Young People's Experience of

Post-Separation Fathering

Where the Father has been Violent to the Mother

By

Pamela Nelson

A Thesis

submitted to the Victoria University of Wellington

in fulfilment of the requirements for the degree of

Doctor of Philosophy

Victoria University of Wellington

2017

Acknowledgements

I would firstly like to express my gratitude to Associate Professor Rhonda Shaw for her patience, and wisdom in guiding me through the process and for having confidence in my abilities. It has been a wonderful journey and I thank you.

I also give thanks to Professor Allison Kirkman for accepting me into the programme and for making me feel welcome. Thank you also for your assistance, particularly over the last three months when I sprang some last minute work on you.

I would also like to thank all of the young people who participated in my study and shared their experiences with me. I am extremely grateful and I acknowledge your courage in coming forward. I realise for some of you it must have been difficult and I feel very privileged to have listened to your stories.

I offer a special thanks to my friends Julie, Jonathan and Rachael whose support, encouragement and friendship have enriched my journey. It is only through sharing with others that reaching our potential is truly possible.

Lastly I want to thank my family in particular my daughter Dr Micael-Lee Johnstone who has been my inspiration and guiding light.

Abstract

My intention in undertaking this research was to examine young people's experiences of living with their father following parental separation where their father has been violent to their mother. To date there is little knowledge of children's post-separation experiences of fathering or of the parenting abilities of partner abusive men.

This study takes a feminist approach and is informed by scholarship on family issues, childhood studies and the sociology of the child. The study was guided by hermeneutic phenomenology and thematic analysis was used to analyse the data. Twenty young people aged 18 to 26 took part in the study and face to face interviews were carried out over a one year period.

The findings revealed that some fathers were overly punitive in their parenting style with a number of fathers continuing to be physically and/or emotionally abusive to their children. Authoritarian or permissive parenting practices were also identified and a number of fathers were shown to be neglectful, making little effort to bond with their children or provide quality care. In cases where fathers were unable to accept the break-up and move on this was also shown to have an adverse effect on their ability to parent effectively including an inability to co-operate with children's mothers.

In contrast, the majority of mothers were shown to be central to children's lives undertaking most of the caring responsibilities. Mothers also recognised children's changing needs as they grew older, encouraged autonomy, and contributed to children's social development and maturity by trusting their judgement. However, this was not necessarily a protective factor against difficulties that participants have experienced as young adults.

A time-share or full-time arrangement was revealed as being the most problematic for children although weekend contact could also pose a risk where pre-separation violence towards children had been severe.

The study concluded that a safe outcome for children will require a shift away from a father's right to contact, emphasising instead children's right to a life free from abuse.

Table of Contents

List of Tables

Chapter 1 Introduction

1.1 Introduction

In 2007 I interviewed mothers about their experiences of negotiating parenting agreements after leaving a violent relationship (Nelson, 2008). The barriers the women faced as they attempted to negotiate safe arrangements suggested a failure in our system when it comes to providing protection for children. What became evident when talking to mothers was the apparent lack of concern shown by some legal professionals over children's on-going exposure to abuse, and the inability of fathers to provide quality care for their children. Indeed, the main focus was not on safety and nurturing, but on ensuring contact took place. Their accounts highlighted that children remain a marginalised group in society whose rights are often subsumed within discourses of family. Consequently, children are very dependent on adults' awareness of the effects of abuse, and having the foresight to deal with it appropriately.

My findings were not an isolated account, and confirmed other New Zealand and overseas studies that have shown, that following separation some mothers receive little support when they try to protect their children (e.g. Elizabeth, Gavey & Tolmie, 2010; Jaffe & Crooks, 2005; Nelson, 2008; Seuffert, 1996; Tolmie, Elizabeth & Gavey, 2010). Moreover, abuse is often ignored or downplayed to ensure children's contact with their fathers is maintained (Tolmie et al., 2010). As Mullender and colleagues (2002) explain, in recent years "There appears to have been a reluctance to look at problematic aspects of fathers' presence, and, while occasionally mentioned, it has not disrupted the good dad/violent husband dichotomy" (p. 178). In other words, violence which has occurred prior to the break-up of the relationship may be viewed as irrelevant when planning for the child's future (Hart, 2010).

The problem with this approach is that children's developmental needs are side-lined. The approach ignores the likelihood that many children may be suffering from the effects of being exposed to abuse, and will need time to recover from the trauma. The practice also neglects extensive research that verifies the deleterious outcomes for children, and

the risk of co-occurrence of violence (e.g. Appel & Holden, 1998; Fantuzzo & Mohr, 1999; Kitzmann, Gaylord, Fernando & Kenny, 2003; Ross, 1996; Sternberg, Baradaran, Abbott, Lamb, & Guterman, 2006).

Accounts from children themselves provide further evidence of the harmful effects on children, including damage to the father/child relationship (e.g. Buckley, Holt & Whelan, 2007; McGee, 2000; Mullender et al., 2002). As a result, where abuse has occurred, children may want to choose who they live with, or be so fearful that they do not want any further contact with their father (Moloney, 2003; Mullender et al., 2002). Nonetheless, children do not enjoy an equivalent standing to adults under the law (King & Trowell, 1992). Consequently, children may be pressurised into having contact against their wishes, and find they have no other option but to comply (Eriksson & Näsman, 2008).

In this introductory chapter of my study I begin with a statement of purpose and the questions to be addressed. This is followed by an overview and background to the study, and concludes with an outline of the thesis chapters.

1.2 Statement of Purpose

This study takes a feminist approach and is informed by scholarship on family issues, childhood studies and the sociology of the child. My intention in undertaking this research is to examine young people's experiences of post-separation fathering where the father has been violent to the mother. To date, there is little knowledge of children's post-separation experiences of fathering, or of the parenting practices of partner-abusive men. However, research that has been undertaken raises serious questions as to the merits of frequent contact with fathers who have been violent, coercive and/or abusive to their partners (Bancroft & Silverman 2002; Bancroft, Silverman, & Ritchie, 2012; Harne, 2011). Bancroft and Silverman (2002), for example, state that there is a propensity for some fathers to be neglectful and inconsistent in their care, showing little interest in the more mundane duties involved in parenting. Harne (2002; 2011) also found that abuse

against a partner was an indicator of risk to children when in their fathers' care, with fathers continuing their abuse and demonstrating poor parenting practices.

1.3 Research Objectives

The aim of my research is to ascertain the merits of fathers' involvement where there has been violence against the mother, or whether limited or no contact would be more appropriate in some cases. Significant to this study, is a focus on the quality of the father-child relationship and whether fathers are able to co-operate with children's mothers in the best interests of the child. In this study Domestic Violence (sometimes known as domestic abuse) is defined as an on-going pattern of coercive and controlling behaviours perpetrated by a man against his female partner (Stark, 2007, 2012). Violence includes physical violence, coercion and threats, intimidation, emotional and psychological abuse, sexual abuse, isolation from family and friends, economic deprivation and male privilege. All, or a combination of these may be applied (Pence & Paymar, 1993). (Refer to Chapter Three for full discussion). I anticipate that the knowledge generated by this study will contribute to our understanding of young people's experiences of post-separation fathering where the father has been violent to the mother and the implications of this for post-separation care.

A second objective is to identify issues of relevance to current policy and to make recommendations for change. Indeed, as Newbury (2003) informs us "There is a need for us to develop greater awareness of our culture and the capacity to change it where it is inconsistent with research findings" (p. 6).

A qualitative method was undertaken for this study because a qualitative approach allows the researcher to play an active role in gathering 'evidence' in collaboration with the participant. The method is ideal when researching a sensitive issue because of the flexibility it allows in gaining a comprehensive understanding of the topic. The method is also complementary to hermeneutic phenomenology which guided my study. As van Manen (1997) states, hermeneutic phenomenology is discovery oriented, and aims to reach an understanding of the 'fullness' of life as experienced by participants.

The issues I address in this study include how fathers interacted with their children when they were in their father's care; whether children were safe from further abuse, either as witnesses or victims; the extent to which fathers were able to co-operate with their former partners to ensure the wellbeing of the child; and whether children were afforded autonomy over allocated time and leisure activities as they grew older. An additional issue of importance for this study is whether there were any risks that needed to have been assessed when making parenting arrangements, and the long-term outcomes of those risks as experienced by the research participants as young adults.

Operational definitions are defined throughout this thesis and a list is also provided in Appendix 1.

1.4 Participants

It is only over the last three decades that children have been acknowledged as knowing subjects in their own right, and not as adults in becoming (Prout & James, 1997). It is thus timely that young people were asked to reflect on their childhood, and to give their own account of living with their father following parental separation, in light of the significant changes that have taken place in family law. Consequently, the views of fathers and mothers were not sought, to avoid imposing external meanings on participant's narratives. Similar to Wuest (1995), I considered participants' experiences to be legitimate and valid sources of knowledge. Twenty participants aged 18 to 26 were selected to take part in the study through purposeful sampling, all of whom identified with the specified criteria. As outlined by my participants, violence ranged on a continuum from the extreme end of the spectrum where violence had been severe, to the lower end of the spectrum.

1.5 Background

1.5.1 Parental Responsibilities

Over the past two decades, the political landscape has seen a paradigm shift away from the welfare state and government control, to a neo-liberal politics of personal

responsibility and non-intervention (Larner, 2000). In line with other Western jurisdictions, the reforms have resulted in sweeping changes to family law in New Zealand, that have both served to protect victims of domestic violence, as well as create barriers to safety. The 1980 Family Proceedings Act which made irreconcilable differences the sole grounds for divorce has shifted the emphasis away from the parental relationship to parental responsibility (Rhoades, 2002; Smart & Neale, 1999; Tapp & Taylor, 2002). Fathers are now viewed as pivotal to children's welfare and emotional development, and sole parenting is not considered to be in the best interests of the child (e.g. Kaganas & Day Schlater, 2004; Rhoades, 2002).

Under new legislation there is now a presumption of shared/joint parenting where a case goes to court, which has replaced the previous understanding.[1] Conversely, when parents make their own arrangements, they tend to be along traditional lines, with day-to-day care being undertaken by the mother, and children spending weekends with their fathers (Boshier, cited Barton, 2006; Smyth, Caruana & Ferro, 2004).

1.5.2 Post-Separation Safety for Children

In New Zealand the recognition of domestic violence as being problematic for women and children came to fruition under the 1995 Domestic Violence Act and the rebuttal presumption inserted into the Guardianship Amendment Act 1995 (Bristol Clause) (Benton, 1998). A parent who had used violence (against the other parent), or to a child in a domestic situation, was not to be regarded as a fit and proper person to have custody of, or unsupervised access to that child, until the Courts were confident that they would be safe (Benton, 1998; Smith, 2000). The changes, however, have not always been compatible with parenting legislation, and as research has shown, many women encounter difficulties when trying to make safe arrangements for their children (e.g. Robertson et al., 2007; Tolmie et al., 2010). A main barrier to adequate redress is a pro-contact philosophy which emphasises on-going contact with the father, even when serious violence has occurred (Mullender et al., 2002; Robertson et al., 2007).

---

[1] A shared/joint arrangement is defined as a child spending at least 30-35% of his/her time with each parent (Nielsen, 2011; Pruett & DiFonzo, 2014).

Although the effects of violence on children were not a consideration prior to the passing of the above legislation, children were afforded some protection under maternal preference. When parents divorced, mothers assumed primary care of their children with children visiting fathers in the weekend, if at all. However, while women campaigned for gender equality in the workplace, and lobbied for increased protection for women and children, men campaigned against the perceived disadvantage to fathers under the law (Harrison, 2008; Kaganas & Day Schlater, 2004; Kurki-Suoni, 2000; Smart, 2004). This included attempts to downplay allegations of violence and, in New Zealand, accusations were made that women were using protection orders to prevent contact (Davis, 2004). A potent argument also, was that children in lone women households were developmentally disadvantaged (Baker, 2001).

The arguments have resonated and have had an impact on family law across Western jurisdictions (Rhoades, 2002). Changes within the sociocultural context, have shifted accordingly, with the new understanding now embedded in social thought (Kurki-Suonio, 2000). At the same time as changes to family law were taking place, in the 1980s there was a new recognition of children as social agents in their own right (Alanen, 2005). As stated earlier, a previous conception of children was a view of what children would become, rather than as knowing subjects (Alanen, 2005). A recognition of children was reinforced through the United Nations Convention on the Rights of the Child which was formally ratified by New Zealand in 1993 (O'Reilly, 1997). Under the Convention, children have a right to a say in matters that affect their lives which is reflected in current family legislation. Nonetheless, age continues to be used as a barrier to meaningful consultation (Boshier, 2005a; Cashmore & Parkinson, 2009; Robinson, 2010), with the resultant effect that many children continue to reside in a less than suitable environment.

A recent development emanating from the 2014 Family Law Reforms has fuelled further concerns among legal professionals and children's advocates over the removal of the Bristol Clause from legislation. It has been suggested that children's lives could again be at risk, and that there is a failure by policy makers to recognise the interconnection between abuse against mothers and abuse against children (Busch, cited Powley, 2013; Herbert, cited Collins, 2013; MacLennan, 2013). The changes have also restricted

children's opportunity to have a voice in decision-making which has been widely criticised (Cleland, 2013).

In summary, problematic in the present environment, is that where violence has occurred, a discourse on fathering is now so entrenched, that there is still the belief that some contact is preferable. If children voice a preference for contact with their mother their views are often dismissed based on competency, and mothers who attempt to secure safety are regarded as hostile and obstructing fathers' rights.

1.6 Thesis Outline

The thesis is divided into eight chapters. In chapter two, 'The Social and Legal Context of Parenting', I provide a background to the changes that have taken place over the last few decades which have been influential in shaping a current understanding of parenting. Running a parallel course, changes in attitudes to children within the sociology of childhood and childhood studies have extended our knowledge on children and the recognition of children's rights. The chapter continues by examining how the intention of the law does not always translate into practice, and how embedded beliefs about children's competency act as a barrier to children's inclusion in meaningful dialogue. The conclusion of the chapter examines how presumptions of shared care do not live up to scrutiny and how recent changes to the Family Court may further impact on children's wellbeing and safety.

Chapter three, 'Domestic Violence: The Harmful Effects on Children,' looks at the extensive body of research on the risks to children of exposure to abuse, including witnessing and co-occurrence of violence. I continue by examining the growing literature which has given a voice to children's experiences of intimate partner violence and how this has had an impact on children's lives. The long-term consequences of abuse are also discussed, illustrating that exposure to abuse as children can permeate into adult life, causing social and psychological difficulties. The on-going risks to children of post-separation violence against the mother are highlighted in section 3.7 and in section 3.8 the fathering of violent men draws on a number of issues identified that provide an

overall picture of potential risk. I conclude by presenting a brief psychological profile of abusers, together with theoretical perspectives on violence, to assist in our understanding of the phenomenon.

Chapter four, 'Conceptual Framework'. In this chapter I outline the conceptual framework that underpins this study. Section one examines shifts in our understanding of family and the politics of custody post-divorce. Section two discusses the changing role of children and their evolution from projects to be socialised to creative knowing agents in their own right.

Chapter five, 'Methodology: A Journey of Discovery', outlines the purpose of the research and the questions under examination. I discuss the merits of a qualitative approach when researching topics of a sensitive nature because of its flexibility in allowing the researcher to explore issues at a deep and meaningful level. I continue by examining the theoretical perspectives that guided this study, and give a detailed account of my recruitment process. The chapter concludes with a review of the analysis and the ethical considerations pivotal to the research project.

Chapters' six to eight give detailed accounts of my analysis and findings. Chapter six, 'Young People's Post-Separation Experiences of Fathering' looks at young people's accounts of their father's parenting style while in their father's care, including authoritarian parenting, on-going exposure to abuse, and lack of quality care. The final section of the chapter examines the practicalities of shared parenting in the wake of domestic violence and father's inability to co-operate with children's mothers.

Chapter seven, 'Agency' looks at how much autonomy was afforded to young people as they aged. This includes an examination of the everyday practices of children as they explored their independence, and fathers' ability to be flexible over arrangements and leisure activities. The chapter also looks at whether young people had a voice when parenting arrangements were made, either through the courts or by private consultation.

Chapter eight, 'Wellbeing' is the final analysis chapter in this thesis. The chapter begins by looking at children's experiences in the home prior to separation, and the indicators of potential risk that needed to have been considered when parenting arrangements were made. Risks identified included exposure to violence against mothers and siblings and co-occurrence of abuse. The chapter concludes with an examination of the long-term consequences for participants, including psychological and social issues that have extended into adult life.

Chapter nine, 'Conclusion', gives an overview of the findings and the implications of this study. Recommendations are made for policy, together with a brief discussion of the study's limitations. Suggestions for further research are also made.

1.7 Conclusion

In conclusion, Davis, Wood, and Wilson (2003) provide an appropriate observation when they state:

> Children as a population group are often invisible or undervalued in public policy. Political and financial investment in children in New Zealand is limited. Existing Government structures and processes fail to meet the needs of children and to deliver on their rights to live free from violence (p. 19).

Changes in family law have altered the expectations of post-separation arrangements which have had a serious impact on children when violence has occurred. Difficulties in negotiating safe arrangements are often inhibited by a discourse on father involvement even when violence is identified. Currently, there is little knowledge of young people's experiences of post-separation fathering where the father has been violent to the mother. Research that has been undertaken gives pause to reflect, suggesting a risk of continued abuse, on-going exposure to violence and an inconsistency in care (Bancroft et al., 2012).

Chapter 2 The Social and Legal Context of Parenting

The law on custody is unique in giving one human being the right to control the body and mind of another…children remain the last group subject to legal control based purely on their status (Elrod & Dale, 2008, p.381).

2.1 The Changing Face of Parenting Arrangements and the Child

Over the past four decades the fabric of family life has altered dramatically and a paradigm shift has occurred in relation to parenting after marital breakdown. Previously, from the 1920s to the 1960s, children 'of tender years' were considered to benefit from their mother's nurturance. The concept was reinforced by social scientists such as John Bowlby (1951) who linked 'maternal deprivation' in the younger years to behavioural difficulties. It was argued that psychological wellbeing was directly associated with the child's attachment to the primary caregiver (usually the mother) and to separate the child was detrimental. It was contended that continuous care from the primary caregiver should be provided for the first two years of a child's life. The understanding was reflected in the application of the law on custody which was controlled by 'rules of thumb' (Henaghan, 2013).[2] In most cases very young children and girls remained with their mothers (maternal preference), while boys over five were considered to benefit from a father's guidance (the father principle) (Henaghan, 2013; Pollard, 1999).[3] In practice, however, mothers tended to assume sole responsibility and the fathering role was fulfilled by the stepfather should the mother remarry.

Nonetheless, legal decision-making was governed by strong moral principles and if a mother had committed adultery, then the presumption of suitability did not apply and custody would be granted to the 'innocent' party (father) (Austin, 1994). The punitive measures changed over time, and the mother's behaviour could be overlooked if it was deemed that the child's wellbeing was best served by remaining in her care (Pollard,

---

[2] A rule based on experience or practice.
[3] This was not binding and was at the discretion of the Judge (Benton, 1998).

1999). The clarity of the guidelines left little room for dispute and few custody cases were contested. Henaghan (2002) states that the main battle in family law was determining who was the guilty party following a marriage breakdown.

In 1968 Guardianship was streamlined and the welfare of the child was to be the first and paramount consideration (Boshier, 2012; Pollard, 1999). Guidelines around a parent's behaviour also eased and behaviour was not to be considered unless it had a serious impact on the child (Austin, 1994). Parents were also acknowledged as having equal standing under the law and, although one parent might be awarded day-to-day care, both parents had equal rights in making important decisions affecting the child's life (Tolmie et al., 2010). The new statutory provisions and the shift away from the previous 'rules of thumb' resulted in few controls over judicial discretion and granted the courts wide ranging powers in determining arrangements for children (Austin, 1994). In 1980 the law was again updated and the gender of the parents was no longer to be taken into consideration when parenting arrangements were made (Benton, 1999). This was further extended under the Care of Children Act 2004, with mothers no longer having sole guardianship if they had lived with or had been married to the father anytime between conception and birth, or if the father was named on the birth certificate (von Dadelszen, 2007).

2.2 Parenting after Separation

2.2.1 Shared Care

The outcome of the radical revision has seen the pendulum swing from a view of the importance of the continuity of a mother's care to the necessity of fathers in children's lives. The changes have been particularly detrimental on a number of levels for mothers and have been of concern to feminists who argue that they do not reflect the reality of women's lives (Harne, 2002, 2011; Smart, 1989). The changes were precipitated by a number of factors including rising divorce rates and the consequences for children, an increase in the number of sole mothers, lobbying by fathers for greater rights, and the increase in mothers entering into paid employment (Elrod, & Dale, 2008). Gender

relations also began to change with the advent of Second Wave Feminism with fathers actively encouraged to become more involved in the daily care of their children.

In the present climate there is now a preference for shared/joint parenting not only in legal terms of decision-making, but also in the amount of time allocated between parents following divorce or separation. The issue of shared parenting remains hotly debated among professionals and, to date, there is no consensus as to its merits (Pruett & DiFonzo, 2014). A study by Fortin, Hunt and Scanlan (2012) concluded that there was no one 'blueprint' for arrangements. Their findings showed success depended on a number of factors including the closeness of the relationship with the non-resident parent prior to separation. Other key factors included the ability of parents to be flexible as children aged, a good working relationship between couples, and a lack of hostility or violence (Fortin, Hunt and Scanlan, 2012).

Nonetheless, shared/joint parenting is now viewed as optimal. The current expectation is that parents will negotiate an arrangement without the necessity of the courts and that there will be ongoing communication and co-operation in the best interests of the child. [4] (Boshier, 2012; von Dadelszen, 2007). The new standard is widely favoured across Western jurisdictions (Davies, 2015) and in some countries a presumption[5] of shared parenting has been incorporated into legislation as the default arrangement should the case go to court. While the shift has addressed previous custody standards which were considered to be adversarial and based on a winner/loser dichotomy, this has not necessarily been a panacea for children or [parents] (Elrod, & Dale, 2008 p.94). For example, while it is hoped that enforcing contact will encourage co-operation between couples, the approach fails to consider the quality of parenting prior to separation. Indeed, in some instances the new arrangement may not be feasible if the parents do not have the required skills and if the quality of parenting has been poor (Elrod & Dale, 2008; Smart & Neale; 1999; Ver Steegh & Gould-Saltman, 2014). A second oversight is that a shared arrangement may be detrimental to children if there is ongoing animosity or a

---

[4] The welfare principle (Elizabeth et al., 2012).

[5] A presumption refers to "a supposition, presupposition. Belief, judgement, surmise, conjecture, speculation and hypothesis and is a technical term with specific application in legal proceedings" (Ver Steegh & Gould-Saltman, 2014).

history of domestic violence (Brotsky, Steinman & Zemmelman, 1991; Elrod & Dale, 2008; McIntosh & Chisholm, 2008). Indeed, as research has consistently shown, separation does not guarantee an end to the violence which may escalate as abusers continue to assert their control (Elizabeth et al., 2010; Hardesty & Ganong 2006; Hester & Radford, 1996; Kaye, Stubbs & Tolmie, 2003; Varcoe & Irwin 2004).

2.2.2 Intimate Partner Violence and Protection for Children

It is only relatively recently that domestic violence was acknowledged as a serious safety concern for children. Previously, domestic violence was treated as a separate issue when parenting arrangements were made by the courts, and even when it was considered, it was only physical violence that was focused on (Jaffe, Lemon, & Poisson, 2003). Judge Inglis QC summed up the prevalent view at the time when he stated:

> A parent's performance as a parent is not to be judged by that parent's behaviour to a spouse in the stress of a collapsing marriage ... there has been no suggestion that the father's qualities as a parent should be judged by the events between the husband and wife that led to the recent crisis (cited in Pollard, 1999, p. 65).[6]

In 1994 the potential risk to children when parental violence was ignored was brought to the forefront of public debate following the murder/suicide of the Bristol children by their father (Benton, 1998). The children's deaths caused an outcry because Alan Bristol was shown to have a history of domestic abuse against his wife dating back to 1986. Christine Bristol had sought Non-Molestation and Non-Violence orders on a number of occasions although she had not proceeded with her applications (Riddell, 2008; Tapp & Taylor, 2002). Nonetheless, Alan Bristol was awarded interim custody of his children who were not perceived to be at risk (Riddell, 2008; Smith, 2000). Sadly, as stated above, all three children were killed by their father who also took his own life.

---

[6] Summary in relation to the parental dispute over custody of a six year old girl.

The deaths led to an independent inquiry over the handling of the case which was conducted by former Chief Justice Sir Ronald Davison. Davison (1994) found that despite numerous allegations of violence, this was not given due consideration:

> …I have noticed that no great significance appears to have been placed upon the fact that Alan Bristol was alleged to have used violence to Christine Bristol, in spite of the numerous allegations she made and the non-violence orders issued…it was not thought necessary to investigate the alleged use of violence (Davison, 1994).

The findings further confirmed that where there were allegations of violence, it was judicial practice to view these as irrelevant when children were not the targets (Davison, 1994). Davison was of the opinion, that the increase in domestic violence and extensive research into the deleterious effects on women, made it timely to draw a link between the effects on children and victims of violence (Riddell, 2008). At the completion of the inquiry, Davison (1994) recommended that a parent who had used violence (against the other parent), or to a child in a domestic situation was not to be regarded as a fit and proper person to have custody of, or unsupervised access to that child, until the Courts were confident that they would be safe (Benton, 1998; Smith, 2000).

The recommendation was accepted and in 1995 a new provision known as the Bristol Clause was inserted into the Guardianship Amendment Act 1995 (Benton, 1998).[7] The reforms required judges to take into account the nature and seriousness of the violence, the frequency the violence occurred, the likelihood of further violence, any physical harm caused to the child, the emotional effects of the violence on the child, the victim's views on safety issues pertaining to the child, the child's wishes, and any safety precautions the victim had taken to protect herself against further violence (Smith, 2000). At the same time, new legislation strengthening protection for women was also passed.[8] [9]

---

[7] The Bristol clause was removed as part of the 2014 Family Law reforms.
[8] The 1995 Domestic Violence Act replaced the 1982 Domestic Protection Act and combined the non-molestation and non-Violence orders into a single protection order. The new legislation also increased the definition of violence to include sexual and psychological abuse.

Although the new provision was an innovative step in providing protection for children, in practice the benefits bestowed have not live up to their potential, and have at times, been undermined by a parallel view that father contact is necessary regardless of any violence that may have occurred (Busch & Robertson 2000; Chetwin, Knaggs & Young, 1999; Robertson et al., 2007). This has resulted in a continuing tension between the two paradigms making it difficult for mothers to ensure safety (Barwick, Gray & Macky, 2000; Busch & Robertson, 2000; Robinson et al., 2007; Tolmie et al., 2010). Moreover, as New Zealand and overseas studies have shown, when mothers continue to advocate for the safety of their children, they risk being labelled implacably hostile and may even lose custody altogether to the father (Rhoades, 2002; Tolmie et al., 2009).

2.2.3 Fathers' Rights

A factor contributing to mothers' difficulties has been the on-going campaign by the Fathers' Rights Movement who have claimed that the courts are biased towards mothers in custody deliberations (Boyd, 2000; Davies, 2015; Davis, 2004; Harne, 2002, 2011). Lobbyists have accused mothers of trying to prevent fathers from having contact with their children, and have argued that claims of violence are exaggerated (Boyd, 2000; Davis, 2004; Elizabeth, Gavey & Tolmie, 2010; Harne, 2002, 2011; Rosen, Dragiewicz & Gibbs, 2009). As one might expect, the Movement is opposed to legislation that requires consideration of violence in child contact cases and there is a push for a decrease in child support payments (Rosen et al., 2009).

But while advocates remain vocal, to date there continues to be limited evidence that mothers are acting as 'gatekeepers' [10] in the area of post-divorce litigation (Austin, 2011; Davis, 2004; Trinder, 2008). Indeed, research has shown that regardless of any violence that may have occurred, many mothers are supportive of children's continued relationship with their father (Elizabeth et al., 2010; Hardesty & Ganong, 2006; Humphreys & Thiara, 2003; Varcoe, Jaffer, & Irwin, 2002).

---

[9] Following a review of the Domestic Violence Act, in 2016 changes have been implemented to strengthen the legislation to provide greater protection for victims of domestic violence and to make it easier to apply for a protection order.

[10] Gatekeeping is defined as "mother's preferences and attempts to restrict and exclude fathers from childcare and involvement with children" (Fagan & Barnett, 2003, p. 1021).

Allegations by the Fathers' Rights Movement that accusations of violence are exaggerated are also unfounded, and deflect attention away from a tendency by the courts to minimise men's violence (Busch, Robertson & Lapsley, 1992; Robertson et al., 2007; Tolmie et al, 2010). Likewise, the New Zealand Law Commission (2003) found there was no evidence to support claims by the Movement that women are using Protection Orders to prevent contact.

Smart and Neale (1999) argue, that it was only when spousal maintenance became redundant following changes to the law on divorce and was replaced with child support payments, that the focus of lobby groups shifted from the unfairness of alimony to the unfairness of custody. However, whilst claims of unfairness by the courts are not substantiated, the rhetoric has nevertheless had an impact, and difficulties frequently arise when mothers attempt to negotiate arrangements or apply for a Protection Order (Davis, 2004).

2.2.4 The Best Interests Standard (The Welfare Principle)

Questionable also is the best interests standard which is applied by the courts when parents are unable to agree.[11] The standard continues to be highly contested and there is no consensus as to how the criteria should be applied or the benefits of the approach for children (Elrod & Dale, 2008; Firestone & Weinstein, 2004; Freeman, 1997; Kohm, 2008; van Krieken, 2005). The term is viewed as open-ended, indeterminate, and vague (Kaganas & Day Slater, 2004; Parker, 1994; Reppucci & Crosby, 1993; Rhoades, 2002; Smart & Neale, 1999) and not a useful starting point when making parenting deliberations because attention is focused away from the child (Newbury, 2002). One of the main deficiencies of the standard according to Archard & Skivenes (2010) is that it elevates primacy over children's wishes. An argument has also been made that there is no way the courts, welfare officers, or court psychologists can predict which outcome will be in the best interests of children (Mnookin, 1975).

---

[11] Children's safety and well-being are to be the paramount consideration when custody determinations are made.

There is criticism also that the standard is a convenient cover for paternalism and bias which can be harmful for children and that it is another means of men exercising their power over women and children (Elizabeth et al., 2012; Mason, 2005; Parker, 1994; Smart, 1989). A contrasting view is that despite multiple problems, it is a worthwhile approach because every decision considers the developmental and psychological needs of the individual child, rather than adhering to the demands of the parents (Kelly, 1997). Problematic with this argument is that because the term is subjective, and there are no default positions, there is a potential for judges to be swayed by their own prejudices and values (Elrod & Dale, 2008; Firestone & Weinstein, 2004; Kohm, 2008) resulting in their decisions being skewed in favour of adults (Kohm, 2008). Although some guidance is provided under the Care of Children Act, there is still unlikely to be parity even when the circumstances of a case are identical (Parker, 1994). As stated by the Australian High Court in 1998, "Best interests are values not facts and any decision is discretionary to the extent that on the same body of evidence different judges can come to opposed but equally reasonable conclusions" (van Krieken, 2005, p.32).

2.3 New Rights for Children: Children's Voice

Within a new understanding in childhood studies, children are now recognised as active agents and participating subjects in their own right and consultation with children has entered into the realm of political and legal thought. Prout (2003) argues that children's right to be heard reflects a wider social change which has challenged established institutions destabilising the old order. Accordingly, the shift can be understood as an extension of the on-going process of modernity wherein over the past few decades the voices of the masses are called upon to participate in everything from political polls, to providing customer feedback, at a time of the demise of collective identity and the rise of individualism (Prout, 2003).

The shift is indeed timely, and is welcomed by researchers who acknowledge that it is only through giving children a voice that we will discover the life conditions of children as a population, because they will have very different experiences and perceptions of their world than adults (Alanen, 2005). As Qvortrup (1997) states If we are to improve

children's lives "we must as a minimum precondition, establish reporting systems in which they are heard, as well as reported on by others" (p. 101).

Official recognition of children's right to a voice was ratified in 1989 through the United Nations Convention on the Rights of the Child,[12] and has been acknowledged under New Zealand family legislation.[13] Nonetheless, as research has shown, age continues to be a benchmark for competency and there is reluctance at times to take children's views seriously (Boshier, 2005a; Cashmore & Parkinson, 2009; Cleland, 2013; Coyle, 2006; Robinson, 2010). To illustrate, although an amendment to the Care of Children Act (2004) removed the caveat on age and maturity, it was noted that in reality this would still be taken into consideration (Boshier, 2005a; Robinson, 2010).

A justification for the reluctance is a view that children are easily distressed and should not be burdened (Campbell, 2008; Smart, 2003). By stating their views they may damage their interests, placing themselves at risk, and undermine parental authority (Tisdall, Bray, Marshall, & Cleland, 2004). There is also a fear that allowing young children latitude will blur the bounds of proprietary making them disrespectful to adults (Lansdown, 2010; Tisdall et al., 2004).

Consequently an unwillingness to engage has hindered the potential benefits to children and children remain marginalised (Campbell, 2008; Koren, Carmeli, Carmeli & Haslan, 1993). However, if progress is to be made, every effort needs to be taken to include children in all aspects that affect their lives because it is only by ensuring children's rights that we are ultimately able to protect them (Lansdown, 2010). Consulting children has the further benefit of letting them know that they are people of value who are worthy of being listened to in their own right (Lansdown, 2010).

---

[12] Article 12 1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
Article 12 2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.
[13] Care of Children Act 2004.

2.4 Post Separation

2.4.1 The Problem Child

Arguably, children's right to a voice is tested in the post-separation environment, with reluctance by some parents to ascertain children's views, as well as judgements being made by legal professionals as to competency (Birnbaum, Bala, & Cyr, 2011; Dunn & Deater-Deckard, 2001; Pond & Morgan, 2008; Robinson, 2010). In cases where children do not want to see their fathers[14] or where they want to reduce contact, evidence suggests that in some instances children's preference is challenged by implying that they have been unduly influenced by their mothers (Hart, 2010; Henaghan, 2008). There is also an expectation that children will acquiesce to the courts demands, and if reluctant to do so, they may be characterised as problematic and referred for counselling. In her study of the Australian Family Court, Hart (2010) found that counselling was not imposed to aid in the child's recovery, but to adjust to ongoing contact with their father. Similarly, in a New Zealand study, the findings showed that children only received redress if they had persisted over time, or, where views were adhered too, children were over the age of eleven (Henaghan, 2008).[15]

Non-compliance by children has also been medicalised and labelled as parental alienation syndrome, a term coined by Richard Gardner in the 1980s. The condition was described as a form of brainwashing of the child by one parent against another resulting in the child developing an extreme dislike of the other parent (Gardner, 1999). It was recommended that where the condition prevailed, the child should be removed into the care of the alienated party (Gardner, 1999). Unfortunately, Gardner's contention took root within western judicial discourse despite the fact that his articles were never peer reviewed and the condition has not been recognised as a psychiatric disorder (Bruch, 2001). Worthy of note is that such accusations may also obscure the possible danger that violent fathers pose to their children (Kaspiew, 2007).

---

[14] I realise that this may also apply to mothers but, for the purpose of this thesis, I am focusing on children's experiences with violent fathers.
[15] In one case for example, it had taken six years for a child to achieve the desired outcome.

While there is no evidence to support Gardner's contention that mothers deliberately try to alienate children against their fathers, it appears that within the New Zealand Family Court the theory still has credence. Robinson (2010), for example, found that in some instances where children opposed contact, Gardner's recommendation was implemented and children were removed from their primary caregiver and placed with the other parent based on the assumption that it was in the child's best interests.[16]

But as Clarkson and Clarkson (2005) contend, even if the child has been influenced by a parent, it is still the child's view and allowances have to be made even if the child has made an error in judgement. While not supporting full autonomy for children, they adhere to the merits of Bainham's (2003) argument that children should be charged with the responsibility of keeping in contact with both parents and accepting the arrangements. By adopting this stance they believe the problem of parental alienation would be addressed, because children would be fully aware of their obligations to both parties. They conclude by stating "Surely society has a vested interest in encouraging its youth not just to make demands for rights, but to accept with the granting of those rights is a corresponding duty or responsibility" (Clarkson & Clarkson, 2005, p. 6).

However, the contention overlooks some important considerations. Firstly, it fails to take into account that in many cases children may be justified in their decisions. Secondly, the scenario suggested does not afford children the same rights as adults to disengage from a relationship which is painful or risky and where the child no longer gains any benefit.

2.4.2 The Legal Child

2.4.2.1 Lawyer for Child

Adult power is not absolute and children frequently resist, renegotiating adult boundaries to gain feelings of self-control (Punch, 2001). Nonetheless, within the Family Court environment there is little room for latitude and children's futures are precariously placed in the hands of others. When parents are unable to agree on an arrangement

---

[16] In an addendum in the second addition of his book Gardner (1999) now equates the condition to both women and men as a result of increased contact by fathers.

requiring the adjudication of the court, the court may appoint a lawyer to represent the child in proceedings where there are concerns for the child's wellbeing or safety, or where it is thought applicable to do so (Boshier, 2009; Fernando, 2013).[17] The lawyer will consult with the child, talk to the child's parents and, where relevant, other significant family members in the child's life (Boshier, 2009; Ministry of Justice, 2006). The lawyer will then present the child's views to the court, even when they are contrary to his/her own opinion (Boshier, 2005b). If, however, the lawyer disagrees with the child and believes the views are not in the child's best interests, then additional counsel may be appointed to ensure the welfare position is heard (Boshier, 2009). Following the judge's deliberation, the lawyer must then inform the child of the outcome of the proceedings and explain any cultural, medical, or psychological reports that have been undertaken by the courts that concern the child (Boshier, 2009; Ministry of Justice, 2011). Problematic is that the lawyer for the child is charged with the joint responsibility of acting as the child's legal representative while at the same time assessing the best interests of his client (Bilson & White, 2005; Taylor, Gollop, & Smith, 2000). A further short-coming, is that there is no guarantee that the lawyer will be knowledgeable about issues that affect children (Pond & Morgan, 2008; Robinson, 2010).

In 2003 in an attempt to address the issue, the New Zealand Law Commission recommended that lawyers who represented children should be given an opportunity to gain in-depth training covering child development, family dynamics, and techniques for interviewing children. But while some lawyers sought to increase their understanding and had a genuine concern for their clients (Doogue, 2006) others continued to show little interest in the views of young children (Coyle, 2006). It has also been noted that the limited number of days of training provided would be insufficient to fully apprise lawyers of the many complexities involved (Cleland, 2013).

While to date there are few studies that have looked at children's experiences with their lawyers, a study undertaken in the Dunedin and Papakura Family Courts involving twenty 8 to 15 year olds found that in some cases lawyers had met only once with their clients

---

[17] Care of Children Act 2004.

(Taylor et al., 2000). Although some participants were very happy with their representation, other children commented that there had been a lack of feedback on the outcome (Taylor et al., 2000). A less positive picture was revealed in a New Zealand Law Commission review of dispute resolution in the Family Court (2003). The Commission found instances where counsel were less than diligent and, at times, may have been working on behalf of one of the parents instead of the child. In one submission, for example, a case was cited where the child's lawyer was connected with the Father's Movement. Additional factors that came to light were the failure in a number of instances to meet with children within a timeframe that enabled lawyers to gain a full understanding of their clients' views. In other cases the process was drawn out to ensure lawyers received higher remuneration (New Zealand Law Commission, 2003).

2.4.2.2 The Judicial Interview

In other cases, children may speak directly to a judge (Caldwell, 2007; Caldwell & Taylor, 2013; Cochrane, 2006; Fernando, 2013; Tapp, 2006; Taylor & Caldwell, 2013). Research undertaken in Australia showed that this was a preference for many children where custody cases were contested (Parkinson, Cashmore & Single, 2007). Nonetheless, the matter of a judicial interview remains discretionary although, as recent studies have shown, this has become more common (Caldwell & Taylor, 2013). According to Caldwell (2007), some judges have found it beneficial and an effective means of gaining an impression of the child and the child's maturity. The interview can also be a positive way of helping children to understand that the decision on arrangements is not up to them but will be decided by the judge, as well as being helpful when the decision is contrary to their preferred outcome (Bosher, 2005; Tapp, 2006). A disadvantage of the judicial interview is that it may be stressful for children and place them in a position where they feel they have to take sides. Moreover, because the interview is a 'one off', this does not allow time for the child to build a relationship with the judge (Tapp, 2006). Arguably, the most important drawback for children is that the discussion in chambers will not be confidential because natural justice dictates that any allegations that are likely to affect the outcome must be related back to the parents to ensure they have the opportunity to

reply (Clarkson & Clarkson, 2005).[18]   A failure to do so could be viewed as a lack of impartiality on behalf of the judge and could result in the outcome of the case being challenged (Caldwell, 2007). Children will, however, be advised that what they disclose may not be held in confidence prior to the commencement of the interview taking place (Robinson, 2010).

There is, nonetheless, room for judicial discretion and, as recent research has shown, judges in New Zealand have altered their stance markedly from a position where the implications of disclosure made it preferable not to interview a child, to a position where this is no longer viewed as an impediment (Caldwell & Taylor, 2013). When judges were asked how they responded if a request was made by a child not to disclose to their parents, Caldwell & Taylor (2013) found that a small percentage of judges abided by the child's wishes. Even so, this was not the practice of all of the judges interviewed, and the issue of natural justice and confidentiality remained a dilemma. The more common response was that any information disclosed could not be kept private, but judges reassured the child that this would be rephrased in a way that would make it acceptable to the child's parents. It was pointed out however, that a request for confidentiality was rare (Caldwell & Taylor, 2013).

A further question raised is the purpose of such a meeting and whether it is to ascertain children's views or merely a meet and greet procedure (Cleland, 2013). Cleland (2013) notes that in Taylor and Caldwell's (2013) study, judges spoke of discussions or conversations with children and not of conducting an interview. She suggests this could imply that little weight is given to what children disclose, a point she argues, that needs further exploration (Cleland, 2013).

---

[18] s27(1) of the New Zealand Bill of Rights Act 1990 states that: Every person has the right to the observance of the principles of natural justice by any tribunal or other public authority which has the power to make a determination in respect of that person's rights, obligations, or interests protected or recognised by law.

2.4.2.3 The Specialist's Report

The third and final way that children's views can be presented to the court is via a specialist's report that will assist the judge in his determination of the child's best interests (Doogue, 2006; Fernando, 2013; Robinson, 2010; Tapp, 2006). This may include a written evaluation from a social worker, medical doctor, cultural advisor, or a psychiatrist or psychologist (Community Law, nd). An advantage of speaking to a psychologist is that child-psychologists are more skilled at talking to children, and will be able to develop a relationship with the child over the duration of the sessions (Robinson, 2010). In principle, they will be able to gain insight not readily available to other professionals such as lawyers and judges. Of further benefit, is that psychologists will be experienced in communicating with traumatised children under stressful conditions, and will be able to use their skills to ensure that the child suffers no further distress. A drawback is that assessments are likely to be based on a psychological perspective rather than taking a multi-disciplinary approach (Robinson, 2010). A further drawback is that the report will not be written from the children's viewpoint but will be an adult interpretation of what children have disclosed (Fernando, 2013; Tapp, 2006). As a result, there is a risk that some children's views may be misinterpreted depending on the standpoint of the psychologist involved (Perry & Scanlon, 1999; Smith et al., 2008). In Tapp's (2006) study, for example, a child's views were misrepresented and the inaccuracy in the report only came to light when the child spoke to the judge. This has been of concern to children who are not always happy with the process, the techniques employed and the lack of confidentiality and privacy (Henderson, 2000; Parkinson & Cashmore, 2008; Tapp, 2006).

2.5 Limits to Justice: Ambiguities, Contradictions and Change

A recent initiative has been an overhaul of the Family Court, an initiative which was precipitated by rising costs and a perceived lack of efficiency (Cleland, 2013; Ministry of Justice, 2011). The intention of the reforms was to create a more efficient system which was responsive to children and the vulnerable, and which was accessible and modern; to encourage less adversarial resolutions and faster handling of family disputes; to make more efficient use of resources with a view to long term sustainability; to ease the

adversarial nature of court proceedings and to enhance the courts response to victims of domestic violence (Gollop, Taylor & Henaghan, 2015).

However, at the time of the review the proposed changes were widely criticised as potentially placing women and children at risk (Collins, 2013). Concerns were expressed over the limitations placed on women and children's right to a lawyer except where circumstances were extreme. A second issue raised, was that there would be no allowance for interim orders for parenting arrangements to be reviewed (Mahon, 2012). Of equal concern, was the planned Family Court Dispute Resolution (FDR) service which would assist in resolving intractable disputes over custody without the necessity of a defended hearing.[19] The service would be mandatory except where there were risks. Even so, the cost of mediation - $897.00 – would not only be prohibitive for mothers on a low income, but also place victims in a situation where they were negotiating with their abuser (Hannifin, 2012).

The point is indeed valid when viewed through the lens of Eisenberg's (1982) theory of "transactional incapacity" - the inability of an individual to make a well informed choice. Problems arise when a party to the agreement who knows of the incapacity (in this case the victim's fear of the abuser), uses this to their advantage by persuading the other party to agree to something they would not normally countenance. The likely outcome in such circumstances is that an agreement will be reached which, in this case, is unsafe for mothers and children.

Of particular concern to advocates for children has been the removal of the Bristol Clause which, it has been argued, could lead to the further deaths of children (Busch, cited Powley, 2013). However, in considering the removal of the Clause, the Government contended that new safety provisions for children have made the Clause redundant, a view which was supported by the New Zealand Law Society (Collins, 2013).[20] Nonetheless, the elimination of the Clause fails to recognise a link between spousal

---

[19] There is also an expectation that the applicant will have attended one of the Parenting through Separation Courses (Community Law Office).
[20] Under the new Family Court reforms children's safety has been elevated under the Care of Children Act 2004.

violence and violence to children (Appel & Holden, 1998; Bancroft, Silverman & Ritchie, 2002, 2012; Bagshaw et al., 2011; Radford, Sayer & AMICA, 1999).

