

Effective Intervention in Domestic Violence & Child Maltreatment Cases: Guidelines for Policy and Practice

A Summary of Recommendations

I. Introduction

Great strides have been made in recent years by society and institutions to address the issue of violence in the home. Public and private institutions – the police, courts and social service agencies – and communities are declaring that adults and children have the right to the resources and responses that bring safety and stability to their lives.

Unfortunately little has been done to address the fact that far too often child maltreatment occurs in homes where a spouse is abusing another. For years, in fact, most communities have treated the maltreatment of a child and the abuse of a woman in the same family as separate phenomena having little to do with each other. Domestic violence programs, child protection service agencies and the juvenile courts have shied away from working with each other. Each system has operated with different mandates and unique responsibilities and each are concerned about the safety of their clients.

As a consequence, a battered woman with children faces two sets of painful circumstances. First, she has to calculate how to protect herself and her children from physical dangers created by her partner. Second, she is fearful that child protection agencies or her abusive partner will take her children away from her.

New responses are required of *everyone*, if violence within families is to stop. Creating safety for children experiencing domestic violence is inseparable from trying to create safety for their mothers and reducing the risk from the domestic violence perpetrator. With a coordinated response to family safety, battered mothers will get the help they need without losing custody of their children, children in the welfare caseload can be protected from experiencing the serious effects of domestic violence, and domestic violence perpetrators will receive intervention to help stop or reduce their violence and coercive behavior.

II. The Collaborative Process

To date, community institutions and families have been offered few resources and tools to resolve the complex issues raised by overlapping domestic violence and child maltreatment in a family. *Effective Intervention in Domestic Violence & Child Maltreatment Cases: Guidelines for Policy and Practice (Effective Intervention)* offers a comprehensive set of responses to the overlap of domestic abuse and child maltreatment, and is intended to help eliminate or decrease the enormous risks that individual battered mothers, caseworkers, and judges must take on behalf of children.

Effective Intervention includes the perspectives of different social and legal systems. In developing the book, the National Council of Juvenile and Family Court Judges convened an Advisory Committee of diverse professionals from the courts, child welfare and domestic violence services, federal agencies, and the academic community. Over a series of meetings, the Advisory Committee met to discuss draft recommendations developed by the authors, Susan Schechter and Jeffrey L. Edleson. These deliberations guided and informed the authors in the development of the principles and recommendations summarized below.

Effective Intervention focuses on three primary systems: the network of community-based domestic violence programs, the child protection system, and the juvenile or other courts which have jurisdiction over child maltreatment cases. Leaders from these communities and institutions should use the principles and recommendations in this book as a context-setting tool to develop public policy aimed at keeping families safe and stable.

While all of the issues surrounding the overlap of domestic violence and child maltreatment cannot be addressed comprehensively in one volume, *Effective Intervention* identifies many of the issues, discusses the impact these issues have on families dealing with domestic violence and child maltreatment, and offers a framework for developing interventions and measuring progress.

III. Core Principles

The core, guiding principle that frames the discussion of most other principles found in *Effective Intervention* is: Community leaders should join together to establish responses to domestic violence and child maltreatment that provide meaningful help, supports and services for families. Simultaneously, communities should hold violent perpetrators responsible for their behavior and provide legal interventions and services to stop this violence.

Other leading principles include:

- Three core values should direct the implementation of this guiding principle – interventions should be designed to create safety, enhance well-being, and provide stability for children and families.
- To ensure stability and permanency, children should remain in the care of their non-offending parent (or parents), whenever possible. Making adult victims safer and stopping batterers' assaults are two important ways to do this.
- To provide safety and stability for families, a community service system should have many points of entry.
- Community leaders should design interventions and responses that are appropriate to the diverse range of families experiencing domestic violence and child maltreatment.
- Every community should have a mechanism to close gaps in services, coordinate multiple interventions, and develop interagency agreements and protocols for providing basic services to families.

- The services recommended in *Effective Intervention* require the expenditure of significant additional resources including placing battered women's advocacy and support services within courts and child protection services, locating family support services in domestic violence agencies, and providing services for every victim of domestic violence and child maltreatment who needs or requests them.
- Agency leaders should make an ongoing commitment to fact-finding in order to determine whether children and families of diverse backgrounds are served fairly and capably by their agencies.
- Every community should cross-train its service providers on identification, assessment, referral and safety interventions.
- Agencies and courts should develop memos delineating the mandates of each system, their confidentiality requirements, and agreements for sharing information. Child protection services and the juvenile courts should support the principle and policy goal of privileged communication protections for battered women.
- Policy makers and program developers should support evaluation and research studies that directly inform policy and program decision-making.

IV. Domestic Violence Services For Families

One of the most pressing dilemmas domestic violence organizations face is the fact that women and children are abused by the same perpetrator in a family. Repeatedly, communities are asking domestic violence organizations about the best ways to respond to children who witness violence at home. And child protection services administrators want answers to questions like "Which cases of domestic violence pose serious risks to children?"

