



## **Domestic Violence in the Context of Child Abuse and Neglect \***

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### **The co-occurrence of domestic violence and child abuse and neglect**

A growing body of international research confirms that domestic violence and child abuse frequently co-occur within the same families (e.g. Rosenbaum & O'Leary 1981; Hughes 1988; Stark & Flitcraft 1988; Bowker et al. 1990; McKernan 1994). From a review of this research, Edleson (2001) estimates that between 30 and 60 per cent of children whose mothers are subjected to domestic violence are also being abused. This is consistent with the findings of Australian research. For example, an exploratory study of 20 child protection cases found domestic violence in 60 per cent of cases, together with multiple forms of family violence (Stanley & Goddard 1993). Goddard and Hiller (1993) found domestic violence in the families of forty per cent of cases of child sexual assault presenting to a city Children's Hospital. In 18 out of the 19 cases reviewed by the NSW Child Death Review Team (2001), where the death occurred as a result of physical abuse and neglect, there was a background of domestic violence.

Child abuse and neglect in the context of domestic violence can be played out in a variety of ways: the same perpetrator may be abusing both mother and children, probably the most common scenario; the children may be injured

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when 'caught in the crossfire' during incidents of adult domestic violence; children may experience neglect because of the impact of the violence, controlling behaviours and abuse on women's physical and mental health; or children may be abused by a mother who is herself being abused (Edleson 2001)

Edleson (1999b) points out that, while the co-existence of child abuse and domestic violence is now widely recognised, less is known about the ways in which these forms of abuse are interconnected. Many questions remain as yet unanswered, including, for example:

*Is child maltreatment committed in an effort by the man to intimidate, control, or harm the mother? What percentage of the time do incidents of women battering and child maltreatment occur in conjunction with or separate from each other? How does the woman's use of violence occur within this context? What other family factors play an influential role in the overlap between these two forms of violence?* (Edleson 2001, p. 103)

Evidence is emerging that cases where both domestic violence and child abuse occur represent the greatest risk to children's safety (Stanley 1997; De Panfilis & Zuravin 1999; Miller, Fox & Garcia-Beckwith 1999) and that large numbers of cases in which children are killed have histories of domestic violence (Wilczynski 1996; Edleson 1999b; Fleck-Henderson 2000). Child abuse prevention programmes, such as home nurse visitation, have been found to be less effective when domestic violence is present (Eckenrode et al. 2000). In the United States, where domestic violence consultants have been employed in child protection services, they report that the cases involving domestic violence in the child protection system are 'much more complex and dangerous than those they had encountered in battered women's shelters' (Aron & Olson 1997, p. 11).

## **The challenge of domestic violence for the child protection system**

The recognition that child abuse and domestic violence frequently co-exist, together with the evidence of the harmful effects of exposure to domestic violence on children (Edleson 1999a), place the child protection system in a key and challenging role in responding to children and young people affected by domestic violence. However, statutory child protection agencies have been slow to recognise the contribution of domestic violence to many situations of child abuse and neglect (Humphreys 1999). Historically, child protection intervention has tended to focus on women (mothers), despite the fact that men are estimated to be responsible for around half of the incidents of physical abuse of children, and for the majority of the most serious physical abuse (Lowenthal 1996; Aron & Olson 1997; Edleson 1999b). Further, interventions have focussed on women, even when their violent male partners are known to have committed the abuse of children (Stark & Flitcraft 1988; Thorpe 1996).

This has led to the contention that there is often “gender bias” (Burke 1999) in child protection intervention. This is problematic for the child protection system’s response to domestic violence, which is a form of gender-based violence against women. It is argued that this gender bias can result women being held accountable for “failing to protect” their children from the actions of men who use violence against them and therefore in a failure to hold men accountable for the effects of their violence on women and children (Stark & Flitcraft 1988; Burke 1999; Mills 2000). An example of gender bias in operation is an Australian study, which found that men were frequently not interviewed when children were notified to the statutory child protection service because of domestic violence (Heward-Belle 1996).

“Gender blind” child protection intervention may place pressure on a woman to leave a relationship in which she is being abused on the threat of removing her children. However, appropriate support may not be provided nor the complexities with which she is struggling be recognised (Humphreys 1999).