The reforms which have been described as hasty and based on naïve principles, were introduced in 2014 and, as predicted, have faltered in a number of areas (Henaghan & Nicholson, 2014; Henaghan, 2015). Women's advocates state that the reforms have not led to better outcomes for many women or kept victims safe, and that the processes women now have to go through can be lengthy, costly, confusing and daunting (Hannifin, 2015; McAtee, 2015; Proudfoot, cited Towle, 2015). The threshold for access to legal aid has also been criticised by legal professionals as being too low making it difficult for women to afford legal representation (Bouchier, 2015).[21] In short, concerns have been expressed that the new procedures will disadvantage the most vulnerable New Zealanders who rely on the Family Court to adjudicate when other avenues have failed (Temm, (2013).

Concern is also expressed that by limiting children's right to legal counsel, the Government is reneging on its obligations as signatory to the United Nations Convention on the Rights of the Child and that this is a flagrant breach of New Zealand's international obligations (Cleland, 2013). At a recent colloquium on children, it was concluded, that children by right, need to be included and listened to (Cleland, 2013). Limiting children's voice in proceedings also conveys to children that they are less valued than adults.

2. 6 Conclusion

In recent years a shift away from maternal preference to shared care has had a profound effect on children post-separation where there has been violence within the parental relationship. The new understanding reflects changing attitudes to gender, and gender roles, and grants greater discretionary power to judges (Austin, 1994). The egalitarian standard is based on a number of assumptions that do not stand up to scrutiny. It is assumed that a joint arrangement will encourage parents to co-operate, that benefits outweigh risks, and that when there is opposition to the arrangement the parent, (most

---

[21] The current threshold for securing legal aid is $22,000 after tax.

often the mother), is being deliberately obstructive, rather than trying to ensure safety (Ver Steegh & Gould-Saltman, 2014). Also overlooked, is that where violence has occurred, joint legal custody can escalate conflict and provide an opportunity for ongoing abuse (Fleury, Sullivan & Bybee, 2000; Hardesty & Ganong, 2006; Humphreys & Thiara 2003; Kershner, Long & Anderson, 2001; Kurz, 1996; Spiwak & Brownridge, 2005; Ver Steegh & Gould-Saltman, 2014). At the same time, it is only in cases where there are intractable disputes and where cooperation is unlikely that a joint legal custody presumption becomes operational (Ver Steegh & Gould-Saltman, 2014). In other words, it is precisely in these circumstances that careful assessment of the benefits to children should be made.

While there is now wider recognition of the detrimental effects of domestic violence on children, this does not always ensure children's safety and there continues to be a lack of understanding by some professionals in regards to the long term consequences of abuse (Kaye, Stubbs & Tolmie, 2003; Nelson, 2008; Pond & Morgan, 2005; Tolmie et al., 2009; Varcoe & Irwin, 2004). Indeed, violence continues to be defined within too narrow a definition, with insufficient attention been given to the coercive nature of the phenomenon, as well as the detrimental effects of psychological abuse (Jaffe, 2014).

Researchers are in agreement that when parents are able to offer consistency and stability and there is no animosity, a shared arrangement can be beneficial for children (Elrod & Dale, 2008; Jaffe, 2014; Pruett & DiFonzo, 2014). However, where violence has occurred and where there is on-going conflict, children's development may be undermined and there is a consensus that in such circumstance shared parenting is not always in the child's best interests (Jaffe, 2014; Pruett & DiFonzo, 2014[22]; Ver Steegh & Gould-Saltman, 2014).

---

[22] Pruett & DiFonzo (2014) were part of a think tank of 32 experts convened in the United States by the Association of Family and Conciliation Courts.

Chapter 3 Domestic Violence: The Harmful Effects on Children

No one thinks enough of the kids – thinks what effect it has on them. It doesn't just affect the mother – it's the kids – Because they're the ones that have got to see it, and hear it (17 year old participant in study by Humphreys & Mullender (2000, p.5).

3.1 Introduction

Changes to post-divorce family life over the past two decades have resulted in a greater emphasis on fathering (Harne, 2002, 2011; Rhoades, 2002; Smart, 1989, 2000). However, little is known about the post-separation fathering practices of partner-abusive men, and how this affects children. Nonetheless, research on the risks to children residing in violent homes, and children's accounts of the impact of abuse, have broadened our understanding (Barron, 2007; McGee, 2000; Mullender et al., 2002). This chapter reviews the literature on risk as well as studies that have examined children's experiences of violence and the consequences of abuse on adult life. The chapter concludes with an overview of problems identified with fathering, and a discussion on the definitions of violence.

3.2 A Change in Perspective

In her critical assessment on changes to family law, Carol Smart (1994) argues that there are many contradictions in the practice of law, as evidenced in relation to legal redress and the oppression of women (Smart, 1994). Varcoe and Irwin (2004) elaborate when they tell us that in relation to custody, the law has not yet fully developed to incorporate abuse. While efforts have been made to promote a wider understanding of violence and its effects on children, New Zealand and overseas studies suggest that this does not always bring about the desired outcome and children's safety is at times, compromised (Busch & Robertson, 2000; Chetwin, Knaggs & Young, 1999; Davis, 2004; Robertson & Busch, 1997; Robertson et al., 2007; Tolmie, Elizabeth & Gavey, 2009).

Nonetheless, within present legal discourse, a dichotomy between the man as perpetrator of violence and the good father has taken hold (Mullender et al., 2002). The ideology of the nurturing father has been promulgated by the Father's Rights Movement and supported by child development theory, both of which have been influential in shaping family law (Harne, 2002, 2011; Kaganas & Day Sclater, 2004; Rhoades, 2002; Rhoades & Boyd, 2004; Smart, 1995). Consequently, as research has shown, the focus of legal professionals[23] has been on ensuring contact is maintained (Harrison, 2008; Hart, 2010; Pond & Morgan, 2005; Rhoades, 2002; Tolmie et al., 2010). The nature of contact has also been widely debated with a 50/50 option often viewed as a viable arrangement by the courts (Boshier, 2006, cited Barton, 2006). Of interest is that when parents make their own arrangements, the majority of families continue their parental duties along traditional lines (Boshier, 2006, cited Barton, 2006; Kaspiew et al., 2012; Smyth, Caruana & Ferro, 2004; Smyth & Moloney, 2008). This practice is in keeping with research which has shown that mothers continue to fulfil the bulk of the caregiving and emotional labour in the home (Lacroix, 2006; Maclean & Eekelaar, 1997).

3.3 Co-occurrence of Abuse

While changes to parenting law aims to reflect a change in gendered understanding (Smart, 2004; Taylor, Smith, & Tapp, 2001), an emphasis on father involvement may not always be of benefit where there has been a history of violence, and frequent contact may do more harm than good (Bancroft et al., 2012; Featherstone & Peckover, 2007). In her research on violence and fathering for example, Harne (2002) found that caring for children provided an opportunity for fathers in both the intact and post-separation environments to continue their abuse, and that an automatic assumption of father involvement was unwise.

Indeed, there is now an extensive body of literature, which has shown a link between abuse against an intimate partner and abuse of a child. To illustrate, a study by Ross (1996) which drew on the 1995 National Violence Survey, showed that there was a significant risk to children in households where there was intimate partner violence, and

---

[23] Legal professionals includes lawyers, lawyers for child and Family Court Judges.

that the risk increased when the violence was severe. In support of the findings, a meta-analysis by Appel and Holden (1998) identified a co-occurrence rate of around 40 percent. Likewise, in their review of exposure and childhood physical abuse, Fantuzzo and Mohr (1999) found a prevalence rate of 45 percent to 70 percent. Radford, Sayer and AMICA (1999) confirm the risk in their research on child contact and domestic violence in England which revealed that in 76 percent of cases where there had been abuse to children prior to separation the abuse was on-going. Equally revealing were reports of father abuse disclosed in calls to Childline. In an analysis of 48 calls, 30 percent of respondents revealed that their fathers had abused them. Again, Bagshaw et al.'s (2011) Australian study identified the co-occurrence of violence against children. A recent report of findings from a nationwide survey on violence undertaken in the United States again provides evidence of the risk when it showed that 34 percent of children who had witnessed intimate partner violence had been victims of abuse during the 12 months prior to the survey (NatSCEV cited, New Zealand Family Violence Clearing House, 2013).

3.3.1 Indicators of Risk

Research undertaken by Salisbury, Henning and Holdford (2009) cites possible indicators of risk. The aim of the study was to gain an understanding of fathers' beliefs about children's exposure to domestic conflict and to identify possible signifiers of risk for child maltreatment. Information was gathered from 3,824 men who were attending a "court-ordered evaluation after they were convicted of assaulting an intimate partner" (p, 232). The findings concurred with previous studies and revealed that in cases where all of the data was available, 89.9 percent of fathers were shown to have an elevated risk of child maltreatment with over 50 percent of the overall sample identified as having an elevated level of risk. Contributing factors included limited education, unemployment, marital dissatisfaction, substance abuse, and child behavioural difficulties (Salisbury, Henning, & Holdford, 2009). However, the researchers point out that a constraint of the study was that the sample was primarily African American and was not representative of the population in the area (Salisbury et al., 2009). Nevertheless, the findings confirmed a previous comparative study undertaken by Francis and Wolfe (2008) which also found that the educational and income levels of fathers who were abusive to their children

were lower than for those of non-abusive men. Likewise Tajima (2000) identified education as a predictor of risk when she showed that fathers who had completed high school were 60 percent less likely to be abusive towards children than less educated men. In contrast, Silvern et al.'s (1995) study utilised a sample from economically privileged homes in which participants reported being exposed to domestic abuse, with 51.7 percent of those exposed reporting that they had been physically abused as children.

McDonald, Jouriles, Rosenfield and Corbitt-Shindler (2011) increased our understanding of risk in their longitudinal study of fathers' aggression towards their children. The analysis utilised data from a previous evaluation of an intervention programme for women and children undertaken by Jouriles et al. in 2009. Information on partner violence was obtained from mothers residing in, and after they had left, a shelter. The findings confirmed that levels of violence towards children and mothers prior to going to the shelter, post-shelter violence towards mothers, and frequency of father child contact, were predictors of on-going mother-child aggression. In contrast, where there had been no previous violence towards children prior to entering the shelter, the authors suggest that this is unlikely to occur in the post-shelter environment. They conclude by suggesting that reducing the perpetrators' contact would reduce the risk of further violence (Jouriles et al., 2009).

Gender may also be significant in predicting violence. In research by Jouriles and Norwood (1995) which examined whether boys or girls were at greater risk of abuse in families where there was violence against the mother, the study found that in families where battering of the mother was severe, boys were at a higher risk of abuse than girls. The researchers concluded that a reason for the higher rate could be because boys have been shown to exhibit more externalising behaviour than girls.[24] The study was confirmed by Tajima (2002), with age found to be an additional predictor. For example, adolescents were shown to be at particular risk of aggression compared to children under 14, with children 14 and over 3.29 times more likely to be abused than children aged 1-

---

[24] Externalising Behaviour manifests in social interaction with others, for example, aggression, bullying, and anti-social functioning.

13. As with Jouriles and Norwood's (1995) study, boys were at higher risk with a risk factor 2.78 times greater than girls. Verbal abuse was also shown to be present in 90 percent of cases where children were punished (Tajima, 2002). Tajima (2002) points out that the findings are significant because some shelters do not cater for older children.

Cooley (2006) provides further evidence in her study of 137 families in Iowa in which the father/father substitute had injured a child. The study revealed that 57 percent of the victims were boys averaging 10.5 years in age. The research, which sought to identify factors which predicted recidivism against children, further showed that there was a higher risk of recidivism against children in families where the father was unemployed, where the child was not the father's biological child, where there had been previous abuse against the child, and where the father did not take responsibility for his actions.

In addition, Holden, Barker and Appel (2010) provide valuable insight when they tell us that men who partake in higher levels of psychological abuse are at a higher risk of perpetrating abuse against their children. The researchers undertook a comparative study of 56 men who were in a batterer intervention programme and 39 fathers from the community. They concluded that when looking at children's safety, there is a significant correlation between emotional abuse against a perpetrator's partner and a risk of maltreatment of a child.

Equally valuable is a longitudinal study by Martin, Gibbs, Johnson, Rentz, Clinton-Sherrod and Hardison (2007) of United States Army families, which was conducted over a five-year period between 2000-2004. Data for the study was collected by the United States Family Advocacy Programme and involved 10,863 soldiers. Of this number, 1,293 were found to have committed both partner and child abuse and 95 percent of abusers were men. Moreover, where co-occurrence occurred, the study showed that there was a 1.5 times higher rate of multiple abuse against children.

3.4 Witnessing Abuse – A New Definition

Since the 1980s, a focus on the effects of exposure to domestic violence on children has gained momentum resulting in significant interest in this field (e.g. Carlson, 2000; Edleson, 1999; Wolfe et al., 2003). There is now a general consensus that witnessing intimate partner violence poses a severe risk to children, interfering with normal development which can lead to negative outcomes in the short and long-term (Kitzmann et al., 2003; Sternberg et al., 2006; Wolfe et al., 2003). Indeed, Rankin and Ornstein (2009) point out that because of the risks to children, exposure needs to be recognised as a form of child maltreatment.[25]

In the United States it is estimated that 7 million children live in homes where severe family violence has occurred (McDonald, Jouriles, Ramisetty-Mikler, Caetano, & Green, 2006) and statistics in New Zealand are equally as worrying (refer to Table 1). The following table is drawn from data collated by the New Zealand Family Violence Clearing House for the following periods. Data summaries are compiled from government and non-government agency statistics including the Ministry of Justice, Women's refuge, Ministry of Health, Child Youth and Family, the Child and Youth Mortality review Committee and the Family Violence Death Review Committee.[26]

Table 1: Family violence in New Zealand between the years 2010 - 2015

Family Violence Occurrences and Offences	2010	2011	2012	2013	2014	2015
Total number of family violence investigations by NZ Police [27]	86,763	89,884	87,650	95,080	101,981	110,114
Number of children linked to family violence investigations	87,368	94,442	101,293	-	62,923	-

(New Zealand Family Violence Clearinghouse Data Summary 2016)

---

[25] Exposure to abuse has been recognised as child maltreatment in Nova Scotia, Canada, since 1991 (Rankin & Ornstein, 2009).

[26] The police have not updated their data since 2012.

[27] A family violence investigation is where the police have attended an incident where it is suspected family violence has occurred.

In reviewing the phenomenon, Fantuzzo and Mohr (1999) have provided us with a more useful definition, contending that children's experiences are more ably served by being viewed as "exposed to violence" in place of the previous terminology of "witnesses or observers". They argue that 'exposure' is more encompassing because it recognises the breadth of the experience, including "watching and hearing the violent events, direct involvement, or experiencing the aftermath" (Fantuzzo & Mohr, 1999, p.22). Indeed, as Wolak and Finkelhor (1998) state:

> Children hear their parents, the adults they love and depend on, screaming in anger, pleading in fear, and sobbing in pain. They hear fists hitting bodies, objects thrown and shattered, and people thrown against walls and knocked to floors. They may see blood, bruises and weapons. Some children are even privy to domestic rapes (p. 73).

Bancroft et al. (2012), in fact, go one step further, contending that it is more appropriate to view exposure as children's exposure to the batterer himself, and that the distress caused to children does not only result from being witnesses to abuse, but from exposure to the batterers' parenting style and everyday practices as a father. Overlien and Hyden (2009) present an additional argument, citing British and Nordic studies which have exchanged the term "children's exposure" to "children's experience", arguing that this term better places the stress on the child's subjective position, and acknowledges that violence is experienced through all of the senses as subjects, and not objects as the term "exposure" may imply.

3.4.1 Complexities and Criticisms

A review of the literature highlights the complex issues encountered by researchers, and criticism has been made of definitional and methodological limitations and the need for a re-evaluation, if our knowledge base is to move forward (Fowler & Chanmugan, 2007; Trickett, 2002). Trickett (2002), for example, argues for better definitions, which would enable a more comprehensive understanding of the issues and the independent variables

in light of a dearth of commonality within the literature with regards to definitions and terminology.

Criticism has also been made about the lack of a sound theoretical base (Kitzmann et al., 2003; Sternberg et al., 2006; Wolfe et al., 2003) as well as shortfalls in sampling (Wolfe et al., 2003). An illustration of this is exemplified in a study by Kernic, Wolfe, Holt, McKnight, Huebner and Rivara (2003) where the age of the children ranged from 2 to 17 years. The study found that children who were exposed to violence were more likely to exhibit aggressive and anti-social behaviour. However, a meta-analysis of children's exposure to violence by Wolf et al. (2003) found that different age groups responded differently. Thus, using a sample that covers too broad an age range might not give a clear indication of the effects of being exposed to violence at different developmental levels.[28] Again, where both witnessing and abuse occur concurrently, it may be difficult to identify the primary factor for the behaviour (Wolf et al., 2003). For example, Kolbo (1996) revealed that exposure to abuse was related to negative effects in children. However 97 percent of the 60 children who took part in the study had also been victims. In a recent study, Hooven, Nurius, Logan-Greene and Thompson (2012) pose a similar question as to whether multi-domain victimisation is a greater predictor of emotional distress in contrast to a singular issue.

A further criticism is the reliance on interviews with mothers and children from clinical settings and shelters. As such, violence is likely to have been at the extreme end of the continuum and cannot be generalised to a larger population of children (Carlson, 2000). Hence, a consideration of all of the variables, including the severity of the violence, the frequency, the duration and the proximity, where the violence takes place, and the relationship of the perpetrator to the child is also needed (Trickett, 2002). Leavitt (2002) concurs, and further points to problems with confining violence to a limited timeframe, stating that two years will have a vastly different meaning to a child aged between two and five than to a 16 year old.

---

[28] Nevertheless, Wolfe et al. (2003) point out that the overall results were affected by one particular study which may have had a bearing on the findings.

3.4.2 Behavioural Issues

For all that, research to date, while varying in its approach, shows the negative consequences for children exposed to domestic abuse. In McGee's (2002) study, children wet their beds, stuttered, sleepwalked, developed nervous twitches, experienced feelings of sadness, developed anorexia, self-harmed, had thoughts of suicide, and suffered from sleep deprivation. Vulnerable children have also been shown to experience an elevated risk of aggressive and anti-social behaviours (referred to as externalising behaviour), resulting in difficulties in social interactions with others (Adamson & Thompson, 1998; Devoe & Smith, 2002; Grych, Jouriles, Seank, Mcdonald & Norwood, 2000; Haj-Yahia, 2001; Kernic et al., 2003; Kitzmann et al., 2003; Kolbo, 1996; Sternberg et al., 2006; 2003; Ware, Jouriles, Spiller, Suh & Abel, 1990). Baldry (2003), for example, found that children were three times more likely to be involved in aggressive behaviour at school when compared to a comparison group of children who had not been exposed to inter-parental violence. In a study which looked at the experiences of 1,059 Italian children, Baldry (2003) found that 48.3 percent of children had bullied others within the last three months, with boys being significantly more involved in a range of aggressive tactics than girls. McCloskey and Stuewig (2001) further highlight the issue in their study of peer relationships among children exposed to abuse which revealed that children had more conflicts with close friends and were more likely to be lonely. Likewise, an earlier study by Suh and Abel (1990) which looked at the responses of children residing in a shelter, evidenced high numbers of negative interactions between children, with children fighting with each other and with their parents.

Internalising behaviours which refer to socio-emotional responses such as depression, anxiety, fearfulness, and low self-esteem have also been identified as risk factors of witnessing, or being the victim of, abuse (Grych et al., 2000; Haj-Yahia, 2001; Hindin & Gultiano, 2006; Spilsbury et al., 2007; Sternberg et al., 2005). Sternberg et al. (2006) for example, found that children who were witnesses were 107 percent more likely to suffer from internalising symptoms, which increased to 187 percent where there was co-abuse. McCloskey, Figueredo and Koss (1995) further identified a link between paternal abuse against the mother, and major depressive disorders in 160 children.

Finkelhor, Ormrod and Turner (2007) propose that in assessing symptomatology, there is also a necessity to consider the effects of multiple abuse on children, or what they term poly-victimization. In their study Finkelhor et al. (2007), looked at the number and types of victimisation experienced by participants during the previous year. 2,030 children ranging in age from 2-17 took part in the study, with 51 percent of the sample aged 2–9 years and 49 percent aged 10-17. The findings showed that 69 percent of the 71 percent who had experienced victimisation had experienced more than one form of victimisation.

3.4.3 Amount of Exposure as an Indicator of Risk

A further consideration is whether there is a relationship between behavioural issues and the amount of exposure. In Jarvis, Gordon and Novaco's (2005) study which looked at the experiences of 30 mothers and their children residing in a shelter, the findings showed that exposure was a significant factor and contributed to symptoms of post-traumatic stress in children.[29] In contrast, Kilpatrick and Williams (1998) revealed that the number of times that children were exposed was not significant, and even when other variables were taken into consideration, witnessing violence was the primary cause in children's distress. The point is pertinent because even when the level of violence is low, it will appear threatening to children because of children's fears that it will escalate, or that someone will be injured (Grych et al., 2000). In concluding this section it is also important to acknowledge that violence does not have to be only physical to have an effect, and that witnessing psychological aggression between parents can be equally as damaging (Clarke et al., 2007).

---

[29] Physical reactions of trauma include feelings of irritability; mood swings; depression, anxiety or nervousness; sleep and eating disturbances; fear of reoccurrence; difficulty in interacting with others; becoming withdrawn; feelings of anger; guilt; fear; a reduction in awareness; hopelessness; feeling helpless; and feeling detached from the world. Physical symptoms may also be present including increased heartbeat; headaches, nausea, sweating and chest pain. American Psychological Association (http://www.apa.org/helpcenter/traumatic-stress.aspx) Accessed 12/01/2011

Symptoms of post-traumatic stress disorder are identical; however, in addition, sufferers experience an intensity in fear and helplessness, and can suffer from intrusive symptoms such as flashbacks and nightmares. Symptoms are also likely to last longer http://www.apa.org/helpcenter/traumatic-stress.aspx [American Psychological Association accessed 12/01/2011].

3.4.4 Effects on Young Children

Further research is required to gain greater understanding on the outcomes for very young children who have been exposed to parental abuse. At a young age, children may be at added risk due to their limited understanding of what is happening, and limited ability to cope (Kitzmann et al., 2003). In a meta-analysis by Kitzmann et al. (2003), which examined the psycho-social outcomes for children exposed to intimate partner violence, pre-schoolers were shown to be at greater risk than older children. Likewise, an Australian study undertaken by Zerk, Mertin, and Proeve (2009) identified a range of symptoms in children aged from 1.4 to 5.4 years. Mothers related how their children had become more fearful and clingy, suffered from disturbances to their sleep, and experienced separation anxiety (Zerk et al., 2009). Evidence suggests that pre-school children also experience greater difficulties in socialising with their peers, expressing more anger, and engaging in emotionally abusive behaviour during play (Graham-Bermann & Levendosky, 1997). Graham-Bermann and Levendosky (1997) further noted that participants from abusive homes experienced higher levels of depression and sadness and were more inclined to worry. Witnessing abuse may also trigger memories of an incident (Dejonghe, Bogat, Levendosky, Von Eye & Davidson, 2005). In a comparative study of one year old infants who were exposed to a simulated angry phone discussion, 97 percent of children who had been exposed expressed mild to angry emotions (Dejonghe et al., 2005).

3.4.5 Environment

Research indicates that the home environment is critical to children's healthy intellectual and cognitive development, and that mothers play an active role in a child's intellectual growth. To illustrate, a study by Huth-Bocks, Levendosky and Semmel (2001) found that the verbal abilities of children exposed to domestic abuse were poorer than for children who had not been exposed. Likewise, Ybarra, Wilkens and Lieberman's (2007) findings revealed that children who had been exposed to abuse had lower verbal functioning than their non-exposed peers and rated lower on the Weschler Preschool and Primary Scale of

Intelligence.[30] The authors suggest that mothers may be less able to stimulate their children where their functioning has been impaired due to organic brain injury or psychological difficulties.

3.4.4 Intervention by Children

A further consequence of violence is the potential for children to be injured during an attack, with perpetrators showing little restraint or concern for children's safety (Drumm, 2000; Hutchison & Hirschel, 2001; Maxwell, 1994). To illustrate, in a study by Mblinyi, Edleson, Hagemeister & Beeman (2007) the findings revealed that 33.3 percent of children were accidentally injured as a result of an attack. The findings confirm earlier studies by Hutchison and Hirschel (2001) and Maxwell (1994), which found an injury rate of 16 percent and 6 percent to 7 percent respectively.

Children may also feel compelled to intervene to try to terminate the abuse (Fantuzzo & Mohr (1999). Of concern in Edleson et al.'s (2003) study, was that it was when violence was particularly severe that children felt compelled to act. Gerwitz and Medhanie (2008) also found that older children were more likely to become directly involved when the violence involved the use of weapons.

Children are also extremely resourceful, calling for assistance, providing comfort, or seeking advice on how best to advise their mothers in the aftermath of an incident (Epstein & Keep, 1995; Georgsson et al., 2011; McGee, 2000) Nonetheless, while children demonstrate resilience and abilities beyond their years, there are contrasting views as to whether being pro-active leads to long-term negative outcomes. Suggestions have been made, for example, that intervention could lead to higher levels of traumatic stress (Fantuzzo et al., 1999; Spilsbury et al., 2007). In contrast, McGee (2000) argues that intervention is a coping strategy which acts as a protective factor for children.

---

[30] The Wechsler Preschool and Primary Scale of Intelligence (WPPSI) is an instrument used for accessing intelligence scores in children ranging in age from 2 years 6 months to 7 years 3 months.

3.5 Children's Voice

In recent years the importance of talking to children themselves has gained momentum with a view to gaining a clearer understanding of living with violence, and how it affects children's lives. While information is limited, studies to date provide a sobering picture of fractured childhoods and an environment where children are denied an opportunity to thrive (Mullender et al., 2002). As evidenced in the research, fear becomes a constant companion for many children as they struggle to make sense of the violence (Alexander et al., 2005; Bagshaw & Chung, 2001; Barron, 2007; Buckley, Holt & Whelan, 2007; DeMaris & Swinford, 1996; Georgsson et al., 2011; Irwin, Waugh, & Wilkinson, 2002; Joseph et al., 2006; McGee, 2000; McIntosh & Long, 2005; Morrison, 2009; Mullender et al., 2002; Ornduff & Monaham, 1999; Peled, 1998; Stafford et al., 2007).

DeMaris and Swinford (1996) remind us that it is not only the frequency or severity of an attack by the perpetrator which instils fear, but the uncertainty of whether another attack will occur. Their contention was confirmed in McGee's (2000) study on protection issues for children that showed that worrying about an attack was as terrifying as the actual incident, and children felt traumatised and helpless. Some children had extreme reactions including inflicting self-harm and anorexia. Suicide ideation was also not uncommon (McGee, 2000). In Epstein and Keep's (1995) review of callers to Childline for example, suicide ideation was mentioned by several young people. Likewise, in a study by Alexander et al. (2005) 9 percent of participants who lived with domestic abuse related how it could lead to suicide and feelings of worthlessness. Sadly in Irwin et al.'s (2002) research on children in New South Wales, one participant in the study made an attempt on her life.

Feelings of fear and anxiety could also be triggered by flashpoints which children recognised as a possible precursor to a violent attack (Buckley, Holt & Whelan, 2007). For other children living with the constant threat could make even the simple act of going to school a source of anxiety in case violence occurred during the child's absence (Mullender et al., 2002). Moreover, fear and the need to remain alert did not always lessen over time, and the very ordinariness of daily living could become fraught with uncertainty as

impending danger loomed large in children's minds (Barron, 2007; Georgsson et al., 2011, McGee, 2000; Stafford, Stead & Grimes, 2007). As a twelve year old girl explained to Mullender and colleagues (2002), "I'm better than I was, but I'm scared to go into the garden in the dark in case he (her father) jumps out" (p. 113). Children also spoke of being fearful of being stalked (Overlien & Hydens, 2009), and even seeing a car similar to their fathers could lead to extreme stress (Barron, 2007).

The long-term effects of abuse were also shown to impact on relationships in later years. For example, a young woman who took part in the Kidspeak Project undertaken by Women's Aid, stated "I've suffered domestic violence through the whole of my life… I've found a nice lad who treats me right, but I'm too scared to trust him, he understands a little bit but not all … I'm not over it at all" (Barron, 2007, p. 13). Likewise, in McGee's (2002) research, fear of having a relationship was expressed by some of the young women who participated in the study.

A further outcome of living with violence as related by children was a loss of self-confidence and self-esteem, and a feeling of being different from other children (Buckley et al., 2007; Mullender et al., 2002). In Buckley et al.'s (2007) study, children revealed how they felt the stigma of coming from a violent home, and of feeling ashamed and embarrassed. There was also a fear that disclosing violence to peers could lead to bullying. Baldry (2003) found that these fears are justified, and that children who experience domestic violence are more likely to be bullied at school than children from non-violent homes.

Children also felt the need to be secretive, and in some instances there was a reluctance to invite children home, or have friends for sleepovers (Buckley et al., 2007; Irwin et al., 2002). To illustrate, in McGee's (2000) research, a participant disclosed her discomfort at having friends around in case her father became violent during the visit. There was also fear that if friends found out about the abuse, they could be taken into care (Stafford et al., 2007). On the other hand, in Stafford et al.'s (2007) study, the need for vigilance to protect their location from the perpetrator contributed to children's silence.

Consequently, this could place any lasting friendships in jeopardy and, in some instances, children could become isolated (Mullender et al., 2002; Stafford et al., 2007).

3.5.1 Contact Post-Separation: Children's Relationship with their Fathers

In cases where the father/child relationship has been damaged, or where children are frightened of their fathers, children may not want further contact post-separation (Buckley, Holt & Whelan, 2007; Cashmore & Parkinson, 2009; Irwin et al., 2002; Mullender et al., 2002; Smart, 2000). Indeed, Hendrick's (1999) research on children's experiences showed that children have very clear views of what makes a good 'dad'. Participants interviewed stated that fathers who were unable to control their temper, and who were physically and emotionally abusive were not being good 'dads'. There was also an expectation that fathers would not act aggressively towards their partners and would be good role models for their children (Hendricks, 1999). In Neale's (2001) research on experiences post-divorce, Neale (2001) found that respect between parents was important to children, and that there was no guarantee that children would continue to respect a parent whose behaviour was unacceptable. The findings were confirmed in a later Australian study by Irwin et al. (2002) conducted with young people in New South Wales.

An overview of research undertaken with children highlights the effects of exposure on children's relationships with their fathers. This can result in an emotional chasm where fathers are no longer viewed as being able to provide comfort, or in other cases can lead to extreme dislike or hostility towards their fathers (Epstein & keep, 1995; McGee, 2000; McIntosh & Long, 2005; Mullender et al., 2002; Ornduff et al., 1999). Mullender et al.'s (2002) findings evidenced that when fathers asserted their power over the household, children's feelings towards their fathers eroded over time and the father's authority became the only thing left to them of fatherhood.

Children were also very fearful when forced to have contact with their fathers, or in some cases refused to have any contact at all (Barron, 2007; McGee, 2000; Morrison, 2009; Mullender et al., 2002; Neale, 2001; Ornduff et al., 1999; Overlien & Hyden, 2009; Tolmie

et al., 2010). In an earlier study by Higgins (1994), a six year old illustrates the point when he states: I'm scared when I have to see my dad sometimes, that he will hurt me and shoot me. He said lots of times that he would do that to all of us" (p. 6). Likewise an 8 year old girl relates:

> I want my daddy to stay out of my life but he is taking it to court to see us … I am very scared in case no one listens to me, I want to be heard - what if they don't listen? I don't want to be made to see my dad please help me and my family (Barron, 2007, p. 29).

Fear of contact could also include concern that they would be kidnapped by their fathers. In Morrison's (2009) research, children talked about being worried that when they visited their fathers, they would not be returned to their mothers, or that their fathers would want custody. In other cases, children spoke of feeling very stressed in the period leading up to a visit and of concerns about on-going abuse against their mother (Morrison, 2009).

Contact could further expose children to abuse from a father's new family adding to contact difficulties. In an Australian study by Morris, Humphreys and Hegarty (2015) an eight year old participant described being abused by her stepbrothers during weekend visits. While the boys were still young they nevertheless inflicted injuries, pulling her hair, kicking her and punching her in the stomach. When she asked if she could go home to her mother her request was denied.

Even contact by telephone could also be stressful for children where fathers tried to pressurise children to persuade their mothers to return, or where they frightened the child (Mullender et al., 2002). A child in Morrison's (2009) study, for example, explained that if your father knew you were afraid, he might try to frighten you by saying that he was coming to get you. In contrast, some children felt ambivalent, still loving their fathers, but not liking the way they behaved (Epstein & Keep, 1995; Peled, 1998). For other children, there continued to be a desire to be a family again if the situation were to change (Morrison, 2009; Ornduff & Monaham, 1999). Peled's (1998) findings convey how difficult it is for some children: Peled (1998) relates that in order to counter the

dichotomy of the violent father/good father, many children in her study coped by either viewing their fathers as bad or by reframing his actions so as to provide an excuse for the violence. Hence, some participants were left feeling confused and disappointed, which symbolised the effects violence had on family life (Peled, 1998).

3.5.2 Someone to Talk to

In reviewing research with children, safety was shown to be a pivotal issue for children who hoped that someone in a position to help would provide protection for themselves and their mothers (Barron, 2007; Buckley, Holt & Whelan, 2007; Jarvis et al., 2005) Nonetheless, Buckley et al. (2007) found that children's experiences with professionals were less than positive with many participants revealing that they were not getting the help they required. Likewise, in Mullender et al.'s (2002) research, only three participants out of 54 found professionals helpful. Participants in the Kidspeak Campaign also experienced a mixed reaction when dealing with professionals, with many of the respondents being very critical of service providers (Barron, 2007). While some of the children had a positive experience, for other children the violence was not taken seriously, or contacting the authorities exacerbated the situation (Barron, 2007). Again, in the Listen Louder Campaign conducted in Scotland, the potential risks to children when professionals had little knowledge of domestic violence were highlighted, when participants spoke of feeling branded, judged, and stigmatised (Houghton, 2008).

Children also expressed the fear that they would not be believed which was at times justified (Mullender et al., 2002). To illustrate, in Epstein and Keep's (1995) review of calls to ChildLine, a caller related that when she had told her teacher about the violence, the response was "I can't believe it - that such a nice father would behave like that – you're just upset because your mother has married him" (p. 55). A second caller was similarly told to pull themselves together. Nonetheless, school was seen as a safe haven by others, and participants suggested that it would be helpful if teachers were made aware of the issues, and for there to be people available at school to talk to (Buckley, Holt & Whelan, 2007; Houghton, 2008; Irwin et al., 2002; McGee, 2000; Mullender et al., 2002). Stafford et al. (2007) however, found there was still scepticism as to the likelihood of getting

support from schools. While some children had received a positive response, this appeared to be based on the specific student/teacher relationship rather than any structural support networks. For other children, the impact of violence affected their behaviour and performance, no doubt colouring their experience of school life (Mullender et al., 2002).

A constant theme throughout the literature was the importance to children of having someone trustworthy to talk to about their situation, who would listen to them and take them seriously (Barron, 2007; Buckley, Holt & Whelan, 2007; Cashmore & Parkinson, 2009; Houghton, 2008; Morris et al., 2015; Mullender et al., 2002; Ornduff & Monaham, 1999). In cases where children were able to find someone to confide in, this was invaluable in helping them to deal with the violence (Barron, 2007; Epstein & Keep, 1995; Houghton, 2008; McGee, 2000; Mullender et al., 2002; Ornduff & Monaham, 1999). Confidantes could include siblings, mothers, relatives, or peer networks (Mullender et al., 2002). A participant in Morris et al.'s (2015) Australian study spoke of the help she had received from her friend's mother. Group work was also viewed positively because of the opportunity to discuss experiences with other children who shared a common knowledge of domestic violence (Buckley, Holt & Whelan, 2007; Houghton, 2008; Stafford et al., 2007). In interviews with children residing in a shelter, Ornduff and Monaham (1999) confirmed the benefits when they observed that children appeared to feel relief at being able to discuss the violence candidly with a capable adult.

3.5.3 Disruption to Routine

While as stated above, safety was shown to be a pivotal issue for children (Barron, 2007; Buckley, Holt & Whelan, 2007; Jarvis et al., 2005) a mother's decision to leave will nevertheless disrupt children's routines, separating them from everything that is familiar to them, and may even be the start of ongoing shifts to remain safe from the abuser. In their research on the experiences, views, and support needs of children and young people forced to leave home because of domestic violence, Stafford et al. (2007) found, that for the majority of the 30 participants, numerous shifts became a reality and in only

one case was a young person able to return to her former home after the perpetrator vacated the property.

Dislocation resulted in children being separated from friends, having to change schools and being forced to leave behind, or even find new homes for beloved pets (Mullender et al., 2002; Stafford 2007; Irwin et al., 2002). Children could also be separated from siblings or extended kin which contributed to the trauma (Houghton, 2008, Mullender et al., 2002). As a consequence, children could have mixed feelings about having to leave because they wanted to be safe on one hand, and felt sad at leaving friends on the other (Stafford et al., 2007). A few children also spoke of being resentful and questioned why they should be penalised when they were not responsible for the violence (Mullender et al., 2002).

Nonetheless, despite the disruption, for some children feeling safe transcended the inconvenience (Mullender et al., 2002). Stafford et al. (2007) found that while a shift could be confusing, there was general acceptance at the shift, and even pride that their mothers had had the courage to leave. For children who had gone to a refuge many children enjoyed making new friends and benefitted from being able to share with other children with similar experiences (Barron, 2007; Mullender et al., 2002; Ornduff & Monaham, 1999; Stafford et al., 2007). Some children also appreciated being able to do homework or study for exams in a peaceful environment (Barron, 2007). For other children however, leaving their homes and changing schools caused anxiety and in some cases children missed schooling altogether for short periods while their circumstances were sorted (Irwin, 2002; Stafford et al., 2007).

3.6 Overnight Stays

There continues to be ongoing debate as to the benefits of overnight stays with the estranged parent for very young children post-separation, particularly children aged from birth to three. A central concern is whether extended time spent away from the primary caregiver may be detrimental during an important developmental stage (Pruett, McIntosh & Kelly, 2014; McIntosh, Pruett & Kelly, 2014). To date, there is very little

research to draw upon on the outcomes for infants and young children of shared arrangements, but research that has been undertaken suggests that any parenting plans need to be made with caution when conflict between couples is identified (McIntosh, Pruett & Kelly, 2014).

In one of the earliest studies undertaken which looked at the effects of infants attachment to their mother in the context of overnight stays with their father, Solomon and George (1999) found that high parental conflict and a lack of communication between couples had a significant bearing on children's outcomes. The purpose of the study was to ascertain whether staying overnight with the secondary parent would have an effect on the attachment security of the mother/child relationship. The study involved 145 infants aged between 12 to 20 months together with 145 mothers and 83 fathers. Of the sample selected, 44 of the children stayed overnight at least once a month, 49 children had daytime visits only, and the remainder lived in intact families. The findings showed that infants who stayed overnight one or more times a week were less secure than non-overnighters, or infants in intact families. A mediating factor was low parental conflict and the ability of the mother to provide psychological protection for the infant.

Research by Pruett, Ebling & Insabella (2004) offer additional insights in their study on the connections between schedule consistency, number of care-givers, and young children's adjustment to parental separation and divorce. 161 families were interviewed with further information being collected from 132 of the families 15 to 18 months later. The mean age of the children was 4.89 years, and included 74 boys and 58 girls. According to both mothers and fathers, overnight stays appeared to benefit children who were reported as having fewer social problems. However, where children had overnight visits and more caregivers, this could result in sleep disturbances, depression, and anxiety. Of interest was that the symptomatology was shown to manifest in boys, but not in girls. The researchers suggest that this may be because girls develop their social and verbal skills much earlier than boys and are able to articulate their needs and wishes. The findings further showed that children benefit from consistency in their schedules, although parental/child relationships and ongoing conflict were deemed to be more significant to the outcome. A constraint of the study was the lack of children aged under

three. An additional constraint was that in light of the prevalence of shared arrangements, the exclusion of parents who had a history of violence, or where there had been child abuse, did not allow a clear picture of overnight stays for children in this demographic.

Altenhofen, Sutherland and Biringen (2010) highlight the qualities that contribute to post-divorce child attachment in their research with mothers who were in the process of divorce. Twenty four mothers and their children were selected with the age of the children ranging from 12 to 73 months. The majority of children were aged from two to four years, and the sample consisted of 13 boys and 11 girls with all of the children having overnight stays with their father. Similar to the Solomon and George (1999) study, the results showed that overnight stays resulted in more insecure attachment. However, the outcome was more positive where mothers played with their children, and where there was limited conflict between parents. The study demonstrated that an important indicator of adjustment is the quality of parenting and a good co-parenting relationship. It was also noted that at the time of divorce, particular care needs to be taken to ensure that the parent's emotional availability to the infant continues.

In a more recent study, McIntosh, Smyth and Kelaher (2013) looked at the emotional regulation of children in three age groups. The groups were divided into infants aged zero to one year, infants aged two to three years, and pre-school children aged four to five years. The children were drawn from a nationally representative sample of participants involved in a longitudinal study of Australian children. It was hypothesised that a high number of overnights away from the primary caregiver would be associated with dysregulated behaviours (emotional distress, anger, crying etc.) with the primary parent, and greater symptoms of stress. The study found that even where parents had made their own arrangements for shared-care, were well resourced, and were able to co-operate, frequent overnight stays could be negative for very young children aged from zero to one year and two to three years of age. This finding supports the contention that a higher number of nights spent away from the primary caregiver during infancy is emotionally unsettling to the primary caregiver/infant relationship. The study found that there were no such problems in the four to five year age group.

3.7 Beyond Childhood

Extensive evidence suggests that growing up with domestic violence may contribute to on-going problems in adult life including psychological symptomatology, low self-esteem, poor social functioning, anti-social behaviour, aggression, and substance abuse. An 18 year longitudinal study of 1,265 New Zealand children found an association between high levels of exposure and problems with adjustment in young adults. Of interest in their study was that father-to-mother violence was shown to be the most problematic, resulting in a greater risk of anxiety and anti-social behaviour. Fergusson and Horwood (1998) propose that a reason for this could be because males are more likely to cause injury or be psychologically more threatening in contrast to female to male violence. A longitudinal study of 1037 Dunedin children by Martin, Langley and Millichamp (2006) found similar negative effects in young adulthood, with participants who had witnessed abuse more likely to suffer from anxiety and depression. Martin et al. (2006) point out, however, that coexisting factors may also have contributed.

Likewise, in a study of experiences of parental violence by Downs and Miller (1998), data was gathered from 472 women aged from 18 to 45 with father-to-mother violence in childhood shown to be a predictor of problems in later life. Difficulties identified were low self-esteem and problems with alcohol. In citing their earlier study, Downs and Miller (1996, 1998) support Fergusson and Horwood's (1998) contention that fathers' violence is perceived as more threatening than mothers. They suggest that a mediating factor in daughters' relationships with their mothers may be that daughters share more activities and receive more emotional support which offsets any abusive maternal behaviour. In a further study undertaken in 1998 which explored the relationship between mothers and fathers' verbal and physical aggression and its impact on self-esteem, the study revealed the significance of fathers' behaviour in shaping self-esteem in daughters (Downs & Miller, 1998).

Henning, Leitenberg, Coffey, Turner and Bennett (1996) support the findings of the above studies, revealing that witnessing parental conflict led to psychological distress and lower levels of adjustment where there was father-to-mother violence and where violence was

mutual. Again, where violence witnessed was only mother-to-father aggression, there was no notable effect. An important rider noted by the researchers however, was that retrospective studies may suffer from problems with distortions in recall. This was particularly relevant in regards to their data, where the age of participants ranged from 19 to 87. Older participants may therefore have been influenced by life circumstances or impaired memory.

Blumenthal, Neemann and Murphy (1998), in their investigative study of exposure to inter-parental aggression, found that verbal and physical aggression was related to later negative outcomes such as anxiety, trauma, and interpersonal problems. Significant to their study was that verbal aggression was shown to be a stronger predictor of later difficulties than physical abuse. Important also is Silvern et al.'s (1995) research which revealed that exposure to partner abuse was related to depression as well as low self-esteem in women, and trauma symptoms in men. It also gives pause to reflect on a recent debate over whether it is a multiplicity of factors within an abusive family environment which contributes to problems for children as opposed to singular victimisation (Hooven et al., 2012). To illustrate, while Silvern et al.'s (1995) study revealed that exposure was a risk it was also revealed that 51.7 percent of women and 42.7 percent of men had experienced physical abuse as children. Nonetheless, in Forsstrom-Cohen and Rosenbaum's (1985) earlier study, the results showed that witnessing abuse had long-term consequences and could lead to depression, anxiety, and aggressive behaviour in adults. Moreover, to ensure that the outcome was not skewed, any participants who had been victims of childhood abuse were eliminated at the start of the project.

The extent of exposure and multiple victimisations have also been shown to be significant (Finkelhor, Ormrod & Turner, 2007). For example, Russell, Springer and Greenfield (2010) found that it was frequency which was the predictive factor in later experiences of depression. Likewise, Hooven et al. (2012) concluded that higher levels of victimisation led to problems with self-esteem and that it was multiple factors, rather than a singular cause, which were contributing factors. Feerick and Haugaard (1999) also found that while witnessing violence was associated with mental health risks, there was a high rate

of childhood sexual abuse identified among participants who had witnessed violence. The authors pointed out that adult distress may have been dependent on co-occurrence or other risk factors.

