't the first and I probably won't be the last.”



Megan

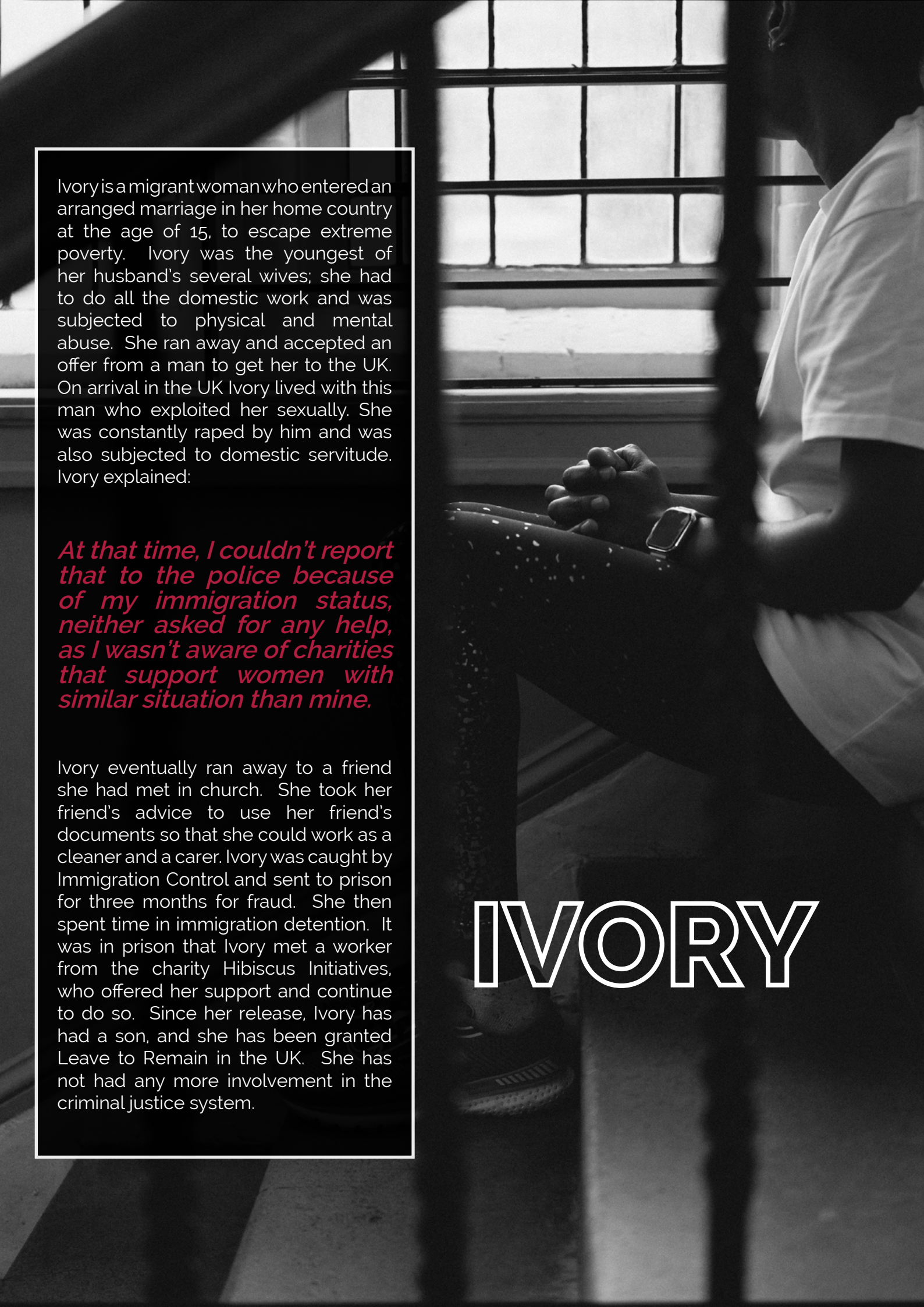
Megan, a victim of serious violence and coercive control from her then partner, was prosecuted for perverting the course of justice after he was convicted of murdering another man.

The decision to prosecute Megan was taken despite evidence of her abuse by her ex-partner. She had no involvement in the murder and had not known about it when she agreed to drive her partner to various addresses and obtain cash and a mobile phone, after he committed the offence. It was usual at that time for her to agree to whatever he demanded; she was terrified of him and states that she had accepted that she would 'die at his hands'.

Megan's trial resulted in a hung jury, and the CPS insisted on a re-trial in which she was unanimously acquitted.

Megan comments:

"I've kind of resigned to the legal system carrying on what my ex-partner had done. I was still the one to blame, I was being charged, I was being accused and I just felt like they were doing his job for him really."



Ivory is a migrant woman who entered an arranged marriage in her home country at the age of 15, to escape extreme poverty. Ivory was the youngest of her husband's several wives; she had to do all the domestic work and was subjected to physical and mental abuse. She ran away and accepted an offer from a man to get her to the UK. On arrival in the UK Ivory lived with this man who exploited her sexually. She was constantly raped by him and was also subjected to domestic servitude. Ivory explained:

At that time, I couldn't report that to the police because of my immigration status, neither asked for any help, as I wasn't aware of charities that support women with similar situation than mine.

Ivory eventually ran away to a friend she had met in church. She took her friend's advice to use her friend's documents so that she could work as a cleaner and a carer. Ivory was caught by Immigration Control and sent to prison for three months for fraud. She then spent time in immigration detention. It was in prison that Ivory met a worker from the charity Hibiscus Initiatives, who offered her support and continue to do so. Since her release, Ivory has had a son, and she has been granted Leave to Remain in the UK. She has not had any more involvement in the criminal justice system.

IVORY



JANE

Jane experienced years of domestic abuse and coercive control from her now ex-husband. She was accused of an offence under the Computer Misuse Act after viewing her ex-husband's bank information through a joint banking app following their separation. This took place in the context of a campaign of coercive and controlling behaviour by her ex-husband and amid family proceedings. He used the accusation against Jane as a tool to extend his abuse and control, as she explains:

***"If one panel from the beginning had made the links in the family proceedings...
Finally the circuit judge got the measure of him and he was shut down in the family courts, so he turned to the criminal courts."***

Jane's experience of abuse was not mentioned at the first hearing of the charge against her, in the Magistrates' Court. It took two years for the CPS to drop the charge. In the meantime, proceedings against Jane's ex-husband for coercive and controlling behaviour had been dropped by the police following a series of failings. Jane concludes:

***"I had the money behind me to fight the criminal stuff and had the background legal knowledge. I had the money to get my children counselling.
What about those who don't have the money or knowledge?"***