Thus balancing the needs of child protection with interventions sensitive to the de-powered position of the abused woman poses challenging dilemmas for statutory child protection services:

*...how to intervene to protect children without reinforcing the woman's sense of guilt, self-blame and failure as a mother; how workers can avoid placing even more responsibility for protecting children onto women who are often powerless to act because of their own victimisation; and how workers can invite perpetrators to take responsibility for their violence and to be accountable for the impact of their actions on mothers and children (Burke 1999, p. 257).*

Child protection workers are being called upon to incorporate the growing knowledge about the impact of domestic violence on children into their practice, against the background of a number of controversies. One of these is the debate about whether all children and young people who are exposed to domestic violence should be considered 'abused' and hence the subject of statutory child protection intervention. Some argue that witnessing domestic violence is in all cases a form of psychological child abuse (e.g. Somer & Braunstein 1999), while others argue against automatically defining all child witnesses as victims of child abuse (Edleson 1999a; Magen 1999; Fleck-Henderson 2000). Those who caution against automatically defining exposure to violence as child abuse argue that this fails to take into account the efforts which women are making to protect their children and to deal with the violence in their lives, and that insensitive child protection intervention may place the woman and her children at greater risk.

Decisions about including exposure to domestic violence as a form of child abuse have significant implications for child protection services. A study that tracked child abuse notifications in five NSW Department of Community Services (DoCS) offices following "exposure to domestic violence" becoming a grounds for notification of child abuse, found that domestic violence was the most common reason for notifying a child (Irwin et al. 2002). However, in comparison with cases involving other categories of abuse, domestic violence referrals were less likely to undergo an investigative assessment, and when

they were investigated, they were less likely to be registered. The most likely outcome for confirmed domestic violence-related child abuse was for the case to be either referred and/or closed, with no follow-up. Further, many child protection workers felt ill-equipped to respond to these cases and ‘the inclusion of “exposure to domestic violence” as a category of child abuse did not translate into changed practices for many child protection workers.’ (Irwin et al. 2002, p. 10). Findings such as these highlight the importance of Edleson’s (2001) call for careful evaluation of the impacts – including the unintended consequences – of new legislation, policies and practices which are being implemented in recognition of domestic violence as a child protection issue.

## **Improving collaboration between child protection and domestic violence services**

### ***Barriers to collaboration***

Growing recognition of the intersection of domestic violence and child abuse has highlighted the importance of collaboration between child protection and domestic violence services. However, such collaboration faces considerable challenges, given the very different histories, philosophies and structures of child protection and domestic violence services (Berliner 1998; Findlater & Kelly 1999; Mills 2000). Women’s refuges, the first specialist domestic violence services, grew out of second wave feminism. They provide community-based services on a voluntary basis to women and their children escaping domestic violence and stress the empowerment of women through respecting their choices and providing information and support.

In contrast, child protection services (CPS) have a statutory base and deal largely with involuntary clients. They deal with women who may be at a very different stage in recognising and dealing with the violence in their relationships, than the women who contact domestic violence services. Child protection services also face a number of constraints, in comparison with domestic violence services. For example, Clarke et al. (1996) point out that:

- While domestic violence services do not have to deal with the fathers of the children in families where battering occurs, child protection services do.
- While many domestic violence services turn away women with active chemical dependency or chronic mental illness problems, child protection agencies cannot do so.

From focus groups with child protection and domestic violence service providers, Beeman et al. (1999, pp. 120-122) identify a number of barriers to successful collaboration between child protection and domestic violence services:

- Tensions between the “child-centred” and “woman-centred” philosophies of child protection and domestic violence services. These derive from their different histories and organisational structures and can promote an adversarial working climate.
- Domestic violence service providers argue that child protection services hold mothers accountable for the behaviour of abusive men. Yet child protection services often have little leverage with abusive men. For example, threats to remove children may not be a concern to the perpetrator of violence (Fleck-Henderson 2000) and indeed, a woman’s fear of losing her children can be utilised by the abusive man as part of his tactics of coercive control (Aron & Olson 1997).
- Mothers’ lack of cooperation with child protection services. Child protection workers complain that women recant allegations and allow perpetrators back into the home.
- Lack of communication and collaboration with other systems. Both child protection and domestic violence service providers agreed that not holding men accountable for their abusive behaviour can be attributed to failure of the criminal justice system to act in a timely manner, or to act at all. In North America, where co-ordinated responses to domestic violence have typically centred around the criminal justice response, involvement of child

protection services as part of the co-ordinated response has been slow (Clarke et al. 1996).