3.7.1 Intergenerational Violence

The relationship between violence in family of origin, and the potential risk of continuing the cycle of abuse is of considerable interest to social science and health researchers. The intergenerational transmission of violence hypothesis proposes that exposure to violence during childhood places children at risk of continuing the cycle in their adult intimate relationships, or becoming a victim of partner violence (Gover, Kaukinen & Fox, 2008). A relationship has also been shown between child abuse and a history of family violence. The on-going pattern can be understood as a mode of learned behaviour, in which violence is understood as an acceptable means of dealing with conflict (Ehrensaft et al., 2003; Holtzworth-Munroe & Stuart, 1994; Langhinrichsen-Rohling, Hankla, Stormberg & Dostal, 2004). While not all children from violent homes will go on to abuse their partners or children, or become victims, there are still a significant number that do (Doumas, Margolin & John, 1994; Ehrensaft et al., 2003; Gover et al., 2008; Langhinrichsen-Rohling et al., 2004; Murrell, Christoff & Henning, 2007; Whitfield, Anda, Dube & Felitti, 2003).

3.8 Post-Separation Violence

Within a nexus of power, children are an integral part of a post-separation battering relationship and provide an ongoing link between the abuser and his former partner placing them at risk of on-going exposure to abuse. As studies have shown, on-going violence towards the mother may also interfere with her ability to parent and have consequences for her health (Bancroft et al., 2012; Campbell, 2002; Mullender et al., 2002; Renner, 2009). Shalansky, Erickssen and Henderson (1999) highlight the risks in their Canadian study of women's experiences of negotiating parenting arrangements after leaving a violent relationship. The findings showed that custody provided men with an opportunity to continue their control and mothers remained extremely fearful for their safety and the safety of their children. The mothers aged between 35 to 45 years revealed that having to comply with custody restrictions imposed by the court, together

with their ongoing fear, created extreme stress and subsequent health difficulties. Children were also privy to their father's ongoing abuse against their mother and concerns were raised at the imposition of visitation on children when they were afraid of their fathers.

In extreme cases sharing custody can lead to the death of a child as was evidenced in the Durham study (1999). A mother recounted how her child had been murdered by his father during his first unsupervised contact. The stress on mothers of inter-acting with legal processes was also revealed. Participants in the study reported being overwhelmed by the legal process, feeling that they were being re-victimised by fathers who continued their control through litigation. Although the outcome was positive for most of the mothers the process was lengthy and time consuming (Durham, 1999).

In a study of women's experiences of post-separation violence in England, Humphrey's and Thiara (2003) found that 76 percent of the 161 women who participated in the study, suffered ongoing harassment and abuse. The findings evidenced that there was a lack of effective redress through legal channels, with a resultant risk to women and children's safety. Of the 49 women who had contact arrangements with their abuser, only four of the 49 mothers experienced no further abuse, and while over time there was a cessation of violence in some cases, for 27 percent of women child contact provided an opportunity for chronic ongoing violence.

Similarly, in an Australian study by Kaye, Stubbs and Tolmie (2003), post-separation parenting was once again shown to provide an opportunity for men to continue to assert their control. Forty women, who were separated from an abusive partner and in the process of facilitating contact arrangements for their children, were selected to take part in the study. Prior to separation, 62.5 percent (25) of participants reported that their children had witnessed the physical violence which in some cases was deliberately perpetrated in front of the children with a view to "terrorise or show off" (p. 76). In 32.5 percent (13) of cases violence had also been perpetrated against the children. For 97.5 percent of those interviewed, violence continued post-separation with 36.6 percent of women stating that violence had escalated.

Abuse was also reported to have escalated in Hester and Radford's (1996) research of mothers' experiences in England and Denmark with ten women fearing for their lives. Only seven of the 53 women in England and two of the 24 women in Denmark managed to eventually make arrangements where they were no longer at risk (Hester & Radford, 1996). Similarly, in a grounded theory study which examined how mothers negotiate parenting decisions following divorce where control had been the dynamic of the intact relationship, Hardesty and Ganong (2006) confirmed previous studies which have linked contact to ongoing control. Nineteen women aged between 21 to 44 years who resided in two central counties in the United States were interviewed for the study. For the majority of the women, abuse experienced prior to separation had been severe and there was continued abuse following separation. Children also became caught up in men's struggle for control and it was a constant fear among participants that children would be mistreated when they were in their father's care.

Research by Varcoe, Jaffer and Irwin (2002) into women's experiences with formal systems responses to violence by intimate partners highlighted the difficulties mothers face in limiting the violence in the context of custody. The research undertaken in Canada was a collaborative effort between 'Women in Action' (a social action group comprising women who had experienced abuse) and researchers. The findings supported studies which have shown that children continue to be abused, including continued sexual abuse, as well as being utilised by their fathers to retaliate against their former partners. Women also had to contend with threats to kill them and to abduct their children, and mothers' cited incidences where children had witnessed the violence.

In a recent study by Zeoli, Rivera, Sullivan and Kubiak (2013) nineteen mothers who had experienced intimate partner violence and had undergone custody disputes with their husbands were interviewed for the study. The women ranged in age from 23 to 52 years. Mothers' experienced on-going abuse by their former partners including emotional abuse (19), physical abuse (9), stalking behaviour (5), and a threat to kill. The Women also received harassing phone calls, threatening texts, and sustained damage to personal property. Three mothers revealed that fathers had been physically violent to their children during contact. Emotional abuse to children was also cited, and in two cases

mothers attributed the abuse as a contributing factor to their children engaging in self-harm including cutting themselves and an attempted suicide. Neglect of children was also revealed.

3.9 Parenting by Violent Fathers

To date there is little knowledge of children's post-separation experiences of living with a violent father from a children's perspective or of the parenting abilities of partner abusive men. However, research that has been undertaken highlights several issues which may pose a risk to children and affect the long-term wellbeing and healthy development of the child (Bancroft & Silverman, 2002, Bancroft, Silverman & Ritchie, 2012; Harne, 2002, 2011). Bancroft et al. (2012), for example, explain that there are a number of recurring themes illustrating the weaknesses of batterers' parenting that are not present with non-abusive men. These include authoritarianism which can limit the batterers' parenting skills, neglect of children when in their care, intolerance towards children, and self-centredness. They further argue that one of the greatest risks to children is when batterers' attempt to damage the mother/child relationship (Bancroft et al., 2012).

Harne (2011) has made an important contribution in her study of fathers in England. Participants for the study were selected from perpetrator programmes and included 20 fathers from a low to high income demographic. The aim of the study was to gain an understanding of how fathers viewed their violence and how this affected their relationship with their children, as well as gaining insight into their parenting style. The majority of men selected were separated from their partners and contact arrangements varied. One third of the fathers sought arrangements through the courts. Because of safety concerns for children, in some cases contact had been opposed, with mothers' reluctant for fathers to have access to their children.

The findings showed that fifty percent of participants acknowledged physical abuse of children, which in some cases was of sufficient force to cause bruising. Other tactics identified were the use of intimidation and threats, criticising children, and breaking belongings. Of concern to Harne (2011) was that many of the children involved were very

young children aged under six. In cases where children were aged eleven or older, contact tended to be infrequent or not at all, with children refusing to continue the relationship. When contact did take place, this was arranged by the children.

A further objective of the study was to ascertain the effectiveness of perpetrator programmes in helping fathers to understand the effects of their violence on their children. Harne (2011) found that a problem in ascertaining the benefits of the programme was that participants could not always be relied upon to provide accurate information. Hence, fathers' accounts varied and were dependent on a number of factors including their willingness to change, and how they had interpreted the programme (p.161).

Holt's (2011, 2015) study on post-separation fathering in the context of intimate partner violence confirmed previous studies which have shown that shared parenting provides an opportunity for on-going abuse against the mother and children. The data utilised in this study was from Holt's earlier study in Ireland. In phase one of the research, data was collected from 219 separated mothers to ascertain the prevalence rate of post-separation contact, how contact had been arranged (Informally or through the courts), whether children had been involved in the decision-making process, safety concerns for children, whether a protection order was in place and mother's satisfaction with the arrangement. In phase two of the project in-depth interviews were carried out with children, mothers, fathers and professionals. Forty percent of phase two children had engaged in overnight contact over the year prior to the research being undertaken.

The study revealed rigid paternal behaviour and an attitude of entitlement by fathers rather than a desire to nurture their children. A number of fathers were reported as having little interest in their children and repeatedly made excuses for not keeping to the negotiated parenting arrangement. Children also continued to be exposed to abuse against their mother at hand-over and during contact, both of which they found distressing. Holt (2015) concluded that where there is a history of intimate partner violence, fathers should be regarded as a risk because of the potential harm to children.

3.9.1 Undermining the Mother/Child Bond

Bancroft and Silverman (2002) point out that from the outset by its very nature a battering relationship has undermined a mother's authority and in some cases seriously diminished her capacity to parent, raising the issue about the prospects of shared care. Indeed, a common tactic identified which is damaging to children is batterers' attempts to disrupt children's relationships with their mothers (Bancroft & Silverman, 2002; Bancroft et al., 2012; Harne, 2002, 2011; Irwin, Waugh & Wilkinson, 2002; Morris, 1999; Radford & Hester, 2006). Morris (1999) has labelled the strategy as maternal alienation, stating that it is only by naming a phenomenon that it becomes visible. Strategies utilised may entail undermining the mother's decision-making, or being hyper-critical of her parenting. Abusers may also denigrate her calling her names and undermining her character (Morris, 1999). Children may learn to be disrespectful, emulating their father's behaviour, and in some instances may become physically violent to their mother and siblings (Bancroft & Silverman, 2002, Bancroft et al., 2012; Holden & Ritchie, 1991; Robertson et al., 2007; Shalansky, Erickssen & Henderson, 1999). A further strategy identified is creating an environment where children are free to do as they please (Bancroft et al., 2012). As a result, when children return home the discipline of an imposed structure can lead to conflict. Fathers may further withhold or default on child support payments, refuse to contribute to school, doctors and dental fees, and unsettle children by demanding to see them at their behest, disrupting children's routines (Mullender et al., 2002; Shephard, 1992; Tolmie et al., 2010).

3.9.2 Adverse Effects on Mothering

The effects of violence on mothers may also seriously diminish their capacity to parent effectively (Bancroft et al., 2012). Women who are victims of abuse have been shown to suffer a range of health issues, including depression, anxiety, suicide ideation and stress (Campbell, 2002; Mullender et al., 2002; Renner, 2009). A meta-analysis undertaken by Golding (1999) found that 47.6 percent of women who participated in the 18 studies reviewed, suffered from depression. Cascardi, O'Leary and Schlee's (1999) study further confirmed depression and post-traumatic stress in women who had experienced partner violence.

Banyard, Williams and Siegel (2003) advise that in cases where trauma has occurred, there can be decreased satisfaction in parenting. Consequently when mothers are struggling to cope this can have adverse effects on children, contributing to negative outcomes as well as interfering with the mother/child relationship (Huth-Bocks & Hughes, 2008). In Mullender et al.'s (2002) study for example, mothers' spoke of their nerves being on edge, being short tempered and having less patience with their children.

> I didn't have the same patience with the children when he was there because I think I was frightened he was going to lose his temper. I was much more calm when he wasn't around (p. 159).

Even getting up in the morning to carry out routine duties could prove difficult as the following mother explains:

> I mean, if you've been like, punched in the face – it's like, I was getting really bad headaches and I didn't get up. But I was thinking, "I've got to feed the kids". I'd be walking around all dazed and bruised and that (p. 159).

Furthermore, as Mullender et al. (2002) explain, leaving does not automatically improve the way mothers interact with their children because behaviour may have become deeply entrenched.

A further way in which abusers can undermine mothers' authority is to repeatedly take women to court (Durham, 1999; Jaffe & Crooks, 2005; Radford, Sayer & AMICA, 1999; Robertson et al., 2007). As Walker and Edwall (1987) tell us, "In a battering relationship men rarely compromise" and the court becomes another site of coercive control (p. 140). Paxton (2003) concurs reminding us also that multiple court actions are both psychologically and financially detrimental to mothers, and can be exceedingly draining.

3.9.3 Utilising Children against their Mothers

Because battering behaviour is motivated by a need to control and a strong sense of entitlement (Pence & Paymar, 1993), leaving the relationship challenges the batterer's authority which he strives to regain (Hardesty & Ganong, 2006; Varcoe & Irwin, 2004). Children may, as a result, be utilised by fathers as part of an on-going strategy against their former partners. Indeed, Salisbury, et al. (2009) found that in 6.9 percent of their sample, men admitted involving children in their arguments. Utilisation of children can take various forms, including asking children to monitor their mother's movements, or co-opting children as intermediaries to relay messages and threats either verbally or through symbolic gestures (Buckley, Holt & Whelan, 2007; Chetwin, Knaggs & Young, 1999; Hardesty & Ganong, 2006; Hester & Radford, 1996; Mullender et al., 2002; Varcoe & Irwin, 2004).

An additional tactic used by perpetrators is to mistreat, or frighten, children to get back at the mother. This can be particularly effective where children are afraid of their fathers, who capitalise on their fear, for example, telling children that they are going to apply for sole custody (Hardesty & Ganong, 2006). On a more sinister note, children can be coerced into actively participating in actions against their mother. For example, in Hester and Radford's (1996) study, a father involved his children in a plan to murder their mother. Indeed, as Mullender et al. (2002) found in their research, some men showed no compunction, or regard for their children, in efforts to maintain their dominance over their former partners.

3.9.4 Authoritarian Parenting Style

Batterers have been shown to have an authoritarian style of parenting, holding very rigid views that may manifest as intolerance and an inability to see the child's point of view (Bancroft & Silverman, 2002; Bancroft et al., 2012). According to Bancroft et al. (2012), this equates with a batterer's perception of children as personal possessions, who consequently have few rights.

Baumrind (1966) provides a useful definition describing authoritarianism as an attempt to control the child by enforcing a stringent set of standards. This definition continues to be recognised today. There is an expectation that the child will adhere to the parent's wishes, and any deviation or challenge may be addressed forcefully to ensure compliance. Within this framework, the parent/child relationship can be viewed as being hierarchical with no room for autonomy and with children expected to 'know their place'. The above contention is confirmed in a recent New Zealand study by Troon (2014) which looked at women's and men's perspectives on parenting in the context of domestic violence. According to mothers, fathers engaged in harsh parenting practices and expected children to be compliant and obedient'. Troon's (2014) study confirms an earlier study by Holden and Ritchie (1991) which found that batterers were prone to be angry more frequently, to use physical discipline more often and to spank twice as hard in comparison to non-abusive fathers.

An alternative is the father who practices permissive parenting. Permissive parents may be indulgent or indifferent, fail to set boundaries and exercise little control. Children are left to their own devices and there is little in the way of socialisation or maintenance of standards to assist functioning in later life (Covell & Howe, 2009). Men who are abusive to their partners may switch between authoritarian and permissive parenting depending on what mood they are in at the time (Bancroft et al., 2012; Baumrind, 1966).

3.9.5 Neglect

Neglect of children was identified by Martin et al. (2007) as being the predominant offence committed by participants who perpetrated abuse against their partners or children. Indeed, as studies have shown, there is a propensity by many batterers to be neglectful and inconsistent in their duty of care, showing little interest in the more banal aspects of parenting (Bancroft & Silverman, 2002; Bancroft et al., 2012, Smart, 1995). Abusers may be unwilling to make sacrifices when required, and have little involvement in children's activities (Bancroft et al., 2012).

Additional safety concerns identified in the research include children being locked in cars for extended periods, a failure to ensure seatbelts are fastened, taking drugs and alcohol when looking after children, neglect of children's hygiene, not feeding children, and a failure to give medicine (Shephard, 1992; Tolmie et al., 2010). Mullender et al. (2002) found a particularly insidious situation where a father offered his 14 year old daughter drugs, including cocaine.

3.9.6 Blaming the Victim

While extensive research has shown the detrimental effects on children who are exposed to parental violence (Kitzmann et al., 2003; Sternberg et al., 2006; Wolfe et al., 2003), research reveals that there is at times, little intention by fathers to alter their behaviour even when risk to children is known. Perel and Peled (2008) illustrate the point when they evidenced mixed feelings among participants in their research on children's witnessing of violence, and while the men had completed a batterers' programme and acknowledged that exposure was harmful to their children, many men preferred not to think about the consequences. Likewise, in a study by Rothman, Mandel and Silverman (2007) which aimed to understand abusers' perceptions of the effects their violence had on their children, the research showed that although biological fathers were more likely than social fathers to be aware of the effects and the long-term consequences, this did not necessarily result in men working pro-actively towards change.

Problematic also is that batterers frequently deny their abuse and minimise the violence towards their partners and children, often blaming the victim for the attack (Cooley, 2006; Edin, Lalos, Höberg & Dahlgren, 2008; Humphreys & Thiara, 2003). For example, Harne (2002) relates how fathers in her study blamed children using the excuse that children had provoked them, or that they had not conformed to expectations. While men in Harne's (2002) study admitted to having convictions for violence, including assaults on children, violence was still minimised. Again, in a small project by Worley et al. (2004), all of the participants continued to minimise their violence, and there was no intention to modify their behaviour despite having participated in an anti-violence programme. Earlier research by Bernard and Bernard (1984) also found that a common tactic identified was

men's practice of minimising how often abuse occurred, as well as down-playing the severity of the violence. The study further revealed that a common perception of some of the perpetrators was that they themselves were the victims. Of interest in Chamberlain, Fortin, Turgeon and Laporte's (2007) findings was that where violence had been psychological and not physical, it was under-recognised and controlling behaviours were not seen as problematic.

Research undertaken by Edin et al. (2008) provides further insight from interviews with professionals working in the field. The study confirmed that men tend to excuse their behaviour, at times casting themselves as the victim while blaming women for their abuse. The study supports Rakil's (2006) findings which also showed a victim mentality among perpetrators who believed that their partners were unreasonable, thus deflecting theirs actions away from themselves. The significance, however, is outlined in Cooley's (2006) study which showed that in cases where men did not take responsibility for their abuse, the abuse was more likely to continue.

3.9.7 Intervention Programmes

To date there is limited research on the success of intervention programmes to assist fathers who have been domestically violent to their partners and who have abused or neglected their children (Scott & Lishak, 2012). This is particularly critical because shared parenting is now the 'norm' within legal discourse and mandatory in many Western jurisdictions. An initial evaluation of a new Canadian community based programme (Caring Dads) designed for men, has shown that there is potential for specifically targeted programmes to have a positive impact in some circumstances (Scott & Crooks, 2007). Although data was limited due to the early stage of the 'Caring Dads' initiative, in Scott and Crooks (2007) initial study, 45 men who were referred to the Programme were interviewed to assess patterns of difficulty in the father/child relationship, and emotionally harmful parenting practices. Of the men who participated, 50 percent demonstrated over-controlling behaviour and a sense of entitlement and 60 percent of this sub-group were violent to their partners. Of the remaining 50 percent, 22 percent were domestically violent and emotionally unavailable to their children. There was a

propensity among these men to use contact as a means of harassing and annoying their former partners, while having limited knowledge of their children's lives. A third group of men was identified as being not only violent to their partners but intentionally setting out to undermine children's relationship with their mothers. The findings for this group were interesting because the fathers in this group had developed a successful relationship with their children. In a final group identified as being emotionally unavailable to their children, fathers had little contact with their children, or contact was supervised (Scott & Crooks, 2007).

In reviewing whether the programme was meeting the needs of fathers and the community, it was agreed that for those fathers who completed the programme there were some positive indicators of progress. Many of the fathers conveyed that they welcomed the opportunity to engage with other fathers about parenting issues. They revealed that they were more considered in their attitudes towards their children, were more patient and took time to think things through (Scott & Crooks, 2007). Nonetheless, there was a high drop-out rate typical of programmes of this kind (McConnell & Taylor, 2016). In the first year of operation over 50 percent of men did not complete the 17 week course. This suggests that men who are directed to undertake programmes are often resentful at interference by agencies, and present more of a challenge to service providers (Scott & Crooks, 2007).

A follow-up study of the 'Caring Dads' programme undertaken in Canada by Scott and Lishak (2012) found evidence of change in terms of fathers' hostility and neglectful parenting, and an increase in men's respect of mother's judgment. The study involved 98 fathers who were strongly encouraged to attend the programme by Protective Services (57 percent) and Probation Services (25 percent). Forty six percent of fathers were living with a child while the remainder had regular contact. While the researchers state that the results are promising, a limitation of the study is that it was based on the reports of the perpetrators and was not triangulated to include mothers' or children's account of change (Scott & Lishak, 2012).

A more recent evaluation of the 'Caring Dads' Programme was carried out in Britain (McConnell & Taylor, 2016). The aim of the study was to look at whether there were improvements in the fathers' behaviour and how this affected the wellbeing of the family. An important attribute of this study was the inclusion of input from mothers and children which provided a comparative view of information obtained from fathers. Fathers who had participated in the programme between October 2010 and October 2014 were invited to participate. This was followed six months later to ascertain if any positive changes had been sustained.

The findings showed that in the 54 percent of cases where fathers had completed the programme, some positive changes in attitude and behaviour towards their children were made. However, while fathers perceived that their rejecting behaviour was reduced, this was not the experience related by their children. Children did, however, note a reduction in their father's shouting and that communication with their fathers had improved. A positive outcome also, was a lessening of violence towards their partners. Overall, it was felt that the programme had contributed to increased wellbeing for family members, although in some cases there continued to be a need for ongoing monitoring as behavioural changes were not sufficient to ensure safety.

For father/child relationships to improve, men need to own up to their abuse and to recognise the harm that it does to their children (Holt, 2015). Nonetheless, while studies have shown that some fathers would like to have a meaningful relationship with their children (Harne, 2002, 2011; Holt, 2015; Perel & Peled, 2008), this does not always translate into everyday interactions. For example, in a study by Holt (2015) from the father's account, his children were constantly on his mind while his daughters related that their father knew very little about his children's lives. Studies further show that there is often no acknowledgement of how violence towards their partners impacts on their children (Harne, 2002, 2011; Rakil, 2006). Perpetrator programmes may also be used to increase contact and to continue men's control rather than a genuine attempt to address their issues.

3.10 Typologies of Men who Batter

Since the 1970s researchers have endeavoured to understand the differences between men who batter and non-battering men. Research has made tremendous strides over the last forty years in identifying patterns of violence and typologies or categories with the aim of being able to develop considered interventions and effective policies (Bender & Roberts, 2007). While there is no one unitary profile, there are nevertheless commonalities that have emerged out of the literature that provide a useful starting point when looking at the phenomena.

3.10.1 Batterer Types

Early research in the 1980s into the psychopathology of male batterers undertaken by Hamberger and Hastings (1986) identified three personality types and eight subtypes based on data collected from 99 men who were involved in a Domestic Violence Abatement programme. The three types identified were schizoidal/borderline, narcissistic/antisocial, and dependent/compulsive personality disorders. Schizoidal/borderline individuals were described as being asocial, moody, and volatile, often over-reacting to minor infractions and what they viewed as a slight within their personal relationships. These individuals tended to be hypersensitive, were quick to anger, and could be described as having a "Jekyll and Hyde" personality (Hamberger & Hastings, 1986). Hence, within their personal relationships there was likely to be high levels of conflict. Individuals were also more likely to have experienced violence in their home as children, have problems with alcohol, and be prone to depression.

Men identified as Narcissistic/antisocial abusers were also shown to have problems with alcohol and drug use. This group were described as being self-centred men who used others to meet their needs, held rigid views, and expected others to abide by their rules (Hamberger & Hastings, 1986). Feelings of self-entitlement as to how they expected to be treated by others, if thwarted, could lead to aggression and threats (Hamberger & Hastings, 1986). The third group labelled as dependent/compulsive comprised the predominant group in the study. As with men in the Narcissistic/antisocial group, they were rigid but may become passive or weak and had little self-esteem. This group was

identified as being needy, and showed less anger with a propensity toward dependent/compulsive personalities (Hamberger & Hastings, 1986).

A comparative study undertaken in Oklahoma by Beasley and Stoltenberg (1992) consisting of 35 men in non-battering relationships and 49 abusive men, supported Hamberger and Hastings' (1986) model when it showed that batterers scored higher than non-batterers on subscales of schizotypal, borderline, dependent, aggressive/sadistic, and narcissistic characteristics, than non-battering men. Abusers were also shown to experience greater anger than the non-abusive sample.

In 1994, Holtzworth-Munroe and Stuart identified three subtypes of batterers in a comprehensive review of 15 typologies of batterers identified at the time. Further work was undertaken in 2000 with the three sub-types being identified as family-only batterers, dysphoric or borderline batterers, and generally violent and antisocial batterers (Holtzworth-Munroe, Meehan, Herron, Rehman & Stuart, 2000). The latter type of batterer was most likely to have come to the attention of the police and to engage in violence ranging from moderate to severe within and outside of the family. Dysphoric or borderline batterers were similar in their levels of wife abuse, but did not behave violently outside of the family. Further characteristics identified in this group were a tendency towards jealousy and fear of rejection. Family-only batterers posed the least risk to partners and showed few, if any, indications of a psychological disorder. The study was pivotal in the field, and twenty three studies have since supported Holtzworth-Munroe et al.'s 1994 study (Bender & Roberts, 2007). Significant also is a later study by Herron and Holzworth-Munroe (2002) which showed that men who fell into the Dysphoric or borderline category were more at risk of child abuse than men in the other two categories.

In 2000 Holtzworth-Munroe et al. tested their original findings. The cross-sectional study was particularly relevant because it drew on the community for its participants and did not rely on the clinical samples often utilised in studies of this kind. The findings identified a fourth subtype which the researchers referred to as low-level antisocial situated between the family-only and generally violent and antisocial sub-groups

previously identified. Again, drawing on 95 of the 102 participants in their 2000 study, Holtzworth-Munroe et al. (2003) continued their research undertaking a longitudinal study which tested whether subgroups would differ over time. The research confirmed the prediction that violence was unlikely to escalate in the FO (family-only) sub-group and, in some cases, desisted altogether during the three year period of the study. However, where violence was of a higher level, men were more likely to continue their behaviour over time.

In contrast to Holtzworth-Munroe et al.'s (2003) findings, earlier research by Saunders (1992) suggested that violence may escalate over time and that what began as a relatively low level incident similar to the family-only subtype, could increase in severity as the abuser sought to extend his authority. Under this scenario, men would move on a continuum from a family-only subtype into one of the more severe sub-types identified. Their contention was supported by Johnson and Sacco (1995) in an analysis of the 1993 Canadian National Survey on violence against women in which, of the 19 percent of women who were assaulted post-separation by their partners, a third of the women reported that the violence had escalated.

However, when looking at psychological models of violence, it is important to take care not to label men's abuse as an illness thereby deflecting attention away from the victim and not holding men accountable. Indeed, as stated by Edin et al. (2008), violent men continue to function normally in their everyday lives at work and outside of the home and may even be well respected by colleagues and friends giving no hint as to their behaviour within the family. In Holtzworth-Munroe and Stuart's (1994) study, only 25 percent of men fell within the classification of psychopathology, confirming Gondolf's (1999) study which showed that most of the participants were below the threshold for a clinical disorder. Nevertheless, knowledge of typologies is important when identifying risk factors to women and children in order to enable the design of treatment programmes that will benefit men (Guille, 2004).

3.10.2 A Model of Power and Control

Feminist writers in the 1970s identified a root cause of intimate partner violence as a power imbalance grounded in an historical understanding of patriarchal privilege which legitimated violence against wives (Bograd, 1988; Dobash & Dobash, 1979; Smith, 1990). Among the earliest researchers, Dobash and Dobash (1979) describe violence as a form of coercive behaviour used by men to maintain dominance. In earlier studies abuse against a female partner initially focused exclusively on physical force, including, sexual assaults or use of a deadly weapon (Bograd, 1988). Breakthrough research in the United States by Pence and Paymar (1993) extended the definition to embody all of the practices utilised by men to maintain control over their female partner. In 1980, the Duluth Domestic Abuse intervention Project (DAIP) developed a model which would help to explain men's emotional and physical abuse. Two hundred victims of domestic violence participated in the project which resulted in the Power and Control Wheel now widely used internationally to illustrate the pattern of coercive tactics used. Violence identified was physical and sexual violence, coercion and threats, economic abuse, intimidation, emotional and psychological abuse, isolating the victim from family and friends, using children to relay messages and partake in the abuse, and male privilege (Pence & Paymar, 1993).

In 1993 Johnson and Campbell presented four types of abuse which they identified as ongoing or episodic battering by males, female initiated violence, interactive violence controlled by males, and violence engendered by separation. Johnson and Campbell (1993a) argue that violence against women does not have a singular cause, but arises from various sources and its trajectory may be family dependent. Three primary origins are identified including intrapsychic, interactional, and external. Intrapsychic is the initiator of violence, interactional is the governing expectations within a relationship, and external is the stressors within the situation.

However, in the contemporary climate it is Michael Johnson's work (1995, 2005, 2007, 2008) that is arguably the most influential. In 1995, Johnson identified two distinct models of violence which he termed common couple violence and patriarchal terrorism.

In the first model violence is of a minor nature, is often committed by both parties, and is not marked by the same dynamic of control. An incident can occur as a result of, for example, arguments over money or problems at work (Johnson, 2008). The second model identified as patriarchal terrorism is based on a power differential between couples and is of most concern to those working with abused women. The characteristics of this model are identified in the Power and Control Wheel, and it is the coercive intent that is of most significance. Stark (2007; 2012) refers to coercive practices as entrapping the victim in hostage like conditions by curtailing her autonomy, freedom and liberty, perpetrating a crime against her human rights. At the same time violence does not always have to be physical, and fear of the abuser is often enough to ensure compliance (Johnston & Leone, 2005).

While there continues to be disagreement in the field with respect to the two typologies, Johnson (2008) argues that patriarchal terrorism and common couple violence come from two different theoretical paradigms. Patriarchal terrorism is founded within feminist theory which views violence as a means of control based on patriarchal tradition. In contrast, common couple violence is linked to family violence theory which views violence as resulting in conflicts within the relationship which are not perpetrated to maintain dominance. Even so, Johnson (2008) concedes that common couple violence can occur regularly and lead to life-threatening or lethal behaviour.

In his later work Johnson (2008) changes the terminology to intimate partner terrorism and situational couple violence, and adds two further typologies which he refers to as violent resistance and mutual violent control. In the former, the victim resists the violence in an attempt to protect herself from the attack, while mutual violent control can be understood as perpetration of violence by both partners as a mechanism of control (Johnson, 2008).

Although Johnson's (1995, 2005, 2007, 2008) work has been extremely influential, it is not without controversy. In a recent study Meier (2015) argues that Johnson's theory may be flawed and that situational couple violence may be just as dangerous as the coercive violence model. Troubling for Meir (2015) is that there has been reluctance

within legal discourse to accept violence as a pattern of domination, with a preference to accept Johnson's argument that situational couple violence is the most prevalent. Consequently, this has resulted in significant problems for mothers in custody evaluations Meier, 2015).

The acceptance of Johnson's theory is based on his 2008 contention that it is empirically proven, which Meier (2015) states, is not the case. While not denying that Johnson has made a significant contribution by differentiating the characteristics, she argues that Johnson has used multiple datasets and studies by other researchers to measure the prevalence of coercive control, which Johnson (2008) himself admits can be a disadvantage. Meier (2015) argues that Johnson's evidence is flawed because the focus in the datasets used was not on violence as a form of control, but on other criteria. At the same time, while research has shown that setting a lower threshold to differentiate between levels of high and low control is most effective, in his analysis Johnson uses an overly high threshold which may skew the results and may not be an accurate reflection.

A recent New Zealand study by Gulliver and Fanslow (2015) which tested Johnson's typologies, support's the need for caution when using typologies in judicial decision-making. Interviews were carried out with a population based sample of 2855 women aged 18 to 64 years with 2674 women identifying as having been in an intimate relationship with a male partner. The study looked at women's experiences of physical and sexual violence, emotional abuse, controlling behaviour, quarrelling, and reciprocity.

The findings showed that the classes identified did not match Johnson's typologies because there was an overlap between various forms of abuse. For example, where violence was perpetrated, this did not happen in isolation from other patterns of control. Additional findings showed that whereas Johnson (2008) has argued that in situational couple violence, an attack is triggered by relationship issues, this was not the case. Indeed, 18 percent of the participants stated that there had been no apparent reason for the abuse. In 32 percent of cases the perpetrator had been drunk and for 13 percent of the women, attacks had been triggered by jealousy. The study also found that in the majority of cases women did not fight back when violence was used against them. It was

concluded that the findings did not fit the typologies as outlined by Johnson because the classes identified were not mutually exclusive and that there was still considerable work to be done (Gulliver & Fanslow, 2015).

Stark (2012) raises a particularly critical issue in regards to how violence is perceived judicially and in policy when he states that by understanding violence in terms of a violence model of assaults and threats, current interventions are ineffective in providing protection for women and children. Indeed, it is the coercive tactics utilised to dominate the victim, including isolation, degradation, and exploitation, regardless of any physical violence that may occur, which are problematic and are equally as devastating. In line with Gulliver & Fanslow's (2015) findings, Stark (2012) states that it is only in a minority of cases that violence is a singular factor, and that in the majority of cases multiple tactics come into play. In contrast to Johnson's (2008) descriptor of intimate terrorism, Stark (2012) prefers the term coercive control as a more apt term, in emphasising the seriousness of the subjugation imposed.

Recently in some jurisdictions an acknowledgement has been made that psychological and emotional abuse is just as fear inducing as a physical attack and behaviours such as stalking, or curtailing a partner's freedom can be predictors of a future severe assault, or lethality (Stark, 2012). Stark (2012) contends that by relying on the violence model, courts and policy makers overlook the potential consequences, and interventions taken may be inadequate to prevent future harm. At the same time, while in some cases physical violence may appear to be of a lesser form resulting in a non-injurious outcome, when taken within an overall context the pattern and the duration of the assaults may indicate behaviour which is extremely harmful.

In New Zealand our record of violence against women is of a high level with research indicating that 55 percent of ever-partnered women have experienced intimate partner violence in their lifetime and 33 percent of women have experienced multiple forms of abuse (Fanslow & Robinson, 2011). Further evidence of abuse is indicated in police and court files with records showing that in 2014/15 of the 5,264 applications for Protection Orders, 89 percent of these were made by women (New Zealand Family Violence Clearing

House, 2016). The gendered nature of violence in New Zealand has its origins in a history of patriarchal privilege dating back to the colonisation of New Zealand by the British in the nineteenth century. Early New Zealand society was male dominated with very few women settlers. From the beginning, women's roles were outlined as inferior to men's, mirroring attitudes prevalent at the time in Britain. Adams (2012) contends that it was from these early beginnings that a language of disrespect in relation to how women are perceived, and how men relate to women, was fostered. It was a man's world where mate-ships often provided the only social interaction and a sense of masculine identity, and emotions were strictly curtailed for fear of being thought of as effeminate (Adams, 2012; Pringle, 2004). Likewise, drinking and sport went hand in hand and became an integral part of masculine culture, coupled with elements of sexism and homophobia (Pringle, 2004). Adams' (2012) draws on his experience as a psychologist and researcher on domestic violence to demonstrate the embeddedness of a mind-set which continues to shape some New Zealand men's views today. Within this mind-set, women are subordinate, justifying men's tactics of control, including the use of violence. An intimate relationship therefore gives men proprietorial rights over a woman's body which, if violated or challenged, for example by leaving the relationship, can result in an escalation of violence or, in some cases, lead to death (Adams, 2012; Websdale, 2010; Wilson & Daly, 1996).

3.11 Conclusion

Changes in understanding of the post-separation family have resulted in new challenges for mothers and children. Previously violence was not taken into consideration when parenting arrangements were made and violence between partners was considered to be a relationship issue (Benton, 1998; Jaffe et al., 2003). In situations where violence was considered, this did not include psychological abuse and it was only physical violence that was focused on (Jaffe, et al., 2003). Nonetheless, in most cases following separation children remained in their mother's care thus providing some respite and an opportunity to heal from any trauma they may have experienced (Pollard, 1999).

In the current climate of shared care, a father's presence is now considered pivotal for the wellbeing of the child (Kaganas & Day Schlater, 2004; Rhoades, 2002). However, an extensive literature shows the detrimental effects on children who have been exposed to violence (Kitzmann et al., 2003; Sternberg et al., 2006; Wolfe et al., 2003) and the risks of co-occurrence of abuse (Appel & Holden, 1998; Fantuzzo & Mohr, 1999; Ross, 1996). Nevertheless, within the courts the potential consequences are frequently over-looked because the benefits of contact are considered to outweigh any risks (Harne, 2011).

Interestingly, while the positions of fathers as carers has been elevated within the familial setting, to date there is little information on fathering practices or the parenting ability of partner-abusive men. Research that has been undertaken has suggested a propensity by abusers to be less than diligent in their care, to anger more quickly, and to practice an authoritarian style of parenting (Bancroft et al., 2012). Attitudes towards former partners have also been shown to influence a father's capacity to parent effectively with some batterers deliberately undermining mothers' ability to parent, as well as attempting to damage the mother/child bond (Bancroft et al., 2012).

As previously stated, a more recent development has been the recognition of children as knowledgeable agents in their own right. Research undertaken with children has thrown light on children's experiences of violence, and provided valuable insight into the impact of violence on children's lives. As Houghton (2008) states, "Listening to children themselves renders previous constructions of children's experiences of living with violence obsolete" (p. 1). The flow-on effects for children are numerous, including disruption to friendships and schooling, losing their home and possessions, and financial hardship as mother's financial resources become limited (Mathias, Merton & Murray, 1995). Children may also be caught in the cross-fire as they become a link between the abuser and his former partner.

Finally, in examining violence, feminist theory provides us with a framework in which to understand the coercive nature of abuse and how structural inequalities have marginalised women. While Johnson's (2008) typologies of abuse have gained salience within legal discourse, Meier's (2015) critique of Johnson's conclusions illustrates the

damaging effects of how knowledge can be utilised without adherence to its accuracy. Indeed, as Gulliver and Fanslow (2015) state, a great deal more research needs to be done to fully understand the dynamics of intimate partner violence.

Chapter 4 Conceptual Framework

4.1 Introduction: Problem Identification

This study takes a feminist approach to examine young people's post-separation experiences of living with their father when their father has been violent to their mother. The approach is informed by scholarship on family issues, childhood studies, and the sociology of the child, drawing particularly on the work of Leena Alanen, Chris Jenks, and the scholarship of Carol Smart. Section one examines shifts in our understanding of family and the politics of custody post-divorce. Section two discusses the changing role of children and their evolution from projects to be socialised to creative moral agents in their own right.

4.2 Family and Children

From its revival in the late sixties, feminist scholars identified the family as a site of oppression and sought to document and understand conditions that denied a voice to the marginalised (Delphy & Leonard, 1992). Feminists drew on liberal, social, and political theory and the writings of Karl Marx who associated oppression with class and its relationship to capitalist economic relations (Tong, 1992; Jackson, 1998; 2002; Delphy & Leonard, 1992). It was contended that the on-set of capitalism created public and private space under a gendered hierarchy which effectively silenced the voice of women in the context of heteronormative domesticity (Tong, 1992). Indeed, it was the advent of new technologies in the mid-18th century that fused families under the capitalist system, and was the starting point of a distinct gendered hierarchy. Likewise, children's status within the family also changed when children's labour was no longer required in the workplace and education became mandatory (Hartmann, 1981).

In contemporary social theory earlier feminist theory has lost some of its authority and has become highly contested (Jackson, 1998; Jackson, 2001). There has been a new turn within post-modernism and post-structuralism to abandon earlier explanations in favour of, for example, discourse analysis, which Jackson (2001) describes as a shift from "things to words" (p. 12). The new theoretical orthodoxy has arguably resulted in a refocusing on subjectivity and representation at the neglect of labour market inequality, lived

experience, and domestic violence (Jackson, 1998). Consequently, advocates who have repositioned themselves as post-structuralist or, more precisely as post-feminist, have been dismissive of work undertaken by feminists who have remained faithful to the older traditions (Jackson, 1998). However, Jackson (1998) cautions of the risks in dismissing the social structures and material conditions and in failing to consider the systems of power that continue to operate in society and our social institutions.

Feminism today has nevertheless evolved from the grand theory of earlier feminism to a mid-range theory which is mindful not to reduce everything social and cultural to capitalist economic relations (Jackson, 2001). As Jackson states (2001), "Marx did not conceive the economic as an abstract system with its own internal laws, but as a realm of social relations, constructed through social activity" (p. 284). Jackson (2001) is not alone in arguing that there is value in not abandoning previous traditions. Hunnicutt (2009) contends that while gains have been made, this does not discount the differences in power between men and women.

4.2.1 Family Stability

During the early stages of capitalism, male entitlement over the family was legitimised under the law and women and children were designated as the property of their husbands and fathers. As such, women had no legal standing over their property or guardianship rights to their children should they divorce (Harne, 2002, 2011; Taylor, 1998). Under the 'father rule', children also had to acquiesce to their father's wishes and had no influence in decision making until the age of majority at 21 (Davidoff, Doolittle, Fink & Holden, 1999). In other words, a hierarchy which privileged fathers' positions as head of the family was institutionalised through marriage (Davidoff et al., 1999) which, as Brown (2011) states, was a fundamental model of social order in ensuring compliance.

Post-World War Two, the ideology of the 'nuclear family' became a measure of the traditional family and was supported by the family wage (Baker, 2001). The family wage illustrated a societal emphasis on heterosexual marriage and the assumption that women

would undertake caregiving work in the home while husbands earned enough money to financially support their family (Baker & Tippin, 1999).[31]

Family stability was also central within policy thus creating difficulties for couples wanting to leave an unhappy relationship. Divorce was problematic because the process was adversarial and required the applicant to establish that a matrimonial fault such as adultery or sodomy had been committed by the other party (Baker 2001; Lloyd 1978). In the advent of divorce, granting guardianship to mothers was based on moral principles, and if she erred in anyway, children were placed under the care of their fathers (Austin, 1994). The Tender Years Doctrine which was institutionalised under the law emphasised the necessity of a mother's care for very young children and provided some protection where abuse had occurred. The arrangement became a standard practice with mothers retaining primary care and fathers having weekend visitation, a practice that continues for the most part today (Boshier, cited Barton, 2006; Kaspiew et al, 2012; Nielsen, 2011). In 1980 a change to the divorce laws made irreconcilable differences the sole grounds for divorce,[32] thus liberating many people in unhappy relationships from their matrimonial bonds. Nonetheless, there continued to be an emphasis on the preservation of the family and every opportunity was to be taken to bring about reconciliation. For example, in situations where women applied for a separation order, mandatory counselling was a requirement upon application for an order (Tapp & Taylor 2002).[33]

4.2.2 Behind Closed Doors

Violence was also not a consideration with little redress under the law. Any interference by the courts was regarded as undermining male authority in what was understood to be a private matter between a husband and wife (Yule, 1996). In the 1970s extensive campaigning by feminists and women's advocates succeeded in placing abuse at the forefront of public debate. However, while new legislation provided greater protection for women, the system remained entrenched in patriarchal values and traditions, and women's experiences were frequently disregarded by both the police and the courts

---

[31] The family wage was enshrined in New Zealand law in 1935 (Baker & Tippin, 1999).
[32] The Family Proceedings Act 1980.
[33] Counselling could be waived at the discretion of the judge if he/she felt it was inappropriate.

(Bush, Robertson & Lapsley, 1992).[34] Hence, while the tenure of the law may have changed, this did not alter deeply embedded understandings that went to the heart of male privilege and practices.

At the same time, the risk of domestic violence to children continued to be treated as a separate issue when parenting arrangements were arranged (Jaffe et al., 2003). It was not until the murder suicide of the Bristol children by their father in 1994 that changes to the law were made and the Domestic Violence Act 1995, replaced previous legislation (Benton, 1998). (Refer Chapter 2 for full discussion). In practice the benefits the Act bestowed have not always lived up to the Acts potential, and have been undermined by a parallel view that father contact is necessary regardless of any violence that may have occurred (Elizabeth et al., 2010; Harne, 2011; Robertson et al., 2007; Tolmie et al., 2009; 2010).

4.2.3 The Politics of Custody

Changes to the divorce laws reflected a societal shift in regards to parenting arrangements with a new focus on parental responsibility (Smart, 2000). Where previously step fathers assumed the role of the father when mothers remarried, the biological father was now perceived as pivotal for children's wellbeing following separation (Harne, 2011; Smart & Neale, 1999; van Krieken, 2005).

It was no coincidence that the changes to post-separation parenting ran parallel to the liberalizing of laws around divorce. To fully understand, the shift in paradigm needs to be considered within a broader political context of challenges to familial norms (Boyd, 2000). Prior to the implementation of new policy there had been considerable concern, both in England and in New Zealand, on easing the laws around divorce because of the potential for an increase in couples separating and a break-down of family values (Baker & Tippin, 1999; Harne, 2011; McPherson, 1995). The introduction in New Zealand of the Domestic Purposes Benefit in 1973 saw a rise in the number of sole mothers who had never

---

[34] 1982 Domestic Protection Act. This was replaced by the 1995 Domestic Violence Act in 1996.

married as well as a sharp increase in divorce, placing increased fiscal responsibilities on the government (Baker 2008; Kedgley, 1996).

The increase in divorce and the number of sole mother households (Baker, 2008; Kedgley, 1996) resulted in a backlash with research on children indicating the consequences for children of growing up without a father (Wallerstein & Kelly, 1980). The outcome, as argued by Smart, Neale and Wade (2001) was that a 'narrative of harm' to children became a powerful rhetoric for furthering particular political interests and the role of fathers, post-divorce.

Interestingly, it was those findings that supported an agenda for change that were adopted, even though there was no consensus that contact was necessary for wellbeing, but was one of a number of factors associated with positive outcomes (Smart et al., 2001). Nonetheless, a simplistic approach was taken which supported a universal assumption of father contact which, in so doing, failed to take into consideration evidence of the harm to children who were privy to domestic violence or the risks to women of shared care.

