



## **WOMEN AGAINST VIOLENCE EUROPE**

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### **WAVE thematic paper on the right of children to live a life free from violence**

One in four women experience violence from their partner and half have children living with them at the time (Müller, Schröttle et al 2005). Being a mother correlates to domestic violence in several ways; women with children are three times more likely to experience violence from a partner than women without children (Humphreys 2007); one in three women report that domestic violence started or escalated during their pregnancy (Müller, Schröttle et al 2005) and consequently preschool children are disproportionately represented in households where violence against women is a regular occurrence (Letourneau 2013). Internationally comparative research estimates that the proportion of children living in violent homes is between 10% and 30% of all children (Seith 2007). Therefore, domestic violence is a children's issue. Women's shelters were the first organisations to highlight the damage to children of living with domestic violence (Arbeitsgemeinschaft für Jugendhilfe 1976) and have continued to campaign consistently for more resources for children's work in shelters.

#### **How domestic violence affects children**

Children can be affected by violence in their home in a number of ways:

- Children see or hear violent assaults against their mother, including sexual assaults
- Children see the aftermath of these assaults
- Children may be injured during such assaults by simply being present or because they intervene in an attempt to protect their mother

- Children may be assaulted or threatened with violence in front of their mother in order to ensure their mother's compliance with unreasonable requests
- Children may be put under pressure to join in physical and verbal assaults against their mother
- Children may hear their mother being verbally abused, for example by being called "stupid" or "lazy"
- Children may hear sexual abuse of their mother for example, by being called a "whore" or a "slut"
- What children do or don't do may be used by the abuser as an "excuse" to be violent to their mother

How their mother copes with the violence and threat of violence she lives with may affect children in the following ways:

- Their mother may not be able to care for them adequately because she is injured, sick, depressed, stressed or worried as a result of violence
- Their mother may restrict what children can do, how loud they can be etc., in order to avoid or minimize violent assaults
- Their mother may put children under pressure to do things to appease the abuser in an attempt to avoid violence
- Their mother may be inordinately preoccupied with the abuser in her attempt to avoid, minimize or manage violent assaults and have little time or energy for her children
- In an attempt to protect them, their mother may try to hide the violence from them by maintaining silence about what has happened and pretend everything is ok
- In order to keep up appearances of a happy family life their mother may discourage visitors and contact to family and friends, thus isolating the family

In addition to witnessing violence and living with effects on their mother, children living with domestic violence are also at greater danger of experiencing physical and sexual violence themselves (Kavemann 2007; Bell 2016a). This is because domestic violence abusers lack any inhibition about physically and / or sexually assaulting members of the family and also have poor impulse control. There is also the possibility that abusers may seek revenge against their partner who has left them through physical, sexual or emotional abuse of children. Yet these problems which obviously impact on parental competence are not taken into account when deciding that children should be put into the sole care of domestic

violence abusers on regular contact visits. In addition children who have witnessed domestic violence know what their father is capable of if he is angered and may be frightened of him.

### **What children learn from living with domestic violence**

Often what children learn from living with domestic violence is that what happens in the home is not talked about or shared with others. They often conclude that their mother is not a person with authority who is able to protect and help them and sometimes they try to take responsibility for their mother. Some children may feel guilty or in some way to blame for what their mother has experienced and / or may despise her for staying with the abuser. Being a mother is a respected role for women and sometimes an abuser will deliberately attempt to destroy the mother-child bond in order to undermine their partner (Radford & Hester 2006). Children may be manipulated and told lies about their mother, for example, following separation due to domestic violence children may be told by the abuser that their mother is to blame for breaking up the family (Mullender et al. 2002). If children living with domestic violence have learned to be silent about violent incidents, do not perceive their mother as someone who can protect them and are isolated from wider family and friends; they are at great risk of continuing violence even after their parents have separated.

After many years of campaigning by women's shelters, social services now take seriously the impact of domestic violence on children. However, in aiming to promote the interests children, social services uphold the principle of shared parenting whilst continuing to operate with very divergent and traditional expectations of mothers and fathers. For example, as awareness of the impact of domestic violence on children improves, women are under increasing pressure to leave violent partners for the sake of their children. Child protection services most often have contact with children in the presence of their main carer, their mother, and there is often no contact with the abuser himself. Women may be criticized by child protection services for exposing their children to violence and their parenting competence may be scrutinized. They will be put under pressure to take action to save their children but the abuser's behavior will not be challenged. Rather women are expected to take responsibility and act to remove themselves and their children from violence. Once they have done this, however, they will be given responsibility for ensuring that the father-child bond is maintained and regular contact takes place. The fact that women experience violence from their partners will result in their competence as mothers being

questioned. Yet in the absence of evidence of physical violence against a child, the parenting competence of abusers will not be assessed. In order to express the complete contrast and conflicting representations of violent men as partners and fathers prevalent among state agencies intervening in families following domestic violence, Hester developed a model of three planets, each distant and out of touch with the other; the domestic violence planet, the child protection planet and the child contact planet (Hester 2011). Women seeking help for domestic violence for themselves and their children will have to negotiate all three planets simultaneously and deal with contradictory expectations of their relationship to their abuser. Mothers are put under pressure to separate from men as partners because his violence is damaging his children but within days be required to hand over their children into the sole care of the same violent man because he has a right, as a father, to contact with his children. In the intervening period no one will have intervened to challenge his behavior. The only change is the absence of the mother. In this way, she is construed as the problem, the trigger for male violence. The violence itself is not seen as any impediment to a constructive father-child relationship and is not addressed. Therefore, violence and the person using the violence are dealt with as unalterable facts of life for which women have to take responsibility.