- Lack of culturally appropriate services.

### ***Strategies for improving collaboration***

*Collaboration requires that participants understand each other's work, both what it is and what it is not. Otherwise, false assumptions can easily lead to confusion, disappointment, and resentment (Findlater & Kelly 1999, p. 169).*

Clarke et al. (1996) concur with this, particularly stressing that each service system must appreciate the pressures and constraints under which the other is operating. Hence, they argue that:

*...traditional [domestic violence] providers must learn to appreciate the very different job demands that face child protection workers, the fact that there are many, many women experiencing battering, sometimes very severe battering, who need help but are not ready or willing to accept the particular form of help that they themselves currently offer, and that they can make an important contribution if they help the child protection agencies work out policies and protocols that try to respect everyone's rights and interests (Clarke et al. 1996).*

At the same time, they argue that child protection services need to learn about legal approaches to containing violent men, so that they do not merely rely on threats to a woman to remove her children. They also need to learn to relate to abused women in ways that do not replicate the controlling and threatening behaviours of the perpetrator (Clarke et al. 1996).

The task of building collaboration between domestic violence and child protection services has been approached in a number of different ways. Some of these are now described as examples of the possible ways in which this task can be approached. Findlater and Kelly (1999) describe the way in which collaboration was built between domestic violence, family preservation and child protection services, in the state of Michigan, USA. The first stage

involved the state's Domestic Violence Prevention and Treatment Board, the lead agency in the state's co-ordinated response to domestic violence, and Families First, an intensive crisis intervention programme that aims to prevent the removal of children from home because of child abuse or neglect. An impetus to the collaboration was the recognition that 37 per cent of families referred to the Families First programme identified domestic violence as a major family problem. Initial activities involved Families First staff and domestic violence advocates learning about each other's work and, importantly, establishing the common ground between them through the identification of common goals (safety) and philosophies (empowerment and justice).

*Our common ground is the understanding that often the best way to keep children safe is to keep their mothers safe. By enhancing the safety and self-sufficiency of battered mothers, the safety of their children may also be enhanced (Findlater & Kelly 1999, p. 169).*

Having established this common ground, the collaboration was developed over three stages:

- Cross-training. Mandatory state-wide domestic violence training was introduced for all family preservation staff, and the Families First training was made available to domestic violence programme staff.
- A demonstration project was established, which opened direct referrals to Families First from domestic violence services. This made the service (normally only available where a child is at imminent risk of removal because of abuse or neglect), available to children at risk of homelessness or harm because of domestic violence. Care was taken to situate the demonstration projects in communities that had already developed a co-ordinated response to domestic violence.
- Statutory child protection services (CPS) were then included in the collaboration, initially through the establishment of a multidisciplinary task force comprising the three organisations. The task force addressed issues of training, policy and best practice in child protection cases involving

domestic violence. A similar process of learning about each agency's work and identifying common ground – child and adult victim safety - was pursued. A curriculum on domestic violence was written for CPS. The pilot training programme identified the critical importance of the curriculum being 'grounded in, and supported by, consistent CPS policy' (Findlater & Kelly 1999, p. 172). Feedback on the new policy was sought at a series of focus groups comprising CPS and domestic violence service providers. This proved a challenging process as 'participants often ended up telling each other how to do the other's work' (Findlater & Kelly 1999, p. 173). Yet, the focus groups became conduits for learning more about each other's roles and for fostering closer working relationships.