A second, although not a primary instigator to change, was rights claims made by fathers and a call for equality between the genders (Smart et al., 2001). As Smart (1989) in her earlier worked observed, a calculus of equality failed to take into consideration the reality of women's caregiving which varied greatly from men's. Moreover, granting equal rights to fathers when they were not the primary caregivers expanded men's power over women (Smart, 1989). Nonetheless, by the mid-1980s divorce was viewed as an injustice to fathers, despite women being the most likely casualties due to financial hardship (Eekelaar & MacLean, 1986).

Following the discontinuation of spousal maintenance and introduction of child support, the focus changed once again from a rhetoric of injustice to a focus on shared parenting. "Joint custody became a panacea for a range of problems it was presumed were experienced by fathers and children" with the underlying subtext that linked fathers to the welfare of the child (Smart & Neale., 1999, p.224). Questions as to intent have been

raised and it has been argued that men's intentions are not about caring responsibilities but about seeking control, which has resulted in a return to patriarchal dominance over the family post-divorce (Bourque, 1995; Delorey, 1989).

4.2.4 Codifying Fathering under the Care of Children Act 2004

In parallel to policy changes in Britain, the Care of Children Act 2004 which came into force in 2006 has increased the rights of fathers regardless of a history of domicile or an ongoing relationship with the mother (Boshier, 2012; von Dadelszen, 2007). In other words, biology has become a determining factor over parental rights taking preference over suitability. Similar to Britain, the changes have taken place at a time when neo-liberalism has replaced welfarism, and emphasises individual responsibility, and budget tightening by Government. The policy in effect is an attempt at restabilising the family by reinforcing parental responsibility while, at the same time, securing fathers' financial support and commitment to their children (Smart & Neale, 1999). The new parenting law codifies these intentions by decreasing State intervention and encouraging parents to negotiate their own agreement without the necessity of the court. The premise is that removing a winner/loser dichotomy will lessen tension thus allowing for children's needs to come first (Smart & Neale, 1999; von Dadelszen, 2007). This does not however, take into account that where violence has occurred, the intended outcome is unlikely because of an imbalance of power between the negotiating parties.

4.2.5 The Good Father/Selfish Mother

A consequence of the changes has resulted in the social value and standing of fathering being elevated over and above the importance of mothering (Harne, 2011). Moreover, as Harne (2011) states, while "fathers can act or take on the role of mothers, particularly in terms of childcare and nurturing, it is never considered that mothers can take on the role of fathering since motherhood is not accorded the same social status" (p. 6). Accordingly, under the new parenting orthodoxy, women's position in relation to children no longer exists and has lost validity in favour of the voice of the father (Smart, 1995).

An idealised version of fathers as nurturers has been promoted within public discourse supporting the contention that fathers are more than economic providers (Smart, 1989). Mothers are thus viewed as gatekeepers misusing their maternal power to prevent father's involvement with their children, both in the home, and in the post-separation environment (Harne, 2011; Elizabeth et al., 2010). This has created numerous difficulties for mothers when they try to negotiate safe arrangements for their children after leaving a violent partner (Elizabeth, et al., 2010; Harrison, 2008; Rhoades, 2002). When mothers raise issues of safety they risk being branded as hostile and trying to prevent contact (Rhoades, 2002). Elizabeth et al. (2010) states that "the image of resident mothers as hostile remains a powerful interpretive lens in shaping how family law professionals respond to mothers and fathers in custody disputes, as well as media representations of these disputes" (p. 255). The result has been detrimental for children, with safety issues often being side-lined by legal professionals and the courts to ensure ongoing contact with the father (Harrison, 2008; Pond & Morgan, 2005; Robertson, et al., 2007; Tolmie, et al., 2010).

4.3 The Changing Role of Children: A Paradigm Shift

Children's positions within the family have altered dramatically from their earlier role as workers in agrarian and industrial society, to subjects requiring care and protection within a discourse on welfare which took hold from the late 19th century (Baker, 2001). Recently it has been argued, that there is a parallel between children's position as a minority social group similar to the subordinate position of women identified by feminists in the 1970s (Alanen, 2005). Alanen (2005) contends that whereas knowledge of women's lives was viewed through a male lens, children are framed through the lens of adults (Alanen, 2005). Hence, she argues, that just as feminists sought to understand issues that concerned women, there is a need to be as reverent in our approach when studying the lives of children.

Prior to the 1980's children were invisible within the social sciences and appeared as appendages or as a 'pseudo inclusion' related to adult life (Alanen, 2005). Such an omission was based on a view that childhood was a progression on a continuum towards

adult competency (Alanen, 2005). Interest in children lay not in children's own functioning and actions, but in ensuring that they became socialised into productive citizens who would contribute to civil life (Fattore & Turnbull, 2005). Hence, because children were viewed from a point of deficit, that is, not yet fully social, they were considered to be outside the domain of sociological thought (Alanen, 2005).

In acknowledging children's status, children are now recognised as rights holders through the United Nations Convention on the Rights of the Child, and are entitled to a voice in matters that affect their lives. As a signatory to the Convention children's rights have been incorporated into New Zealand Family legislation.[35] [36] Research has shown that a right to be consulted does not necessarily translate into practice within legal or family discourse, with children's competency acting as a barrier to consultation (Boshier, 2005b; Cashmore & Parkinson, 2009; Dunn & Deater-Deckard, 2001; Pond & Morgan, 2008). Following a recent colloquium[37] on listening to children an argument has been made that New Zealand has not yet fully embraced the practice of listening to children and taken their views into account. It was argued that New Zealand's response has been inadequate in meeting its obligations under the Convention (Cleland, 2013). Cleland (2013) suggests that this may be because of a lack of recognition that children's fundamental constitutional rights "are as important as those of adult citizens or adult parties to proceedings" (p. 487).

4.3.1 Childhood: An Historical Overview

Childhood is a social phenomenon and varies from one historical epoch to another (Shamgar-Handelman, 1994). Previously, four models of childhood prevailed. The first model emanating from Puritan Europe viewed the child as inherently evil thus requiring strict parental discipline to curtail a state of inherent sin. A second perspective was of the

---

[35] The Care of Children Act 2004.

[36] A drawback identified is that the Convention provides no guidance as to how the various principles should be applied and contradictions exist between some of the principles outlined (Atwool, 2001; Kelly & Mullender, 2000; Smart, 2000). To illustrate, Article three of the Convention states that the child's best interests are to be the primary consideration while juxtaposed against Article nine which emphasises the right to remain in contact with both parents. The result is a failure to consider that in cases where violence has occurred, there may be a need to regard each parent differently (Kelly & Mullender, 2000).

[37] The Colloquium "Listening to Children's Voices" was held at the University of Auckland on 25 March 2013.

child as a little 'savage' who, although not sinful as such, was by nature wild and undisciplined (Jenks, 2005). This was later replaced by the contrasting view of children during the Enlightenment as being naturally good and innocent. Rousseau (cited Jenks, 2005) maintained that children needed protection rather than punishment to ensure that the intrinsic values which children possessed would flourish. Within this view, childhood was seen as a natural phenomenon rather than a social condition.

The final model was the embryonic child linking children's development to their psychological growth, and fostered within developmental psychology. Jean Piaget's (1978) studies on the development of thought viewed intellectual growth as a series of stages from 'sensory-motor' intelligence succeeding birth, through to the level of 'formal operations' in early adolescence. The stages progressed on a continuum until the child became a fully operational adult (Kellett, Robinson & Burr, 2004; Jenks, 2005). The embryonic child by definition was a marginal being of inferior status within an adult/child binary, lacking the capacity for rational thought or independent action without direction (Prout & James, 1997). However, although Piaget's theory has been particularly influential, it failed to take into account that children develop at different rates and cannot be viewed as homogenous. By defining children's competence based on a progression through cognitive stages, Piaget ignored other mitigating factors such as the social context in which children live (Alderson, 1992).

4.3.2 Children as Social Agents

Following what Alanen (2005) calls a "corrective refocusing of research" talking directly to children themselves, a new understanding of childhood now acknowledges that children are active social agents in their own right (p. 32). The shift in paradigm has important implications because it has opened up the debate on "where the boundaries between adulthood and childhood should be drawn" (Smart et al., 2001, p. 2). The point is a pertinent one when considering Rose's (1989) contention that childhood is one of the most strictly controlled periods within personal life. Indeed, while relationships between children and adults may have become more fluid, researchers have uncovered the

generational[38] marginalisation and oppression of children in various settings, including the institutions of school and family life (Ennew, 1994; Jenks, 2005). Cloistered within these domains children are bounded by both temporal and spatial parameters as defined under the law, policed by discipline, and legitimised through ideologies of "care, protection, and privacy" (Jenks, 2005, p. 74). The relationship between temporal and spatial constraints is best illustrated by Foucault's theory of the 'anatomy of power' (Foucault, 1977) and the seismic shift from public punishment to a system of surveillance. Hence, space becomes a form of social control through 'regimes of discipline' and children's bodies are regulated through processes of learning and development. Time becomes an organising principle with agendas arranged for attending school and partaking in leisure and family activities (Jenks, 2005). Ennew (1994), in fact, regards such restrictions negatively referring to the exclusion of children from adult space as the 'ghettoisation' of children by adults, based on the premise that it is in children's best interests.

4.3.3 The Imbalance of Power between Adults and Children

Ennew's (1994) contention that children are not consulted emphasises children's powerlessness, and sociologists have now begun to examine relationships of power that operate within an adult/child binary (Mayall, 2002). As Jenks (2005) states, an acknowledgement that children are no longer adults in becoming has presented a new set of challenges in child/adult relationships. Indeed, while children are recognised as having agency and as able narrators of their experiences they continue to be constrained by concepts such as 'maturation' and competency (Cashmore & Parkinson, 2009; Coyle, 2006; Robinson, 2010) and are often forced to do things based on an adult perspective of what is right (Shamgar-Handelman, 1994). This is particularly evidenced at times of crisis, for example parental separation, when adult authority is juxtaposed alongside the 'new' social child and their right to a voice.

Evidence has shown that parents rarely consult with their children, and decisions are made on their behalf (Gollop, Smith, & Taylor, 2000). Likewise, when children are

---

[38] "Generation/s is widely used in the everyday world to make sense of differences between age groupings in society and to locate individual selves and other persons within historical time" (Pilcher, 1994, 481).

appointed a lawyer by the courts, research has demonstrated that counsel for the child may be less than diligent in their representation (New Zealand Law Commission, 2003; Taylor, et al., 2000) and there is no guarantee that lawyers will have any understanding of children's lives (Cleland, 2013; Pond & Morgan, 2008; Robinson, 2010). Unfortunately, unlike adults, children have no power to terminate the arrangement (Cashmore & Parkinson, 2009; Robinson, 2010). Age has also been shown to be a barrier when children's wishes are heard by the courts (Henaghan, 2008; Robinson, 2010). In cases where children do not want to see their fathers[39] or where they want to reduce contact, evidence has shown that in some instances children's competency may be challenged and their views attributed to those of their mother (Hart, 2010; Henaghan, 2008). Alternately children are viewed as problematic when they do not acquiesce to adult authority and the direction of the court (Hart, 2010). However by using competency and maturity as a barrier to acknowledging the legitimacy of children's views, this reinforces long held myths about childhood (John, 2003).

Taylor et al. (2001) state that children's competence is far greater than one might expect and will be enhanced through reciprocal communication with adults. Listening to children also affords children respect as contributing and valued members of their family. All the same, because an abusive relationship is motivated by the perpetrators need for control, it is unlikely that children will be afforded a say where there is a history of domestic violence (Bancroft et al., 2012). Indeed, an abuser's sense of entitlement is not limited to his intimate relationship but also extends to his children and there is an expectation that his wishes will be adhered to without question (Bancroft & Silverman, 2002; Bancroft et al., 2012).

4.5 Conclusion

In similar vein to women's oppression within the family identified by feminists, children are likewise marginalised. Children's position is constrained by law which is guided by the understanding that family are the most suited to ensure the best interests of the child

---

[39] I realise that this may also apply to mothers but, for the purpose of this thesis, I am focusing on children's experiences with violent fathers.

(Reppucci & Crosby, 1993). This is based on an assumption that parents will act in their child's best interests and that parents are capable of making well informed decisions of benefit to the child (Reppucci & Crosby, 1993). However, while changes in parenting law reflects a societal shift, the emphasis on father involvement since the 1980s has not been altogether accurate in its claim that it is solely for the benefit of children, and has been driven by a conservative political agenda that supports a traditional model of family life (Harne, 2002, 2011; Smart, 1989; 2001). Consequently, there continues to be unresolved issues around contact arrangements for children where domestic violence has occurred. Indeed, as Harne (2011) points out, regardless of any progress that has been made, fatherhood continues to be constructed through hegemonic discourses of masculinity, and remains a privileged masculine social status and social identity.[40]

---

[40] Hegemonic masculinity is linked firstly to Gramsci's concept of power and how the dominant group maintains its control within the social order (Donaldson, 1993). Within a gender perspective, men have historically held a superior status to women, including rights within marriage over a wife's body. The concept was first raised in the 1980s by Connell as part of a burgeoning dialogue on masculinity within gender studies and the developing interest in the social nature of masculine identity and the male sex role. The term came to represent the way a particular group of men relate to their gender identity which allows ongoing dominance over women (Connell & Messerschmidt, 2005). While there has been much criticism levelled against the concept, in his later work Connell concedes that a reformulation of the concept would be of benefit, including an acknowledgement of the agency of women (Connell & Messerschmidt, 2005).

Chapter 5 Methodology: A Journey of Discovery

5.1 Introduction

The changes in family law that have occurred over the past four decades have brought into sharp relief the on-going struggle for the rights of the less powerful. This is particularly evident when examining custody and post-separation arrangements for children where there has been intimate partner violence against the mother.

In this chapter, I discuss the philosophical, methodological and planning considerations that guided my investigation. The chapter is divided into four parts. Part one describes the purpose of my research and gives a detailed account of supporting evidence for my topic. In part two, I discuss the philosophical and methodological perspectives that directed this study. In part three, I examine my chosen method and explain why a qualitative research approach was necessary to gain an in-depth knowledge of the topic. To conclude, I outline my research trajectory and the ethical issues that needed to be considered prior to commencement of the project.

5.2 Problem Identification

Crotty (1998) reminds us that how we view the world will be dependent on the social milieu in which we reside. The contention is well illustrated in the changing landscape of parenting and its evolutionary course since the early 20th century. Prior to the 1990s violence against women was treated as a separate issue when parenting arrangements were made (Jaffe et al., 2003). Nonetheless, children were afforded some protection under the mother principle and 'rules of thumb' that guided the courts in their decision-making (Pollard, 1999). Indeed, Smart (1997) contends that from the 1920s to the 1960s fathers' rights were further weakened because parenting was based on the 'tender year's doctrine' which viewed mothers as being central to children's lives. The doctrine was reaffirmed by the work of John Bowlby (1952) who argued that it was essential for children's development to have a "warm, intimate and continuous relationship" with their mother" (p. 11). Bowlby (1952) further argued that maternal deprivation could

result in behavioural and psychological difficulties for children. Consequently, when parents' separated, mothers continued as the primary caregiver unless their suitability to do so was proved otherwise (Pollard, 1999).

Under the Guardianship Act 1968, parents were acknowledged as having equal standing under the law and although one parent might be awarded custody both parents had equal standing on important matters affecting their child (Pollard, 1999). Johnston (1982) suggests while there was a potential for problems to arise the reason that it worked so well in New Zealand was because non-custodial parents tended not to interfere, and continued to leave the decision-making up to mothers.

However, in 1980, a paradigm shift occurred, with the introduction of no fault divorce (Tapp & Taylor, 2002), and the amendment to the Guardianship Act 1968 which stated that the gender of the parent was no longer to be a consideration when parenting arrangements were made (Benton, 1999). Similar to other Western jurisdictions under the new orthodoxy, the focus moved away from the primacy of the mother to joint parental responsibility and co-operation with a preference for shared parenting (Smart, 1997). As Brophy (1989) explains, the underlying philosophy was that when parents were made aware of their responsibilities, they would work together and by removing the connotation of winners and losers, this would reduce conflict. The changes were further reinforced by a burgeoning body of literature within sociology and psychology on fatherhood and the effects of father deprivation (Harne, 2011) together with political activism by fathers groups who argued that they had previously been disadvantaged (New Zealand Law Commission, 2003).

The outcome in the contemporary climate has been a new emphasis on the importance of fathers, and an understanding that father involvement is pivotal to children's lives. However, the transition has not always been advantageous for children in cases where there is intimate partner violence, with the negative effects of violence on children frequently being ignored (Busch & Robertson, 2000; Elizabeth et al., 2012; Harrison, 2008; Rhoades, 2002; Robertson et al., 2007; Tolmie et al., 2010). Difficulties also arise for mothers when they try to negotiate safe arrangements for their children, with mothers

often being viewed as implacably hostile and attempting to prevent fathers from having contact (Rhoades, 2002).

Of equal importance is that within the reformulation of the post-divorce family there continues to be a dearth of information on the parenting practices of partner-abusive men, or of children's experiences of post-separation fathering. Knowledge to date suggests that there is a propensity for some batterers to be neglectful and inconsistent in their care, showing little interest in the more mundane duties involved in parenting (Bancroft & Silverman, 2002). Further evidence suggests that men who have been abusive to their partners are also more punitive, anger more quickly and punish their children more frequently (Appel & Holden, 1998).

5.3 Research Purpose

In this study I examined young people's experiences of living with their father following parental separation where their father has been violent to their mother. The aim of my research was to ascertain the merits of fathers' involvement where there had been intimate partner violence or whether limited or no contact would be preferable in some circumstances. To date there is little knowledge of children's post-separation experiences of fathering or of the parenting abilities of partner-abusive men. The research is timely because in recent years shared parenting has been accepted as the 'norm' within legal discourse and, as stated above, has replaced the previous practice of 'maternal' preference which was based on quality of care and nurturing as opposed to parental rights (Smart, 1989; Wallbank, 2007). In the contemporary climate there is now an expectation that, where possible parents will set aside their differences and place their children's needs first. However, this fails to take into consideration that where there is an imbalance of power in the parental relationship, co-operative parenting may be unlikely, which can have serious implications for children.

The present study takes a feminist approach and is informed by scholarship on family issues, childhood studies and the sociology of the child. The study examined young people's perspectives on how fathers interacted with their children when they were in

their father's care; whether children were safe from further abuse, either as witnesses or victims; the extent to which fathers were able to co-operate with their former partners to ensure the wellbeing of the child; and whether children were afforded autonomy over allocated time and leisure activities as they grew older. An additional issue of importance for this study was whether there were any risks that needed to have been assessed when parenting arrangements were made, and the long-term outcomes of those risks as experienced by the research participants as young adults.

5.4 Research Paradigm

5.4.1 Ontology and Epistemology

The questions "what is reality?" and "how can we understand and make sense of the world?" refer to the ontological and epistemological perspectives that determine the direction of a study and the methodological approach that the researcher will adopt (Bryman, 2004; Crotty, 1998; Puig, Koro-Ljungberg & Echevarria-Doan, 2008). Furlong and Marsh (2010) provide an apt analogy when they state that the philosophical foundation of research is akin to "a skin not a sweater"; that is, it is not something that can be taken off.

Ontology focuses on the essence of existence and asks "is there a reality separate from what we know?" (Crotty, 1998; Furlong & Marsh, 2010; Grant & Giddings, 2002; Willis, 2007). Closely linked to ontology is epistemology, which poses the question, "how do we know what we know, and what counts as knowledge?" (Bryman, 2004; Crotty, 1998; Grant & Giddings, 2002; Willis, 2007). Epistemological perspectives fall into two schools of thought - foundationalism, often termed objectivism or realism, which purports that the world exists independently of knowledge, and anti- foundationalism/ constructivism/relativism which proposes that there is no objective truth. Consequently, reality is actively constructed and will be influenced by sociocultural and political processes and will vary between groups (Crotty, 1998; Furlong & Marsh, 2010). Crotty (1998) adds a third category, citing subjectivism which is related to structuralist, post-structuralist, and post-modernist thought. As Crotty (1998) explains, "In subjectivism,

meaning does not come out of an interplay between subject and object, but is imposed on the object by the subject" (p. 9).

Likewise, two competing positions have dominated social science research and remain at the forefront of debate among practitioners (Furlong & Marsh, 2010; Patton, 2002). From a positivist perspective, individuals are shaped by external forces and the world exists independently of knowledge (Furlong & Marsh, 2010; Patton, 2002). The approach can be linked to the work of earlier theorists such as Auguste Comte and Emile Durkheim whose scholarship gained prominence at a time when the scientific endeavour sought to make sense of the natural world (Grant & Giddings, 2002; Patton, 2002; Williamson, 2006). For positivists, a pivotal factor is the ability to be able to replicate the findings in similar settings (Denzin & Lincoln, 2000).

In contrast, interpretivism answered the need for a science which would be more conducive to understanding social phenomena (Bryman, 2004; Crotty, 1998; Schwandt, 1998). The emergence of interpretivism is synonymous with the work of Max Weber who foresaw the need to separate the social and physical sciences (Bryman, 2004; Crotty, 1998; Patton, 2002; Schwandt, 1998). Weber argued for a doctrine of *verstehen* (understanding) in which knowledge of individual experience became central to an understanding of social life (Bryman, 2004; Patton, 2002; Silverman, 2012). For social scientists influenced by a Weberian approach, the inquirer places themselves in another's shoes in order to gain a full appreciation of the phenomena (Patton, 2002). Central to a successful understanding of an individual's experience is the researcher's ability to be empathetic and reflective during the research process (Patton, 2002). Unlike positivist research, there is no emphasis on replication and the researcher acknowledges that the analysis will never be totally value free (Cresswell, 2007).

5.4.2 Theoretical Perspective

In undertaking research on young people's experiences of fathering, a constructivist approach was adopted because it recognises the uniqueness of individual knowledge as central to an understanding of social life (Cresswell 2007; Patton 2002). As Schwandt

(1998) states, a constructivist view acknowledges that as social actors, meaning will be created through participating in the everyday experiences of daily life. Constructivism comes under the interpretivist umbrella and is associated with Weber's notion of *verstehen* and the German tradition of hermeneutics.

Constructivism is often confused with constructionism, but there are clear distinctions between the two. Constructivism is associated with how a phenomenon is experienced through consciousness (Crotty, 1998). That is, 'reality' is not real in an absolute sense in that everyone's experiences will be different (Patton, 1998). Constructionism relates to the influence our culture has over us and facts have no meaning outside the value framework of the social milieu in which we reside (Patton, 1998). Reality is not subjective and cannot be isolated; rather, meaning is produced through interactions with others (Crotty, 1998).

5.5 Methodology

The methodology that guided this research was hermeneutic phenomenology which is sometimes referred to as interpretive phenomenology or interpretive hermeneutic phenomenology (Crist & Tanner, 2003; Lopez & Willis 2004; van Manen, 1997). Hermeneutic phenomenology has its foundation in the descriptive phenomenology of Husserl, the interpretive methodology of Heidegger, and the philosophical phenomenology of Gadamer (Giorgi & Giorgi, 2008). Hermeneutic phenomenology is discovery oriented, and aims to reach an understanding of the lived experience of human beings as they engage in daily life (Giorgi & Giorgi, 2008; van Manen, 1997). van Manen (1990) explains that hermeneutic phenomenology is not interested in whether something happened or how it occurred, but with the essence of the experience.

As a research approach, hermeneutic phenomenology is both dynamic and productive, requiring the active engagement of the researcher with the text (Eatough & Smith, 2008). The researcher begins with the selection of a topic of interest and an abiding desire to discover the truth (van Manen, 1997). Once the topic is selected, the process can be likened to a journey whereby the researcher knows the destination, but not what will be

encountered during the course of the exploration. Heidegger (1976) agrees, likening research to following a "wood path" towards a clearing where there are no signposts to guide the way.

van Manen (1997) cites six ways in which hermeneutic phenomenology is pursued:

1. "turning to a phenomenon which seriously interests researchers and commits researchers to the world;
2. investigating experience as we live it rather than as we conceptualise it;
3. reflecting on the essential themes which characterise the phenomenon;
4. describing the phenomenon through the art of writing and rewriting;
5. maintaining a strong and oriented pedagogical relation to the phenomenon;
6. balancing the research context by considering parts and whole" (p. 31).

As van Manen explains, the intention is to establish contact with original experience and render the "fullness or wholeness of life" (van Manen, 1997 p. 32). The approach is demanding, and requires an ability to develop a strong relationship with the question, if plausible insight is to be gained. Awakening to new ways of knowing comes about by *zuden sachen* or "turning to the things themselves" (Husserl 1911/1980 cited in van Manen, 1997, p. 31). This will require reflection and an eye for experiences beyond the ordinary taken for granted assumptions of life. Language is integral also as it is through shared language that it is possible to transcribe thought and speech into written form.

5.5.1 Techniques and Methods

Hermeneutic phenomenology is now widely accepted as a broad framework for understanding definitions of a text within many academic disciplines (Crist & Tanner, 2003; Dowling, 2004; Tuohy, Cooney, Dowling, Murphy & Sixmith, 2013). Within contemporary usage, hermeneutic phenomenology is no longer confined to the written narrative, but includes economic and social structures, organisational practices, and social relics which are recognised as meaningful sites of interaction and negotiation (Ricoeur, 1975). There are two processes intrinsic to hermeneutic phenomenological

analysis - the hermeneutic circle and holding the phenomenon under investigation at bay (bracketing).

5.5.1.1 The Hermeneutic Circle

The hermeneutic circle can be understood as an interpretive procedure utilised to provide clarity to the participants' narratives as related to the researcher. The analysis begins from a particular standpoint or situational context (Patton, 1998). Interpretation of meaning is characterised by an iterative approach with the parts of the text being related back to the whole, through a back and forth process (Laverly, 2003). Following a preliminary reading of the narrative, further readings take place and individual parts are interpreted until integration between the parts and the whole can finally take place (Cole & Avison, 2007). As Heidegger (1976) states, the aim is not to seek out new knowledge, but to increase our understanding at a deeper level of what is already known.

5.5.1.2 Bracketing

Prior to commencement, the researcher suspends all pre-suppositions about the project to ensure the reliability of the data. This is achieved through a process of bracketing to filter out pre-judgments about the phenomenon under investigation and is associated with the philosophy of Husserl. However, there continues to be some debate among researchers as to the appropriateness of the practice when adopting a hermeneutic phenomenological approach. McConnell-Henry, Chapman, and Francis (2009), for example, argue that the practice is incongruous with the inquiry because the researcher relies on foreknowledge when undertaking an interpretation, and there is a conscious connection between the researcher and participant. That being said, while Finlay (2008) agrees that in its purest Husserlian form, bracketing could be considered incompatible with hermeneutic phenomenology, he argues that we should accept that recognising our own biases allows for new meanings to evolve. Ricoeur (1975) agrees, stating that from the outset, the researcher must acknowledge their own bias and suspend all pre-suppositions to enable viewing the text with fresh eyes. Ricoeur (1975) refers to this as emancipating the text to allow for multiple new readings to be identified.

Although it is not totally possible to block out all presuppositions, every attempt was made in this study to bracket out foreknowledge and to look at participants' accounts in a new light. This was aided by acknowledging that individual experiences are unique to the narrators themselves.

5.6 Method

The benefit of using the qualitative method as selected for this study was that it was ideal for disentangling complex issues (Bryman, 2004). The qualitative researcher adopts many guises from being an active listener, historian, social commentator, collaborator, voyeur, bricoleur, narrator, and analyst, and rejects the idea that the world exists independently of knowledge (Furlong & Marsh, 2010). In describing the qualitative method, Denzin and Lincoln (1994) informs us that it is "a complex interconnected family of terms, concepts, and assumptions, including traditions associated with positivism, post structuralism, and the many qualitative research perspectives or methods connected to cultural and interpretive studies" (p. 12).

Qualitative research is now commonly used in sociology and was influenced by the work of Max Weber who introduced the notion of empathy into social science inquiry (Patton, 2002). Weber recognised the importance of being able to empathise with the motivation and feelings of others and to look at the world through their eyes (Patton, 2002). Despite its acceptance qualitative methods are not without controversy and have been criticised by some practitioners who believe quantitative methods are more reliable (Denzin & Lincoln, 1994). Denzin and Lincoln (1994), shed light when they state that politics within the academy may have contributed to the resistance to qualitative methods which challenge the long established rational world of science and the coming of age of modern intellectual thought.

The point of difference between a quantitative and qualitative approach to research relates to the chosen paradigm. A positivist paradigm is associated with quantitative research and is based on an assumption about pre-existing patterns and order in the social world (Grant & Giddings, 2002; Williamson, 2006). A positivist research design

adopts a deductive approach, and its explanations of a phenomenon begins with a theory which is then tested (Epstein, 2012; Grant & Giddings, 2002; Williamson, 2006).

Researchers who subscribe to an interpretive/constructionist paradigm identified with qualitative research believe that social reality is created through interactions with others (Denzin & Lincoln, 1994; Furlong & Marsh, 2010; Williamson, 2006). In undertaking a qualitative study the researcher engages with the participant on a personal level to gain an in-depth understanding of the participant's experiences of the phenomenon under investigation. While both methods are valuable tools for discovery, it is at the personal level that qualitative inquiry comes into its own, providing the flexibility to fully connect with the narrative and gain a rich and detailed account of participants' lives.

5.6.1 The Narrative Literature Review

A narrative literature review was undertaken for this thesis because it allows the researcher to tackle abstract and broad questions, and bridges the divide between the reader and the topic (Baumeister & Leary, 1997). A good literature review also demonstrates the author's own awareness of the phenomenon under consideration and will contribute to the robustness of a study (Baumeister & Leary, 1997). The process, as described by Green, Johnson, and Adams (2006), is guided by the research questions and what evidence is required.

As Randolph (2009) points out, the review process is labour intensive and is ongoing throughout the duration of the project. For this study a methodical strategy was undertaken, commencing with a systematic search of library databases using keywords and phrases. This was followed by an extensive search of journals and books that were relevant to the topic, which in turn provided further reference material gleaned from their bibliographies. In addition, non-government organisations and government databases were also consulted along with relevant legislation in family law.

5.6.2 Participant Recruitment

In this study, young people's experiences were the primary focus. Consequently the views of fathers and mothers were not sought to avoid imposing external meanings on participant's narratives. Similar to Wuest (1995), I considered participants' experiences to be legitimate and valid sources of knowledge.

Participants for the study were recruited from five university campuses in two large urban centres. A rigorous recruitment campaign was conducted at each campus and posters outlining the purpose of the study and the criteria of candidates required were placed in strategic places (Appendix 2). The requirement outlined was for young people aged 18-26, whose father had been violent to their mother and where there had been ongoing contact with their father following parental separation. In total, 77 people expressed interest in taking part in the study. Each potential participant was carefully vetted to ascertain whether they met the criteria. Of the 77 who applied, only 24 people qualified. Of the 24 selected, one person pulled out prior to the interview taking place, while another three were eliminated at the end of the interview process because they did not meet the requirements. Of the 20 who were selected, 18 were female and two were male, and all identified as having come from a home where their father had been violent to their mother, and where contact had been maintained following parental separation. Violence, as outlined by the research participants, was identified on a continuum, ranging from low/mid-range through too high. The ages of participants ranged from 18-24 (6: 18 years; 3: 19 years; 3: 20 years; 2: 21 years; 1: 23 years; 4: 24 years). All but two of the participants were of European descent with two identifying themselves as Māori. Participants' childhood homes were located throughout New Zealand, including small communities and large urban centres. Participants' socio-economic backgrounds were established during the interview process and ranged from lower income to professional. Interviews took place over three locations with one being conducted by Skype. The duration of each interview ranged from 1.5 to 2 hours. A $30 koha was given to each participant to express appreciation.

Table 2: Participants' Profiles

Name	Age	Age when parents separated	Level of Violence Prior to Separation	Level of Violence Post-Separation	Care Arrangements	Legal/Court/ Private	Ethnicity	Contact as Adult
Aaron	18	3	Co-occurrence of abuse, Aaron's father was violent towards his stepson who went to live with his grandmother as a consequence of the abuse.	Aggressive behaviour when challenged and on-going animosity towards the mother.	Initially Weekends then 50/50 care.	Court	New Zealand European	No
Addison	24	6	Severe violence. A sexual assault against Addison's mother left her in hospital. Very violent to the children and suspected sexual abuse of Addison's sister.	Behaviour during weekend visitation was described as becoming 'creepy' as the girls aged.	Weekends	Private	New Zealand European	No
Bailey	23	9	Violent to mother and older children but not to Bailey who was the youngest child.	Behaviour changed following separation and contact was beneficial.	Weekends and later Holidays after her father relocated for work.	Legal	New Zealand European	Ongoing
Bridget	18	11	Mainly emotional abuse although some incidents of physical violence. Harsh physical discipline of children.	Extreme animosity towards the mother in front of the children. Very controlling and often angry.	50/50 care of both daughters and then Bridget changed to weekends only.	Legal	New Zealand European	Contact
Emily	18	6	Controlling behaviour including isolating the family from family and friends.	Extremely controlling of children to the point of obsession. Ongoing animosity towards the mother who he continually maligned in front of the children in an attempt to persuade them to live permanently with him.	50/50 care	Court. Extremely litigious	New Zealand European	No
Harper	18	5	Problems with anger management, emotional abuse.	Maligned children's mother to friends. Inappropriate behaviour when children visited of a sexual nature. Could also be very angry, frightening the children.	Weekends from 5-8 years after which access had to be supervised.	Court	New Zealand European	Occasional
Hester	18	Infant	Violent, criminal activity and involved with drugs.	Aggressive towards his girlfriends in front of his daughter, and took Hester along with him on his drug runs, leading to a situation which was potentially very dangerous.	Holidays only	Private	New Zealand European	Contact
Holly	20	4	Holly remembers her parents' altercations and was very protective of her brother. Holly only learned much later as a teenager the extent of her father's abuse. Holly has a vivid recollection of times when the police were called which she found very upsetting.	Contact was fine although her father was bitter towards her mother and often maligned her in front of the children.	Holidays only	Court	New Zealand European	Father has passed away

Participants								
Name	Age	Age when parents separated	Level of Violence Prior to Separation	Level of Violence Post-Separation	Care Arrangements	Legal/Court/ Private	Ethnicity	Contact as Adult
Isobel	18	14	Isobel's father was extremely controlling over every aspect of family life down to the minutest detail. There was an expectation that the family would agree with him on all issues or suffer the consequences.	Father continually maligned his former partner and did not like Isobel having contact. He became enraged if Isobel contradicted him and was extremely emotionally and psychologically abusive to his children.	50/50 care	Private	New Zealand European	No
James	24	12	James' father was very violent to his wife and children. Visits by the police were a frequent occurrence at the weekends which the children found unsettling.	James' father became depressed after his wife left him and no further violence occurred against James and his sister who remained in his care. James later developed a close relationship with his father.	Full-time	Court	Maori/ New Zealand European	Father Passed away
Jeanna	21	5	Jeanna described her father as being very emotionally and psychologically manipulative and quick to 'fly off the handle' at little things. She relates how her mother had no independence or contact with friends.	Jeanna's father was critical of her mother when she visited. He was also emotionally very cruel. During his application for full custody her father alienated Jeanna from the court appointed lawyer in his efforts to succeed in court.	Holidays only. When application for full custody was unsuccessful father disengaged.	Court	New Zealand European	No
Jules	18	6	Jules remembers her parent's relationship deteriorating, describing her father as having a long-term drug problem. She remembers witnessing violence against her mother and being hit so hard she could not sit down for a week.	There was no violence towards the children although Jules remembers feeling apprehensive following previous incidences.	Initially weekends and then holidays when her father relocated.	Legal	New Zealand European	Occasional
Kerry	24	Intermittently throughout her childhood	Kerry describes her parent's relationship as extremely volatile and she frequently tried to intervene on her mother's behalf. On one occasion her father broke her mother's foot and she ended up in hospital. Kerry's father also had a problem with alcohol and she is presently helping her mother to apply for a protection order.	There was no violence towards the children although they did not enjoy visits. When later her brother visited by himself the father was often drunk.	Weekends	Private	New Zealand European	No
Kimberley	20	6	Kimberley's father was very violent, with the violence being particularly severe against her brother.	Kimberley's mother neglected her children resulting in the involvement of Child Youth and Family. Her mother's new partner was abusive to the children and Kimberley remembers on one occasion been locked in the dog cage which she found terrifying.	Alternate weekends to begin with and then full-time with their father. Abuse by the father continued.	Legal & CYPFs	New Zealand European	No

Participants								
Name	Age	Age when parents separated	Level of Violence Prior to Separation	Level of Violence Post-Separation	Care Arrangements	Legal/Court/ Private	Ethnicity	Contact as Adult
Lauren	20	4	Lauren's father was deemed to be a risk and initially contact was supervised. On one occasion he broke her grandmother's wrist.	There was no violence towards the children when they stayed. However, her father maligned their mother which caused a rift between Lauren's brother and their mother for a number of years.	A 60/40 arrangement.	Legal	New Zealand European	Occasional
Maree	21	6	Marie's father was described as having anger management issues which he would take out on her mother. He also physically abused the children, disciplining them with a belt.	Maree's father continued to be very punitive until eventually he re-partnered and the behaviour changed. However Maree's mother married a man who was also violent and mistreated the children.	Initially 60/40 until Marie's mother was awarded full custody. However, she continued to let the children stay with their father.	Court	New Zealand European	Contact
Reagan	18	9	Reagan did not have any strong memories of her father's abuse.	Reagan was not happy about having contact, but when she became upset during visits her father allowed her to return home.	Initially every second weekend until Reagan was 15 when it became week about.	Legal	New Zealand European	Contact
Rhea	24	12	Rhea's father's violence was at the extreme end of the violence continuum and he was very abusive to her mother and the children. The police were at times called which further exacerbated his violence when he was released.	Rhea's father's abuse continued towards the children during contact at the weekends.	Weekends	Court	Maori/ New Zealand European	No
Rose	19	9	Rose's father's behaviour was intermittent. Her father had suffered a head injury as a young man which Rose believed was a contributing factor to his behaviour. Rose remembers hearing the conflict which put her on edge. Rose's mother eventually left after her father tried to strangle her.	No abuse against the children but for Rose the arrangement was unsatisfactory.	Weekends but daytime only.	Legal	New Zealand European	Occasional
Zara	19	Pre-school	Zara's mother suffered verbal abuse and low-level physical violence such as being grabbed and shaken. Zara explained that most of the physical violence was directed towards her stepbrothers. Zara's father also had a problem with alcohol.	Zara was left for long periods by herself as a young child when in her father's care. There was no physical abuse whilst Zara was young but at an older age when Zara voiced an opinion her father could not countenance her disagreeing with him. During a recent overnight stay Zara was physically abused and pinned to the floor after her father had been drinking.	50/50 care during periods when her parents were separated.	Private Mediation	New Zealand European	Occasional

5.6.3 The Interview

In this thesis face-to-face unstructured interviews of a conversational nature were undertaken (Appendix 3). Corbin and Morse (2003) point out, that the unstructured interview is particularly suitable when discussing sensitive issues because it gives participants some control over the interview process and how much they want to disclose. The aim was to allow participants' stories to unfold in their own words and to guide the direction of the inquiry by probing where necessary as new and interesting information came to light. Any issues touched upon that were not covered in the initial discussion, were then introduced at a later stage of the process, by which time the participant had become familiar and comfortable in the interview setting.

As Patton (2002) and van Manen (1997) note, the purpose of the interview is to discover information which is not observable and is not readily known. The key value in qualitative interviews is the lack of formality and the flexibility to probe and gain greater insights into the rich and varied experiences of people's lives (Bryman, 2004). Nonetheless, Patton (2002) contends that the quality of the information garnered will depend on the skill of the interviewer and his/her ability to be able to adapt to the interview situation as additional facts come to light.

The approach adopted also took into account the possibility that interviewees may previously have had no voice. As Reinharz and Chase (2001) state, where people have been powerless, talking about their experiences can be empowering, and what may initially seem to be nothing out of the ordinary can turn into an extremely rewarding encounter.

5.7 Data Analysis

5.7.1 Transcription

Upon completion of the interviews I personally transcribed all of the digital recordings over an eight week period. The recordings took approximately three to five hours to transcribe, depending on the length of the interview. Transcription was an integral part of

the research process, and allowed for greater consideration of the spoken text. Indeed, as van Manen (1997) observes, transcription provides the opportunity to listen for the subtle shades and nuances of language and tonalities, which are beyond the normal range and easily overlooked during a face-to-face encounter.

5.7.2 Coding

Encoding the information organises the data in a manner which allows for the development of themes (Fereday & Muir-Cochrane, 2006). The researcher plays an active role in identifying patterns of interest, calling on sound judgment to uncover issues that appear interesting and relevant (Braun & Clarke, 2006). Upon completion of the transcription, a systematic approach to coding was applied. The first stage involved a cursory reading of the printed transcripts. This was followed by a more detailed reading, with points of interest being identified and highlighted for easy reference. The transcripts were then entered into the NVivo software programme where coding could begin. Before commencing in NVivo primary and secondary nodes were created under a tentative list of themes. In line with a hermeneutic phenomenological approach, a detailed examination of individual accounts of participants' experiences was again undertaken and further nodes were created as new themes or subthemes came to light. Once coding was completed in NVivo, the next stage of the analysis process began. Ongoing immersion with the text continued into the writing up phase of the project.

5.7.3 Thematic Analysis

Thematic analysis was used to analyse the data using hermeneutic principles (analysing the parts to the whole), and coding occurred at an individual level and across the participants. Accordingly, a triangulation of sources (Patton, 2002) was used in this study. Themes can be understood as "structures of experience", a simplification that creates a focus on the particular phenomenon of interest under investigation (van Manen, 1997 p. 87). Braun and Clarke (2006) point out that thematic analysis is a useful method for identifying patterns within the data as it reflects and unravels the subtle nuances of life. Thematic analysis is a widely used method in the social sciences and is described as foundational within qualitative studies (Braun & Clarke, 2006). Some of the key benefits

of this method are its flexibility and suitability within a wide range of theoretical frameworks. Equally significant, is that prevalence is not crucial in determining a theme, and a theme may be considered worthy of development even if only 20 percent of respondents have experienced the phenomenon (Braun & Clarke, 2006).

Researchers who adopt hermeneutic phenomenology as a methodological approach are interested in understanding life at a personal level and prioritise how the world is experienced (van Manen, 1997). The approach allows for the researcher to develop a narrative of events by probing more deeply in a way that participants themselves may be unwilling or unable to do so (van Manen, 1997). This involves immersing oneself in the text and reflecting critically on the data. By following a step-by-step approach, the participants' personal experiences are revealed and, as the process continues, insight is gained at an interpretive level.

In a traditional hermeneutic phenomenological study, the interpreted text is then discussed with an auditor or with participants to assess validity (Thompson, Pollio, & Locander, 1994). However, as Crotty (1998) states, it is sometimes necessary to adapt this process to fit the purpose of the study. In this study the process was not applied because the logistics of doing so did not allow for further face-to-face contact. Participants were selected from a student population, many of whom were in their last semester of study and were not residents in the city where the study took place. Secondly, because of the sensitivity of the topic it seemed prudent to avoid the risk of causing unnecessary distress. Several of those interviewed revealed that they had suffered from depression prior to the interview and had sought counselling, while others had contemplated suicide or engaged in self-harm. Hence, the decision not to re-engage became an integral part of the welfare strategy to ensure psychological safety.

5.7.4 Credibility of the Findings

The task of qualitative research is not to generalise findings to the broader population, but to isolate a particular area of interest and gain an in-depth understanding of the phenomenon in question. Nonetheless, as Patton (2002) advises, there are three

necessary elements when undertaking qualitative research to ensure the credibility of the findings.

- Philosophical belief in the value of qualitative inquiry; that is, a fundamental appreciation of naturalistic inquiry, qualitative methods, inductive analysis, purposeful sampling and holistic thinking;
- Rigorous methods for doing fieldwork that yield high-quality data that are systematically analysed with attention to issues of credibility;
- The credibility of the researcher, which is dependent on training, experience, track record, status, and presentation of self (p. 552).

For this project, I adhered to all of the above criteria. The qualitative method allowed for an exploration of participants' lives at a deeply personal level and, by selecting a targeted population who had experience of the phenomena under investigation, quality data was obtained. My previous research experience was also invaluable in guiding the interviews and evaluating the texts (see Nelson, 2008).

Wolcott (1990) further reminds us that transcription validity is very important and care was taken to ensure accuracy of the data as it was transcribed. If for example, there was a statement which needed to be clarified, the recording was wound back and the narration was listened to until an accurate account was acquired.

5.7.5 Interviewer Profile

The precursor to this study was my Master's degree in Sociology undertaken at the University of Auckland (Nelson, 2008). My Master's thesis was a qualitative study on mothers' experiences of negotiating parenting arrangements after leaving a violent relationship. My thesis topic was inspired by the earlier work of Neville Robertson, Ruth Busch and Hilary Lapsley (1993) whose seminal research on women's experiences of breaches of Protection orders exposed a gap between praxis and policy. My Master's degree provided a springboard for the present research and enabled me to draw on an extensive database of literature. The experience that I gained while conducting the study,

together with skills acquired in interviewing participants and key informants, was invaluable for this study.

5.8 Ethical Considerations

5.8.1 Researching the sensitive Topic

Socially sensitive research, as defined by Sieber and Stanley (1988), entails studies "in which there are potential consequences or implications" for the participants who take part in the project (p. 49). This will necessitate identifying any prospective problems before the project begins and alerts the researcher to their ethical responsibilities and obligations (Lee & Renzetti, 1990). Lee and Renzetti (1990) state that, while any topic can become sensitive, there are some subjects that require greater consideration than others. Particular reference is made to research that examines personal issues and delves into those aspects of private life that would not normally be disclosed to non-intimates (Lee & Renzetti, 1990).

Brzuzy, Ault and Segal (1997) highlight that where participants have experienced trauma, this can lead to emotional distress when an incident is disclosed. The interview process may also dredge up long forgotten memories that are painful, and that an interviewee may not wish to remember. Hence as Bzuzy et al. (1997) state, "the tension between the need to gather information and the possible victimisation of survivors has significant implications for the ethical conduct of the qualitative interview" (p. 79).