It is clearly in the best interest of battered women and their children that domestic violence service providers, child welfare agencies and the courts collaborate in more effective ways. Written to enhance protections for women and children at risk and to help agencies avoid forcing their clients to act at cross-purposes, the recommendations in *Effective Intervention* are a starting place for deliberation in the domestic violence service provider community. Below is a summary of these recommendations.

Leadership to promote collaborations and develop new resources for adult and child safety and well-being.

- Domestic violence programs should collaborate with others to develop new joint service models for families experiencing domestic violence and child maltreatment. They should collaborate with other groups and service providers to develop joint protocols to remove interagency policy and practice barriers and enhance family safety and well-being, as well as improve access to services.
- Domestic violence organizations should support and organize regular cross-training activities with the agencies and groups that deal with child welfare.
- Domestic violence organizations should develop a community dialogue about the prevention of family violence, and provide leadership to inform policymakers and

funderson about the economic, legal, emotional, and social supports that battered women and their children need to be safe and secure.

Development of internal capacity to respond to the safety and support needs of families. Domestic violence organizations historically have been underfunded and focused largely on expanding services to women and on improving the criminal justice system response to adult victims. The majority of shelters have yet to respond to the multiple and complicated needs of families in residence who are also in the caseloads of child protection services and juvenile courts. This work will require developing additional training for staff, response protocols, and new advocacy methods.

- Domestic violence organizations should create supportive interventions for battered women who maltreat their children and provide child-friendly environments for the families they serve.
- All domestic violence organizations, especially shelters and safe homes, should have well-trained, full-time children's advocates on staff to provide services or develop referral linkages.
- Domestic violence organizations also should consider the needs of battered women with boys over the age of 12 who are often turned away and families with substance abuse and other mental health problems.
- Domestic violence organizations should consider ways to provide community-based services to women who are referred to them voluntarily and involuntarily by child protection services and the juvenile court.

Programs for perpetrators of domestic violence. Intervention with perpetrators is one element in a larger network of services that helps to promote safety for adult and child victims. Research studies have shown that coordinated interventions are more effective in stopping domestic violence and that interventions that are not coordinated may increase risks to adult victims.

- Intervention programs for batterers should reexamine the contents of their procedures, policies, and curricula to ensure that both child and adult safety and well-being are integrated into programmatic activities.
- Working collaboratively with domestic violence organizations, child protection services, juvenile courts, and diverse community organizations, batterer intervention programs should propose new funding, service, outreach, and monitoring strategies to reach more men who batter women and maltreat children.
- Batterer intervention programs, working collaboratively with law enforcement, courts, child protection agencies, and domestic violence agencies, should take leadership to improve the coordination and monitoring of legal and social service interventions for perpetrators in order to enhance safety, stability, and well-being for adult and child victims.
- Batterer intervention programs should participate regularly in cross-training activities and groups that deal with child welfare.

V. Child Protection System and the Courts

With respect to child protection agencies, *Effective Intervention* recommends the following:

- Child protection services and community-based child welfare agencies should collaborate with others to assess the availability of resources in the community, develop new responses, and monitor the effectiveness of community programs. They should develop screening and assessment procedures, information systems, case monitoring protocols, and staff training to identify and respond to domestic violence and promote family safety.
- Agency policy should state clearly when children can remain safely with non-abusing parents; the assessment required to determine safety; and the safety planning, services, support, and monitoring that will be required in these cases. Child protection services should develop separate service plans for victims and perpetrators, and assess thoroughly the possible harm to a child resulting from being maltreated or witnessing domestic violence and develop service plans to address this harm.
- Community agencies providing services to families in the child protection services caseload should screen every family member privately and confidentially for domestic violence and provide help to them, including safety planning and meeting basic human needs.

With respect to Juvenile and Family Court Judges, *Effective Intervention* recommends the following:

- Juvenile courts must have sufficient judicial and staff resources to allow appropriate time and attention for each case, treat each case with the highest priority, adopt recognized best practices in administering the juvenile court, and collaborate with other courts that may be dealing with family members and others involved in the case, including criminal court, civil court, and domestic relations and family court.
- The juvenile court should take a leadership role to ensure cooperation among all parts of the juvenile court system, identify needed resources to serve families experiencing domestic violence, and develop strategies to obtain these resources. Where there is domestic violence in a child protection case, judges should make orders which keep the child and parent victim safe, keep the non-abusive parent and child together whenever possible, hold the perpetrator accountable, identify the service needs of all family members, and create clear, detailed visitation guidelines which focus upon safe exchanges and safe environments for visits.
- Petitioners in child protection proceedings should allege in petitions or pleadings any domestic violence which has caused harm to a child. The juvenile court should prioritize removing any abuser before removing a child from a battered mother, and work with child welfare and social service agencies to ensure that separate service plans for the perpetrator and the victim of domestic violence are developed.