

Do good intentions beget good policy? A review of child protection policies to address intimate partner violence[☆]

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Abstract

In response to the growing concern that children are adversely affected by being exposed to intimate partner violence, significant changes have been made to child protection policy in many parts of the Western world. This article reviews and analyzes these policies/legislative changes in Canada, the United States, the United Kingdom, Australia, and New Zealand to provide a general analysis of how the issue of child exposure to intimate partner violence has been addressed within a child protection policy context. Legislation or policy decisions that broadly define any children who are exposed to violence in the home as maltreated can be problematic as they may further victimize abused women and their children, and overwhelm already overburdened child protection systems. The paper proposes guidelines to more adequately protect the safety and well-being of children by offering support and protection to the adult victim while holding the perpetrator accountable.

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Keywords: Intimate partner violence; Domestic violence; Child protection; Child welfare; Policy

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1. Introduction

Although women are most frequently the direct victims of intimate partner violence, there is mounting evidence that children exposed to violence perpetrated against their mothers may also be affected, sometimes seriously. The issue has become of significant social concern and a major interest of researchers, practitioners and policymakers. Children’s exposure to violence in the home has been conceptualized as a form of child maltreatment, warranting child protection intervention. The recent *Canadian Incident Study of Reported Child Abuse and Neglect* (CIS) reveals that children’s exposure to domestic violence is a common form of maltreatment investigated by Canadian child protective services, with almost 50,000¹ cases in 2003 (Trocmé et al., 2005). Further, approximately, one-third of child welfare caseloads in the United States involve domestic violence (Magen & Conroy, 1998).

In response to the growing concern that children are adversely affected by being exposed to domestic violence, changes have been made to child protection policy (e.g., legislation, standards and protocols, and organizational policies) in many parts of the Western world. A number of authors, however, have raised concerns about the potential unintended consequences of such policy changes (Edleson, Gassman-Pines, & Hill, 2006; Jaffe, Wolfe, & Crooks, 2003; Trocmé & Siddiqi, 2002; Weithorn, 2001). For example, a significant worry about mandating professionals to report incidents of domestic violence involving children is that abused women and their children may be put at greater risk of harm if they are deterred from seeking help or disclosing the abuse for fear of their children being removed from their care. Because such policy changes are relatively new, it is unclear which, if any, of these policy initiatives promote the safety and well-being of children and their non-offending parent.

This article briefly reviews research on the effects of intimate partner violence exposure on children and provides an analysis of examples of child protection policies and legislation from Western countries (Australia, Canada, New Zealand, United Kingdom, and the United States). We conclude by providing recommendations for implementing policy changes to address children’s exposure to violence at the legislative, organizational, programmatic and policy level. The article is not intended to be an exhaustive review of child welfare legislation, policies and practices, but rather provides a general analysis of how the issue of childhood exposure to domestic violence has been addressed within a child protection policy context and some recommendations for best practices.

¹ Cases in which children’s exposure to domestic violence is the primary or secondary reason for investigation.

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