

# ***Best Practices when Handling Allegations***

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## **If you are hearing allegations first hand**

1. Show empathy for the complainant. “Gosh, that must have been terrible!”
2. Ask for details, including documents. If the allegation is less than truthful, details will also be untruthful and eventually the house of cards will collapse. Trust your gut.

If the allegation seems truthful, you need all the details possible in order to support the individual and to decide whether or not to take action against the accused.

- a. For example, “He threw me out in the street with only my clothes.”
  - i. How terrible for you.
  - ii. Were you injured when he threw you out?
  - iii. Did the police charge him with assault?
  - iv. Oh, he didn’t touch you, but you felt threatened. What did he say?
  - v. Did the police charge him with uttering threats?
  - vi. Where did you go when he threw you out?
  - vii. Were you able to get your belongings later?
  - viii. Why do you think he threw you out?
3. Ask how you can help.
4. Assist the individual to document the situation and think carefully about whom to approach. For example you could,
  - a. Be a mediator or support when the complainant and accused come together.
  - b. Arrange a meeting for the complainant with authorities, police or community leaders and be there for support.
5. Considerations:
  - a. The most important is whether there is physical danger to anyone, actual or potential.
  - b. Involving others, especially authorities, needs credible proof, even if it’s just the first-hand testimony of the complainant. Hearsay, i.e. “I heard it from her ex that he threw her out.” is not sufficient.
  - c. Remember that the reputations of 5 entities are at risk if the allegations are not truthful:
    - i. The complainant (especially if you repeat allegations without the complainant’s knowledge)
    - ii. The accused

- iii. You for passing on the allegation
  - iv. Community leaders for taking action on your allegations
  - v. The community at large
- d. If the allegations seem truthful and not telling authorities might put others at risk, whereas telling thing might prevent that risk, action is warranted.
  - e. Ask yourself, “What is the motivation of the complainant in telling me these allegations? Is it to prevent harm to others, vengeance, or to gain your sympathy?”
  - f. Just like news reporters, get confirmation from more than one source and give the accused an opportunity to respond to the allegations. You could save everyone a great deal of heartache and even legal ramifications.
6. Steps to take:

As tempting as it might be to be the “White Knight”, a “Lone Ranger” approach will often backfire.

- a. Unless there is firm documentary or other proof, try to verify the allegations by talking to others who were present or involved in the aftermath.
- b. If you know the accused, consider approaching him/her with the allegations and asking for clarification.
- c. If you know friends of the accused, feel them out for their overall impression of the accused’s character. Do not mention the allegations directly.
- d. If time permits and you don’t know the accused, seek out a social way to meet the person and feel him/her out yourself. Again, trust your gut.
- e. If you’re satisfied that action is justified, build a support team of friends for yourself and for the complainant. This is the time for the complainant to lay out their proof to others. It’s not the time for you to rally the troops by passing on hearsay. If the friends agree that action is warranted, brainstorm.
- f. Discuss your plan with the complainant and gain his/her involvement, whether it’s testifying or providing documents or being available by phone if the authorities have questions. By far the best scenario is to have the complainant meet with the authorities face to face.

### **If you are hearing allegations second or third hand**

1. Remember that every time a story is passed on verbally, it is distorted.
2. Everyone tends to listen to gossip, even if they cut it off as soon as they realize it’s just gossip. We can’t help being affected. Our image of either the complainant, the accused or the person spreading the allegations will change.
3. Ask the person the same questions you would ask the complainant. If the person can’t answer questions or you have any doubts, but feel the matter needs to be taken further, investigate:

- a. Talk to the complainant and ask for documentary proof where possible.
  - b. Talk to the complainant's friends, especially if they were closely involved.
  - c. Talk to friends of the accused, especially if you don't know the accused.
  - d. Talk to the accused or get to know him/her and make your own judgment.
4. Unless you are acquainted with the complainant and provide the same support as above, do not pass on the allegations.
  5. Remember that many reputations are at risk, including your own.