However, when a considered approach is taken, Corbin and Morse (2003) contend that discussing experiences of a sensitive nature can be beneficial, particularly when participants have been unable to discuss the issue with others who may not understand or who are unwilling to listen. They argue that in these circumstances there is much to be gained in talking to someone who shares an interest in the topic and who is non-judgmental. Some people may also be enthusiastic about sharing their stories in the hope that their experiences will help others. Indeed, several participants in this study expressed such a view.

5.8.2 Research Protocols

Ethical research practice requires the social scientist to adhere to a set of moral principles or rules based on rights, duties, and obligations that respect autonomy and ensure the safety of human subjects (Faden & Beauchamp 1986; Morrow & Richards,1996). The key to a successful research outcome for both the researcher and the participant is to approach the project in an ethically responsible manner. This will necessitate transparency about the purpose of the research, and a safety plan should participants become distressed. For this study there was strict adherence to Victoria University of Wellington Human Ethics Policy guidelines. Ethical approval was sought for the study and granted on 29 June, 2012 (Ref: 19248). Minor variations to the study recruitment also received research ethics approval on 29 July, 2012 (Ref: 19248).

5.8.3 Privacy

Participant confidentiality was maintained at all times. The interview transcripts were coded and the names of participants were substituted for pseudonyms. Care was also taken to disguise other identifying features, including changing the names of geographical locations to provide added protection. In line with the Victoria University of Wellington Human Ethics Policy, data has been stored in a secure lockup at the School of Social and Cultural Studies. This data will be destroyed three years after the completion of the project.

5.8.4 Informed Consent

Gaining informed consent is a mandatory requirement prior to research taking place. Informed consent ensures that participants are fully informed of the project, agree to take part voluntarily, and understand any obligations or risks relating to their participation in the study (Alderson & Goodey, 1998; Einarsdóttir, 2007; Faden & Beauchamp, 1986; Miller, Drotar, & Kodish, 2004). In addition, informed consent in contemporary society is designed to provide protection for individuals and to recognise their rights.

Prior to the interviews taking place, participants were provided with an information sheet which they were asked to read (Appendix 4). To ensure clarity, verbal information was given and the form was explained. This further allowed participants to raise any questions that came to mind. Participants were then asked to sign a consent form agreeing to take part in the study (Appendix 5). Where requested by participants, a summary account of the research findings will be provided at the completion of the study following submission of the thesis to the Victoria University Library.

5.8.5 Welfare

As a precaution, and to ensure that participants' welfare was addressed, the consent form included the option to have the tape turned off or to terminate the interview should the need arise. Participants were also given the option to withdraw should they wish to do so anytime up to two weeks following the interview taking place.

5.9 Conclusion

The intention in undertaking this study was to examine fathering practices through the eyes of young people following parental separation where the father had been violent to the mother. To date there has been little research on fathering or of the parenting practices of partner-abusive men. A qualitative approach was adopted because it allows the researcher the flexibility to explore sensitive issues at a deep and meaningful level. Unstructured face to face interviews were carried out with 20 young people aged 18 to 24 years and transcribed verbatim. This was followed by rigorous analysis using hermeneutic phenomenological principles to provide full clarity of the texts. The study was carried out in line with ethical considerations laid down in the Victoria University of Wellington Human Ethics Committee guidelines.

Chapter 6 Findings & Analysis: Post-Separation Experiences of Fathering

6.1 Introduction

To date there is a dearth of information on children's experiences of living with a violent father and of the parenting practices of partner-abusive men. Drawing on their clinical experience with fathers, Bancroft et al. (2012) have provided a pivotal text, together with Harne's (2002) research with violent fathers. Valuable insights have also been gained from mothers and children's accounts of family life (Buckley, Holt & Whelan, 2007; Holt, 2011, 2015; Mullender et al., 2002).

This chapter is the first of three analysis and findings chapters for this study. Section one looks at young people's accounts of their father's parenting style while in their father's care. Section two examines the reality of co-operative parenting when abuse has occurred in the parental relationship prior to separation. Full details of participants' histories can be accessed on pages 103-105.

6.2 Parenting Style

As previously stated, there is a limited understanding of the fathering practices of partner-abusive men. In reviewing the literature, evidence suggests a spectrum of behaviours and practices that are problematic for children (Bancroft et al, 2012; Baumrind, 1966; Harne, 2011; Holden & Ritchie, 1991). Men who have been abusive have been shown to be strict disciplinarians and inflexible in their attitudes to children with an expectation that their wishes will be adhered to at all times (Bancroft & Silverman, 2002; Bancroft et al., 2012; Baumrind, 1966; Harne, 2011; Troon, 2014). Discipline of children may be more frequent and harsher, with abusers having a tendency to anger more quickly than non-abusive fathers (Beasley & Stoltenberg, 1992; Hamberger & Hastings, 1986; Holden & Ritchie, 1991). Where battering has occurred, Bancroft et al. (2012) refer to the parenting style, as 'power parenting' with fathers responding in a power-assertive

manner reflective of their need for control and of their behaviour towards children's mothers.

6.2.1 Anger and Intimidation

Anger was a prominent reaction identified by many of the participants who described their fathers as angry, bitter, men who were unable to separate their relationship with their former partner and their responsibility as parents to their child. Angry outbursts often occurred when things did not go their way, and could be triggered, for example, by children not meeting fathers' expectations. Bridget, (See table Chapter 5 page 103) aged 18, was 11 when her parents separated and initially lived alternate weeks with each parent until the age of 12 when the arrangement was renegotiated. Bridget vividly recalled anger directed towards her sister Vicky who at the time of writing up this study was in a 50/50 co-parenting arrangement. A particular incident she recalled was when her sister decided not to play netball:

> **Bridget:** We were with my dad, myself, my little sister and her friend and we were having lunch on the waterfront, and her friend let it slip that she had got into the B Netball team or something – that's her friend. Dad was like, well "What one did you get into Vicky"? - and Vicky's really, really good at netball – like ridiculously so, but she didn't sign up this year, she didn't want to. And she's like; "I'm not in any of them", and he was like, "Why, what happened"? and he yelled at her in the middle of this place. It was awkward for me, it was awkward for her friend, and it was terrifying for Vicky. I think, especially because sport is - you know, the thing, it's kind of like; you know, that fatherly type thing that he can relate to.

Bridget stated that while her father does not yell at her sister as much as he yelled at her, she still finds the way he responds to her sister to be "shocking". According to Bridget, her father's anger is already having repercussions, and her sister is exhibiting behavioural traits which she finds worrying:

> **Bridget:** I've found little drawings that she's done, of him yelling at her… she does the little drawings and she does the little notes into those little magazines, those kids' magazines where they write in with their little problems and their embarrassing moments, and things like that. I found one of those addressed to Girlfriend, or something.

Likewise, Jules described her father as being quick to anger and having very set attitudes about women's roles. Jules, (See table Chapter 5 page 104) aged 18, was six when her parents separated and together with her brother, visited her father at the weekends for a number of years until at the age of 11 the arrangement changed to holiday contact only. This resulted in a change in parenting style from permissive to authoritarian:

> **Jules:** Holidays were not fun – I absolutely hated it … Like we would go to his house and he would just ignore us. And it was the same in the holidays, only it got worse because he would get angry with every little thing we did … and if we didn't do everything as perfectly as he said, he would get really angry … and one time it got so bad that I locked myself in the room and he was outside yelling at me about how I was horrible and no one wanted to know me because I was poison, or something. I was like 14 …

Jules' father lived in another centre to her mother which made the incident even more upsetting. However, when Jules telephoned her mother and explained her distress, alternative arrangements were made and she was able to extricate herself from the unpleasant situation.

Harper's mother also ensured that her children were safe when Harper's older sister became frightened during a visit. Eighteen year old Harper's parents separated when she was five and, from the age of five until eight, Harper and her siblings visited their father at the weekends (See table Chapter 5 page 103):

Harper: There was definitely times – like there was times when you'd just like to get out of his way. But I know there was a time when my oldest sister - he got quite angry and so she kind of – she crawled up the hallway and managed to steal his cell phone … So Yeah, she had to steal his cell phone and she quickly text mum. Like, "can you come and get us early we don't want to be here anymore". So when mum turned up early he's (her father) like "How did this happen"? …. And he just lost it then as well – And it was like ahh, yeah.

Finding an outlet where children feel confident they will be taken seriously has been shown to be invaluable, and no doubt helped participants to cope (Barron, 2007; Buckley, Holt & Whelan, 2007; Epstein & Keep, 1995; McGee, 2000; Mullender et al., 2002; Ornduff & Monaham, 1999). In Jules and Harper's case they were fortunate that they were able to count on their mothers for support and to intervene on their behalf ensuring they remained safe.

Emily aged 18, (See table Chapter 5 page 103) lived in a 50/50 shared arrangement following her parent's separation when she was six. As a young child Emily admired her father and was concerned that she would not meet his expectations and would disappointment him, while at the same time being fearful of angering him:

Emily: …. he always had really high expectations of us and so I was always scared of disappointing him. But also when he got angry he got angry and it was like – I remember always being frightened by it. It didn't happen very often because we (Emily and her sister) would avoid it so much, like at all costs avoid it – but I mean you're young, you usually do something that you're not supposed to do. And even like the little things – because he wanted to raise us right and he didn't want us to be the kind of kids who feel they can do whatever they want and don't do any chores and things like that - like he never wanted that - so he raised us how he thought was right. But it was kind of making us scared of him in a way. But I would never think oh I'm scared of my father sort of thing because

you know like I admired him so much and things like that. But at the same time you'd never do anything to make him angry.

Interviewer: So what happened when he got angry?

Emily: He would just – he didn't really shout – he was always quiet which probably made it even more frightening, and – you know – there would be harsh consequences and ...

Interviewer: Would he hit you or you'd have to go to your room or........?

Emily: He wouldn't hit us he'd threaten us, and you know, there would be a big spiel and he would just be – I don't know – just something like when he got angry something sort of changed in him and he would almost become like a slightly different person.

Emily's situation was interesting because initially when discussing her childhood, she related that she had been really lucky to have had both parents who had been very hands on. Even so, as her story unfolded, she described a man who was very controlling and manipulative who never compromised. Consequently, when his expectations were not met, this resulted in aggression and threats. To counter her fear of upsetting him, Emily constantly monitored her behaviour and the relationship only worked because of Emily's compliance and because she ensured that she did not overstep the mark.

As Lauren's experience reveals, the threat of abuse and past knowledge can elicit powerful emotions that can trigger fear in situations beyond ones' control. Lauren, (See table Chapter 5 page 105) who is now 20, was four when her parents separated, and while she could not specifically remember details of any violence, she still has memories of hearing her parents arguing. Lauren and her brother were in a 40/60 shared arrangement and she related how, during visits, her father would become angry at least once during this time, and that his anger always seemed much more 'scary' and 'threatening' than her mother's.

A particular incident that Lauren recalled occurred on an occasion when they were travelling by car, which elicited images of impending death:

> **Lauren:** I remember this one car ride where my brother said something –
> oh it might have been me actually – I might have got angry – I can't
> remember even what it was about at all. But I just remember sitting in
> the car and thinking "Did you watch Coronation Street?" "Well you know
> that character Richard … he drove over a bridge into the lake?" And like I
> always – like I remember sitting in the car thinking that dad was going to
> drive us off a cliff or drive us off a bridge and just kill us all. Because he
> was just so – because I was scared that he'd feel suicidal because of how
> we felt about mum and he doesn't really have any friends.

Lauren recounted how she typed a text into her phone in readiness to send to her mother, telling her that she loved her should her fears be realised.

A contributory factor to thoughts of death could have been Lauren's memories as a young child of hearing her parents fight. Lauren related that contact had originally been through a dedicated contact centre, indicating that her father's abuse was of a level that safety was initially a consideration. As Kilpatrick and Williams (1998) remind us, it is not the number of times that children are exposed to abuse that is a factor, because any exposure to abuse can be traumatic. Consequently, Lauren's father's anger during their visits may have demonstrated that there was a potential risk based on her recall of past events. Lauren's contention that her father's anger was more 'scary' than her mother's was also revealing. Fergusson and Horwood (1998) for example, contend that a reason for the gender difference could be because males are more likely to cause injury, or be psychologically more threatening than mothers.

Zara's experience of her father's anger was one of a man who had a limited capacity to cope with a teenage daughter, leading to angry remonstrations and physical restraint:

> **Zara:** He'd yell a lot and wouldn't let you express – he was very, almost
> panicked in having to just smother your ideas with his. And he could yell
> very loudly - and he'd try and – when that failed, he would become -
> physically restrain you. A lot of the time I remember sort of having

bruised arms because he was trying to hold me, I would be trying to run away ... because there were no rooms in this little hut, and you couldn't go anywhere. You'd go into a corner and he would just follow you over and yell at you.

Zara, (See table Chapter 5 page 105) aged 19, was a pre-schooler when her parents first separated and she lived intermittently in a 50/50 care arrangement. Zara described her father as having problems with alcohol which appeared to be overlooked when the arrangement was mediated by the family doctor. Bancroft et al. (2012) make a valid point, however, when they state that it is critical for substance abuse to be considered as part of the risk assessment process because when alcohol or drugs are involved, men have been shown to be more volatile and pose a greater risk of physically abusing their children.

It is interesting to note, that in four of the cases cited above, the participants were in either a 50/50 or 40/60 timeshare arrangement which they were not always comfortable with. In her study on shared-care, Smart (2004) found that the arrangement was not always a positive experience for children and success was dependent on a number of factors. Factors cited included parents ability to be flexible, to consult with their children, and to take a child centred approach. For participants in this study there was little flexibility and fathers were shown to adopt an attitude that they knew best with no allowance for negotiation.

6.2.2 Emotional Abuse and Ridicule

Partner-abusive men have been shown to be more critical of their children than non-abusive fathers (Bancroft et al., 2012). As evidenced by participants, this manifested in a number of ways including verbal aggression and ridicule which have been shown to be equally as damaging as physical violence (Maxwell & Carroll-Lind, 1998). To illustrate, in a study on emotional abuse, Follingstad, Rutledge, Berg, Hause & Polek, (1990) found that 85.6 percent of participants rated ridicule as having an impact, with 45.7 percent rating ridicule as the worst form of emotional violence.

Verbal put-downs and belittling behaviour was described by a number of people in this study, confirming previous research which has shown a lack of empathy and the propensity for abusers to be cruel (Bancroft & Silverman, 2002; Bancroft et al., 2012; Harne, 2002, 2011; McGee, 2000; Mullender et al., 2002). This was evidenced by put-downs, such as continually calling children fat or useless, berating children for having acne, or making belittling remarks about a birthmark. In other cases cited, fathers were unable to empathise when a child's friend committed suicide, or over the death of a beloved pet.

Twenty one year old Jeanna (See table Chapter 5 page 104) was five when her parents separated, and was one of four participants who only had contact with their father during the holidays. Jeanna described how her father would tell her she was not interesting, or pretty, which from Jeanna's perspective, was a continuation of his attitude towards her mother:

> **Jeanna:** I think he just had particular attitudes towards women. And just very strong ideas about – he's always said that my mother was very – called her plain Jane because she didn't wear makeup and she just wore very simple clothes and that kind of thing. He kind of started to take that attitude with me as well – he would say I wasn't interesting enough, I wasn't pretty enough, things like that.

In addition, her father was particularly cruel about a birthmark that Jeanna had on her arm:

> **Jeanna:** I had a birthmark on my arm – a weird place of course – but he didn't like it – he said it was hairy and that kind of thing – and on one occasion he said to me that I should have it surgically removed because when I got older, boys wouldn't want to date a girl that had a big hairy mole on her arm.

Jeanna's father appeared to be unable to provide the nurturing environment identified as necessary, in fostering feelings of self-worth and confidence in children. Indeed, Biller (1993) for example, has noted that a positive father/daughter relationship is particularly important in cultivating a concept of femininity in girls. For Jeanna, the ridicule and emotional abuse has resonated into adult life. And while Jeanna explained that she does not consciously think about her father's comments, occasionally in certain circumstances she is reminded of his remarks, and her confidence is undermined.

There were also a number of examples of abuse which were precipitated by an inability by fathers to accept their children's relationships with their mothers. Isobel (See table Chapter 5 page 104) aged 19, was 14 when her parents separated and negotiated her own arrangement, spending week about between two homes. Isobel describes a father who was extremely controlling over every aspect of family life, and who could not countenance her relationship with her mother which he viewed as a betrayal. As Isobel grew older his behaviour became more vindictive, culminating in an extremely aggressive attack during her last visit:

> **Isobel:** The biggest clue was when we were in the car, and we were driving for about 40 minutes to go from one side of the city to the other, and he started saying that mum never loved me, that I was a trophy child.

The precipitator to his behaviour was when he overheard Isobel mentioning her mother in a discussion with his girlfriend. According to Isobel "he just went crazy". The abuse continued for some time via text, after she returned home from the visit:

> **Isobel:** Because he had been in Christchurch for a week and he said in the text "I can't believe that I've fathered such an ungrateful bitch of a daughter". Like word for word, I have memorised this. "I can't believe I have fathered such an ungrateful bitch of a daughter; you should be ashamed of yourself. I can't believe you didn't leave a thank you note" – at your own father's house, a   thank you note, like that's a bit ridiculous right? "I can't believe you didn't leave a thank you note – you are a

disgusting person and I'm so ashamed to call you my daughter". And horrible, horrible things.

Isobel was extremely upset and after several similar texts she decided to cut off all communication. Isobel now believes that maintaining contact with her father after her parents separated had been unwise. Isobel's father's controlling behaviour was at the extreme end of the abuse spectrum and was an example of how psychological and emotional abuse can be as devastating as physical violence (Bancroft et al., 2012; Chamberland, Fallon, Black, Trocmé and Chabot, 2012).

 In another case the father showed favouritism towards one of his children. Jules stated that she believes that this has contributed to her brother's low self-esteem and depression as a young adult:

> **Jules:** My brother has always been searching for approval sort of thing and he always wanted to be like my dad … He was always searching for my dad's approval. My dad would always give me more stuff than my brother and I don't know if that was because I'm like his only daughter or something. But I noticed it, and I think he noticed it too, and he noticed he wasn't being treated as well – and I mean, if you spend your whole life trying to get approval from someone and you don't get it that is always upsetting. He's always had low self confidence in himself.

As Jules related, she did not know if it was simply because she was the only daughter and the reason behind her father's behaviour is unclear. Bancroft et al. (2012), provide a possible explanation when they explain that the tactic is sometimes used by fathers to cause divisions within the family, and the most common scenario is favouring boys over girls. Within this scenario the father/son bonding is sexist in nature, based on male superiority over women. Bancroft et al. (2012) further contend that where girls are the focus, this may indicate a romantic aspect where the mother is replaced. While neither of these scenarios appears to have been the motivating factor in this instance, there was

122

nevertheless a risk that divisions could have been sown between Jules and her brother and disrupted the sibling relationship.

Emotional maltreatment of children has been recognised as a social problem (Chamberland, et al., 2012) and is described by Thompson and Kaplan (1996) as a pattern of adverse parental behaviour perpetrated against vulnerable children which will have long-term consequences for children's emotional and psychological health. In this study it was evident from participant's disclosures that their fathers' behaviour had taken a toll on their confidence, and that children's wellbeing was not a priority for some men.

6.2.3. Undermining Children's Safety

Research has shown that a nurturing environment for children is particularly important where there is a history of violence and where children may have been traumatised. As a result of the violence, children may feel they have no control over what will happen in their lives (Bancroft & Silverman, 2002; Bancroft et al., 2012). It is therefore critical that children are given an opportunity to heal in the post-separation climate. One of the best indicators of children's ability to recover is the relationship with a nurturing parent, usually their mother (Furstenberg & Cherlin, 1991). At the same time, children must also feel that their mothers are able to protect them and keep them safe from further harm (Bancroft & Silverman 2002).

6.2.3.1 On-going abuse

Rhea was one of a number of participants in this study who identified abuse as being severe, and where safety did not appear to have been a priority during parenting negotiations. Rhea, (See table Chapter 5 page 105) aged 24, talked of a father who was excessively violent to his partner and children prior to separation. Following her parent's breakup when Rhea was 12, Rhea and her siblings had weekend visitation as arranged through the courts, and the violence continued, demonstrating that even limited contact can pose a risk. This was particularly disturbing because according to Rhea her mother had taken out a Protection Order, and yet no assessment of risk appeared to have been made. In this case, because Rhea's mother was not interviewed, it is difficult to ascertain

why contact continued unsupervised, and whether the Court had taken the long history of abuse into consideration. The required practice where a Protection Order is in place is to ensure contact with the father does not take place until the courts are satisfied that the children will be safe although the intent does not always transpire in reality (Busch & Robertson, 2000; Robertson, et al., 2007).

In Rhea's case the violence continued until her father shifted away with his new partner. By this time however, most of the children were of an age where they could decide for themselves whether to maintain contact.

6.2.3.2 Sexual Abuse

Over the past two decades there has been growing concern among professionals over the high level of sexual abuse against children (Laaksonen et al., 2011). While there continues to be a dearth of published analysis on the overlap between domestic violence and paternal sexual abuse of children, studies that have been undertaken indicate that there is a significant risk. To illustrate, in a study by McGee (2000) 11 percent of children who took part in the study were identified as having suffered sexual abuse by their fathers. Likewise, McCloskey, Figueredo and Koss (1995) found that 9.6% of mother's who had been abused, reported incest involving at least one of their children. In a study on adult domestic violence and child physical violence, Kellogg & Mennard (2003) further identified a link between physical abuse against children and a sexual attack, with 50% of participants having suffered sexual violence.

For two participants in the study the spectre of sexual abuse was raised. In the first case there was no prior indication that there was a risk. Harper, (See table Chapter 5 page 103) now 18, was five when her parents separated, and, along with her sisters, visited her father at the weekend:

> **Harper:** But in his Wellington house he used to be like "Oh I'll give you a massage" - this was when we were about seven or eight. And so there wasn't really enough room for us to all sit on the couch so one of us

would be sitting on his lap, and then by the end of it his hands would be around here (demonstrates around bust area). We weren't very old so it wasn't like we had massive breasts, but it was one of those things that we told mum and she just absolutely lost it.

Harper's mother was very protective of her children and acted quickly to ensure their safety:

Harper: And she (mother) took us straight down to the police department and that was probably one of the most petrifying things I've ever done in my life. We had to sit in this room – like I had to wait for – because they interviewed us all separately.

Interviewer: How old were you then?

Harper: Like eight. Maybe eight or nine, or something like that – but you had to sit in this room with some horrible posters and mum was feeding us gummy worms trying to keep us like happy - but yeah. The interviewer was – you could hear this clock ticking and they were just like, do the typical – can you indicate on the bear where he touched you and all that kind of thing.

Interviewer: Were they quite nice – was it quite a nice child-friendly person?

Harper: Yeah, they were very – like the lady – you could tell that she had done social work for years and she was very calming and had the tissues ready and what not. But it was just the room, the room was uncomfortable, like it was these old teddy bears that should have been chucked out years ago, and the clock ticking was not nice, so yeah.

Harper and her siblings had a strong relationship with their mother who did everything she could to support them. As research has shown, when sexual abuse is disclosed support is critical for children to limit the impact, and ensure psychological health (Webster, 2001). Harper's recollection further reveals how harrowing it can be for children when they report the abuse to the authorities and how they can be doubly traumatised. The eventual outcome for Harper and her siblings was supervised access

until the children were sixteen. The arrangement continued until their father moved overseas. At the time of the interview her father still refuses to acknowledge he did anything wrong, which Harper finds particularly distressing.

A second situation identified by Addison is worthy of note because although full details are unknown, her family suspect that abuse occurred against her older sister. Addison, (See table Chapter 5 page 103) aged 24, was six when her parent's separated after her mother had suffered a severe sexual assault by Addison's father which had left her in hospital. Nevertheless, the children continued to visit with their father at weekends and occasionally during the week. Addison describes how, as the girls in the family grew older, her father became "quite creepy":

> **Addison:** My – the next sister up, the one who used to stay with me when we went later on, I think she was about 16 and we were kind of – I think the sisters were joking with one another – joking but kind of sad, and reminiscing about certain comments he'd made, or that sort of thing. And she actually remembered a time when he potentially was – we're still not 100 percent certain what happened – but potentially sexually abused her physically. So yeah, that was definitely an aspect of things as well as we got older, he did get a bit …

Addison further explained that as an adult her sister refuses to have any contact with her father:

> **Addison:** My – the sister who he allegedly sexually abused will not talk to him until he says I'm sorry. She just can't until he acknowledges what happened, or at least that it could have possibly happened. She will not have any contact with him. And he'll try. He tries to – but – yeah.

The significance of Addison's account is that while her sister was unwilling to disclose, there were particular markers of risk that should have been identified when parenting arrangements were made. Paveza (1988), for example, cites prior abuse against the

mother as an indicator of risk. Bancroft et al. (2012) further contend that where abuse has been of a sexual nature, the risk is increased. Consequently, because Addison's father met both of these criteria, there was a high risk that he would offend and unsupervised contact was unwise. Nonetheless, a private arrangement was made between the parents and contact continued for some time.

6.2.3.3 Step-parent abuse

Presently there is a limited literature on risks to children within step-parent families. However, in a review of the available literature, Adler-Baeder (2006) found that there is a greater propensity for abuse from a step-parent than a biological parent, and abuse can be more severe. Earlier studies also indicate that children are more likely to be killed (Daly & Wilson, 1987). The findings are supported in New Zealand statistics which have shown that of the 58 child deaths recorded in the last 24 years, 27 of the deaths were linked to the stepfather or boyfriend of the mother (For the Sake of the Children Trust nd).

In this study, a number of participants recalled being aware of their father's abuse against their half-siblings (fathers' stepchildren). In two other cases, participants were abused when their mothers re-partnered, negating any benefits they may have gained from the separation.

Maree, (See table Chapter 5 page 105) who is 21, was six when her parents separated and was initially in a 50/50 care arrangement. Maree had been subject to her father's violence prior to separation and had the unfortunate experience of being the victim of a violent stepfather when her mother remarried. Consequently, Maree was victimised twice. However, as she explained, her mother would not countenance any criticism of her new partner, allowing for an environment where the abuse could continue:

> **Maree:** She was one of these people that everything that he does is perfect and I will always believe him over and above my children. Even though she said she'd always believe her children over anything he'd said.

But if I'd say to her this is what he did – like even one day when I ended up with a mark down there from where he had gorged me with his fingers – she said oh – you know – he told a big story about how I'd done something and provoked him, blah, blah, blah, and she completely believed it - whereas I'd actually done absolutely nothing.

Likewise, 20 year old Kimberly (See table Chapter 5 page 104) and her siblings were also re-victimised by their mother's new partner who had no interest in the children. Regrettably for Kimberly, her mother disengaged and went from being a very hands-on mother when living with Kimberley's father to a neglectful parent, even locking Kimberley and her siblings out of the house:

Kimberly: …there was no love there anymore. Like I remember her new boyfriend once locked me in the dog cage – that's my most traumatising memory. And he was just cruel. We would come back from church and we needed to get into the house to use the bathroom or something and we were living in a really, really crummy neighbourhood, it was like you know. We watched the armed defenders squad go into a house next door once. It was awful.

Kimberley's parents separated when Kimberly was six, and following the separation the children visited their father every second weekend. During this time there was no further abuse. The situation with their mother, and stepfather, resulted in the children coming under the gaze of CYFs (Child, Youth and Family), and the children collectively decided that living with their father was preferable:

Kimberley: … he didn't hit us. So we were like oh, you know, he's learnt. And, he would give us treat food and he would be nice to us and we would have our old beds back and we would have the familiarity of the house we'd grown up in and we would just get back to these old routines.
Interviewer: So you felt it was better living with him than living with the new stepfather?

> **Kimberley:** Yeah, well he (stepfather) didn't even give us the time of day. He was rude, and awful, and disgusting, and we just disliked him. So yeah, we thought it was just really wonderful because we could go back and we sort of said oh Mike's (Father) changed, he doesn't hit us anymore – it's wonderful. But then we went back, and maybe about two months in he (father) hit us again. And I remember being so upset because not only has our world entirely changed, but you couldn't win in either situation, so we were a bit sad.

While under the new orthodoxy, the biological father is now central, and stepfathers no longer have any legitimacy (Smart, 2000) this does not protect children in situations where mothers re-partner with men who are violent. Cooley (2006) confirms the risk to children in her findings which revealed that there was a higher risk of recidivist abuse against children in stepfather families. For Kimberley and her siblings initially returning home provided familiarity and comfort, and they were lulled into a false sense of security eager to believe that their father had changed. However, their trust in their father was short-lived, and within a short period of time the violence continued. Both Maree and Kimberly were doubly unfortunate because they did not have a strong bond with their mother, which has been shown to be a protective factor (Bancroft et al., 2012; McGee, 2000; Mullender et al., 2002). Maree and Kimberley's situation highlighted the precarious position that children are in post-separation because they are reliant on adults for their care and protection. Again, those responsible for assessing the risk appeared to have been negligent in a duty of care resulting in a negative outcome.

6.2.3.4 An End to Violence

Not all men who had been physically violent to their partners and children prior to separation continued their abuse. The findings showed that in cases where fathers discontinued their violence, a mediating factor may have been the age and gender of the child, with older children, including boys, no longer having contact, and only girls continuing to visit. Jouriles and Norwood (1995) for example, found that boys were at

higher risk than girls which was supported by Tajima (2002) who also found that younger children were less likely to be abused than older children. In other cases fathers' behaviour was reported to have changed after fathers re-partnered, or where fathers had suffered from depression as a result of the breakup. In the latter, participants were expected to act as sounding boards for their fathers' problems which became too much for at least two of the young people interviewed.

6.2.4 On-going Exposure

The detrimental effects on children of exposure to violence are now well documented and can lead to internalising behaviours such as depression, anxiety, and fearfulness (Hindin & Gultiano, 2006; Kitzmann et al., 2003; Spilsbury et al., 2007) or externalising behaviours such as aggression, bullying, and anti-social behaviour (Grych et al., 2000; Kernic et al., 2003; Sternberg et al., 2006). Being privy to parental violence can also convey to the child that this is an acceptable form of conflict resolution (Ehrensaft et al., 2003; Langhinrichsen-Rohling, Hankla, & Stormberg, 2004).

Four participants in this study were exposed to a physical altercation post-separation against a parent, a parent substitute, or a friend. Lauren, for example, witnessed an incident involving her mother during changeover which, as studies have shown, is a time when abuse will often occur (Nelson, 2008; Tolmie et al., 2010):

> **Lauren:** I remember dad had dropped us off, and mum wanted to talk to him about something. And they were quite angry at each other and mum went to open dad's car door and dad just drove off and mum's hand got caught. And he just kept driving, and mum was running along the road and going ahhhh, and I - watching her going like - it was fine in the end but I was very scared.

Lauren's distress would have been magnified because of the potential for severe injury to her mother, and because, as a helpless bystander, she could only watch the event unfold. Indeed, for young children, negative events have been shown to have a heightened

impact because their coping strategies have not yet fully developed leaving them vulnerable (Maxwell & Carroll-Lind, 1998).

Eighteen year old Hester, (See table Chapter 5 page 103) was similarly exposed to violence against her father's girlfriend during a visit in the holidays. Hester's mother had left the relationship when Hester was only a few months old because of her father's violence and criminal activities. Hester enjoyed her visits but, as she explained, her father had a new girlfriend every time she went to stay and she was privy to his aggression towards them. However, one particular incident she recalled involved a girlfriend she particularly liked which left her questioning her father's behaviour:

> **Hester:** I remember this one time was really horrible … he'd had a fight with one of his girlfriends … and he was like "gotta go to the airport" put me in the car, like kind of roughly dragged me, and - because I kind of liked this other woman … he was like pushing her away. And he got quite aggressive and she ended up trying to get in the car and he pushes her so she fell back on the ground and you know, and he was holding her and was like "just stay fucking here" … and she tried to get in the car and the door slammed on her wrist, her wrist got slammed in the car door. And he just drove off….

Hester was very distressed and worried in case his girlfriend had been hurt:

> **Hester:** I was crying. And then he looked at me and was like "why are you crying"? And I was like, I remember saying "why do you think I'm crying?" like "she's nice and you're doing all that" and oh, I was so upset and I cried all the way to the airport … and he was like "oh she was just being a cow" blah blah blah, like trying to explain his actions.

While her father was aware of the effects of his behaviour on Hester, he demonstrated a common tactic utilised by abusers, denying responsibility and blaming the victim for the abuse (Cooley, 2006; Humphreys & Thiara, 2003; Edin, Lalos, Höberg, & Dahlgren, 2008).

As Bancroft et al. (2012) found, even after undertaking a batterer programme some abusers will still refuse to acknowledge the offence until faced with incontestable evidence such as police records. While the incident happened when Hester was a child, she clearly remembered the impact of the event, and how it made her feel at the time. By behaving in this manner, Hester's father was a poor role model and it was fortunate that Hester had a loving stepfather who was very respectful towards Hester and her mother.

Zara's case is interesting because her father's abuse was committed against her friend. Zara is a diabetic and as a child she had to carefully monitor her eating:

> **Zara:** In primary school I had a sort of best friend the whole way through primary school and she would come around … but when she came to stay at mine, particularly one time, she brought M & Ms and a movie around at which point my father … he was drunk and thought it was very unfair that she had brought chocolate around to his diabetic daughter which was ridiculous, because we were kids – we were going to get candy. So he actually hurt her quite badly and she never came to stay again.

Initially, as Zara explained, her father's comments were perceived as a joke:

> **Zara:** Because – she was laughing – she thought he was joking and I was just sort of like standing quietly …. She was holding a pack and he tried to grab it off her - and she thought that he was joking so she was laughing and sort of – and he just grabbed her arm.

Unfortunately it was too late in the evening for her friend to return home and she had no option but to remain. Zara related that she was so ashamed of her father's behaviour that it was never mentioned again. Zara's experience is particularly unusual, because while it is acknowledged that there continues to be a risk to family, physical abuse against children's friends is a little known phenomenon. In Zara's case the abuse was totally unexpected and, as she stated, she never again invited friends for overnight visits.

Studies further show that children often place themselves at risk by becoming involved in an incident (Edleson et al., 2003; Gerwitz & Medhanie, 2008; Mbilinyi, Edleson, Hagemeister & Beeman, 2007; McGee, 2000). McGee (2000) argues that intervention acts as a protective factor which assists children to cope. However, for Bailey intervention only provided short-term relief, and she continued to be affected for some years after the event. Bailey, (See table Chapter 5 page 103) now aged 23, was nine when her parents separated, and she spent weekends with her father up until the age of eleven when she visited in the holidays. When Bailey's mother re-partnered, and Bailey was privy to an altercation, she rushed to assist. And while, as she explained, the abuse only occurred occasionally it still left her feeling off-balance because of the uncertainty over whether another incident would occur. Consequently for Bailey, intervention was not significant in warding off long-term anxiety.

6.2.5 Neglectful Parenting

Child neglect is understood as the "failure to meet a child's basic physical and psychological needs" and has been identified as a major factor where abuse has occurred in the family (Martin et al., 2007; Turney & Tanner, 2005). Radford et al. (1999), for example, found that even very simple, yet necessary tasks, were neglected in cases where there was little commitment to parenting, including failure to change nappies and a lack of supervision of young children.

Several fathers in this study were identified as being particularly neglectful and permissive in their parenting style, lacking in a duty of care. James, (See table Chapter 5 page 104) for example, was aged 12 when his parents separated after a particularly violent relationship, and lived with his father full-time. Initially following the parental breakup, James' father was depressed, relying on James for support, and at times crossing the boundaries of proprietary in what he revealed. The situation changed when he re-partnered and spent most of his time living with his girlfriend leaving James to fend for himself:

> **James:** … because he wasn't home as well – so that's why as well, because he wasn't home and then there was no food at home. So when I got home there was nothing there and just me by myself and I was quite lonely and - and, yeah you know.

James would then go around and visit his mother who would buy food for him to take home. The consequences of neglect eventually affected James progress at school and, by year 11, James' school work had suffered.

James was another participant let down by the system. According to James, arrangements were made through the courts and his safety was not a consideration, even though there were police records of his father's abuse. At the same time, his mother appeared to have little understanding of how James had been affected by the violence when she left the relationship to live with her new partner, leaving the children in their father's care.

Kerry (See table Chapter 5 page 104) aged 24 related how her father's addiction to alcohol was problematic for her younger brother when together with her sister, they decided to discontinue their visits:

> **Kerry:** But then my little brother would go by himself – awful. My dad would be passed out and my little brother would call us - just awful. But he was just wanting to be with his dad, you know, a little guy.

Neglect of very young children was also revealed. Zara aged 19 was one of two people interviewed whose father had a drinking problem, and who continued to drink to excess during contact. As a young child aged under five, Zara was often left to her own devices when she spent week about at her father's isolated property while he was away working. Likewise, in Hester's case her father left her by herself in the home for a couple of hours at a time while he conducted business. Hester was also placed at risk of serious harm when her father took her on his drug runs and exposed her to his associates:

> **Hester:** But as I got older, obviously you're developing into a woman, and I started noticing that when we went to these houses, you know, they were starting to look at me - so they started – you know – you could tell, and I knew that it wasn't, you know, they're not supposed to be doing that …

As a consequence, as a teenager Hester was nearly seriously assaulted:

> **Hester:** So one night I remember is when I was thirteen and he had a huge gathering – they were upstairs and there must have been marijuana and stuff like that. And I was downstairs and his girlfriend was supposed to be playing a board game with me, but she went upstairs with all of them, so I was kind of just sitting there. And it was late at night and one of the new men, the new men on the scene, came down, and he stood in the kitchen and he just like stared at me. And then I got – I can't even tell you how – the fear – because even at that age I knew exactly what was on his mind. And he just started walking towards……my dad's girlfriend came down the stairs and I was like thinking can you not see, this is absolutely inappropriate……So after that I hid in a closet for hours. I waited until morning and I came out.

Hester recalls that her father was not even aware that she hadn't been around, preferring instead to party with his friends and leave her welfare in the hands of his girlfriend. Based on Hester's account, her father enjoyed showing her off to his associates while in contrast he was not prepared to make the necessary sacrifices when she was in his care:

> **Hester:** Like he constantly told me that he would think I was pretty and he wanted to show me off which is another reason why I think he took me – because in a way – and this is another thing that kind of impacts into that little resentment package – in a way I felt like just a trophy – just a possession that he wanted to show off.

Hester's father had no involvement in her upbringing which was the sole responsibility of her mother. Hester's father's attitude reflects similar findings which have shown that fathers often prefer to confine themselves to the more pleasurable aspects of parenting (Bancroft et al., 2012; Troon, 2014). Hester's assertion that "In a way I felt like just a trophy…" was pertinent, and is reinforced by Bancroft et al. (2012) when they explain that in their experience, some partner-abusive men view children as a reflection of themselves and not as individuals in their own right. Hence, putting children on display is a means of increasing their own social capital in the eyes of others. This attitude, according to Bancroft et al. (2012), is a manifestation of a self-centred belief of entitlement and a desire to be centre stage. Following this incident, Hester decided on her own volition not to stay overnight with him again.

Based on Jules' account, her father appeared to have little interest in making any effort to ensure that his children benefited from their visits. As outlined by Jules, during the weekend her father spent much of his time sleeping, and did not provide any meals.

> **Jules:** He didn't really cook for us, we were just sort of – if Bev (the father's girlfriend) – if she wasn't cooking something, we just sort of had to fend for ourselves. He had like a big box of Coco Pops in his house all the time, so if it came to it we had coco pops for dinner.

The girlfriend mentioned was described by Jules as having a drinking and drug problem, and Jules and her brother were often in her company when she was under the influence:

> **Jules:** Yeah quite airy fairy. She was never horrible to us. She just sort of tolerated our existence. Her daughter and I got along okay but she had ADHD and was the product of quite a neglected upbringing. So we would just go to a $2 shop, Wendy's, and then we would spend all weekend on his computer playing a reader rabbit game, or watching TV.

In addition to a lack of quality care, there was little bonding through shared activities in a less than stimulating environment. From the description given by Jules, her father's

parenting style fits Baumrind's (1966) model of permissive parenting whereby fathers are either indifferent or indulgent, often leaving children to their own devices and setting few boundaries. And while Jules and her brother stayed with him only at the weekends, weekend time still provided an opportunity for their father to effectively parent, and to contribute to their development. Indeed, as studies have shown, it is the quality of time spent, and not the amount of time that is the significant factor (Fortin et al., 2012; Furstenberg, Morgan & Allison 1987). For Jules and her brother, the quality of time spent with their father was poor which confirmed the contention that when arrangements are made to suit the parents and not the children, there is a less than positive outcome (Smart, 2004).

6.3 Co-operative Parenting: Myth or Reality?

As previously discussed, a shift in family law has refocused on the centrality of the child/ parenting relationship away from a previous emphasis on marriage (Smart, 2000). Following separation, It is hoped that parents will make their own arrangements (von Dadelszen, 2007) avoiding the intervention of the courts, with an assumption that children will continue to receive the same quality of care and attention. A pivotal consideration is that there will be on-going involvement by both parents in their children's up-bringing, and that parents will place their children's needs first.

However, while a laudable ideal, extensive scholarship has shown that where abuse has occurred, parenting may become a new site of conflict (Hardesty & Ganong, 2006; Hotton, 2001; Humphreys & Thiara, 2003; Jaffe et al., 2003; Kaye, Stubbs & Tolmie, 2003; Tolmie et al., 2009, 2010). Where such circumstances prevail, the readjustment of power to a relationship of equal standing may not be realised making a working arrangement unlikely.

Interestingly, although a refocusing has occurred under the law, research suggests that in the majority of cases childcare continues along traditional lines and caring responsibilities and emotional labour remains the province of mothers (Lacroix, 2006; Maclean & Eekelaar, 1997). Nonetheless, whether contact occurs in the weekend or is a co-care

arrangement, success will depend on a co-operative endeavour which will require good communication and a willingness by fathers to work closely with their former partners (Baxter, Weston & Qu, 2011; Smart, 2004).

6.3.1. Ability to Communicate

For the majority of the participants in this study, fathers were unable to co-operate with participants' mothers, which included an inability to communicate civilly. In several cases communication was only undertaken via email although, as one participant stated, this could also be "scathing". Phone contact, also provided an opportunity for abuse:

> **Isobel:** Mum and dad completely fell out of contact – mum couldn't stand to talk to him anymore. The only conversations that they'd ever have were him screaming at her over the phone, or sending her really kind of nasty spiteful messages.

> **Aaron:** He used to be real aggressive and just an absolute dick towards her, you know. He used to ring her up and abuse her and stuff and she never ever did anything likewise. She got sick of it and started swearing back at him and he's like ohhhh you know. No she didn't like having contact with him. But if she needed to she could do it rationally and as kindly as possible and he would just be an absolute dick.

In another case where a mother was frightened, her new phone number was withheld and arrangements for contact were made directly with the children by text when they were older. In other cases there was no communication whatsoever, with fathers' attitudes towards their former partners being so hostile that it interfered with any possibility of having a civilised dialogue. Where this was the case, there was an expectation that children would act as intermediaries passing messages between their parents which they did not appreciate.

The reason behind communication issues appeared to be attributable to fathers' feelings of hostility towards their former partners resulting in an inability to re-direct their focus away from relationship issues towards their child. The findings confirm previous studies that have shown an inability by some fathers to form a working relationship with children's mothers and a propensity to be irresponsible in their attitude to care (Bancroft et al., 2012; Tolmie et al., 2010; Troon, 2014).

6.3.2. Financial Support

Financial support was also not always forthcoming even when fathers were financially well-off. Some fathers contributed as little as two dollars per child, per week, which could result in mothers struggling to meet their financial commitments. Harper provided insight when she described how her father's contribution was well below the minimum requirement:

> **Harper:** Dad paid child support but because he shifted IRD (Inland Revenue Department) couldn't track how much he was earning. And then they found out at one point that he was earning like – they managed to figure it out, and he was underpaying by $900 or something. So they managed to ping him for that and so – I just remember mum's face that day, she's like I can pay the bills, she was so ecstatic. But yeah, mum mostly paid for everything.

Bridget's mother was also left with the bulk of the financial responsibility:

> **Interviewer:** … did he help with clothing and school fees and things like that?
>
> **Bridget:** Not really, when it came to school photos he might chip in a little bit because then he'd get an extra copy, but clothing and stuff was always down to my mum. The car was his thing – I think.[41] I don't think he pays child support because he doesn't need to for Vicky because she's half and

---

[41] Bridget's father bought her a car when she was a teenager which he helps maintain.

half and he got away with not paying child support by giving me a $20 allowance every week. To start off it was just $15, but then he bumped it up because it got him out of that situation.

Lauren's father took advantage of the distance between the two households as an excuse for not contributing:

> **Lauren:** So he didn't have to pay any child support for me until I was about 17 and even then it was like $15 a week. Mum's just like that's nothing. But he always argued that because he drove to pick us up from Palmerston North that the petrol money was just as much as mum spent on us which of course it's not. Anyone that can do maths can figure out that the price of driving half an hour, like a few times a week, is nothing compared to raising two children. So mum did buy us all our clothes and everything.

Holly's father had not paid any child support for his child from a previous relationship and, as Holly explained, initially he adopted a strategy to lessen the amount he had to pay for herself and her brother:

> **Holly:** He went on the dole – "I don't want to give the Government anymore of my money", or something like that. And of course the less he had, the less he had to give maintenance-wise.

Holly pointed out however, that he did contribute a small amount, and in later years helped with larger items.

The apparent lack of fathers' desire to financially support their children was interesting. However Liss and Stahly (1993) have found that men who have been violent tend to provide less financial support than non-abusive fathers. Nonetheless, as King's (1994) study revealed, financial support of children is pivotal in terms of their academic achievement, and may be more critical than contact. Significant also, is that while fathers

did not appear to see support as necessary, there was still an expectation that they were entitled to share in the decision-making.

