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Do's and Don'ts: False Allegations of Child Abuse

As public awareness of child abuse increases, more and more reports of possible abuse are being made. Conscientious reporters are taking the necessary first steps to protect children. Not all reports of abuse are substantiated, however. Sometimes, even when the reports are made in good faith, further investigation reveals that the accusations are not true. In yet other situations, false allegations are intentionally raised in order to harm the subject of the allegations, such as in a bitter divorce in which custody of the children is contested. If you find yourself the victim of false allegations, whether from a well-meaning source or an embittered spouse or ex-spouse, you need to take immediate counter-action. The following tips, together with expert legal counsel, can head you in the right direction.

THE DO's

DO attempt to prevent the possibility of false allegations by avoiding being with children without another adult present. Day care workers, scout leaders, coaches, and others who could be the target of false allegations can lessen the likelihood of those charges sticking by having another adult present who can corroborate that nothing inappropriate happened.

DO attempt to resolve custody disputes amicably in order to avoid the possibility of an angry spouse or former spouse using false allegations as a means of punishment or obtaining custody.

DO avoid engaging in any conduct that could be deemed inappropriate when dealing with children, such as making sexually suggestive comments, telling dirty jokes, rough-housing, or engaging in overly aggressive horseplay.

DO hire an experienced attorney if someone levies false allegations against you. Even if you trust that the truth will prevail, or that the accuser will calm down and retract the accusations, it is imperative that you consult with an attorney who knows the legal issues and system involved and can safeguard your interests.

DO educate yourself about the subject of false allegations of child abuse so that you have a greater understanding of the situation, can protect yourself, and can work as a partner with your attorney.

DO contact your attorney with questions and concerns, and keep him or her apprised of developments in your situation.

DO contact friends, neighbors, co-workers, and family members who may be willing to testify on your behalf, either by written affidavit or in court.

DO maintain your positive relationships with your children when the allegations arise out of a custody dispute, and understand that the children are not responsible for the false allegations and resulting turmoil. Even if they say the words that support the allegations, understand that false accusations can be planted in children's minds through no fault of their own.

DO appreciate that allegations of child abuse must be taken seriously and investigated. Even though you know that in your case the accusations are groundless, in many cases they are not, so in the interests of all children further investigation is generally necessary.

THE DON'Ts

DON'T abuse your children, or any others, physically, emotionally, or sexually.

DON'T put yourself in any unnecessary situations that could give rise to suspicion, such as by accompanying children to the bathroom, helping them change clothes, or bathing them. If your job requires such activities, it is always best if another adult is present during all circumstances that could be wrongly interpreted.

DON'T be passive if false accusations are raised. Take immediate action to protect yourself.

DON'T be afraid to ask your attorney questions before retaining him or her, and as your case progresses.

DON'T admit to anything you did not do, even if it may seem simpler to do so. A conviction for child abuse has long-lasting, far-reaching implications, and can have an adverse effect on future employment, future relationships, and your future in general.

DON'T lose your temper with the authorities involved in your case. As angry as the situation may make you, losing control could be used as evidence to support the allegations.

DON'T give up. It may be the ugliest battle of your life, but overcoming and disproving false allegations of child abuse is without a doubt worth the effort.

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