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When will the courts accept that men, too, can suffer domestic abuse?

By **A Family Solicitor** July 7, 2026



This is the latest in a series of articles we are publishing in TCW designed to challenge one of the most powerful orthodoxies shaping family justice across the Western world, an orthodoxy that is harming children and parents alike. You can read [the first three here](#). Today's article highlights the consequences of the assumption that only women are victims of domestic abuse.

ONE OF the brightest beacons in a democratic society is that no one is above the law and that we are all equal before the law. No individual or group should receive preferential treatment, and access to justice should not depend upon gender, status, or public perception.

No legal system is perfect, however, and when governments, police forces, and courts fail to address systemic flaws, particularly because they fear offending certain groups, the result is a weakening of justice itself. Difficult questions go unasked, assumptions go unchallenged, and confidence in the system erodes. A pervasive feeling that access to justice is curtailed for some, even to the point of one spouse appearing to have greater access to justice than the other.

It is the case that the mainstream media and even the government espouse a narrative that domestic abuse is largely a problem of men abusing women.

This however is far from accurate, as [the plethora of data shows](#).

For example: • Men represent around 40-44 per cent of domestic abuse victims. • Around 2million men have experienced domestic abuse. • Around 1.5million men experienced domestic abuse in the latest reporting year. • Male victims make up roughly one-third of police-recorded domestic abuse crimes where sex is identified.

Yet only around 4 per cent of victims supported by local domestic abuse services are men. Why?

All victims of domestic violence need to be heard. This is not a male problem, or a female problem, but a human problem.

My point is this: men are not heard enough, and insufficiently robust questions are asked of those making allegations to avoid offending accusers. This leads to grave injustices and some terrible outcomes.

The government betrays itself in its actions and its language, in assuming only women suffer domestic violence. In 2018, the then Conservative Justice Minister Dominic Raab said: '[Today's changes will ensure](#) that vulnerable women and children get legal support, so their voice is properly heard in court.'

Well-intentioned statements such as this illustrate a broader tendency to focus almost exclusively on female victims. We hear much about violence against women and girls, but comparatively little about male victims or indeed of the consequences of false allegations about men.

Recognising male victims does not diminish the experiences of women.

Justice should not require the exclusion of one group in order to support another. But it happens, and it can start with policing. Several years ago, I represented a man in his late thirties with two young children. He and his wife routinely shared their children's bedtime routine.

One evening, his wife left home for what she described as a walk. Hours passed without her return. Concerned, he telephoned her several times. She eventually returned home late without explanation.

Days later, he was arrested for coercive and controlling behaviour. His bail conditions excluded him from the family home and prevented him from participating in his children's daily lives. The investigation continued for months before being discontinued with no further action taken.

He later discovered that his wife had been meeting another man that evening. The allegations had effectively removed him from the family home, disrupted his relationship with his children, and allowed her to establish a new status quo before any evidence had been tested.

What struck me most was that no meaningful inquiry appeared to have been made into the circumstances surrounding the complaint. Obvious questions about motive were left unexplored. Not once was she asked by the police where she had been that night, she just had to complain that the number of calls were excessive i.e. more than two was 'controlling'. This lack

of probing, this fear of asking the obvious, that may lead to motive, was not present and rarely often is in my experience.

My advice to the client was stark: never return to the family home and conduct all child handovers in public places covered by CCTV. Such advice should not be necessary, but many practitioners will recognise why it is often given.

Such 'bias' continues in the courts. Recent reforms have sought to improve efficiency through digital case management, remote hearings, greater use of mediation and enhanced support for vulnerable individuals. The intention is commendable. Few would disagree that family disputes should be resolved more quickly, at lower cost and with greater focus on the welfare of children.

However most family lawyers like myself have long since felt that the system is so broken that serious travesties occur daily as efficiency is prioritised over fairness.

Only recently I acted for a young father accused of serious offences by his former partner, including violence and child-related allegations. Following an emergency application, the court granted orders restricting his contact with his child.

His former partner had extensive time to prepare her allegations. My client had only days to begin responding. He was then given 14 days to file a detailed defence.

If that wasn't challenging enough, he was limited to 30 pages to defend himself from very, very serious allegations, his whole future, his integrity and seeing his child. Yet the burden of disproving allegations often requires significantly more detail than the allegation itself. Defendants are frequently expected to condense complex evidence into tightly constrained formats too. Responding to all the allegations – proving negatives – is onerous and cumbersome. It takes time and it takes pages. In that case, more than 120 pages plus exhibits.

The court's response? Well, we had to reduce the statement back down to 30 pages. Why? Because it takes the court time and effort to read what is in effect his defence.

Is that justice served? Let the court save time but risk someone's ability to prove his innocence?

My legal training taught me that people are supposed to be innocent until proven guilty – but that is another story for another day.

Is it only the government, the police and the courts that are to blame? No, because the issue is structural as well as institutional. In 2012, the Legal Aid, Sentencing and Punishment of Offenders Act (LASPO) significantly restricted legal aid availability in family cases.

One route to eligibility became the existence of domestic abuse.

To take an example, I represented a former serviceman who had served honourably in Iraq and Afghanistan. Following the breakdown of his

marriage, his wife alleged domestic abuse against both herself and one of their children. Legal aid was granted.

The case proceeded through extensive litigation. Ultimately, after a full examination of the evidence, none of the allegations were found proven on the balance of probabilities. The obvious question followed: if legal aid had been granted on the basis of allegations that were not substantiated, should public funding continue?

We informed the Legal Aid Agency of the findings. At a later hearing, even the judge questioned why legal aid remained in place. Nevertheless, funding continued.

This raises important questions about accountability and the allocation of limited public resources. If legal aid is intended to support genuine victims, should there be greater scrutiny when the factual basis for eligibility is later rejected by the court?

It troubles me that fathers, husbands, brothers and sons can fall victim to ineptitude of the system as it stands. Justice may not always be served, despite the honour of living in what is otherwise the birthplace of democracy that we are privileged to call home.