6.3.3 Differences between Households

Smart (1995) contends that there are two different types of caring, caring for children and their everyday needs, which she found was of uppermost concern to mothers, and caring about children, which centred on father's rights. In this study a further outcome of non-co-operation between parents was a lack of consensus over care. Based on participants' accounts, prior to separation mothers had been responsible for the majority of the childcare, with little input from fathers. And while some fathers made an effort to improve their parenting skills and create a child-friendly environment, other fathers were less than diligent. This was evidenced by different standards between households, including mealtimes and what children could eat, with some children returning home hungry. There was also an apparent lack of planning for children prior to visits, for example, not ensuring that there was adequate bedding. In Jules' case little forethought was demonstrated when the arrangement changed from weekend contact to school holidays:

> **Jules:** The first couple of times it was very disorganised. He gave my brother and I fifty dollars and said go and get what you want from the supermarket and feed yourselves sort of thing.

Jules further explained that their day was spent looking at shops while they waited for their father to finish work. Even so, because he had an early start in the mornings, he was in bed by seven, again leaving them to their own devices.

There was also a failure in other cases to create a child-friendly space. As Rose, for example related, even when there was a bedroom it was always "full of other things". In recent years she has tried to remedy this for her sister:

> **Rose:** … In other years I'd talked to him about it for Sam and said that she would probably really appreciate it (having her own space) as she's getting older 'cause she's 14 turning 15 now'. I sort of tried to drive home the point for her and he agreed, but nothing has happened.

Zara also described some of the accommodation she lived in when staying with her father which was at times sub-standard:

> **Zara:** I remember the hut didn't have a - it was only one room and then another place was like an old shed. But it apparently had beautiful wooden floors, so he polished them all back. But it was basically just one big massive, massive room - kitchen over here - and his bed around here, and my bed was there, and the sitting room there. It was odd living. And a separate bathroom, but yeah. I'm sure I must have had a separate room at other houses, at normal houses I had my room. Yeah, I didn't have a space with my things with him, no.

Pollack (1998) argues that men have to be willing to look to their former partners for advice if their nurturing skills are to improve and to ensure children receive the same quality of care that they receive from their mothers. However, while Pollack's (1998) suggestion is valid, in their clinical work with abusive fathers, Bancroft et al. (2012) found a distinct reluctance by fathers to take any form of guidance or advice.

Positive parenting also allows for autonomy and age appropriate choices (Biller, 1993; Covell & Howe, 2009). However, in this study as young people aged there was reluctance by some fathers to adapt to children's changing needs. Children's bedtime was a particular issue that came to light, with some participants relating how bedtimes differed between households, remaining at a level for a much younger child:

> **Emily:** Mum let us go to bed later and he'd be like ooh you look so tired on Fridays he'd say. Literally until I was about seven or eight my bedtime was 6 o'clock at night - maybe until I was about 12, I went to bed about

6.30, 7pm. In summer it's bright daylight outside, the kids are playing in the street – and it's like it's time for bed and things like that.

Emily's case is worthy of note because her father had been a very hands-on parent prior to separation. However, from Emily's account, following the break-up his parenting style appears to have been driven by his need to prove that he was the better parent and that he provided better quality care than her mother. Emily described how there was always a competition between her parents which frequently ended back in court:

> **Emily:** It was always a competition between them as to who could be the better parent and they would do just things to outdo each other just to prove that they were the better parent. I mean, quite often it would end up in court and things like that. Always, they never sort of gave up hope that they would get sole custody because then that is the ultimate victory over the other parent.

Nonetheless, Emily's mother's parenting was in sharp contrast to her father's and her mother recognised Emily's changing needs and adapted accordingly. However, as a unit, Emily's parents could not reach a consensus on how to raise their children and their relationship remained non-co-operative and hostile.

There is still on-going debate over the benefits of overnight stays for very young children and the risks of separating them from their primary caregiver (McIntosh, Pruett & Kelly, 2014). While in McIntosh, Smyth and Kelaher's (2013) study there was no adverse effects on children aged 4 to 5 years, this was not the case for Jeanna's brother who found the ordeal traumatising.

> **Jeanna:** He didn't like staying overnight (her four year old brother). One of the things that he didn't like was that because my father had no understanding of how to look after children, he would put my brother to bed early. He would turn the light out in the bedroom and it was a house that my brother didn't know, and close the door and leave him in there …

And it's just a small child in a dark room in a house he didn't know. I mean, it might not have been so bad if he had been raised that way. But, because you know, in my grandmother's house we had always had the hallway light on and the door was open, and he knew where we were.

Jeanna explained that her father had not been involved in any of the childcare prior to separation, and he had little tolerance for young children. In addition, when her mother left, her brother was only eighteen months old and had not bonded with his father. Consequently, as Jeanna explained, as the time for the visit drew near her brother became extremely apprehensive:

Jeanna: I think it was his fourth birthday actually, he was supposed to go down and that was when he started having stomach problems. He would get bad stomach cramps and he would feel nauseous and that kind of thing. And my mother always said it was because he was so nervous because he had never had that time to develop a close relationship with my father.

Smart (2000) suggests that it may be unrealistic to expect very young children to spend extended time away from their mothers. Indeed, Jeanna's brother was so frightened at the prospect of an overnight stay that he became physically sick. His anxiety was compounded by the fact that his father had little understanding of the needs of a very young child and in this instance contact did considerable harm. The case highlights the issue of contact for the very young where fathers have made no attempt to bond with children or share in their upbringing prior to separation.

6.3.3 Maligning Children's Mothers

According to Bancroft et al. (2012), attempts by fathers to undermine the mother/child relationship pose one of the greatest risks to children. It was evident from participants' recollections that a high percentage of fathers felt bitter towards their former partners, blaming them for the break-up and being unwilling to put their feelings aside. As Zara

stated "I remember knowing from earlyish, don't talk about dad when you are with mum and don't talk about mum with dad". In this study, mothers were frequently the focus of fathers' animosity which could be very stressful for young children.

Holly, (See table Chapter 5 page 103) aged 20, was four when her parents separated and visited her father in the holidays:

> **Holly:** If he was ever talking about mum it was always very cruel. I would ask him why he was saying this. He would never go into details why. He never seemed to have any reason for what he was doing. And then I'd get home, and sometimes I'd tell mum what he said about her and she'd say "Ooh, no that's not right". She never wanted me to go into details either … so I didn't quite know why. But she just wanted it to stop. And then sometimes she would confront him about it and say stop it, these are our kids. And sometimes he would, and sometimes he'd get angry again. It just depended on I suppose what mood he was in during the day.

In some instances the on-going vitriol against children's mothers caused a rift in the mother/child bond, causing disruptive behaviour when children returned home. In, contrast, many of the mothers reframed from talking about the abuse to their children to preserve the children's relationship with their fathers.

Lauren's father blamed her mother for his cancer as well as criticising her mother's parenting. His criticism eventually impacted on her brother:

> **Lauren:** He had cancer when I was about eight and he told me that he got it because mum broke up with him and lots of things like that. Like I mean, he survived which is – I mean I remember a period where I kind of wished he didn't which is horrible, but I guess it's fair enough. Like, he would try and tell us that mum was controlling and as I grew up I was like, no you're the controlling one. He'd be like mum's manipulating you and you've spent too much time with mum and she's making you think like

this … and that's quite confusing when you're still learning about the world.

Interviewer: So how did that make you feel when you went back home to your mum?

Lauren: I somehow managed to keep a level head. I mean I used to cry when my parents would tell me things because it would be like I don't know who to believe. And because it was – they were directly opposing – telling me exactly the opposite things. And you know, they're the two people in my life when you are a child you put your trust in … And I remember my little brother was – I think I handled it a lot better because I had a younger sibling I felt like I was looking after 'cause we went everywhere together, we were really, really close. But I remember him getting really, really, upset. And he went through a period of believing dad I think, for a while so, he was much more affected than I was I think – well visibly anyway.

Lauren's father's use of emotional blackmail in blaming her mother for his illness, was no doubt intended to solicit sympathy by casting himself as the victim (Bancroft et al., 2012; Cooley, 2006; Edin et al., 2008; Humphreys & Thiara, 2003; Troon, 2014). Lauren and Holly's accounts further reflect the confusion children feel when parents malign their former partners in an attempt to secure children's loyalty. Indeed, as Epstein and Keep (1995) contend, children can feel quite ambivalent as they juggle their emotions between loving their fathers and yet disliking their father's behaviour. In Lauren's case, as she grew older, she gained added insight and viewed his comments in a different light, recognising that the accusations against her mother had no validity. Unfortunately, while Lauren was able to gain perspective, her father's behaviour undermined her brother's bond with their mother, seriously affecting his trust for some time. The mediating factor in preventing long-term harm was the close relationship he shared with his sister (Lauren) which provided him with stability during this time.

In Isobel's case her father could not tolerate his children's relationship with their mother. Initially following the break-up, Isobel did not see her mother, but after a six month break

she decided of her own volition to resume contact. This led to angry recriminations and accusations by her father that she was siding with her mother against him. Isobel related that her father's anger made her feel extremely negative towards him:

> **Isobel:** He hated it - hated it. He was like, he then turned around and blamed everything on me and said I was just like her, and I couldn't support her, and how dare I take her side over his. And I was like I'm not taking anyone's side. But I couldn't explain that to him – I was I'm not – you know, whenever I said I'm not trying to take her side I'm just saying that this is your problem, and it's not really mine. And he would say oh you're just like your mother and you're a complete bitch and you don't love me and I was like whoa – so yeah.

As previously discussed, Isobel's father had asserted extreme control over his family prior to the breakup and Isobel's mother's departure would have been a challenge to his authority (Hardesty & Ganong, 2006; Varcoe & Irwin, 2004). However, while many abusers retaliate directly against their victim (Hardesty & Ganong, 2006; Hester & Radford, 1996; Hotton, 2001; Humphreys & Thiara, 2003; Jaffe et al., 2003; Kaye, Stubbs & Tolmie, 2003), in this case retaliation occurred through the manipulation of his children, and every attempt was made to turn them against his former wife.

While initially her father was successful, Isobel was able to gain perspective, and separate herself from what she perceived to be a parental problem. However, this was not the case for her younger brothers whose relationship has been impaired by their father's vitriol, which has continued:

> **Isobel:** He'd get incredibly angry, incredibly angry – manipulative yeah - and ended up kind of playing me and the boys against mum and would end up telling us stories that weren't complete lies, but the stories were very much from his point of view and exaggerated. And then the boys, who were seeing mum at the time, would go over and be like, oh why did you do this, like that was such a horrible thing to do. And mum was just

like – I mean I don't think she knew what to do because if she retaliated in the same way that dad did, she would be stooping to his level – I think she knew that that would damage us even more. But at the same time she didn't want the boys calling her all these horrible names. So that's when they started acting out.

An active campaign against the children's mother led to difficulties when Isobel's brothers returned home. This has had far reaching consequences because both boys now suffer severe psychological difficulties and rely on their mother for support and as a buffer against their father's abuse. Nevertheless, the damage caused to the mother/child relationship remains a constant, and at the time of the discussion with Isobel had not improved.

Emily's father also campaigned vigorously to attain his daughters' loyalty expecting them to take sides. However, while Emily managed to distance herself, her father's behaviour adversely affected the relationship between her mother and Emily's sister:

> **Emily:** Grant would say that Jane was a bad parent that she wasn't strict enough on me and Kayla – and it would just go back and forth and it came to the stage where if I was at Grant's house I couldn't say anything positive about Jane. If he said something sort of bad about her, like then you just agreed, because to stand up for Jane in front of Grant was just like, you know, you would bring the wrath upon you and it just wasn't worth it.

The outcome of his criticism resulted in fights between her mother and sister when they returned home:

> **Emily:** … and, especially my sister being a bit older – what Grant began to say about Jane she sort of started to believe it more and more and she and Jane would start fighting more and things like that. And mum would be really confused – like what's happening – why is Kayla so angry about

this and what has Grant said to her and things like that. And so she would say your father's just telling you lies and Kayla would get furious about that and say "Don't say anything he's my father" sort of thing – because she and Grant were so close. Kayla and mum would get into huge screaming fits and Kayla would run away from home and go back to Grant's place and eventually Kayla just stopped seeing Jane altogether. And that was really difficult for mum because she just didn't understand what Grant could possibly have said about her that made that happen.

Based on Emily's account, her father's deliberate undermining of their mother was a tactic utilised with the intention of gaining full custody of his children which he succeeded in doing in Kayla's case. The behaviour exhibited by fathers in Emily and Isobel's case is reminiscent of 'parental alienation syndrome' which is usually equated with mothers. The term came to the fore in the 1980s when Richard Gardner described the condition as a form of brainwashing of the child by one parent against another, resulting in the child developing an extreme dislike of the other parent (Bruch, 2001). While Emily remained unaffected, her sister succumbed and initially did not want any contact with her mother.

Jeanna also described how visits provided an opportunity for her father to attribute blame:

> **Jeanna:** I remember he didn't like the clothes that my mother bought me. So every time - maybe when I was about nine or so, he would criticise everything that was in my suitcase – all the clothes I brought down … But, yeah, every morning after he had finished lecturing me, he would make me drag out my suitcase from my room, and he would look at my clothes, criticise them, and then he'd pick out what I was going to wear that day.

As previously stated, partner-abusive men have been shown to frequently attempt to secure children's loyalties by portraying themselves as the more able parent, particularly when they wish to pursue custody (Bancroft et al., 2012). However, by acting in opposition to children's mothers the opportunity to develop good parenting skills may be

stunted and, as was evidenced in the above situations, compromise their ability to parent effectively (Bancroft et al., 2012).

In Bridget's case she did not appreciate her father maligning her mother beyond the boundaries of family:

> **Bridget:** … he would guilt trip me, he would tell me horrible things about my own mother and you know - and obviously this Sandra woman (her mother's friend who her father did not like). And he still does it, because I got an email from my old friend in Australia the other day and he said, "Hey, haven't talked to you in ages, sounds like you've had a pretty rough year with your mum, your dad says." Because dad was friends with all my friends on Facebook. And I was like really, I love my mum, she's the man.
>
> **Interviewer:** Oh, so he told …?
>
> **Bridget:** Yeah, he told a random 18 year old boy in Australia who he remembers being six years old when he last saw him, that "Hey you're Bridget's old friend, you should probably talk to her because you know, she's been living with her mum and her mum's a right bitch".

A particular insight, as highlighted in Bridget's case, was that there appeared to be no respite in fathers' feelings of hostility towards their former partners over the ensuing years, with fathers remaining just as bitter. Walker (1993) has suggested that a successful endeavour will require a resolution to past grievances which will involve 'mutual acceptance' and even 'forgiveness'. In all cases but two, this appeared unlikely because men were unwilling to take responsibility for their actions, often viewing themselves as the victim of the relationship breakdown. Where a resolution had occurred, the father was able to acknowledge his violence, while in the second case both parents remained child focused from the outset and children's needs were primary.

6.4 Conclusion

The findings above, illustrate men's power over children and fathers feelings of entitlement, a belief that one has special rights and privileges (Bancroft & Silverman, 2002). An overarching characteristic of men who abuse their partners is the need for control (Bancroft et al., 2012; Johnson & Leone, 2005; Johnson, 2008). Men who abuse their partners have been shown to be self-centred putting their own needs first (Bancroft & Silverman, 2002; Bancroft et al., 2012). Consequently, they may not always be available to their children (Johnson & Campbell, 1993b). The risks to children of on-going exposure and co-occurrence of violence in the post-separation environment, also raises questions as to how post-separation contact should be structured.

The findings in this chapter for example, suggest that a mandatory shared arrangement would not be of benefit to children where there is a history of domestic violence, or where parents are unable to co-operate. To date there is little understanding of whether this is something that children themselves desire or how this works across the course of a childhood (Smart, 2004). The little that is known, is that it does not work well when parents are unable to communicate, or remain child focused (Smart, 2004). In this study participants who were in a shared arrangement were not always comfortable and where fathers were controlling, a time-share arrangement did not work well. Limited contact could also be problematic where fathers were not child focused, and where there had been excessive violence towards children prior to separation this was shown to continue.

Chapter 7 Findings & Analysis: Agency

7.1 Introduction

Under a new sociology of childhood and childhood studies, children are now viewed as active agents in their own lives capable of considered reflection and full engagement in social life (Alanen, 2005; Fattore & Turnbull, 2005). Problematic is that the social understanding of parents as guardians of children's wellbeing, continues to bestow parental rights and responsibilities over children, including the right to punish and reward (Solberg, 1997). Indeed, despite a more liberal view of children in recent years, within the private domain of family life, children often continue to have little power and remain subordinate to adults (Roberts, 2003). A lack of recognition of children's rights is also unlikely in circumstances where there has been violence in the home and an imbalance of power has been central within the parental relationship.

This chapter is the second analysis chapter of this study and looks at how much autonomy was afforded to young people as they aged. Section one of this chapter looks at the everyday practices of children as they explored their independence and examines fathers' ability to be flexible over arrangements and leisure activities. Section two looks at whether young people had a voice when parenting arrangements were made either through the courts or by private negotiation.

7.2 Autonomy

Baumrind (1966) notes that authoritative parenting practices encourage competence and autonomy which results in optimal outcomes for children. However, where abuse has occurred in the parental relationship, fathers have been shown to practice a style of parenting which is more authoritarian and lacks the necessary flexibility to allow children autonomy as they age (Bancroft & Silverman, 2002; Bancroft et al., 2012; Baumrind, 1966; Covell & Howe, 2009; Harne, 2011; Holden & Ritchie, 1991).

In this study fathers adopted what Qvortrup (1997) describes as an 'adultist' attitude in which children have few rights and are subordinate resulting in an inability to deal with children on an equal footing. A lack of autonomy was shown to be particularly problematic the more time participants spent with their fathers especially when they lived in a shared arrangement. Aaron, for example, related his experience when he decided to restyle his hair:

> **Aaron:** I went and got a haircut I wanted with my brother and his partner…..And he came over to pick me up because it was my time to go to him. And he started going off, and then my brother's partner – she is real cool, I've known her since I was like a kid … she started defending me, my rights, and what I wanted, … and he was like took a swing at her ….

A need for control and compliance was further evidenced in Emily's account of the consequences suffered by her 15 year old sister Kayla when Kayla went against her father's wishes and had her nose pierced:

> **Emily:** And there were all these things – sort of now this huge list of things that were the consequences of her actions sort of thing. Um, like, sort of a certain bedtime hour, there would be none of this, this, and no seeing friends, no television. You'd come home from school you'd do this, you know – there would be all these more chores to do. … always over reacted to the extreme (her father)... see you can't just contradict what Grant said because that's like a critical mistake happening right there.

In contrast, it appeared that Grant's views were not shared by Kayla's mother and stepmother who tried to intervene on Kayla's behalf:

> **Emily:** Clare (stepmother) sort of, I mean Clare, she had already raised three children and she raised them well, sort of thing, and she understood that it wasn't that unreasonable for Kayla to have a piercing

in her nose. Like a tiny sort of one there … and so it was always a balancing act, like mum would try - Clare would try and get a slightly less harsh punishment – and Grant would be like, "No, this is what I said, this is what has to happen".

Bancroft et al. (2012) state that in their clinical work with abusive fathers, they have found that fathers are very resistant to taking advice from others and are disinclined to countenance that they may be wrong. Biller (1993) further suggests that while young people should respect authority figures, this should not be passively or uncritically accepted if the behaviour is questionable. Although Biller (1993) was referring to authority figures outside of the home, it could be argued that his comments could equally apply within a family situation. While a critical response was not by itself the issue in this study, it was the over-reaction by fathers when their authority was challenged that was the issue. While intermediaries tried to intervene on Kayla and Aaron's behalf, their attempts were unsuccessful because fathers were not prepared to compromise.

Older children were also denied a choice of clothing with fathers' deciding what clothing children could wear. In one case a participant described how her father would select the clothing that could be worn for weekend outings. The clothing, however, was not of the participant's choosing resulting in her feeling overdressed compared to her peers. For Isobel, short skirts, heels, and even the colours pink or black were excluded. Moreover, as she explained, if she bought new shoes for example, her father would immediately undermine her choice insisting on providing a replacement pair which, in his view, were of better quality:

> **Isobel:** I mean when it got to the point that I was actually going out and choosing my own clothes and starting to kind of develop a taste, it was more to the end of my dad and my relationship. I would deliberately wear things that I wouldn't wear to a friend's house for example - you know - I would deliberately wear kind of track pants and um, flats, or trainers, tops that were quite baggy and stuff - you know - nothing even nice really. Um – but he had control over lots of things. Like he decided my

haircut until you know, I was about – you know things that mothers should decide really. But he decided my haircut up until about 14, which was when I started moving away and I realised that I could actually grow my hair out.

As Isobel revealed, a lack of autonomy was a reflection of a father who had dominated every aspect of her mother's life. This included the clothing she was permitted to wear and his preference of hair colour. In contrast, Isobel's mother trusted her daughter's judgement and was very encouraging:

Isobel: And you know, there's a big difference between like – the support they give me (her mother and her mother's new partner) and the support that dad gives me you know – I could walk upstairs – my bedroom is on the ground floor – I could walk upstairs you know, in the tightest sluttiest thing imaginable, and mum would go oh you look nice dear … our relationship as we were growing up, um, in the teen years was completely based on trust.

Isobel related how she had set up a strategy to avoid conflict by tailoring her behaviour between the two homes. In addition, she has a strong relationship with her mother and her mother's partner, which, as Grotberg (1995) informs us, provides her with a level of social capital that she can call on when the need arises. Grotberg (1995) describes social capital as part of a vocabulary of resilience including 'I have', 'I can' and 'I am'. The 'I have' can be understood as relating to support networks (social capital) that can be accessed either in person or mentally which will provide the child with a sense of support when faced with difficulties.

Living with violence can also create barriers between children and their peers because of their loss of self-esteem and their sense of being different. Holt and Colleagues (2007) found that young people may be wary of developing relationships at school in case their circumstances became known. For Maree, fitting in with peers was problematic due to

her father's restriction on her choice of music and television programmes which alienated her from other young people her age:

> **Maree:** If we were with him (her father) in particular, he wouldn't let us listen to specific sorts of music. Like he wouldn't let us listen to rap, or listen to, you know, things that had some sort of metal, rock or - we didn't you know. Growing up wasn't all that great. It's one of the reasons why I read a lot. Because we weren't allowed to watch huge amounts of TV, reading was a good way of getting away. The good thing was, because he didn't – you know, he wasn't a big reader himself, he didn't really know what I was reading, so I could get away with reading whatever I wanted.

An additional restriction imposed by Maree's father was on her choice of friends which further added to her difficulties:

> **Maree:** Oh, most of our friends were fine anyway, you know, but he still - it still meant that we were kind of ostracised and outcast at school, because you know - they knew that if, you know, that my dad wouldn't let us have friends that he didn't approve of.

Nonetheless, Maree demonstrated resilience by taking advantage of the fact that her father was not well read and had little knowledge of her choice of books. Newman and Blackburn (2002) describe resilience as the potential to survive adverse circumstances allowing for continued recovery and growth. The importance of resilience is illustrated in studies which show that the attribute is a protective factor against developmental harm for two thirds of children who experience adversity (Newman & Blackburn, 2002). In Maree's case, any benefits were unfortunately offset by her ongoing contact with her violent stepfather.

7.2.2 Control over Time

Biller (1993) argues that all members of a family deserve certain rights and that this is not age dependent. Good parenting practices will recognise that as children reach adolescence and their teenage years, there will be a desire to take charge of their own lives. Indeed, as Solberg (1997) found, by the age of 12 young people appreciate being able to socialise with friends away from the family environment, developing their own space and extending the boundaries away from parental influence. When parents adopt positive socialisation strategies which include encouraging autonomy, high levels of parental warmth, and modelling desirable behaviour, this will result in greater social competence and fewer behavioural difficulties (Covell & Howe, 2009). In this study, socialisation could be hindered as a result of control over leisure time and leisure activities which many people found challenging. In some cases this required careful negotiation, calling on mothers for assistance. However, when concessions were made there was an expectation that the time would be made up at a later date.

Some fathers were shown to be particularly unyielding when it came to Christmas and holiday arrangements, demanding their allocated time without any consultation with their children. Lauren, for example explained:

> **Lauren:** It was always like, especially with Christmas, it was like you must
> be at my house if it's my turn for Christmas, and it was just like hmm …

Likewise, Maree recalled that her father was inflexible about Christmas. When asked what would have happened if her mother had wanted to take the children away on holiday, Maree replied that no concession would have been given:

> **Maree:** That's one thing he wasn't flexible over, was Christmas. So, he
> would have said, you know, the holiday would have to be before.

There was also an expectation that children would be available upon demand. Jules recalled an incident when her father turned up a day earlier than the pre-arranged outing which led to a violent altercation with her stepfather:

> **Jules:** And while we were out, my dad showed up on our doorstep demanding to see us. And my stepdad said, um, "They're out at Stella's looking at pigs", and he goes "Ooh, I came down here to see my kids, I don't want them to be looking at bloody pigs", or some shit like that, acting really angry considering he's come a day early. So my stepdad who is like a real peaceful calm kind of guy, just said look, "I'm sorry they'll be back soon" and my dad got really angry and punched him in the face.

Rhoades (2002) has suggested that the new parenting reforms have increased fathers' feelings of entitlement to contact, but not in a positive way. As evidenced in this study, units of time became a commodity equated with rights, but the rights of fathers and not the rights of children. Consequently, asking to spend an hour or two of extra time with siblings and mothers could be problematic. Bridget's account of her father's behaviour when her sister Vicky asked to stay at her mother's home for tea on Bridget's last night home from university illustrates the point:

> **Bridget:** "Is that man going to be there that's not a member of our family"? referring to my mum's partner. And I look at him, and I'm looking at him directly in the eyes (her mother's partner) and I'm like "Yeah, he's here right now" and he's like "No fucking way, I'm coming over now". And he rushed over and he picked up my crying sister - like she was balling her eyes out - and he picked her up, and it was like "Why are you crying?" like really aggressive, like how dare you be upset. Um, and then, yeah. He's still trying to make mum hang out with him.

Although her father initially agreed, problems arose when he realised that Bridget's mother's new partner was likely to be present. From Bridget's account, when this was confirmed it appeared that his inability to accept the separation from his former partner

superseded his daughter's request and her wishes were silenced. Moreover, as an 11 year old, Vicky was picked up and forcibly removed from her mother's home. While there were no repercussions against her father, Saunders and Goddard (2005) argue that any such behaviour of this nature perpetrated against an adult would not be tolerated and is only accepted against a child because of the child's inferior status.

For other participants, spending time with friends could be a challenge, and Maree recounted that she was not allowed to go on outings with friends when staying with her father. In Emily's case, her leisure time was strictly managed, allowing no room for negotiation or discretion. For example, Emily recalls how being invited to sleepovers with friends was stressful when staying with her father, and she fervently hoped that any invitations would take place during the week spent with her mother:

> **Emily:** Yeah, I mean I saw my friends all through school, but in the weekend that I was with Grant (her father) if it was something that – like one of my friend's birthdays and I really wanted to go to it- I would plan it – I'd have to know weeks and weeks in advance, and I would hope and hope that it was a weekend I was with Jane (her mother). And if it wasn't - then - because I mean – like you know when you're young and it's a sleepover, like, you know, say it's a Saturday night and you want to stay like Sunday so you can play and things like that. But with Grant it was always you know, "You've spent a whole night with these people, I'll pick you up at nine o'clock in the morning". Which apart from being early when you've stayed up till like one in the morning which is really late when you're sort of 10 or 11.

Ennew (1994) makes a relevant point when she states that constructs of children have tended to confine children within adult space, that is, approved locations such as home and school. However, while children need to be protected, insensitivity to changing needs as children age can become intrusive (Biller, 1993) and family life can become a site of oppression (Smart, 2000). For Emily what should have been a pleasurable experience and something to look forward to became a challenge which was never about Emily, but

about entitlement over Emily's time. From all accounts, Emily's father was obsessed about keeping to the allocated parental agreement, resorting on one occasion to calling the police when there was a three minute delay during changeover. Similarly, when the family was intact he preferred to keep his family isolated from extended family and friends.

In another instance the father appeared reluctant to encourage socialising because of what might be disclosed:

> **Aaron:** It was more with my dad because he was controlling. He didn't want me going out, he didn't like me – he got real paranoid as well, that's one thing I couldn't stand about him. Like if I'm going to my friend's place I'm telling them how evil he is and all this. And my mum, she didn't mind. She would help me as much as she could – you know.

Kimberley, and her siblings were not allowed to play sports and school became the only place they could socialise:

> **Kimberley:** But we were just so removed from society. I mean school was our only interaction with other people which we loved, we thrived on it. We wanted to get more involved, but we weren't allowed to play sports and things.

Buckley et al. (2007) found that for some children school provided a safe haven from problems at home. For Kimberley and her siblings school was not only a respite from abuse, but was the only outlet where they could socialise providing them with opportunities that were denied to them by their father.

7.2.3 Suppression of Children's Views

As noted by Bukatko and Daehler (2001), a need to struggle with their parents is part of children's identity formation and rigidity by parents can lead to developmental issues.

The point is pertinent as in this study some fathers were intolerant of any views that contradicted their own. Harper, for example, reflected that while her father liked to play with young children, she did not think he liked it once they reached a certain age where they presented a challenge. Some participants, however, chose to exercise their right to an opinion and spoke out regardless:

> **Zara:** … and then it sort of started to become an issue around sort of 11, 12 … So then it was sort of having my own ideas and then knowing that they contradicted – and then going, but I think you're wrong … he absolutely couldn't deal with it. He, um, ooh - yeah – no, we would have massive arguments … Yeah, he'd yell a lot and wouldn't let you express – he was very - almost panicked, in having to just smother your ideas with his.

The situation reached a point where Zara sought help from the counsellor/doctor who had mediated the parental agreement:

> **Zara:** And I remember talking to this same doctor - family counsellor, um, and him just saying – and I hated this – going well, you just have to, even if you think you're right, just give up, just listen to your father and just give up your pride basically. And just say that he is, you know, right. But – oh I did not - I sort of very much fought for my ideas and things.

Zara found herself in a similar situation to many other young people who have sought help from professionals only to find they do not receive the support they require (Barron, 2007; Buckley et al., 2007; Epstein & Keep, 1995; Mullender et al., 2002). Moreover, no blame was attached to her father's behaviour, nor questions raised, and it was Zara who was expected to adapt and acquiesce to her father's view-point to maintain the relationship. At the same time, by discounting Zara's concerns the counsellor, in effect, adopted an attitude of blaming the victim for her circumstances, and no effort was made to speak to her father or set up mediation.

7.3 Consultation over Arrangements

Numerous studies have shown that where there is a history of domestic abuse, some children do not want further contact with their fathers and may be very fearful of continuing the relationship (Buckley, Holt & Whelan, 2007; Cashmore & Parkinson, 2009; Irwin et al., 2002; Morrison, 2009; Mullender et al., 2002; Overlien & Hyden, 2009; Smart, 2000; Tolmie et al., 2010). Children may also worry that they will not be returned to their mothers or that fathers will apply for full custody (Hardesty & Ganong, 2006). Nonetheless, children's views are often marginalised when parenting arrangements are made with adults making all the decisions and consultation with children kept to a minimum. Indeed, as Gollop, Smith, and Taylor's (2000) study found, only 19 percent of children were consulted during initial negotiations. Likewise, Dunn and Deater-Deckard (2001) revealed that only 5 percent of those interviewed indicated that they had been kept informed of developments.

While the majority of participants in this study were not consulted over parenting arrangements, this was not unexpected. Indeed, the best interests of children continue to be framed within a welfare discourse which is paternalistic and based on a view of children as adults 'in becoming' in need of adult guidance (Alanen, 2005; Archard & Skivenes, 2009; Kurki-Suonio, 2000; Mason 2005; Rhoades, 2002; Smart; 2000). Running a parallel course is new knowledge of children as individuals in their own right and children are now entitled to a voice in matters that affect their lives (Alanen, 2005; Grych et al., 2000; Prout, 2003).   However, allowing a voice in decision-making is a challenge to deeply entrenched beliefs (Archard & Skivenes, 2009; Shamgar-Hadnelman, 1984; Smart, 2000) As such, age continues to be a barrier and even when children's views are heard, their views are often disregarded (Boshier, 2005a; Henaghan, 2008; Radford, et al., 1999). Where fathers are inflexible or have maintained control over their former partners, it is also unlikely that any leeway will be given and, as shown in this study, there was a strong sense of entitlement over children's time. Indeed, fathers exercised what they saw as their due, and the time agreed to in the parenting arrangement took precedence over any consideration of what children might like.

7.3.1 Private Arrangements

The findings in this study showed that although the majority of parents negotiated their own agreement, this did not mean that arrangements were always welcomed by their children. In cases where children were older and violence had been severe, participants related that their siblings elected not to continue contact with their fathers. In contrast, participants who were younger at the time were not consulted, and believed that they had no option but to comply. Bridget explained that at the time she was still a little fearful of her father and would have much preferred to have remained in her mother's care:

> **Bridget:** And, I'd always like freak out about going to dad's house. It was quite a chore - a week long chore. Um, he's very bitter about a lot of things.

Addison also mentioned how, as a young child, she did not feel she had any choice and that she "hated" staying with her father who had been extremely violent to her siblings:

> **Addison:** From sort of six to ten before we moved, it was mostly just myself and my sister who is two years older – it would just be us staying there because none of the others wanted to – yeah. And then, that young I sort of don't feel like you have a choice and I always felt, I think a lot of guilt for us as well – as much as we didn't want to stay, we felt sorry for him as well, and didn't want to, nah. So, yeah, weekends were never the highlight of the week.

Likewise, Kerry recalled how she did not want to visit her father:

> **Kerry:** I mean, we (Kerry and her sister) never wanted to visit him. And there would be weekend trips where we would have to go – because he owns a boat – we would have to like go on the boat with him, and it was awful.

In most cases participants were young at the time and their fathers' right to on-going contact took precedence over allowing children a voice. However, Coyle (2000) states that children's views are relevant whether they are aged 15 or five. Coyle's (2000) contention is supported in a study by Ornduff and Monaham (1999) which found that children as young as three were able to describe their circumstances and what made them happy. Interesting also was that the majority of the young people interviewed did not consider that they had rights accepting a predominant social understanding of children as subordinate to adults.

Smart (2000) makes the observation that when children have not previously been involved in family decision-making, they may lack the necessary skills to fully engage. In this study some children found it difficult to express their fears or discuss their family situation:

> **Addison:** Yeah, we were pretty – we never did – we've sort of talked about it since with my mother – and we never did directly say I don't want to be there. We would always say things like – and she feels really bad about it now because she didn't understand – but we would say things like it's too cold there, I don't want to stay. It's too boring there I don't want to go. So she would give us blankets to take, or she would give us toys to take. So we never directly said we don't like there I'm scared I don't want to go, it was always in a roundabout way.

Addison further explained that although she felt she had little choice over arrangements, she felt a lot of guilt as well as feeling sorry for her father thus confirming Peled's (1998) findings which showed that children can be very conflicted as they restructure perceptions of their father following separation. In contrast, Lauren did not like the arrangement and was annoyed that she had no say, becoming very vocal as a teenager. Lauren's parents negotiated a 40/60 parenting arrangement, and in addition to weekends, Lauren and her brother spent every fourth Wednesday and every second Thursday with their father:

> **Lauren:** I always questioned that though when I was younger. Well, why
> can't Harry and I choose where we want to – who we want to live with …
> Like I asked, but no one asked us. Because I wanted to know why – it
> actually became quite a big issue to me – and I looked it up on the
> internet heaps when I was about 14 - I was like why can't I, as a child, go
> to court and choose who I want to live with … I think that it should be
> included in the decision of who the child is going to live with. They should
> be able to say who they feel like living with.

Lauren's situation demonstrates the ambiguities in arrangements where children are expected to adapt to a situation that adults themselves would not countenance and where fathers append children to their own agenda. Lauren recalls how, for a period of time, the mid-week sleep-over ended up as a night on the floor at her father's girlfriend's house:

> **Lauren:** Yeah, it's just annoying because I have to move all my – like take
> a bag of stuff to there, and then I have to stay on someone's floor and like
> – Karen (his girlfriend's daughter) used to – she didn't snore she just
> made these weird like noises in her sleep, and I'd just be like … and she'd
> get annoyed with me. And I felt bad for her because I was just invading
> her room. I didn't really like Chris (his girlfriend) either, so that wasn't
> very good.

Neither Lauren nor her brother was asked if they minded this arrangement and whether they would have preferred to miss the mid-week visit. Lauren did not like the disruption of having to spend the night with her father's girlfriend in addition to spending time between two households. Lauren's situation brings to the fore the necessity for parents to remain child focused and to check periodically with their children to ensure the arrangement still suits (Smart, 2000). Lauren's circumstances, together with other participants in the study, also raises the question on the viability of shared care which is now a lived experience for many children. In her earlier work, Smart (2000, 2004) challenged the view that shared care should become mandatory, stating that there is a

potential to reduce children to passive objects with no voice under a system designed only to create equality between adults. Smart (2004) further states that currently little is known about how this will work across the course of childhood or whether this is something children themselves would like. In this case, had Lauren been given an option, she may have elected to remain at her mother's home at this time.

The necessity to talk to children and keep them informed was illustrated by Holly who was upset about her parent's break-up and hoped that they would reunite. As Holly explained, even though she was privy to their animosity, she thought it was quite normal at the time:

> **Holly:** I was very much used to it, you could say, because I hadn't really known anything else. I don't have that many memories of before they were split up. So I was – used to getting shuffled here, getting shuffled there. But I was not very happy about it. I couldn't see why my parents couldn't get back together.

Children want to be involved in the decision-making process and denying them the opportunity to express their views increases children's feelings of powerlessness (Mullender et al, 2002). Moreover, as Mason (2005) explains, when children are regarded as being subordinate, this legitimates adults' imposition of authority over them. Holly's upset over the parental separation was compounded by the fact that the change in circumstances was not explained, leaving Holly feeling confused and unhappy over the new family situation.

7.3.2 Agency in Due Process

As a signatory to the United Nations Convention on the Rights of the Child, New Zealand children have a right to a voice when arrangements are made through the Court. And while the majority of participants came under the previous legislation, there was still a provision under the Act[42] for children to be part of the participatory process. Hence,

---

[42] s23(2)1968 Guardianship Act.

where the judge felt that it would be appropriate to do so, the child would be appointed a lawyer who was charged with presenting their views to the court. Nonetheless, criticism has recently being raised that the Government is not doing enough to meet its obligations in ensuring that children's views are listened to and considered (Cleland, 2013).

Maree was initially in a 50/50 co-parenting arrangement which was determined through the court, but she was not involved in the court proceedings at this time. Several years later, Maree's mother sought to alter the arrangement and applied to the court for full custody. However, by this time her mother was living with a new partner who was violent to the children. Under these circumstances Maree wanted to live with her father full-time, away from her stepfather's abuse. Nonetheless, Maree was not given the opportunity to voice her concerns and a lawyer was not appointed:[43]

> **Maree:** Like we weren't allowed to go to court. We weren't allowed to see what was going on. You know, we didn't get a say … And I should have been allowed to say something and say I'd actually prefer to live with my father now because my stepfather is – we were living in fear in a very aggressive situation and it was very, very bad for our wellbeing, and you know. I can't deal with a lot of guys now because, you know – the damage that was done.

Maree continues:

> **Maree:** I have regrets of not getting the chance to speak in court and not being able to sort out where I was living and who I was living with. Because I think if I'd had that chance – especially before my teenage years - I think I would have lived with my dad because I think my schooling would have probably gone much smoother if I had been living with dad at that point because of the way my step dad was treating us.

---

[43] A contributing factor to Maree's desire to live with her father in later years was that when he remarried his violence discontinued.

It would appear that the abuse was withheld from the court by her mother who, as previously outlined, was not prepared to hear any criticism against her new partner. The outcome resulted in Maree's safety being jeopardised and, as she explained, this has had long-term consequences for her as an adult.

According to Aaron, gaining access to the Domestic Purposes Benefit may have denied him his preference to continue the weekend only arrangement negotiated with his father. After several years of weekend contact Aaron's father applied to the court for full custody even though he was aware that Aaron did not want to live with him full-time. Aaron stated that during the court hearing, his father misinformed the court, telling them that this was his son's preferred option:

> **Aaron:** I'm pretty sure – he like kept saying all this stuff like, he told the court that I was telling him that I really wanted to just live with him full time and I never said that.

The application resulted in stress for both Aaron and his mother who were fearful that his father's application would succeed. In support of his application, the truth also appeared to be stretched a little further, with his father reporting that his mother's house was infested with rats and was not a suitable environment:

> **Aaron:** And my dad making up lies and all that - just a constant barrage. And him writing a report about our house and like saying – one of his reports I remember saying that there were rats running through the house. In truth, my brother had two pet rats in a cage – that's what it became. And they did come out and used to play and stuff. They were cleaner than most animals. They were like lab rats in a cage. My brother had weird animals. And that turned into, oh there were wild rats running through the house which never was the case. And stuff like that. That's what my dad wrote about my mum's house, stuff like that. That's in terms of filing for custody.

In Aaron's case he had the opportunity to have his say when he was interviewed by a child psychologist. But while he expressed his preferred option, the court decision was for shared care which is increasingly favoured by many judges (Tolmie et al., 2010; Rhoades, 2002). Nonetheless, Wallerstein and Lewis's findings (2004) showed that where children are forced into a relationship against their wishes, they are less likely to have a long-term relationship with their father as an adult. This contention is supported in Aaron's case as he no longer associates with his father who he strongly dislikes.

Aaron also made an observation that the motivation behind the application by his father was to gain access to the Domestic Purposes Benefit. Elrod & Dale (2008) confirm that this is sometimes a strategy utilised by former partners to reduce child support payments thus effectively creating financial difficulties for mothers and children. A similar tactic to solicit the benefit was noted in Robertson et al.'s (2007) study. But while the financial return may in most cases benefit the father, this is only beneficial if it offsets a decrease in childcare expenses incurred by the mother. Aaron's mother was already struggling financially as well as coping with her former partner's abuse which placed her at a distinct disadvantage.

In Jeanna's case she was appointed a lawyer whom she initially liked, and who appeared to be able to relate to children. However, an opportunity to express her views was undermined by her father who did not want anything she said to interfere with his application for full custody:

> **Jeanna:** She was quite nice. And she understood how to work with children, but in the course of what my father would say to me in the mornings and any other time he got a chance really, he would say how she was so terrible as well. And he told me not to trust her and this kind of thing. And so I ended up not liking her. Now I think, well, she wasn't actually that bad … I remember in one letter I said that I didn't like her (the lawyer). And of course all the letters I wrote to my father were seen by the courts as well. He would take a photocopy and show the courts what I'd said. And I mean, he had told me to say that I didn't like her.

He'd actually asked me to slant my letters and when I wrote it he was like "see what she wrote".

Jeanna's situation identified potential problems for children when pressure is brought to bear by a parent who is following their own agenda. Indeed, while providing children with a lawyer is a recognition of their right to be heard, this does not ensure that what children discuss with their lawyer will not be influenced by their parents. In Tolmie et al.'s (2010) study, for example, the research found that some contact parents appeared to have been actively involved in shaping children's views towards the arrangement. In Jeanna's case, her father did everything he could to alienate her from her lawyer, a mission which he eventually accomplished.

7.3.4 Positive Outcomes

It is important to never assume that arrangements made for a seven year old are fair for a fourteen year old and flexibility is required (Neale, 2001). In this study, where fathers were able to be flexible and listen to their children's views, the outcome was positive. As Rose explained, as she became older there were other demands on her time, and the trip to see her father was not always convenient. By this stage, as she further explained, she was not gaining any benefits:

> **Rose:** And during my first year of college he was living in … with like, because I took school quite seriously, and I was really involved in lots of like leadership type things. And there just got to be a point about halfway through the year where I was like I just can't face going to see dad 'cause, it's so out of the way, and I get nothing from it 'cause it was hard, like, with the three of us - there wasn't a space that I could inhabit and be independent. And my younger sister was only eight or nine by then and there weren't many activities that we could all do together, apart from watch TV. And, as a diligent young student there were other things that I wanted to do than watch TV for that amount of time.

Interestingly, Rose asked her mother to negotiate on her behalf, because as she said, at age 13, "I don't think I was prepared to have that conversation". Fortunately for Rose, although her father was initially angry, he agreed to her request. The outcome was of much greater benefit to Rose than forcing her to continue under duress, and she still maintains occasional contact with her father as an adult.

Likewise, Reagan's father did not try to force Reagan to stay when, as a young child, she became frightened and she was allowed to return home to her mother's house. Reagan who is now 18, visited her father every second weekend until the age of 15 when the arrangement was renegotiated to alternate weeks (See table Chapter 5 page 105):

> **Reagan:** That's what I didn't like, the whole having to stick to plans, and so when it became a bit more relaxed, then it could kind of be like, oh, but I need to be at mum's to be able to go to this in the morning. And it'd be like, oh that's fine – or I'd need to run back 'round to mum's to pick up this or, on the way out, I need to get this. It wasn't like an inconvenience.

Smart's (2004) study showed that where children are able to move freely between two homes, a shared arrangement can work well and children are happy. Indeed, Reagan's situation highlights the benefits of parents working together and placing their children's needs first. As a result of her father remaining child focused, Reagan continues to have a good relationship and stays with him when she returns to her home city.

7.4 Conclusion

Parents remain 'all powerful' with the power to exercise beneficence or punishment. As Lloyd-Smith and Tarr (2000) state, the voice of the child continues to be belittled and adults still retain control over children. The point is pertinent because within the family structure, attitudes to parenting will be influenced by a number of factors including relationship issues between couples.

In this study where control had been a dominant feature of the parental relationship, fathers did not encourage autonomy or adapt to children's need for independence as they grew older and living with fathers could become a site of oppression. Fathers often acted as gatekeepers, putting up barriers which interfered with children's socialising and decision-making capabilities even when they were old enough to be afforded a level of discretion. A good analogy can be likened to Frønes' (1994) model of institutionalisation which he describes as a process found within sports clubs, play centres, and schools, where children's days and time are organised. The analogy is apt because in some instances participant's lives were shown to be organised around routines and timetables set by the father, equating to the same sort of regulatory control. However Smart (2000) points out that even post-separation arrangements that are child focused can become institutionalised leaving children feeling there is no way out.