### **Continuing impact of domestic violence on family relations**

Living with domestic violence is bad for children, yet focusing too narrowly on children's rights can be counterproductive. It is insufficient protection for children to simply put an end physical violence by separating parents. This does not provide an effective solution for children. Women can save themselves from violence by leaving their abusive partner. Their children, however, may be in greater danger of violence, or continuing violence, following separation because they will be expected to have contact with the abuser alone or in the company of siblings. A thorough knowledge of the impact of domestic violence on parent child relationships and on family power dynamics is essential in order to avoid a continuing negative impact on children long after parental separation. Indeed power inequalities in the family may be inadvertently reinforced and exacerbated by a focus on maintaining the father-child bond and asserting the proprietary rights of non-custodial fathers.

Most women, children and fathers want continuing contact between children and their father following separation, even after domestic violence. Nevertheless detailed research in England shows that even with the best intentions 90% of

child contact arrangements, following separation due to domestic violence, break down within two years due to a number of factors. Of mothers interviewed:

- 75% felt that their ex-partner was a bad role model for children as his violent behavior had not been challenged
- 66% felt that their ex-partner lacked commitment to their children and were unreliable
- 50% feared for the safety of their child/ren and more than half feared for their own safety

Of the children interviewed:

- 50% reported being interrogated about their mother's behaviour
- 25% experienced violence during access visits
- 20% experienced sexual violence during access visits (Radford & Hester 2006).

By failing to challenge men and putting pressure exclusively on mothers to protect their children, child protection services are putting the responsibility for men's violence onto women and failing to challenge men's sense of masculine entitlement. Women are put in a contradictory position of having to leave violent partners for the sake of their children, yet if children are reluctant to have contact with their father, mothers as custodial parents are charged with the responsibility to ensure that contact takes place. Children who are experiencing violence, including sexual violence, or any other form of abuse during contact, may lose faith in both parents, the one abusing and the one forcing them to spend time with the abuser (Radford & Hester 2006). Furthermore in witnessing their mother's inability to protect them from exposure to unchallenged abusive behavior and attitudes, children continue to be confronted with role models of abusive masculinity and constrained femininity. The move to shared parenting as the ideal following parental separation requires respectful communication between parents as equals and not just a focus on ending violent assaults by physically separating parents (Westmarland & Kelly 2013).

### **A child's right to contact with both parents**

In order to establish constructive, positive enduring contact to both parents time should be taken in establishing contact following parental separation. In the first instance children need time to adjust to the separation and recover from the

often traumatic events which have preceded the relationship breakdown of their parents.

In order to ensure that women and children have the freedom to live full lives three preconditions to access arrangements are essential:

1. It must be ensured that violence against the mother has ended and there is little chance of violence reoccurring. This is important so that the child does not feel responsible for their mother.
2. The father has to admit to his child that his behavior has been abusive and unacceptable and take responsibility for this. This is essential in order for the child's reality to be confirmed. Furthermore, children must be unburdened from any feelings of guilt that they may have contributed in any way, albeit inadvertently to the abuse.
3. The father must refrain from undermining the authority of the mother as this can cause children psychological stress (Metell 2007).

The rights of children and parents to contact with each other must be enforced in a way which also takes into account the quality of parenting. Most importantly a child's need for a stable and secure home with the custodial parent should not be sacrificed to an idealized father-child bond without consideration of child safety. Research has shown that children are very often not asked about their experience and feelings when decisions are made about contact arrangements. Women speaking up for their children are frequently accused of manipulating their children in order to take revenge on their partners. Domestic violence abusers are not challenged about their behavior and their violence is not recognized as impacting on their parenting competence (Eriksson et al. 2013). Against this background it is not surprising that most contact arrangements made following separation due to domestic violence fail to result in durable relationships between a child and both parents. It is possible given time and an appropriate framework for child security that the rights of children who wish to have contact with their father following parental separation could be met.

Professional support is required to help domestic violence abusers to take responsibility for what they have done, to acknowledge the impact their behavior has had on their family, to learn to deal appropriately with their feelings and how to express themselves. Despite a changing rhetoric on fatherhood, changes in the practice of parenting are minimal and women continue to do most physical care and work involved in caring for children (Flaake 2014; Procher et al. 2014). Consequently agencies charged with supervising father-child contact have found that fathers often also need guidance on how to take care of children's needs and

organize contact time in a way which is appropriate to the age and needs of their children (Schlund 2015).

Until appropriate conditions for father-child contact apply, children could retain a link to half their heritage, if wished, by contact with wider family members (grandparents, aunts, cousins etc.,) and/or by letter, text, email, phone and skype. This would enable children to have more control over their own physical and emotional wellbeing within a framework that provides enjoyable and positive contact. Children should be secure in the knowledge that if they encounter difficulties they can call on child protection services for support and that their concerns will be heard.

The most important criteria for ensuring sustainable contact arrangements between a child and a non-custodial parent is a child centred approach which puts children, their safety, welfare and wishes, first. This requires a flexibility on the part of both non-custodial and custodial parents which is only possible if parents are able to communicate constructively about their children's needs. Achieving this level of cooperation between parents takes time, requires a high level of commitment and very often professional support. Men who have been abusive to their partners need to prove over time that they really are committed to building a constructive and durable relationship with their child. Women who have experienced domestic violence, possibly over many years, need to witness this commitment over a lengthy period of time before they are able to develop the trust necessary to hand over their child to their ex-partner and communicate effectively with him as a responsible parent. Attempts to impose father's rights without taking into account the needs of children and their custodial parent are not effective and overwhelmingly fail to ensure that a child's right to continuing contact to both parents is achieved (Schlund 2015; Kostka 2014).

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