### **If you are a community leader hearing allegations about a member**

1. Show concern for the complainant, assuring the complainant that you and that you support the complainant, including community resources such as nurses and counsellors and police if the complainant desires. Thank them and compliment them on coming forward, knowing how stressful that can be.
2. If you are approached by a third party, ask if they are in touch with the complainant and are willing to act as a go-between.
3. Investigate the incident, gathering as many facts and witness statements as possible.
4. Talk to the accused and get their input ASAP. Share as much as the complainant is comfortable with you sharing. If possible, mediate and facilitate communication between the complainant and the accused. Emotions can be high with all concerned. Try for a mutually agreeable resolution.
5. It's appropriate to ask the accused to step aside while the investigation is made, but make it clear to everyone that stepping aside is neither an admission of guilt nor a sign that you accept the allegations as true.
6. Foster mature, adult behaviour and concern for others from all parties. If things seem awry, take everything into account when making decisions.
7. Even firm evidence can have multiple interpretations, so involve trusted subordinates. Ask their opinion. Have them poll the community in general terms.
8. You owe it to both the accused and the complainant to try to arrive at a judgment based on available facts. Leaving the accused uncertain is just as detrimental as acting too quickly.
9. Hoping things will fade away and not re-surface later is dangerous. Remember, you might be dealing with mental instability in any of the parties.
10. Justice must seem to be done or the community suffers. It's not the accused's fault if the complainant is making false accusations. If the accused and complainant have followings in the community, your reputation is on the line.
11. Swift justice is also important. Drama involves conflict and the longer there is no clear resolution to the allegations, the more chance there is of conflict.

## **If you are a community leader hearing allegations about another community leader**

1. Show concern for the complainant, assuring the complainant that you and that you support the complainant, including community resources such as nurses and counsellors and police if the complainant desires. Thank them and compliment them on coming forward, knowing how stressful that can be.
2. If you are approached by a third party, ask if they are in touch with the complainant and are willing to act as a go-between.
3. Investigate the incident, gathering as many facts and witness statements as possible.
4. Talk to the accused and get their input ASAP. Share as much as the complainant is comfortable with you sharing. If possible, mediate and facilitate communication between the complainant and the accused. Emotions can be high with all concerned. Try for a mutually agreeable resolution.
5. There are parallels here with state-level communications between nations. Diplomacy should be the first concern and win-win solutions the goal. No one wants to lose face nor escalate to a nuclear option like public denunciation.
6. If there is no bi-lateral agreement, convene a general meeting of all community leaders together with the accused leader. Attempt to arrive at a mutually agreeable resolution.
7. If there is no resolution, the attendees should decide on what percentage is needed to pass a motion.
8. If a motion is passed that involves any sort of legal action, those who voted for it should share the cost of having a lawyer draw up the document. In the case of a public denunciation, the test should be that every statement can be proven true.

## **If the information comes to you unsolicited from an unknown source**

1. Ask yourself what an anonymous re-teller of allegations fears about revealing their identity.
2. What do they gain by remaining anonymous?
3. If they are not the complainant, what motivates them to pass on allegations?
4. Could it be the complainant pretending to be someone else?
5. If the matter is serious and you want to become involved, investigate, investigate, investigate.

## **If you are the accused**

1. Most experts advise that you do nothing and hope that the allegations fade.
2. If there is a great deal at stake like a career, custody or reputation, doing nothing might not be an option.

3. Seek input from others including professionals if the situation warrants – lawyers, psychologists, etc.
4. Build a support network of your friends. It can be hard for men to admit to others that they need help, but it's crucial.
5. Document your case when the allegations are false.
6. If the allegations are true, it's usually best to either say nothing or to admit mistakes and ask forgiveness.
7. If the complainant is irrational, there are some very important guidelines. In this case, the enemy isn't the complainant. Your enemy is:
  - a. **Denial:** Doing nothing about the problem in hopes that it will go away.
  - b. **Wishful Thinking:** Doing nothing because you're sure that a miracle will occur and the complainant will have a change of heart.
  - c. **Emotionality:** Reacting emotionally rather than remaining calm and thinking through logical solutions to your problem.
  - d. **Martyrdom:** Doing nothing because you can't bear to hurt the complainant's feelings, which you may think are more important than your own.
  - e. **Isolation:** Trying to handle the problem by yourself instead of asking for help.
  - f. **Legal Delays:** Not hiring the right attorney before you lose legal rights and the situation becomes critical. \*

## **If you are the complainant**

1. There are many reasons why people tell other people their problems, but there is a difference between seeking sympathy and putting allegations into the hands of others for action.
2. As hard as it is, try to remain calm.
3. Build your support network.
4. Document your case. If there were no witnesses, write things down as quickly as possible after they happen. Include as much detail as you can. Keep your proof and writings in a safe place.
5. If you believe that bringing forward allegations will prevent harm to others, strategize with your support group the best way to approach authorities.

*\*Stop Walking on Eggshells* by Paul T. Mason and Randi Kreger, 1998, New Harbinger Publications, Ltd.