Wyness (2006) also reminds us of the right not to be physically abused, mentally pressured, or coerced. For a number of participants in this study their fathers appeared to abuse their power over their children. This could take the form of punitive action, control over children's time, or interference in due process when arrangements were made by the courts. Fathers, however, did not suffer any consequences as a result of their actions which they claimed as their right.

Despite this abuse of power many young people thought of creative ways around their dilemma thus demonstrating resilience. In other words they demonstrated a capacity which allows a person to minimise or overcome the damaging effects of a detrimental situation (Grotberg, 1995). A Key element which enabled resilience was a close relationship with other adults usually their mother and not blaming themselves for their father's behaviour (Bancroft et al., 2012).

Overall, children generally had no notion of their rights and of what behaviour was reasonable or could be classified as abuse. This highlights the dilemma faced by children, because while they are afforded protection under the law when their rights are violated there are currently few avenues for redress. The most immediate option for children is to secure the support of other adults who will act as mediators on their behalf. However, as

was shown in this study, where fathers acted out of a conviction of entitlement, mediators had no negotiating power to influence the outcome.

The findings in the study conclude that allowing children autonomy in the post-separation environment will be challenged where there is a history of violence and coercive behaviour, requiring fathers to adopt good parenting practices, and to respect children's rights. Fathers also need to be willing to negotiate and adopt a power sharing arrangement to allow children to feel that they have some control over their lives. Equally important is for fathers to be able to work co-operatively with their former partners and to re-focus away from a need to dominate to an equal collaborative endeavour.

Chapter 8 Findings & Analysis: Wellbeing

8.1 Introduction

Research has linked divorce and sole parenting to a range of issues related to child well-being, including poor conduct, poor psychological adjustment, low self-esteem, and poor academic achievement, as well as negative outcomes in adult life (Amato & Keith, 1991). Consequently, there is an expectation that a post-separation co-parenting arrangement will continue to provide the necessary emotional support, guidance, supervision, and assistance necessary for the stability and wellbeing of the child (Amato, 1993). While a laudable ideal, difficulties arise when there has been intimate partner violence, because at the time of separation children's wellbeing may have already been compromised.

Juxtaposed alongside a need to consider safety is the welfare and best interests of the child (Refer Chapter 2). The best interest's standard has been influenced by studies emerging in the 1980s that viewed a father's absence as being detrimental to children at a time when lone parent families were on the rise (Harne, 2011). However, as Hunt and Roberts (2004) point out, the contention that a fathers' presence is best for the child, has been shown to be contradictory at best, with no consensus as to its validity in the research. Nonetheless, in the contemporary climate violence is often overlooked to ensure on-going contact with the father, which at times places children's safety at risk (Busch & Robertson, 2000; Davis, 2004; Harrison, 2008; Rhoades, 2002; Robertson et al., 2007).

This chapter examines the final themes for this study, looking firstly at indicators of risk that needed to have been assessed when parenting arrangements were made. The chapter takes into consideration previous abuse against children and exposure to violence against mothers and siblings, which have been shown to have deleterious effects for healthy development and safety (Kitzman et al., 2003). Section two of this chapter examines long-term consequences for participants as outlined by the interviewees, including psychological and social issues that have extended into adult life.

8.2 Red Flags: Indicators of Risk

Research reveals that children who have been exposed to domestic violence are less likely to be developmentally healthy than children who have not been exposed (Kitzman et al., 2003; Kolbo, 1996). At the same time, studies have shown that there is a link between intimate partner violence and abuse of children (Appel & Holden, 1998; Bagshaw et al., 2011; Harne, 2002; Radford, Sayer & AMICA, 1999; Ross, 1996; Straus, 1990). In this study co-occurrence of abuse was confirmed by a number of participants, while other young people related that they had experienced severe physical discipline.

8.2.1 Pre-Separation Violence against Children

Physical violence as outlined by participants ranged from being hit (in some cases with an object), punched, kicked, dragged by the hair, chased, thrown, and being force-fed by their fathers. Moreover, as participants explained, they did not have to have done anything wrong, and a beating could occur simply because a father had experienced a bad day at work:

> **James:** I remember getting a hiding just for like cleaning up. I was doing something good like, but apparently I wasn't cleaning up fast enough – so – and then I think the real reason was because my dad had a bad day at work and I was there, first on the deck – someone just said "Dad, James is not cleaning up", or something and he just went for it. And like – but I remember getting punched, and then I got booted and I went flying when I was booted.

In other cases, as Rhea recalled, physical violence against Rhea and her siblings was a part of their daily routine and occurred at least every two days. The abuse experienced was not always physical, and as Rhea explained, when left in their father's care in the evenings, the children were forced to do housework as late as 10 o'clock at night. If their rooms were untidy her father would empty out all of their draws, and throw all of their toys into the middle of the room with the expectation they would tidy it. This was particularly distressing because it could take days to sort through.

In cases where physical abuse against participants had been severe, abuse against mothers was similarly extreme and in one case resulted in a mother being hospitalised.

Rhea was one of several participants where the violence perpetrated by their father fitted Johnson's (2008) model of intimate terrorism. Violence of this nature is an embedded pattern of behaviour utilised by the partner to maintain his control, and involves multiple tactics designed to exercise power over the victim. Perpetrators are also likely to minimise or deny their abuse, refusing to take responsibility for their actions (Johnson, 2008).

Abuse of very young children was also revealed, and was particularly disturbing because of the potential for injury due to their age and size. However, as Wauchope and Straus (1990) have found, age is not a protective factor, with physical punishment and abuse shown to be higher in early childhood when frequent abuse can occur. A review in 2009 of child fatalities in England found that fathers were responsible for the majority of deaths of young children, and that a history of domestic violence posed an elevated risk when the relationship ends (cited in Harne, 2011). Likewise, in New Zealand, statistics show that 47 percent of child fatalities were inflicted by men who have committed partner violence (Family Violence Death Committee Review, 2013).

In this study several participants recalled either themselves or their siblings being picked up and thrown. In another case cited, the participant and her brothers were force fed:

> **Isobel:** Like I remember from the age of possibly three or four, and saying to him (her father) "I don't like tomatoes". He said "of course you like tomatoes" – like "no, I don't like tomatoes" to the point of him force feeding me tomatoes, like literally stuffing them down my throat. And then, like, "see they're good".

While the actions were overly aggressive, by all accounts this was reflective of her father's expectation that family members would agree with his food preferences. Isobel soon learnt that once you acknowledged that you liked a food, even if you made an

excuse not to eat it again, her father would be satisfied because you had agreed with his view that the food was nice. While Isobel quickly sized up the situation, she recalled that her young brothers never learnt to be strategic, and suffered on-going force feeding as a result:

> **Isobel:** I do not think he even found it possible to believe that someone didn't like what he liked. And the same with things that he didn't like, you know. We never had spaghetti bolognaise because he didn't like mince. And he was like "nobody likes mince". And mum was like, "spaghetti bolognaise is my favourite meal". And he was like, "no it's not because mince is disgusting". And so we never had it. It was just really, yeah. It was controlling right down to – and it was always like that you know.

Physical discipline of children was associated with an authoritarian parenting style and confirmed Holden and Ritchie's (1991) contention that abusive fathers tend to spank their children more often, and much harder, than non-abusive fathers.[44] However, in some cases father's behaviour appeared to breach the boundaries between discipline and abuse, and indicated a lack of control and difficulty in regulating anger:

> **Bridget:** My dad was always a user, he was always a user. Not necessarily a believer, but a user of like hitting as punishment and stuff like that. But it got to a whole new level when we moved here (from Australia). … he had a designated slipper and it was, it was, yeah, it wasn't nice. I kind of thought it was just the normal thing until - because you know, we all hear about like someone getting a little whack on the hand, things like that until the anti-smacking bill came about. And people were like well, I got hit and I'm fine. And then they described how they got hit and I was like,

---

[44] Until recently, the use of physical force against children could be used as a defence under Section 59 of the Crimes Act 1961, provided it was reasonable in the circumstances and was for the purpose of discipline. Following the introduction of the Crimes Amendment Bill which aimed at providing protection for children, the Act was amended in 2007 and physical discipline of children is now no longer countenanced.

mine's a little bit more extreme than that - yeah. Um, it was not so much a punishment for me as it was like a venting exercise for him.

Likewise, Jules remembered not being able to sit down for a week:

Jules: We were kind of scared of him. Well, I mean my mum's a big like – she's into the whole naughty step, and discipline by positive reinforcement and stuff like that. But dad would just whack us with something. I got hit with a wooden spoon so hard I couldn't sit down for a week.

While she doesn't remember being hit during visits, as she explained, the potential for it to happen again was always with her. Jules' wariness is validated by Harne (2011) who points out that abuse becomes a powerful form of control. And even when the violence is not a regular occurrence, it can induce fear because of the uncertainty of when another incident will occur. Consequently, the worry that children experience can be just as terrifying as the actual event (McGee, 2000). The contention is illustrated in this study with one child being so fearful of his father that he wet his bed until the age of fourteen.

Kimberley also described feeling fearful when she thought she had annoyed her father and might be punished. As Kimberley explained, her father's anger could be sparked by something as insignificant as a child's toy brick being left on the floor. To protect herself, Kimberley created a safety plan to fall back on:

Kimberley: And like the bunks sort of sat to one side and there was a gap between the bunk and where the wall ended. And I remember just – I think I'd done something naughty or maybe I just was scared of him when he came home, and I just remember hiding in this area all the time. It was my safe spot. I would cover myself with my teddy bears and just hide under it. And it was like he can't find me here, this is my safe spot.

Harper recalled an incident when she was pursued by her father which she described as terrifying because she knew if she was caught this would lead to unpleasant consequences:

> **Harper:** I used to suck my thumb right up until I was about 10, but he chased me trying to put like chilli powder under my thumb because he wanted to make me stop - but he chased me around the whole house, and it was just like absolutely terrifying having this man chase you.

It was particularly telling that when relating the incident, Harper did not refer to her pursuer as her father, but as a man who posed a threat to her safety. In so doing, Harper appears to have separated the loving father who would protect her, from the male abuser who threatened harm.

Attitudes to their experiences also changed as young people aged. Bridget related how she had felt a sense of injustice at being physically punished, and after discussing this with friends as an adult, came to realise that the physical discipline perpetrated by her father was a lot more severe than experienced by her friends. At the time however, her father's actions were normalised. In Isobel's case she has only recently come to understand that her father's psychological abuse was unacceptable:

> **Isobel:** I mean there were points in my life where I can remember things happening that shouldn't have happened. And I thought they were normal at the time, but like even – I thought they were normal up until probably a couple of weeks ago when I told my counsellor. And she was like that is not normal – like. So yeah – it was – as I was getting older he would put more and more abuse kind of onto me.

Bridget and Isobel were among a number of participants who accepted their circumstances as being a normal part of family life. It was only later that they came to realise that their experiences were not the 'norm' and they viewed their fathers' behaviour in a new light. Indeed, as Wilson and Webber (2014) state:

It is not until something happens, or they are exposed to others with a different reality and 'normal' way of interacting that many people in abusive situations realise child abuse and domestic violence are not normal and are in fact destructive (p. 34).

8.2.2 Exposure to Abuse against Mothers and Siblings

It is now accepted that children who are exposed to domestic abuse are at risk of behavioural and emotional difficulties (Joseph et al., 2006; Kolbo, 1996; Lehmann, 1997; McClosky et al., 1995; Spilsbury et al., 2007). Grych et al. (2000) also found that there is a greater risk where children are also abused. Although the extent of the risk is unknown, McDonald and Jouriles (1991) have suggested that anywhere from 25 percent to 75 percent of children will be affected with a clinically identifiable problem.

8.2.2.1 Witnessing Abuse against Mothers

In this study it was revealed that the majority of participants witnessed abuse against their mothers, including physical violence, psychological and emotional abuse, and controlling behaviour. While approximately fifty percent of the participants were under seven at the time of separation, memories of altercations have lingered on even when they were not directly present during an altercation. In other cases young people were privy to the violence which they found very distressing. A particular incident recalled was when the children were called upon to help bury a foetus in the garden after their mother had suffered a miscarriage following a violent incident. However, as Rhea explained, incidents at home were never mentioned to friends. She is not sure why, and wonders if she was told not to do so.

For James weekends became a time overshadowed by violence:

> **James:** I can remember seeing my dad hit my mum on plenty of occasions and stuff … There were always cases of domestic violence on Saturday nights. It wasn't – my dad wasn't under the influence – um – it was, it was relational problems between him and my mum – yeah, and so yeah there

was quite a bit of difficulty there. And then yeah, we were exposed to that sort of stuff growing up as kids and that.

James had a close relationship with his mother and consistent with the research, felt compelled to intervene (Edleson et al., 2003; Fantuzzo & Mohr, 1999). However, while in some cases studies have shown action can be a protective factor (McGee, 2000), other studies have shown that involvement can lead to high levels of traumatic stress (Fantuzzo et al., 1997; Kelly et al., 2005; Spilsbury et al., 2007). In James' case, intervention did not have the desired outcome and he was left feeling "crushed and hopeless" because he was unable to protect his mother, or stop the abuse.

James was also one of three people in the study who recalled the police being involved. However, police involvement could add to children's confusion, especially when no steps were taken to ensure children's safety: [45]

> **James:** They just said, like (the police) – my dad admitted that he hit my mum. They came around on a few occasions – but like – um – yeah, they were just like – we were just in the room crying, because you know – and my mum just, you know, was just like, ooh. She was crying and stuff, and they came in, and then they just said, "Oh your mum's going, she's going away for the night". And then my dad was just – and then they just said to us "Ooh it's not very good a"? And we were more just freaked out because there was a cop in our room and it was like "Oh you'll be all good". It's like; oh you know, you'll be alright and just walked off. My dad came into the room and he was like just sorry and we were like, just leave us alone – like you know. We didn't want to talk to him about it.

Holly also remembers a time when her mother phoned the police:

---

[45] In recent years safety issues have been tightened and police are now able to issue on the spot Safety Orders and remove the perpetrator from the house for up to five days. This also provides protection for any children present as contact with the father is also suspended during this period (Community Law Manual, nd)

> **Holly:** … because he came to visit one time after that, and he wouldn't leave the property. So she (mother) called the police again. And it was not fun. I remember bawling my eyes out. And the policemen were trying to make sure that we were alright. In essence we were, because we were kind of used to it.

Likewise, Rhea described an incident when the police took her father away for the evening allowing a small window of safety for her mother and the children. Nonetheless, upon his release early the next day, he came into the room where they were sleeping and again assaulted her mother. Bancroft and Silverman (2002) contend that when no further action is taken this conveys to children that perpetrators do not suffer any consequences for their abuse. In the case outlined, on his return the violence against Rhea's mother continued which was most likely in retaliation for having called the police.

In a few instances, children were let down by extended family who failed to act on their behalf. In one instance outlined, a failure to protect appeared to be based on religious beliefs that divorce was not an option, and what goes on within the marriage is a matter between a husband and wife. In short, a traditional belief that family issues should remain behind closed doors (Lentz, 1999). In their summary of the Glenn report,[46] Wilson and Webber (2014) confirm a reluctance to assist when they relate that family and friends cannot always be relied upon, and signs of abuse are frequently ignored.

Behaviour witnessed by participants was not always physical. Young people described how their fathers' maintained control over their mothers by regulating mothers' social interactions, everyday functioning and finances. Participants also recalled fathers' verbal abuse. While this is an area that has received less attention than the effects of physical violence on children, research that has been undertaken has shown that witnessing psychological and emotional abuse can result in psychological distress, and trauma-

---

[46] The Glenn report was a privately funded independent inquiry into child abuse and domestic violence in New Zealand. The aim of the inquiry was to raise awareness of New Zealand's poor record of abuse against women and children and was financed by philanthropist Owen Glenn.

related symptoms in children (Clarke et al., 2007; Graham-Bermann & Levendosky, 1998; Holden, Barker & Appel, 2010).

Addison was one of several participants whose recollections were of a father who was very controlling:

> **Addison:** Yeah, everything, what she wore (mother), where she went, how she behaved, everything. Any way you can control a person is sort of how he was with her, very, very, very … the only friends she would have had, or would have been allowed to have had, were from the church.

Maree remembered a particular incident when her father left the family without any resources during a trip away:

> **Maree:** He didn't leave anything. He left us no food, no money, no nothing. And so we'd - I remember one day um, we had no food in the house. My brother was still breast-feeding so he was alright. But mum had like probably a dollar, and I had to go over to the – we had a fish and chip shop across the road from our house. I went over there and ordered one potato fritter. And you know, they knew what our situation was, so they gave us two - one for me and one for my sister.

Stark (2007) in fact highlights that there are many methods of oppression against women, citing the coercive tactics utilised by abusers to entrap their partners. From Addison's account, her father was not only physically violent, but controlled her mother in the myriad of interlocking ways which have been identified as a pattern of practices exercised by abusers to maintain power over women.   Maree's father controlled the finances and left her mother without any resources to feed the family while he was away. It was fortunate that the kindly owner of the fish shop was willing, in a small way, to assist the family.

8.2.2.2 Exposure and Young Children

While there is a dearth of information on the effects of exposure to violence on very young children (Kitzmann et al., 2003), studies that have been undertaken have shown a range of issues including anxiety and higher levels of worry (Graham-Bermann & Levendosky, 1997; Zerk et al., 2009). A contributory factor to distress, is that young children have not yet developed coping strategies (Brotman Band & Weisz, 1988) and even when the level of violence is low, children may be fearful that the violence will escalate (Grych et al., 2000).

In this study where the potential for abuse was signposted, some young people took shelter with family and friends. However, most participants were too young to leave the family home and often lay awake feeling apprehensive, not knowing if another incident would occur.

> **Rose:** Just a lot of conflict and fighting and yelling, like to the point where when I got into bed at night it was sort of counting down until they started screaming at each other. Um, so it wasn't a good environment.

> **Bridget:** … they just fought more, and more and more. And I'd hear arguments in the middle of the night just all the time. It was really abusive stuff. And then, one day my mum tried to leave, like leave. But dad wouldn't physically let her and she broke her finger in the door which was pretty dramatic.

In other cases young people were very protective of younger siblings. Holly, for instance, explained that prior to her parent's separation she looked after her younger brother shielding him from the abuse:

> **Holly:** I would have been about six I think – because myself and my brother's bedroom was across the hallway from mum and dad and they

had the doors open to both rooms and it was so loud. So I had to climb

off my bunk bed and was covering my brother's ears.

Kerry also ensured that her siblings remained safe:

Kerry: So I would be in the firing line, so I would be there backing up my

mother. But then if things would start to unfold, I would always get my

siblings and put them in my room or put the television on and close the

door so they couldn't bear witness to it. And I think because of that,

that's why they're very much – they compartmentalise.

As discussed in Chapter 7, some children show remarkable resilience, often demonstrating competence beyond their years. Although Holly was only six at the time, she endeavoured to protect her younger brother from her parents' abusive altercations illustrating that even very young children can size up a situation and take action to cope. In Kerry's case, responsibility for her siblings began at a young age and has continued into her adult years.

8.2.2.3 Witnessing Abuse against Siblings

An important consideration raised in recent literature is the effects on children who witness violence against siblings. While presently there are limited studies on the phenomenon, a ground breaking study by Teicher and Vitaliano (2011) found that young people who were exposed to violence against siblings had higher psychiatric symptom ratings than witnessing abuse against either of their parents. Witnessing abuse against siblings could result in depression, anxiety, somatisation, and anger, and hostility. Teicher and Vitaliano (2011) concluded that the effects of childhood exposure to violence against siblings pose a greater risk than exposure to abuse against mothers. The findings are significant because it is less likely that physical and verbal abuse against siblings will be hidden, often occurring in family space, resulting in greater exposure than father-to-mother violence.

Addison explained that while violence was mainly directed towards her mother and brothers there was a particular incident against her sister that she recalled:

> **Addison:** We had quite a long hallway down the house, and dragging her (sister) down the hallway by her hair. She only would have been like six, seven. Yeah - so, all that kind of stuff. I have vague recollections of one of my brothers getting thrown into a wall from across the room – but most of it I'm quite lucky I think, being young ... protected me a bit.

Isobel also remembered an occasion during an overseas holiday when her brother was picked up and thrown against the wall:

> **Isobel:** The worst situation was when dad – with my brother – he was maybe about – this was in Brisbane, he was maybe about six. He refused to pack. And dad picked him up and threw him against the wall. And I think that was the worst.

Likewise, Kimberley related that the worst abuse was always directed against her brother:

> **Kimberley:** But the worst part was that Ben, our brother, he got the most of it because he was – because I think he (father) had this old world belief about you know – boys are stoic, and boys can take it and they can handle it. So Ben got most of the abuse. And I remember just like hearing it, and we girls would cry, and I think that kind of deterred him a little bit.

Participants' accounts confirm previous literature which has shown that boys are at a higher risk of physical punishment by their fathers than girls (McKee et al., 2007). The level of abuse as described by participants also supported Jouriles and Norwood's (1995) findings that boys were particularly at risk where violence against mothers had been severe. McKee et al. (2007) offer an explanation when they propose that this may be because of stereotypical beliefs that boys require stricter discipline than girls.

8.2.2.4 Pet Abuse

Pet abuse is of particular significance because of the correlation between abuse against animals and intimate partner violence (Ascione et al., 2007). In a study on violence against women and abuse against pets, Flynn (2000) found that 46.5 percent of women interviewed related that partners had either threatened to, or had actually harmed their pets. The findings were confirmed in a New Zealand study undertaken in 2011 on the co-existence between family violence and animal cruelty (Roguski, 2011). The findings showed that cruelty often occurred as a demonstration of anger, and that some abusers also gained a perverse thrill from hurting, or killing, animals other than family pets. In this study several participants described incidents where animals were mistreated.

> **Jeanna:** Like, towards the end of the time we were there he had started to get more violent – like throwing the cat across the room ...

> **Harper:** Um, and he once like picked up the cat by its tail and threw it because it was annoying him. And just like little outbursts that were too much for mum to put up with. And she said to him, like right, that's it, I don't want to be with you anymore.

In another case a small dog that had frequently been picked up and thrown by the father eventually died causing great upset to the children. However, as Rhea explained, after burying the dog in the garden their father demanded that they immediately washed the dishes and showed no empathy.

The risks associated with pet abuse are now recognised in several jurisdictions. For example, in the United States 25 States now allow animals to be included on protection orders. Likewise, five of the eight States in Australia include animals within a definition of domestic violence (Advocates for Human Rights). Following suit, in New Zealand an initiative by the Ministry of Primary Industries (nd) provides guidelines to vets alerting them to the potential connection between pet abuse and family violence.

8.2.3 Mothers' Attitudes to Parenting

While an awareness that children have been exposed to violence has been shown to be the impetus mothers needed to seek help (Meyer, 2010), of interest in this study was that this did not appear to have been a motivating factor in a mother's decision to leave, with some mothers enduring the abuse for a number of years before separating. By this stage older children in the family were of an age to leave home, and it was younger children who continued to have contact with their fathers. It appeared that in some instances mothers were unaware of the effects of violence on children's development, or were unaware of the extent of children's knowledge of the abuse.

Because mothers were not interviewed in this study, it is not possible to know why they stayed. There may have been a number of reasons as highlighted in previous research, including financial considerations, concerns about housing, fear of retaliation, worries that they might lose custody of their children (Hardesty & Ganong, 2006), or because they did not want to deprive children of a relationship with their fathers (Groves et al., 2007).

Indeed, based on participants' accounts, mothers supported on-going contact with participants' fathers, even when violence against the children had been severe. This included a lack of disclosure when cases went to court, with mothers appearing to have been reluctant to divulge their experience. In one case where a Protection Order was in place, the participant wondered if her mother had downplayed the violence, or omitted to mention it at all to ensure that the children continued to see their father. The point was a valid one because at that time a rebuttal presumption introduced into the Guardianship Amendment Act 1995 stipulated that where violence had been committed, the parent was not to have custody, or unsupervised contact, until the courts were satisfied that the children would be safe (Benton, 1998).

In other cases arrangements were made privately and the violence appeared to have been overlooked, with children not perceived to have been at risk. For example, in Rose's case she learnt in later years that the impetus for her mother's decision to leave was an

altercation in which her father had tried to strangle her mother.[47] Even so, contact continued at the weekends for some time.

Likewise, Addison related:

> **Addison:** I think there must have been something really driving her to try and let him keep contact and let us go see him – um yeah. I'm not sure what, but, yeah. 'cause surely she at some level must have worried with what she had seen him capable of doing and I'm pretty sure she had heard – I think we did tell her about, for example, the time when he head locked my sister. And so, yeah, it's really hard to say.

Other participants continued to have contact with fathers who had been involved in drugs and criminal activity. Hester's father was a career criminal, and Hester would spend holidays with him in another city placing her at considerable risk as he carried on his activities during her visits. Substance abuse was also identified as a risk. One father who was an alcoholic drank when he was expecting his children. However, as Kerry states, her mother liked the children to maintain contact.

> **Kerry:** So she liked it when we would go to see him because she thought like he's being a dad, you know … So for her if we were with Hans, then he was being a good dad, you know, because she would just ignore the fact that his personality was so devoid of any sort of proper fatherhood …

Contact was not a happy experience, and Kerry and her siblings would come home crying. Nonetheless, even when Kerry and her sister discontinued their visits her mother still liked her brother to go.

In another case a father was described as being a long-term drug user (Marijuana):

---

[47] Strangulation is now recognized as a risk factor and has been identified as one of three new offences to be initiated in planned government reforms of family violence laws (New Zealand Family Violence Clearing House, 2016)

> **Jules:** But my mum's a firm believer that we should see our dad – like regardless of everything, she still believes that he loves us and all that stuff. She made sure we saw him.

Several mothers were also shown to be detrimental in a duty of care, with two mothers walking away from the relationship leaving the children in their fathers' care, and a third neglecting her children resulting in the involvement of CFYs (Child Youth and Family).

8.3 Reflections on Contact

An important finding in this study was that 16 of the 19 participants continue to have a close relationship with their mothers, while having much less contact with their fathers as adults.[48] A limitation of these findings may be that the majority of participants were females which may help to explain the on-going bond, although the two male participants also reported close ties with their mother. In other instances contact with fathers has discontinued altogether:

> **Emily:** I think now that Grant's not in Napier anymore, when he moved completely away from Napier that was quite good for me. Because also in Napier there's always a feeling you're going to run into him. And I don't even know what I would have done in those circumstances, but now that I know that he's not there and that he's away up North sort of thing, um, I mean, ideally I wouldn't go back to Napier because, you know, there's not really anything there for me except my mum.

Aaron related that he has disowned his father because in his view his father has lost that right. Isobel also believes that leaving the relationship was the best thing her mother could have done for her children because they are now free of her father's influence. In Kerry's case she was particularly scathing of a man she refers to as an arsehole:

---

[48] In two of the 16 cases where contact has discontinued or is minimal, fathers have died.

> **Kerry:** My siblings and I have absolutely no time for him because it's fake, you know. He's not interested in us, he's never been. I mean I thought he was an arsehole when I was seven, you know - like I could see it because he's this misogynistic, fake, yeah – just not genuine, self-absorbed, selfish human being, just so destructive to himself and everyone around him.

In contrast, a few participants benefitted from seeing their fathers and look back fondly, even in one case where the violence had been severe. James for example, as outlined above, came from a family where there had been violence against both his mother and the children. However, as James explained, following his parent's separation when he was left in his father's care, from the age of 14 he formed a bond with his father when they went on holiday:

> **James:** And we went for a trip up North I think to New Plymouth and then to Whangarei. And that was a like a real – it was just me and him. So it was a real good bonding experience for us, yeah. And us, I think that was the change in the relationship. And then that's when I could start talking to my dad honestly. And I wasn't afraid of letting him know my opinions on things, or just asking him for help or whatever.

Likewise, Holly enjoyed spending holidays with her father and they shared many happy times together:

> **Holly:** I used to love visiting him because I was always a daddy's girl. And there was a place out in the whops near Hawera past there. Because I think that was his base, he liked living there ….

For Holly and James, their relationship with their father was significant because both fathers have since died.

Hester also enjoyed her visits as a young child and continues to have a close relationship with her father, although as she stated, the way her father showed affection was by buying her presents, which she found less satisfying as she grew older:

> **Hester:** Because he's the kind of person that if he's with a – the way that he shows affection is through buying you things. So even as a child – like as a child I thought that was fantastic because hey I had a cell phone at eight when they first basically came. So that was great as a kid. But then as I got older I was – I found myself kind of wanting that father bond that other people have because I never had that.

However, although contact was enjoyable for both Hester and Holly, contact was of a short duration and was more of a treat for both father and daughter. Indeed as Holly stated, she does not think that her father would have coped had she been with him full-time:

> **Holly:** ... I think he liked his privacy, he certainly liked us (brother) visiting. I don't know if he could have coped with us all the time. I don't know if we could have coped with him all the time. So I definitely think that us visiting was the best option.

Similarly, Bailey enjoyed contact, but only stayed at the weekends and later on in the holidays.

The mitigating factors that appeared to influence a change in Bailey and James' fathers' behaviour was an acknowledgement of the abuse and depression brought on by the relationship break-up. This did not however, mediate against the psychological difficulties that James and Bailey have experienced as young adults, suggesting that earlier experience of violence can continue to have an impact, even when there is an improvement in the father/child relationship later on.

8.4. Long-Term Consequences

Studies have shown that the negative effects of exposure to domestic violence and co-occurrence of abuse can extend beyond childhood and create difficulties in adult life. The broad spectrum of issues identified includes, psychological disorders such as depression and anxiety (Fergusson & Horwood, 1998; Martin et al., 2006; Pekcovitz et al., 2000; Russell et al., 2010), alcoholism (Downs & Miller, 1998), suicidality (Bryant & Range, 1997) and impaired health (Felitti et al., 1998). Felitti et al. (1998) have further identified a link between multiple exposure to abuse and dysfunction in childhood, to leading causes of death in adults due to behavioural choices.

The most common outcome identified by young people in this study was depression and anxiety with the most serious effects being experienced by participants from homes where there had been co-occurrence of violence. However, excessively controlling behaviour was also shown to have a debilitating effect, demonstrating that it is not only physical abuse that has an impact, and that excessive control can also result in similar feelings of powerlessness, and an inability to cope.

8.4.1 Psychological Difficulties

Several participants in this study related that they had suffered from depression which, in their view, was connected to their childhood experiences. In Rhea's case, her depression led to self-mutilation, and by the age of 16, her depression was so severe she narrowly escaped being admitted into psychiatric care. Ironically, as she explained, she went to stay with her father, a situation which she now states, was "ridiculous" because as far as she is concerned, it was his violence that contributed to her illness.

For Isobel depression has hindered her academic progress, and while continuing with counselling, she has recently been referred to a psychiatrist for further treatment:

> **Isobel:** Oh, it's a struggle to get out of bed a lot of days. There have been
> days recently where I haven't been able to. But I'm working on it.

Isobel's brothers also suffer from obsessive compulsive disorder which, as she explained, has had a significant effect on their quality of life:

> **Isobel:** When he was about 14, (her brother) um, yeah - his worst point was he couldn't go to school. He just couldn't stand it. He had to have a private tutor who came to the house you know. Harry had to have his own … he would have to have like a massive bottle of soap that he went through daily you know – so much soap – so much antibacterial hand-wash. Um, the power bill was so high from water um - it got to the point where he was scrubbing up his arms you know, bleeding knuckles. And I think the very worst thing I've seen him do, which actually broke my heart, was watching him boil the kettle because he didn't think that the hot water was hot enough to kill the germs. So he would wash himself with boiling water. And the burns were just shocking, like – 'cause he would think that was the only way. And then he went on medication and now he's a lot better - but you know - they are both quite serious (both of her brothers).

While Bancroft and Silverman (2002) have stated that most abusers do not have identifiable mental health issues, given her father's extreme behaviour, Isobel now suspects that he suffers from a mental illness, or a personality disorder, a suspicion which is supported by her psychologist. A recent study by Calvo et al. (2007) provides added support for the contention. Calvo et al.'s (2007) findings showed that there was a significantly higher rate of personality disorders in parents of children diagnosed with the condition, than in the control group, with a higher proportion of psychopathology in fathers than in mothers. While no assessment has been made of Isobel's father, it raises the issue of how certain behaviours can easily slip under the radar when parenting arrangements are made. Indeed, away from the home many abusers can appear very personable while being extremely controlling and abusive to their families (Bancroft et al., 2012; Humphreys & Thiara, 2003).

Kerry was another participant who is now coping with delayed stress:

Kerry: So I was doing two full-time courses and just - I just started to have panic attacks and so as a result – Well I think it's like twenty years of like bottling it up. And then you get too old. And so I just um, I just started to break down I guess, you know. I think I got a little bit – quite depressed. And so I – just anxiety attacks all the time. And then my mother's just like "go to a counsellor". So then I went to a counsellor and I've gone to counselling ever since.

A particularly frightening psychological disorder identified was seizures:

Bailey: … once I left home when I was 19 up until now, but especially when I was 19 or 20 I had these, and still get occasionally these seizures. And um, they've never been really diagnosed as anything, there's not adequate evidence to call it epilepsy and the neurologist is like it's probably just – it happens sometimes when people are that age and then it goes away when they get a bit older. And it has gone away mostly. But my brother and sister at the same age at 19 and 20 had lots of trouble with anxiety attacks and panic attacks. My sister thinks that it's because of the situation and a psychiatrist I saw also theorised that.

When asked to clarify Bailey responded:

Bailey: … the neurologist thinks it's because of the stuff in the past. It can be brought on by – undiagnosed seizures are more common in people with domestic violence in their background, or something. It might just be his kind of pet theory.

Several other participants also mentioned undergoing therapy for psychological conditions. Aaron for example, revealed that he suffers from depression, although when asked, he was not sure whether his background contributed to it. Likewise, Bridget has a long history in therapy and disclosed that she has had eight different counsellors since she was eleven.

Suicidality was also raised by participants in relation to themselves or their siblings supporting studies which have shown that thoughts of suicide are not uncommon among young people from homes where there is a history of intimate partner violence (Alexander et al., 2005; Epstein & Keep, 1995; Irwin et al., 2002). Bryant and Range (1997) suggest that when there is abuse in the home, this may result in children having lower levels of internal resources and impaired coping strategies in comparison to young people growing up in a stable environment. A lack of reason to live may be further attributed to the impact on the development of cognitive suicide inhibitions as a result of the abuse (Bryant & Range, 1997).

In one case in this study, an apparent attempted suicide did occur, leading to a couple of days in hospital. In this instance the participant skirted over the issue and did not elaborate, only to say that she had been suffering from mental health issues and that her father had left her feeling very insecure. Consequently, following the breakup of a long-term relationship she found herself in a situation which spiralled out of control. In another case where suicide ideation had occurred, the person came from a particularly violent family, and, as a child, had been sexually abused by a family friend. And while he had also been physically abused by his father, as Bryant and Range (1997) found, sexual abuse by itself can be a contributing factor. [49]

8.4.2 Anger and Resentment

There was also anger and resentment expressed by other participants towards their fathers' behaviour, or, in some cases, towards their mothers for placing them at risk. An illustration of this was related by Hester whose resentment increased as she grew older when she realised the danger she had been placed in by her father as a 13 year old:

> **Hester:** But when I look back it was there – patterns of my thinking, it was
> there but I didn't realise it until about 16, 17 - I realised it and I was like
> oh, that's disgusting really – because really I was on – being honest with
> you, I was probably like on the verge of hating him which is a horrible

---

[49] In 2011 youth suicide in New Zealand was 19.3 deaths per 100,000. The ratio of male to female suicides is 28.1 per 100,000 compared to 9.9 per 100,000 for females (Ministry of Health, 2014).

thing – no one should hate their – parental figures are supposed to care for you. And I literally was on the verge of hating him. So for me that was a big shock. And it kind of scared me that I felt like that. But yeah I worked on it.

Hester made a relevant point when she stated that children rely on their parents to protect them. However, Bancroft et al. (2012) contend that men who have been violent have a tendency to focus only on themselves which prohibits consistent parenting. A propensity for self-centredness is particularly evident when fathers are placed in a situation where they have sole care over a longer duration. While Hester's father was never abusive towards her and would spoil her during her visits, her safety was superseded by his own interests. As previously stated, Hester continues to enjoy contact with her father but this has required emotional labour on Hester's behalf with the help of a counsellor, to reconcile her experience, thus allowing the relationship to continue.

Kerry made a similar observation with regards to protecting children when reflecting on why her mother placed them in a situation with an alcoholic father who, in her experience, had no interest in his children. Kerry intensely dislikes her father, and as she explained, she is only now coming to terms with the past:

> **Kerry:** So it's much better in terms of self-preservation to say look, he's an alcoholic, he's a dud, this is my life, he's not my life, you know. Whereas in contrast, my sister, she's very much in the embarrassment zone which I was for a very long time. Um, where she doesn't tell absolutely anybody.

For other participants it is the inability of their fathers to acknowledge their behaviour which is hurtful and an impediment to a constructive relationship. Indeed as Harper explained:

> **Harper:** He didn't acknowledge it – he doesn't accept it. And that's the thing.

Harper continues to keep in touch via email, and had dinner with her father during a recent visit, but her contact with her father remains unsatisfactory.

8.4.3 Relationship Issues

Studies have shown that daughters' relationships with their fathers are a significant factor in determining self-esteem in later life, and that verbal aggression and even moderate violence can have an impact (Downs & Miller, 1998). For many people in this study, their childhood experiences resulted in a lack of confidence, low self-esteem, and an inability to trust others. This could result in hesitancy when meeting new people, and a need to carefully monitor new contacts until they were found to be trustworthy. In other instances there were difficulties in being able to cope with relationship issues:

> **Kerry:** … it was quite awful for me because I had a four year relationship that went down the gurgler because the guy I was with – his mother was absolutely awful, and I couldn't handle it – the combination of my family and she's just crazy – I mean just absolute – just a waste of my time. Um – and eventually – we were together for four years you know. And we should be together but then I couldn't deal with it, with his mother.

As Kerry explained the relationship broke up because she was unable to deal with her own family issues as well as coping with her partner's mother who made things very difficult for her.

8.4.4 Learned Behaviour and Intergenerational Violence

Children may be influenced by their father's conduct which indicates to the child that their mother is not worthy of respect and deserves to be maligned, resulting in children emulating the behaviour against their mother (Bancroft et al, 2012). While not all children grow up to be abusive, in other cases the behaviour can manifest from a young age (Bancroft et al., 2012; Gover et al., 2008). Zara for example, explained how witnessing her mother's inability to fight back resulted in Zara showing similar disrespect which she now feels very ashamed about.

> **Zara:** She would never stand up for herself. She would stand up for us kids, but not for herself. And even I can remember - and I hate the memory of being – I'd be abusive to her as well because she would take it and you know…

The study further highlighted how partner abuse can continue into the next generation, supporting an already extensive body of literature (Doumas, et al., 1994; Ehrensaft et al., 2003; Gover et al., 2008). Indeed, families are tasked with the socialisation of children which, by in large, continues to remain within the privacy of the home (Satir, 1967). As such, violence between parents is communicated as being an acceptable mode of behaviour and is considered to be 'the norm' and is often unchallenged until children leave home.

James, for example, related how he adopted similar tactics to his father and was initially abusive to his partner and daughter:

> **James:** Even when I first started out as a father I was quite abusive to my daughter. I used to shout at her and get angry and stuff and then … It wasn't really until I accepted Jesus into my life and I became a Christian and I experienced the love of God - that's when I was like, oh you know – I understood that I was loved and that I could love others as well. And then I just, you know, I … forgave me. And then, like things have just massively changed for our relationship too.

Rhea, described a brother who was a very angry young man, mirroring their father's violence against his partner, resulting in an appearance in court. The catalyst to change was the birth of his daughter because as Rhea stated, he did not want to become like their father. In both of the cases cited, a shift occurred as a result of a life changing event which was significant to each individual. Indeed as Cooley's (2006) study showed, men need to take responsibility for their violence if the pattern of behaviour is to change. This raises the question about whether batterer programmes alone are sufficient to make a difference. Perel and Peled (2008) for example, found that even when fathers

acknowledged the harm to children, many participants in their study preferred not to think about the consequences suggesting that there was little intention to alter their behaviour.

In contrast, for other participants the violence has had the opposite effect leading to uncertainty and worry about how they themselves will be as a parent:

> **Jeanna:** I don't know how much would manifest if I had my own daughter. I think a lot of it I wouldn't realise until I did. I'm not so good with children myself. Um, I wonder how much of that is due to my father and how much of it is due to how my mother raised me as well.

> **Bailey:** And I am definitely aware of that. And in my relationship I guess I'm kind of worried sometimes that I'll be like that, but yeah. I don't know, I think through the nannying and that I've got reasonable confidence now that I wouldn't allow that to happen I guess. I mean you can't predict whether you're going to be – maybe that will happen, I certainly don't envisage it.

As this study showed, the effects of living with abuse can alter a child's life course. In the Glenn Inquiry which looked at child abuse and domestic violence, Wilson and Webber (2014) found that some people avoided having an intimate relationship altogether, preferring to live alone, while others made the choice never to have children for fear that they themselves would become abusers. While in this study no such decisions have yet been made, the effects of childhood experiences have nevertheless caused difficulties in dealing with relationships and created on-going challenges.

8.4.4 Ties that Bind: Support for Siblings

An important finding was that even when there is no longer any contact with fathers, or contact with fathers is reduced, the trauma of events continues into adult life via on-going support and concern for siblings. To illustrate, Rose describes how her father

suffered a head trauma as a young man which has affected his life and his ability to cope. While Rose eventually made the decision to stop visiting him, her young sister continues to visit. Although Rose believes that there have been some advantages for her sister, she also has concerns:

> **Rose:** … it's been really good for my younger sister to have this time with him. At the same time, I still don't trust him as a reliable support for her - and that their relationship is very superficially based – um. And I'm kind of waiting for the day when she realises that he's not helping her very much - you know – it's not a good relationship – the relationship isn't all it could be.

In this instance Rose's sister does appear to gain some benefits. Rose's mother has re-partnered with a man who has two sons, leading to an often fraught family situation. As Rose further explained, there are some parenting differences between her mother and stepfather, and staying with her father provides some respite for her sister from the tension at home. Nevertheless, as the older sister, Rose continues to worry over what she sees as a less than desirable situation.

Support for siblings has also involved dealing with authorities to negotiate safety on their behalf and stepping into the brink where mothers have not been up to the task. Kerry has had to take over from her mother in negotiating the care of her younger brother with CYFs to ensure his welfare is looked after. At the same time, she is helping her mother to obtain a protection order. However, this has taken its toll on Kerry's wellbeing and she feels she can no longer cope:

> **Kerry:** But like with the CYFs thing especially when I had to be her advocate (her mother) – it's just too much – I can't emotionally deal with it, you know. I've done my dash, you know. Like I was her support network and everything - I did everything in the house until I was 18.

Likewise, Rhea and her mother have been picking up the pieces following Rhea's sister's relationship with a violent partner who is now in jail after trying to kill her sister. During their time together Rhea's nieces were abused by her sister's partner and there is now every indication that her sister will resume the relationship when he is released. Consequently, Rhea and her mother are trying to negotiate safe arrangements for the children with CYFs (Child Youth and Family).

Bridget also has on-going concerns for her sister:

> **Bridget:** Yeah. I took Vicky (sister) down the driveway to my dad's car. And then he swore at me about mum, and I managed to calm her down (sister) a little bit. But I came back inside and mum's in tears as well. I don't know what to do, I don't know what I can do because, obviously with her history with dad she's too scared to face dad and dad will just shoot her down and call her a bitch (mother).

As evidenced in the above accounts, many young people remained linked to their fathers in the afterlife of the relationship. Firstly, through ongoing contact with siblings still under their father's control. This could lead to feelings of powerlessness with little option other than to provide support when required. A second link identified was providing assistance for siblings as adults, or in Rhea's case, crisis intervention, when her sister was unable, or unwilling, to protect her children from her violent partner.

8.5 Conclusion

The findings challenge the understanding that contact with fathers is always in the child's best interests and may contribute to on-going and long-term difficulties for young adults. Separation is not a random act, and factors which instigated the breakup need to be taken into consideration (Baxter, 2011). As early as the 1960s it was shown that where there had been conflict in the home, and where children had felt unhappy, children reported being pleased when their parents separated, and felt greater security (Landis, 1960). In families where children have been the recipients of abuse, or exposed to

parental violence, there is the added risk that at the time of separation they may have already been traumatised. And while contact with violent fathers should not be ruled out, this should be dependent on the father's willingness to acknowledge his behaviour and to take steps to address the issue (Bancroft et al., 2012).

Chapter 9 Conclusions and Implications

9.1 Introduction

We are only now beginning to understand young people's experiences of living with a violent father and the parenting practices of partner-abusive men. However, knowledge of the phenomenon is critical in a new era of parenting where there is an emphasis on father involvement and shared care. In this chapter, I discuss my conclusions and my contribution to the field. I continue by outlining directions for future policy and conclude with an overview of the limitations of the study and suggestions for further research.

The purpose of this study was to gain a greater understanding of young people's experiences of fathering post-separation where fathers had been violent to participants' mothers. As previously stated in Chapter one and Chapter five, the issues to be addressed included exploring how fathers interacted with their children when they were in their father's care as perceived by the participants; whether children were safe from further abuse, either as witnesses or victims; the extent to which fathers were able to co-operate with their former partners to ensure the wellbeing of the child; and whether children were afforded autonomy over allocated time and leisure activities as they grew older. An additional issue of importance for the study was whether there were any risks that needed to have been assessed when making parenting arrangements, and the long-term outcomes of those risks as experienced by the research participants' as young adults.