A different approach to raising awareness about domestic violence within a child protection service was undertaken in the UK, through a collaboration between feminist researchers and the NSPCC, a specialist non-government child protection service (Hester 2000). The NSPCC was seeking ways to incorporate domestic violence as a consistent issue within their child protection practice. The research team adopted two main approaches to introducing domestic violence into the team's work:

- Use of team meetings to discuss definitions of domestic violence and to examine the incorporation of domestic violence through "re-framing" of past and current cases. This involved exploring the effect which taking into account domestic violence might have had on the case. This process is described by the researchers as providing domestic violence as one of the "lenses" through which practice was viewed (Hester 2000, p. 105).
- The implementation of a simple monitoring scheme, somewhat like a system of routine screening for domestic violence, across the team's work. It entailed a form which workers completed at the referral stage and after very contact with the client. 'The form consisted of a set of questions related to domestic violence, that is violence and abuse in the adult's relationship, and a set of questions regarding any impact on the child resulting from domestic violence' (Hester 2000, p. 103).

In order to identify any changes in the team's practice, the researchers used multiple methods:

- Individual interviews with team members
- Analysis of case files at three points: 12 months before the project commenced; the first 12 months of the project; six months following the project (for cases in which domestic violence was identified as an issue)
- Analysis of the monitoring forms
- Team meetings (Hester 2000, pp. 98-99)

This project was successful at increasing the visibility of domestic violence as an issue and in changing practice: 'Crucially, there was a change from seeing domestic violence usually as a separate issue from children and child abuse, to seeing domestic violence as a possibly central issue for children, and as part of their abusive experiences' (Hester 2000, p. 110).

Some other strategies identified in the literature to address domestic violence in the context of child abuse and neglect, include:

- Employment, within child protection services, of staff with skills and experience in the delivery of domestic violence services to women, for example, in Massachusetts (Aron & Olson 1997). These domestic violence specialists provide assistance with training, policy development and case consultation.
- The provision of domestic violence training to child protection workers. Mills et al. (2000) found that both commitment from the top of the child protection agency and collaboration between domestic violence workers and child protection workers, are essential to successful training efforts.
- Recognition that the complexity of cases involving domestic violence which are identified within the child protection system may require a different response from cases presenting to specialist domestic violence services. For example, Clark et al. (1996) cite evidence from men's treatment programmes that the perpetrators of both spouse and child abuse 'are significantly more dangerous, more violent in non-familial as

well as familial contexts, less amenable to available intervention techniques, and more likely to show complete unconcern about the welfare of others', compared to the men typically seen by the programmes. Given the complexity of cases involving both domestic violence and child abuse, Fleck-Henderson (2000, p. 333) argues that training alone is a “necessary” but “insufficient” response. She argues that ongoing consultation between child protection and domestic violence workers *on a case-by-case basis* is essential in order to combine the knowledge and experience of each system, and in this way, develop practice with these complex cases.

- The collaboration between child protection and domestic violence services also needs to include the wider system of police and courts - criminal, Children’s and Family (Beeman et al. 1999).
- Parkinson (1996) canvasses the possibility of limiting the range of disposition options in Children’s Court proceedings so that the most intrusive – placing children in alternate care or making them wards of the state – are not available unless children exposed to domestic violence have also been physically or sexually abused. He also suggests that Court orders be framed mainly in terms of the obligations owed by the perpetrator of violence, rather than the victims.
- In describing the integration of knowledge about the dynamics of domestic violence into the provision of an Australian specialist child protection service, Burke (1999) warns about the practice “pitfalls” which can occur when assessment and intervention do not reflect an analysis of the “gendered imbalance of power and responsibility” that is at the heart of domestic violence. She argues for a model of practice, which seeks to avoid these pitfalls by maintaining a focus on imbalanced power and responsibility through all stages of intervention.

## **Conclusion**

In response to the growing recognition of the intersection of domestic violence and child abuse and neglect, significant efforts are being made to improve

collaboration between domestic violence and child protection services. Key to successful collaborations are:

- Establishing “common ground”
- Understanding the roles of each service system, including the constraints and pressures under which they operate
- Cross-training

In reviewing the Michigan experience, Findlater and Kelly (1999, p. 173) provide some useful insights, in their conclusion that:

*Systems change begins with a conversation, often between no more than two people. Beyond conversation, however, action and leadership are necessary.*

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