9.2 Conclusions and Research Contribution

As perceived by participants, some fathers were angry, bitter men, overly punitive in their parenting style with a number of fathers continuing to be physically and/or emotionally abusive to their children. A lack of control could result in harsh discipline, or, in several cases fall within the criteria of child abuse. Authoritarian parenting practices were also identified, with many fathers lacking tolerance, being inflexible and expecting an adherence to their wishes at all times. Behaviour in more extreme cases appeared to mirror abuse perpetrated against participants' mothers prior to the relationship breakup.

Although not all of the participants' fathers harboured feelings of hostility towards their former partners, in cases where fathers were unable to accept the break-up and move on, this was shown to have an adverse effect on their ability to parent effectively. A failure to counter their bitterness could influence their decision-making and at times fuelled anger towards their children. This was particularly evident, for example, where participants had attempted to defend their mothers and did not agree with their father's negative remarks. Although many of the participants adapted to their circumstances and showed resilience, this was not necessarily a protective factor against difficulties that they experienced as young adults (Refer page 209 for detailed discussion).

This study further highlights the additional risks children face when mothers re-partner with a man who has no vested interest in his partner's children and is also violent to the children. Where such circumstances prevail, children have little redress and are very reliant on their mothers to provide protection and ensure their safety. However, as this study reveals, children remain at risk when mothers are not prepared to place their children's needs above those of their new relationship. In contrast, in cases where mothers have left the relationship to protect their children, there is likely to be a more positive outcome because the safety of their children has been a priority from the outset. Two participants in this study suffered as a result of their mother's failure to protect, in one case with devastating consequences. Thus the study raises the spectre of the multiple risks children can face in the post-separation environment with both their biological and social father.

Some of the participants identified cases of permissive and neglectful parenting where, as children, they were left to their own devices with little effort being made by fathers to bond with their children or to ensure quality care. Where drinking had been a problem, this continued to be an issue, as did one father's criminal activities, and fathers did not fulfil their parental obligations. Indeed, in a number of cases, there appeared to be minimal benefit for children in terms of fathers making a positive contribution to children's moral or social development. Fathers were characterised as being poor role models, as well as posing a risk to children's wellbeing and safety. Accordingly, the best interests of the child were not best served highlighting the detrimental effects when

knowledge within a discourse, in this case the 'psy' discourses, gains power over alternative knowledge which may be more appropriate in some circumstances. In other words, the contention that contact with fathers is always beneficial for children should not be universally applied and the behaviour of fathers prior to separation needs to be given serious consideration. As Hunt and Roberts (2004) state "Care needs to be taken not to over-estimate the presumed benefits of contact where there is no pre-existing relationship or where there are known risks" (p. 3).

Nonetheless, contact was worthwhile for several participants who had enjoyed spending time with their fathers and had benefited as a result, although this did not always mean that their fathers took their duties seriously. In most of these cases contact was of a short duration, and was viewed as more of a treat. Under these conditions, children developed a bond with their fathers, and at the time of the interview continued to look back favourably. This study accordingly, contributes to the on-going discussion over allocation of time between parents, illustrating that it is the quality of the relationship with the father which is the contributing factor to a successful outcome, and not the amount of time spent (Fortin et al., 2012).

An important factor identified in this study was the pivotal role that mothers play in children's lives. Indeed, for the majority of young people interviewed, it was mothers who undertook caring responsibilities, provided emotional labour and nurturing, and acted as mediators to ensure safety. Mothers also recognised children's changing needs as they grew older, encouraged autonomy, and contributed to children's social development and maturity by trusting their judgement. The findings support Furstenberg and Cherlin's (1991) argument that where abuse has occurred within the parental relationship, mothers' involvement remains critical to children, with mothers providing the stabilising force required to enable children to recover and move on.

The study further revealed that in the majority of cases fathers were unable to form a co-operative working relationship with children's mothers and work together for the betterment of their child. In many cases the inability to co-operate stemmed from feelings of bitterness and hostility culminating in a culture of blame directed towards

participants' mothers for leaving the relationship. The hostility resulted in detrimental remarks being made about children's mothers and mothers' parenting ability when fathers talked to their children. The heated nature of the criticism often became abusive with children being expected to agree. In a few cases the negative criticism undermined children's relationship with their mothers creating difficulties for mothers when children returned home. The study concluded that the expectation of co-operative parenting is unrealistic because it fails to consider the nature of abuse, and the disproportionate power between the two parties.

Another contribution is the idea that temporal and spatial contexts impose new forms of power and control over children. Two 'units of time' were identified; father's time, and children's time. Father's time was based on feelings of entitlement and rights over children. In contrast, children's time was the space needed as children grew older, to socialise and participate in civil life away from the home. However, in this study where dominance had been asserted over children's mothers, there was reluctance by fathers to allow children autonomy as they matured and wanted a say over their own lives.

For fifty percent of participants, parents adhered to traditional practices with contact taking place in the weekends or in the holidays. For the remaining participants, at some period during their childhood, the arrangement was shared between two homes, or in two cases was full-time. On the whole, a time-share or full-time arrangement was revealed as being the most problematic in all but one of these cases. Indeed, the study concludes that where there is the potential for abuse; arrangements of a longer duration provides a greater opportunity for long-term difficulties, as well as exposing children to poor quality parenting.

Nonetheless weekend visitation was also shown to pose a risk when fathers had previously abused their children. Although this was not evidenced in all cases, the implications suggest that where violence has occurred against children, or where there has been co-occurrence of abuse, contact continues to place children in jeopardy if it is unsupervised. An additional finding was that boys received harsher discipline than girls. Indeed, participants revealed that the most severe abuse was perpetrated against their

brothers confirming previous literature which has shown that boys are at a higher risk of physical punishment by their fathers than girls (Jouriles & Norwood, 1995; McKee et al., 2007).

An important contribution was the hidden risks to children that may not always be evident when parenting arrangements are made. For example, in this study there had been sexual impropriety during weekend visitation where there had been no indication prior to the break-up that such an eventuality would occur. Critical to the research also is that some young people may have already been traumatised at the time of separation because they had witnessed abuse, or had been recipients of violence (Appel & Holden, 1998; Fantuzzo & Mohr, 1999; Kernic et al., 2003; McGee, 2000; Sternberg et al., 2006). Nonetheless, although there were many indicators of risk, these appeared to have been overlooked at the time contact was arranged either privately, with mothers being supportive of contact taking place, or through the Court. However, because mothers were not interviewed it is not known whether, under the present pro-contact model, some coercion had also taken place.

Adding to the literature on agency and children's right to a voice, participants in this study recalled that they were not consulted over arrangements, with some children being reluctant to see their fathers but having no option but to comply. In another case a participant who had been physically abused by her stepfather was not appointed a lawyer when the case went to court. A failure to talk to the child resulted in on-going violence and highlighted the deficit between an intention to allow children a voice and a deficiency in practice under the legislation.

The on-going effects of abuse in later years were of particular relevance to this study. The findings addressed a gap in the literature by providing a unique insight into participants' perceptions of the negative effects they have experienced as young adults, which they attributed to contact with their fathers. For many participants, life continues to be a struggle. Problems identified included anxiety and depression, suicidation, low self-esteem, and impaired coping strategies. Depression has resulted in disruption to university studies, and an inability to cope has created problems within intimate

relationships. An important contribution that this study makes is highlighting the significance of psychological abuse, which is shown to be just as harmful as physical violence in contributing to serious psychiatric illness and the quality of adult life.

Finally, this study illustrates that the long term effects of abuse are not only experienced at an individual level. Participants in this study continued to worry about siblings who remain in their father's care. For other participants the flow-on effect of domestic violence has continued into adulthood as they deal with safety interventions for siblings affected by the violence.

9.3 Implications of Findings

Feminist scholars identified family as the key site of oppression, under a hierarchical structure which supported men as the head of the family. While families continue to evolve since the regeneration of second wave feminism in the 1970s, the problem of violence against women persists, together with the consequences of violence for children. Hunnicutt (1994) makes a valid point when she contends that although gains have been made, old ideologies continue to prevail. As she states, despite more fluidity in gender relationships this does not eliminate vestiges of patriarchy. This is best highlighted when looking at the preferred arrangement for children post-divorce, which supports ongoing father involvement. Closer examination however, reveals that current legislation and practices are linked to a range of issues which may serve alternative purposes than children's rights (Smart, 1989). Smart and Neale (1999), in their earlier review of new legislation illustrated that the changes served various political interests at the time, one of which was fiscal considerations due to the increase in payments to sole mother households and pressure brought to bear by Father's Rights. Consequently, where there is a history of violence or family dysfunction, the present understanding of co-parenting appears to have directed attention away from ensuring safety, nurturing, and long-term healthy development of children as the necessary starting point for post-separation arrangements. In other words, a father's right to contact has served to privilege the already powerful, obscuring children's rights and what works for children.

The findings in this study showed the many ways in which children are subordinated and that similar to women's positions prior to second wave feminism, children remain a marginalised group within the family. While for women, gender was a primary factor in their subordination, for children, age becomes a justification for exclusion and asserting authority. As evidenced, some participants were locked into arrangements that were unsatisfactory, with little knowledge or resources to resist, and no influence over the outcome. At the same time, where fathers had dominated within the parental relationship, children remained 'adults in becoming' rather than respected social subjects in their own right. However, while women united in their opposition to their subordination, children do not have the power to lobby for change, and rely on adults to champion a rights agenda on their behalf.

At present there is insufficient evidence to support shared care as an option, or the benefits of contact where fathers have been violent. In order for a full understanding to be gained, children themselves need to be consulted and their experiences afforded due diligence. As Qvortrup (1997) so aptly explains, "If we mean to improve life conditions for children, we must, as a minimum precondition, establish reporting systems in which they are heard, as well as reported on by others" (p. 101). This is particularly critical in cases where there is a history of family violence, as adults cannot always be counted on to disclose or provide adequate protection for their children.

The opportunity to improve the life conditions for children is timely, as in recent years the paradigm shift that has occurred in relation to children, now recognises children as individuals in their own right (Alanen, 2005; Qvortrup, 1997). However, while children have been recognised through the United Nations Convention on the Rights of the Child and in New Zealand family legislation,[50] in relation to post-separation arrangements, children's voices overall continue to be silenced (Clelland, 2013; Dunn & Deater-Deckard, 2001; Gollop et al., 2000). As a result, important decisions affecting children's lives are often taken without prior consultation, and presented to children once decisions are finalised. At the same time, where children have been given an opportunity to have their

---

[50] Care of Children Act 2004

say, an 'adultist' attitude often prevails with age used as a barrier to serious consideration (Robinson, 2010). Boshier (2005) for example, explains that even though changes under the Care of Children Act (2004) have removed the caveat 'age and maturity', which allowed judges to discount children's views (Robinson, 2010), this is still likely to be taken into consideration. Likewise, advances in the public domain do not necessarily translate into family life where children have little power, and 'age' remains a barrier (Roberts, 2003; Solberg, 1997).

In this study there were several participants who were denied the opportunity to have their say. An explanation can be found in a long tradition of regarding children as not being equal to adults. Inclusion may be seen as a threat to the balance of power within the parent/child relationship (John, 2003). Nonetheless, a definition of children as inferior situates children as objects (Mayall, 2000) As Mayall (2000) states, children must be extricated from parents as well as professionals and be allowed to write their own scripts. In other words, there is a need for a new understanding that recognises the legitimacy of children's own wishes when policy decisions are made (Cleland, 2013; Mayall, 2000). Recently, changes to the Family Court have further reduced children's opportunities to have their say. This suggests a backward shift away from creating an environment of inclusion.

New Zealand has been criticised for not doing enough to assist children who have been abused or victimised (Davis, Wood & Wilson, 2003; Robinson, 2010). However, as studies have shown, where violence has occurred, the two most important assets for children are the relationship with the primary caregiver (usually the mother) and limited exposure to violence (Bruch, 2001). In recent years the devaluing of mothering under the new parenting orthodoxy has been detrimental to children. The outcome has seen mothers reconstructed in relation to fathers who have gained a privileged masculine status (Elizabeth et al., 2010; Harne, 2011) which defines fathers as non-abusive, separating the good father from the violent partner (Mullender et al., 2002). This has made it increasingly difficult for mothers to negotiate safe arrangements for their children with legal professionals or the courts, and efforts to do so present a risk of being labelled non-co-operative and obstructive and perceived as attempting to undermine fathers' rights.

However, as this study illustrated, the majority of children had strong ties with their mothers that have continued into adulthood, while ties with fathers remain tenuous or have discontinued altogether.

A safe outcome for children in cases where abuse has occurred will require a cultural shift away from an emphasis on a father's right to contact, emphasising instead children's rights to a life free from abuse. It is argued that the present association between welfare and contact may serve to undermine the very principle that the term welfare implies (Kaganas & Day Sclater, 2004). For example, the best interests standard applied by the court is widely contested (Elrod & Dale, 2008; Firestone & Weinstein, 2004; Freeman, 1997; Kohm, 2008; van Krieken, 2005) and has been described as indeterminate and vague (Kaganas & Day Slater, 2004; Rhoades, 2002). A further criticism is that it redirects the focus away from the child (Newbury, 2003) and elevates primacy over children's wishes (Archard & Skivenes, 2010). Indeed, because of the complex nature of making an assessment and the reliance on the judge in individual cases, laws on parenting may become a part of the problem rather than the solution.

9.3.1 Direction for Policy

1. An important consideration to come out of the findings was the potential risk to children of private ordering, with a small number of parents making their own arrangements where severe violence had occurred. Problematic is that the law begins from a standpoint that contact is a private matter between parents and that the state should not intervene (Hunt & Roberts, 2004). Consequently, there is an expectation that parents will set aside their differences and negotiate an agreement without the necessity of the court. The need for critical assessment however, is evidenced when examining New Zealand statistics which estimate that 80 percent of domestic violence cases remain unreported (Boshier, 2012; Tolley, 2015). The implications of the figures suggest, that in many cases where arrangements are made privately, children will remain in an unsafe environment.

2. Based on the findings in this study, it is argued that a pro-contact model does not benefit all children. It is recommended that a more productive approach when negotiating arrangements would be a collaborative partnership between the victim and legal professionals to find a solution that would be of benefit to children, whilst ensuring the safety of their mother. It is proposed that negotiations for contact would begin from a position of rights rather than the best interest's standard, and rights would take precedence over an automatic assumption of contact.

3. A further recommendation is that there is on-going dialogue with children particularly where violence has occurred. Research has shown that children are able to articulate very clearly how violence has affected them, how this makes them feel, and whether they want to have contact with the perpetrator (Houghton, 2008; Mullender et al., 2002; McGee, 2000). It is suggested that when children are reluctant to have contact with their fathers their wishes should be respected and that contact should not be imposed. As this study showed, there was little or no benefit for young people who were placed into a position against their wishes and in some cases the long-term outcome was detrimental.

4. Equally important is that children have a voice when they experience difficulties with contact. It is recommended that avenues to address children's concerns, at no cost to children, should be made easily accessible. It is argued that if children are to be respected as individuals and not 'relationship property', then a more liberal view of children needs to prevail. At present, while there is a contention that children have limited rights under the current law, and statutory provisions have been removed to take away a connotation of 'belonging to' rather than 'right's holders',[51] in practice adults still make decisions that will determine outcomes which may not always be of benefit to children. In so doing, this places adults' rights above those of children.

5. A concern which was highlighted in this study was an apparent lack of understanding by some mothers as to the serious consequences of abuse for children. To address this issue it is recommended that further education of mothers be carried out via media

---

[51] Care of Children Act, 2004 (Boshier, 2005b; Henaghan, 2008).

campaigns and through health professionals. For example, information could be provided by midwives, doctors and Plunket nurses who attend to mothers during their pregnancy and during post-natal care.

6. A final recommendation is that a course on children's rights be introduced into the school curriculum to avail children of their right's under the law. Indeed, many participants in this study were unaware that they had any rights and accepted their situation without question. It is envisaged that a basic course on rights would be introduced at year three with a more advanced course being offered at intermediate level. This would include information on rights outlined in the United Nations Convention on the Rights of the Child and rights incorporated into New Zealand family legislation. Information would also incorporate the right not to be sexually, physically or psychologically abused, or exposed to violence in any form. This would also include posters on noticeboards and in toilet cubicles informing children that violence at home is not acceptable including contact numbers for children to call. Links to informative social media sites of interest to young people would also be worthwhile. In addition, a booklet covering issues of rights written in child friendly language should be made available at all schools in handy locations.

9.4 Limitations of this Study

A limitation of this study was that participants were recruited from tertiary institutions and may not fully represent a more diverse population. Nonetheless, in some respects, this was of benefit because domestic violence is often associated with the less advantaged within society. Hence, interviewing people from a tertiary education environment served to confirm that violence operates within every sector of the community, and does not only affect those from a lower socio-economic background.

A comparative analysis between the experiences of female and male participants would also have been worthwhile. This was not possible in the present study due to the small number of males who met the criteria for the project. It may be that women feel more comfortable talking about their experiences than men, and are more willing to disclose

personal information. Alternately, it could be because there is a higher ratio of female to male students in tertiary institutions (Callister, Newall, Perry & Scott, 2006).

In addition, the level of violence identified covered a broad spectrum ranging from high too low on the violence continuum. Nevertheless, as the study showed, any violence can have an impact on young children, and even in cases where violence was not physical it was the level of control that was the harm producing factor. It is acknowledged however, that adopting a narrower focus, interviewing young people where violence has been severe would be of benefit.

Retrospective studies are also open to criticism because of the effects of time on memory. However, for a number of young people the time lapse was only a few years, while for others their memories remained vivid, especially where there were on-going family issues. An argument can also be made, that even when the passage of time has clouded recollections, the experience is still valid because it continues to impact on the present and shape people's lives.

9.5 Further Research

Presently there is a paucity of information on the fathering practices of partner-abusive men and the impact on children in the short and long-term. Bancroft et al.'s (2012) seminal work on violent fathers is a valuable resource and extremely insightful. Likewise, Harne's (2011) research on parenting by violent fathers from the father's perspective has made an important contribution in the field. Moving forward, further studies that look at children's experiences post-separation are urgently required in light of present policy on parenting.

Research on children's experiences of witnessing abuse against siblings would also be worthwhile. One of the first studies undertaken in this field by Teicher and Vitaliano (2011), found that exposure to sibling abuse may have more serious consequences than exposure to abuse against mothers. The implications of this are important because, as previously stated, there is a likelihood that exposure to sibling abuse is much higher than

witnessing abuse against mothers, because father-to-mother violence will often take place in private, or after children have gone to bed.

9.6 Final Statement

This study is one of the first to look at young people's experiences of living with a partner-abusive father, following the parental break-up. The study challenges the present orthodoxy of shared-care and suggests that the parameters of such a view are too narrow to encompass the complexity of human relationships. A key problem within the contemporary climate is equating the welfare principle with ongoing contact with the father, which often takes precedence over a history of violence and undermines safety. However, as Smart (1995) observes, the concept of welfare is itself a contested issue, and definitions adjust to suit the political climate of the day. The present orthodoxy transpired at a time when there were challenges to gender relationships and a political shift to the right which focused on individual responsibility and parental co-operation.

It is argued that if children are to prosper, it is critical that where violence has occurred, children are involved in negotiations at both the private and public level, and that children's views assist in the formation of policy. Indeed, as Taylor (2001) reminds us, children's competence is far greater than one might expect and will be enhanced through reciprocal communication with adults. Listening to children also affords children respect as contributing and valued members of their family.

References

Adamson, J. L., & Thompson, R. A. (1998). Coping with Interparental Verbal Conflict by Children Exposed to Spouse Abuse and Children from Non-Violent Homes., *13*(3), 213–232. doi:10.1023/A:1022896804777

Adams, P. (2012). *Masculine Empire: How Men Use Violence to Keep Women in Line.* Wellington, New Zealand: Dunmore Publishing Limited.

Adler-Baeder, F. (2006). What Do We Know About the Physical Abuse of Stepchildren? *Journal of Divorce & Remarriage, 44*(3-4), 67-81. doi:10.1300/J087v44n03_05

Advocates for Human Rights: Stop Violence against Women. Retrieved from *http://www.stopvaw.org/animal_abuse_and_domestic_violence_2* [Accessed 25/11/2014].

Alanen, L. (2005). Women's Studies/Childhood Studies: Parallels, Links and Perspectives. In J. Mason & T. Fattore (Eds.), *Children Taken Seriously in Theory, Policy and Practice* (pp. 31-45). London, Philadelphia: Jessica Kingsley Publishers.

Alderson, P. (1992). In the Genes or in the Stars? Children's Competence to Consent. *Journal of Medical Ethics, 18*(3), 119-124. doi:10.1136/jme.18.3.119

Alderson, P., & Goodey, C. (1998). Theories of Consent. *British Medical Journal, 317(7 Nov),* 1313-1315. doi:10.1136/bmj.317.7168.1313

Altenhofen, S., Sutherland, K., & Biringen, Z. (2010). Families Experiencing Divorce: Age at Onset of Overnight Stays, Conflict, and Emotional Availability as Predictors of Child Attachment. *Journal of Divorce & Remarriage, 51*(3), 141-156. doi:10.1007/s10896-013-9528-7

Alexander, H., Macdonald, E., & Paton, S. (2005). Raising the Issue of Domestic Abuse in School. Children and Society, 19(3), 187-198. doi:10.1002/chi.837

Amato, P. R., & Keith, B. (1991). Parental Divorce and Adult-Wellbeing: A Meta-Analysis. *Journal of Marriage and the Family, 53*(1), 43-58. doi:10.2307/353132

Amato, P. R. (1993). Children's Adjustment to Divorce: Theories, Hypotheses and Empirical Support. *Journal of Marriage and the Family*, *55*(1), 22-28. doi:10.2307/352954

Amato, P. R., & Rezac, S. J. (1994)**.** Contact with Nonresident Parents, Inter-parental Conflict and Children's Behavior. *Journal of Family Issues*, *15*(2), 191-206. doi:10.1177/0192513X94015002003

American Psychological Association. *Mind Body Health: The Effects of Traumatic Stress*. Retrieved from http://www.apa.org/helpcenter/traumatic-stress.aspx [Accessed 12/01/2011].

Anderson-Hudson, L., & J. L. Ozanne. (1988). Alternative Ways of Seeking Knowledge in Consumer Research. *Journal of Consumer Research, 14*(4), 508-521.

APA Public Interest Government Relations office: Child Trauma. Retrieved from http://www.apa.org/about/gr/issues/cyf/child-trauma.pdf [Accessed 12/01/2011].

Appel, A. E., & Holden, G. W. (1998). The Co-occurrence of Spouse and Physical Child Abuse: A Review and Appraisal. *Journal of Family Psychology, 12*(4), 578-599. doi:10.1037/0893-3200.12.4.578

Archard, D., & Skivenes, M. (2009). Balancing a Child's Best Interests and a Child's Views. The *International Journal of Children's Rights, 17*(1), 1-21. doi:10.1163/157181808X35827

Archard, D., & Skivenes, M. (2010). Deciding Best Interests: General Principles and the Cases of Norway and the UK. *Journal of Children's Services, 6*(4), 43-54. doi:10.5042/jcs.2010.0695

Arendall, T. (1995). *Fathers and Divorce*. Thousand Oaks, London, New Delhi: Sage.

Ascione, F., Weber, C., Thompson, T., Health, J., Maruyama, M., & Hayashi, K. (2007). Battered Pets and Domestic Violence: Animal Abuse Reported by Women Experiencing Intimate Partner Violence and by Nonabused Women. *Violence against Women, 13*(4), 354-373. doi:10.1177/1077801207299201

Atwool, N. (2001). Children's Voice in the Family Court. *Childrenz issues, 5*(1), 28-44.

Austin, G. (1994). *Children: Stories the Law Tells*. Wellington: Victoria University Press.

Austin, W. G. (2011). Parental Gatekeeping in Custody Disputes: Mutual Parental Support in Divorce. *American Journal of Family Law, 25*(4), 148-153.

Bagshaw, D., Brown, T., Wendt, S., Campbell, A., McInnes, E., Tinning, B., Batagol, B., Sifris, A., Tyson, D., Baker, J., & Arias, P. F. (2011). The Effect of Family Violence on Post-Separation Parenting Arrangements: The Experiences and Views of Children and Adults from Families who Separated Post 1995 and Post 2006. *Family Matters, 86*, 49-61.

Bagshaw, D., & Chung, D. (2001). The Needs of Children Who Witness Domestic Violence: A South Australian Study. *Children Australia*, *26*(3), 9-17.

Bainham, A. (2003). Contact as a Right and Obligation. In A. Bainham, B. Lindley, M. Richards & L. Trinder (Eds.). *Children and their Families: Contact, Rights and Welfare* (pp. 61-88). Oxford, Portland, Oregon: Hart Publishing

Baker, M. (2001). *Families, Labour and Love: Family Diversity in a Changing World*. NSW, Australia: Allen and Unwin.

Baker, M. (2008). Lingering Concerns about Child Custody and Support. *Policy Quarterly, 4*(1), 2-63.

Baker, M., & Tippin, D. (1999). Poverty, Social Assistance, and the Employability of Mothers: Restructuring Welfare States. Toronto, Buffalo, London: University of Toronto Press.

Baldry, A. C. (2003). Bullying in Schools and Exposure to Domestic Violence. *Child Abuse & Neglect: The International Journal, 27*(7), 713-732. doi:10.1016/S0145-2134(03)00114-5

Banach, M. (1998). The Best Interests of the Child: Decision-Making Factors. *Families in Society: The Journal of Contemporary Human Services, 79*(3), 331-340.

Bancroft, L., & Silverman, J. G. (2002). *The Batterer as Parent: Addressing the Impact of Domestic Violence on Family Dynamics.* Thousand Oaks, London, New Delhi: Sage.

Bancroft, L., Silverman, J. G., & Ritchie, D. (2012). *The Batterer as Parent: Addressing the Impact of Domestic Violence on Family Dynamics.* Thousand Oaks, London, New Delhi: Sage.

Banyard, V. L., Williams, L. M., & Siegel, J. A. (2003). The Impact of Complex Trauma and Depression on Parenting: An Exploration of Mediating Risk and Protective Factors. *Child Maltreatment: Journal of the American Professional Society on the Abuse of Children, 8*(4), 334-349. doi:10.1177/1077559503257106

Barron, J. (2007). *Kidspeak: Giving Children and Young People a Voice on Domestic Violence*. Women's Aid. Retrieved from www.womensaid.org.uk [Accessed 6/6/2011].

Barton, C. (2006, March 28). Most Parents Agree Courts Should Award Care to Mums. *New Zealand Herald.* Retrieved from http://www.nzherald.co.nz/families-commission/news/article.cfm?o_id=500507&objectid=10399930 [Accessed 6/6/2011].

Barwick, H., Gray, A., & Macky, R. (2000). *Domestic Violence Act 1995: Process Evaluation.* Wellington: Ministry of Justice.

Baumeister, R. F., & Leary, M. R. (1997). Writing Narrative Literature Reviews. *Review of General Psychology, 1*(3), 311-320. doi:10.1037/1089-2680.1.3.311

Baumrind, D. (n.d). Effects of Authoritative Parental Control on Child Behavior. Retrieved from http://persweb.wabash.edu/facstaff/hortonr/articles percent20for%20class/baumrind.pdf [Accessed 1/11/2013).

Baxter, J., Weston, R., & Qu, L. (2011). Family Structure, Co-parental Relationship Quality, Post-Separation Paternal Involvement and Children's Emotional Wellbeing. *Journal of Family Studies, 17*(2), 86-109. doi:10.5172/jfs.2011.17.2.86

Beasley, R., & Stoltenberg, C. D. (1992). Personality Characteristics of Male Spouse Abusers. *Professional Psychology Research and Practice*, *23*(4), 310-317. doi:10.1037/0735-7028.23.4.310

Beattie, D. S., Kawharu, I. H., King, R. M., Murray, J. D., & Wallace, J. H. (1978). *Report of the Royal Commission on the Courts,* Wellington.

Bender, K., & Roberts, A. R. (2007). Battered Women versus Male Batterer Typologies: Same or Different Based on Evidence-Based Studies? *Aggression and Violent Behavior*, *12*(5), 519-530. doi:10.1016/j.avb.2007.02.005

Benton, P. (1998). *Children, Men and Mothers: A Feminist Analysis of the Guardianship Amendment Act 1995.* (Unpublished Master's Thesis). University of Auckland, Auckland, New Zealand.

Bernard, J. L., & Bernard, M. L. (1984). The Abusive Male Seeking Treatment: Jekyll and Hyde. *Family Relations*, *33*(4), 543-547. doi:10.2307/583833

Biller, H. B. (1993) *Fathers and Families: Paternal Factors in Child Development.* Westport, Connecticut, London: Auburn House.

Bilson, A., & White, S. (2005). Representing Children's Views and Best Interests in Court: An International Comparison. *Child Abuse Review, 14*(4), 220-239. doi:10.1002/car.902

Birnbaum, R., Bala, N., & Cyr, F. (2011). Children's Experiences with Family Justice Professionals in Ontario and Ohio. *International Journal of Law, Policy and the Family, 25*(3), 398-422. doi:10.1093/lawfam/ebr014

Blumenthal, D. R., Neemann, J., & Murphy, C. M. (1998). Lifetime Exposure to Interparental Physical and Verbal Aggression and Symptom Expression in College Students. *Violence and Victims, 13*(2), 175-196.

Bogat, G. A., Dejonghe, E., Levendosky, A. A., Davidson, W. S., & von Eye, A. (2006). Trauma Symptoms Among Infants Exposed to Intimate Partner Violence. *Child Abuse & Neglect: The International Journal, 30*(2)*,* 109-125. doi:10.1016/j.chiabu.2005.09.002

Bograd, M. (1988). Feminist Perspectives on Wife Abuse: An Introduction. In K. Yllö & M. Bograd (Eds.). *Feminist Perspectives on Wife Abuse* (pp. 11-27). Newbury Park, Beverly Hills, London, New Delhi: Sage.

Boshier, P. (2005a). Care and protection of children: New Zealand and Australian Experience of Cross-Border Cooperation. *New Zealand Family Law Journal, 5*(3), 63-69.

Boshier, P. (2005b). *The Care of Children Act 2004: Does it Enhance Children's Participation and Protection Rights?* Paper Presented at Children's Issues Centre, 6th Child and Family Policy Conference, St. David Street, Dunedin.

Boshier, P. (2009, May). *The Child's Voice in Process: Which Way is Forward. A New Zealand Perspective.* Paper Presented at Association of Family and Conciliation Courts Annual Conference, New Orleans.

Boshier, P. (2012, October). *The Prescription Pathway: Lessons from the Care of Children Act 2004*. Paper Presented at National Family Law Conference, Hobart, Tasmania, Australia.

Bourque, D. M. (1995). Reconstructing the Patriarchal Nuclear Family: Recent Developments in Child Custody and Access in Canada. *Canadian Journal of Law and Society*, 10(1), 1-24. doi:10.1017/S082932010000394X

Bowlby, J. (1951). *Maternal Care and Mental Health*. A Report Prepared on behalf of the World Health Organisation as a Contribution to the United Nations Programme for the Welfare of Homeless Children. Geneva: World Health Organisation.

Boyd, S. B. (2000). Can Child Custody Law Move Beyond the Politics of Gender. *University of New Brunswick Law Journal, 49,* 157-168.

Braun, V., & Clarke, V. (2006). Using Thematic Analysis in Psychology. *Qualitative Research in Psychology*, *3*(2), 77-101. doi:10.1191/1478088706qp063oa

Bristol Women's Aid Federation. (2001). *Making Contact Worse? Report of a National Survey of Domestic Violence Refuge Services into the Enforcement of Contact Orders.* Retrieved from http://www.womensaid.org.uk/landing_page.asp?section=000100010009000800020002 [Accessed 14/2/2007].

Brophy, J. (1989). Custody Law, Child Care and Inequality in Britain. In C. Smart & S. Sevenhuijsen (Eds.). *Child Custody and the Politics of Gender* (pp. 217-242). London, New York: Routledge.

Brotman B. E., & Weisz, J. R. (1988). How to Feel Better When it Feels Bad: Children's Perspectives on Coping with Everyday Stress. *Developmental Psychology*, *14*(2), 247-253. doi:10.1037/0012-1649.24.2.247

Brotsky, M., Steinman, S., & & Zemmelman, S. (1991). Joint Custody through Mediation: A Longitudinal Assessment of the Children. In J. Folberg (Ed.). *Joint Custody and Shared Parenting* (pp. 167-176). New York, London: The Guilford Press.

Brown, T. (2006). Child Abuse and Domestic Violence in the Context of Parental Separation and Divorce: New Models of Intervention. In C. Humphreys & N. Stanley (Eds.), *Domestic Violence and Child Protection: Directions for Good Practice* (pp. 155-168). London, Philadelphia PA: Jessica Kingsley Publishers.

Brown, H. M. (2011). *Loosening the Marriage Bond: Divorce in New Zealand, c.1890s – c.1950s.* (Unpublished PhD Thesis in History). Victoria University of Wellington, Wellington, New Zealand.

Bruch, C. (2001). Parental Alienation Syndrome: Junk Science in Child Custody Determinations. *European Journal of Law Reform, 3*(3)*,* 383-404.

Bryant, S., L., & Range, L. M. (1997). Type and Severity of Child Abuse and College Students' Lifetime Suidality. *Child Abuse & Neglect: The International Journal*, *21*(12), 1169-176. doi:10.1016/S0145-2134(97)00092-6

Bryman, A. (2004). *Social Research Methods*. Oxford: Oxford University Press.

Busch, R., Robertson, N., & Lapsley, H. (1992). *Domestic Violence and the Justice System: A Study of Breaches of Protection Orders.* Hamilton: Victims Task Force.

Buckley, H., Holt, S., & Whelan, S. (2007). Listen to Me! Children's Experiences of Domestic Violence. *Child Abuse Review, 16*(5), 296-310. doi:10.1002/car.995

Bukatko, D., & Daehler, M. (2001). *Child Development: A Thematic Approach*. Bostin: Houghton Mifflin.

Busch, R., & Robertson, N. (2000). Innovative Approaches to Child Custody and Domestic Violence in New Zealand: The Effects of Law Reform on the Discourses of Battering. *Journal of Aggression, Maltreatment & Trauma, 3*(1), 269-299. doi:10.1300/J146v03n01_17

Brzuzy, A., Ault, A., & Segal, E. A. (1997). Conducting Qualitative Interviews with Women Survivors of Trauma. *AFFILIA*, *12*(1), 76-83.

Cairns, K. (2009). A Future to Voice? Continuing Debates in Feminist Research with Youth. *Gender and Education*, 21(3), 321-335. doi:10.1080/09540250802667609

Caldwell, J. (2007). Judicial Interviews of Children: Some Legal Background. *New Zealand Family Law Journal, 5*(9), 215-225.

Caldwell, J., & Taylor, N. (2013). Natural Justice and Judicial Meetings with Children: Documenting Practice within the New Zealand Family Court. *New Zealand Family Law Journal, 7*(11), 264-271.

Callister, P., Newell, J., Perry, M., & Scott, D. (2006). The Gendered Tertiary Education Transition: When did it Take Place and What Are Some of the Possible Policy Implications. *Policy Quarterly, 2*(1), 4-13.

Calvo, R., Lazaro, L., Castro, J., Morer, A., & Toro, J. (2007). Parental Psychology in Child and Adolescent Obsessive-Compulsive Disorder. *Social Psychiatry and Psychiatric Epidemiology*, *42*(8), 647-655. doi:10.1007/s00127-007-0202-3

Campbell, A. (2008). For their Own Good: Recruiting Children for Research. *Childhood*, *15*(1), 30-49. doi:10.1177/0907568207086834

Campbell, J. C. (2002). Health Consequences of Intimate Partner Violence, *The Lancet, 359,* 1331-1336. doi:10.1016/S0140-6736(02)08336-8

Care of Children Act New Zealand: New Zealand Legislation (2004). Retrieved from http://www.legislation.govt.nz/act/public/2004/0090/55.0/DLM317233.html

Carlson, B. E. (2000). Children Exposed to Intimate Partner Violence: Research Findings and Implications for Intervention. *Trauma, Violence, Abuse, 1*(4), 321-342. doi:10.1177/1524838000001004002

Cartwright, D. (1959). Power a Neglected Variable. In D. Cartwright (Ed.). *Studies in Social Power.* Ann Arbor: Research Centre for Group Dynamics and Social Research: The University of Michigan.

Cascardi, M., O'Leary, K. D. & Schlee, K. A. (1999). Co-occurrence and Correlates of Post-traumatic Stress Disorder and Major Depression in Physically Abused Women. *Journal of Family Violence, 14*(3), 227-249. doi:10.1023/A:1022827915757

Cashmore, J., & Parkinson, P. (2009). Children's Participation in Family Law Disputes: The Views of Children, Parents, Lawyers and Counsellors. *Family Matters, 82,* 15-21.

Cero, I., & Sifers, S. (2013). Moderating Factors in the Path from Physical Abuse to Attempted Suicide in Adolescents: Application of the Interpersonal-Psychological Theory of Suicide. *Suicide and Life-Threatening Behavior, 43(*3), 296-304. doi:10.1111/sltb.12016

Chamberlain, C., Fortin, A., Turgeon, J., & Laporte, L. (2007). Men's Recognition of Violence against Women and Spousal Abuse: Comparison of Three Groups of Men. *Violence and Victims, 22*(4), 419-436.

Chamberland, C., Fallon, B., Black, T., Trocmé, N., & Chabot, M. (2012). Correlates of Substantiated Emotional Maltreatment in the Second Canadian Incidence Study. *Journal of Family Violence, 27*(3), 201-213. doi:10.1007/s10896-012-9414-8

Chetwin, A., Knaggs, T., & Young, P. T. A. (1999). *The Domestic Violence Legislation and Child Access in New Zealand.* Wellington: Ministry of Justice.

Children's Commissioner Opposes Family Court Reforms (2013). New Zealand Family Violence Clearinghouse. Retrieved https://nzfvc.org.nz/news/childrens-commissioner-opposes-family-court-reforms [Accessed 1/4/2016].

Clarke, S. B., Koenen, K. C., Taft, C. T., Street, A. E., King, L. A., & King, D. W. (2007). Intimate Partner Psychological Aggression and Child Behavior Problems. *Journal of Traumatic Stress, 20*(1), 97-101. doi:10.1002/jts.20193

Clarkson, D., & Clarkson, H. (2005). The Rights of Children Under the Care of Children Act 2004, with Particular Reference to Cases of Parental Alienation or Intractable Contact Disputes. *New Zealand Family Law Journal, 5*(4), 91-95.

Cleland, A. (2013). Children's and Young People's Participation in Legal Proceedings in Aotearoa New Zealand: Significant Challenges Ahead. *New Zealand Law Review, 3,* 483-504.

Cochrane, M. (2006). Children's Views and Participation in Decision-Making. *New Zealand Family Law Journal, 5*(8), 183-197.

Cole, M., & Avison, D. (2007). The Potential of Hermeneutics in Information Systems Research. *European Journal of Information Systems, 16*(6)*,* 820-833. doi:10.1057/palgrave.ejis.3000725

Collins, S. (2006, March 28). New Zealand Best Place to Raise Kids? Not Any More, Says Top Judge. *New Zealand Herald,* A1.

Collins, S. (2007, August 28). Judges Soft on Wife-Beaters Say Researchers. New Zealand Herald. Retrieved from http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10460286 [Accessed 9/6/2012].

Collins, S. (2013, March 30). Govt. Back-down Follows Attack by Family Judges. *New Zealand Herald.* Retrieved from http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10874413 [Accessed 1/4/2016].

Collins, S. (2013). Child Inquiry Reforms Danger to Women. New Zealand Herald. Retrieved from http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10874415 [Accessed 1/4/2016].

Community Law Manual. Police Safety Orders. Retrieved from http://www.communitylaw.org.nz/community-law-manual/chapter-26-domestic-violence/police-safety-orders/ [Accessed 5/11/2014].

Community Law Manual. Care Arrangements when Parents have Separated. Retrieved from http://www.communitylaw.org.nz/community-law-manual/chapter-24-care-of-children/care-arrangements-when-parents-have-separated/ [Accessed 13/06/2015].

Connell, R. W., & Messerschmidt, J. W. (2005). Hegemonic Masculinity: Rethinking the Concept. *Gender & Society, 19*(6), 829-859. doi:10.1177/0891243205278639

Cooley, C. (2006). Physically Abusive fathers and Risk Assessment. *Child Abuse & Neglect: The International Journal, 30*(5), 467-480. doi:10.1016/j.chiabu.2004.10.016

Corbin, J., & Morse, J. M. (2003). The Unstructured Interactive Interview: Issues of Reciprocity and Risks When Dealing with Sensitive Topics. *Qualitative Inquiry*, *9*(3), 335-354. doi:10.1177/1077800403009003001

Covell, K., & Howe, R. B. (2009). *Children, Families and Violence: Challenges for Children's rights.* London, Philadelphia: Jessica Kingsley Publishers.

Coyle, S. (2006, May). *Sociology of Childhood: Implications for our Practice as Lawyers.* Paper presented at the LexisNexis Child Law Conference, Auckland.

Cresswell, J. W. (2007). *Qualitative Inquiry and Research Design: Choosing Among Five Approaches.* Thousand Oaks, London, New Delhi: Sage.

Crimes (Abolition of Force as a Justification for Child Discipline) Amendment Bill. Retrieved from http://www.parliament.nz/resource/mi-nz/00DBHOH_BILL6844_1/95820619f7d6cfb833fd1fd186b8d78723c52c7f [Accessed 31/10/2014].

Crist, J. D. & Tanner, C. A. (2003). Interpretation/Analysis Methods in Hermeneutic Interpretive Phenomenology. *Nursing Research, 52*(3), 202-205.

Crotty, M. (1998). *The Foundations of Social Research: Meaning and Perspective in the Research Process.* Crowes Nest, NSW: Allen and Unwin.

Cummings, J. G., Pepler, D. J., & Moore, T. E. (1999). Behavior Problems in Children Exposed to Wife Abuse: Gender Differences. *Journal of Family Violence, 14*(2), 133-156. doi:10.1023/A:1022024702299

Cyr, M., McDuff, P., Hébert, M. (2013). Support and Profiles of Non-offending Mothers of Sexually Abused Children. *Journal of Child Sexual Abuse*, *22*(2)*,* 209-230. doi:10.1080/10538712.2013.737444

Daly, M., & Wilson, M. (1987). Risk of Maltreatment of Children Living with Stepparents. In R. J. Gelles & J. B. Lancaster (Eds.). *Child Abuse and Neglect: Biosocial Dimensions* (pp. 215-232). Hawthorne, NY: Aldine de Gruyter.

Davidoff, L., Doolittle, M., Fink, J., & Holden, K. (1999). *The Family Story: Blood, Contract and Intimacy, 1830-1960*. London: Longman.

Davidson, C., & Tolich, M. (2003).Competing Traditions. In C. Davison & M. Tolich (Eds.). *Social Science Research in New Zealand: Many Paths to Understanding* (pp. 23-38). Auckland: Pearson Education.

Davies, H. (2015). Shared Parenting or Shared Care? Learning from Children's Experiences of a Post-Divorce Shared Care Arrangement. *Children & Society, 29*(1), 1-14. doi:10.1111/chso.12013

Davis, P. T., & Cummings, E. M. (1998). Exploring Children's Emotional Security as a Mediator of the Link between Marital Relations and Child Adjustment. *Child Development*, *69*(1), 124-139. doi:10.1111/j.1467-8624.1998.tb06138.x

Davis, W. (2004). Gender Bias, Father's Rights, Domestic Violence and the Family Court. *Butterworth's Family Law Journal, 4*(12), *299- 322.*

Davis, E., Wood, B., & Wilson, D. (2003). Enhancing Children's Rights to Protection from Violence and Neglect in Aotearoa New Zealand. *Childrenz Issues*, *7*(1), 17-24.

Davison, R. K. (1994). *Report of Inquiry into Family Court Proceedings Involving Christine Madeline Bristol and Alan Robert Bristol*. Wellington, New Zealand: Ministry of Justice.

Dejonghe, E. S., Bogat, G. A., Levendosky, A. A., Von Eye, A., & Davidson II, W. S. (2005). Infant Exposure to Domestic Violence Predicts Heightened Sensitivity to Adult Verbal Conflict. *Infant Mental Health Journal*, *26*(3), 268-281. doi:10.1002/imhj.20048

Delorey, A. (1989). Joint Legal Custody: A Reversion to Patriarchal Power. *Canadian Journal of Women and Law, 3*(1), 33-44.

Delphy, C., & Leonard, D. (1992). *Familiar Exploitation: A New Analysis of Marriage in Contemporary Western Societies.* Cambridge: Polity Press.

DeMaris, A., & Swinford., S. (1996). Female Victims of Spousal Violence: Factors Influencing their Level of Fearfulness. *Family Relations, 45*(1), 98-106. doi:10.2307/584775

Denzin, K. N., & Lincoln, Y. S. (1994). Introduction: Entering the field of Qualitative Research. In N. K. Denzin & Y. S. Lincoln (Eds.). *Handbook of Qualitative Research* (pp. 1-18). Thousand Oaks, Calif.; London, New Delhi: Sage Publications.

Denzin, N. K., & Lincoln Y. K. (2000). *The Handbook of Qualitative Research*. (2nd Ed.). Thousand Oaks, Calif.: Sage Publications.

Devoe, E. R., & Smith, E. L. (2002). The Impact of Domestic Violence on Urban Preschool Children: Battered Mothers' Perspectives. *Journal of Interpersonal Violence, 17*(10), 1075-1101. doi:10.1177/08862605-0201710-04

Dispute Resolution in the Family Court: Report 82. (2003). Wellington, New Zealand: Law Commission Te Aka Matua O Te Ture. Retrieved from http://www.lawcom.govt.nz/sites/default/files/publications/2003/03/Publication_87_208_R82.pdf [Accessed 20/4/2010].

Dobash, R. E. & Dobash, R. (1979). *Violence Against Wives: A Case Against the Patriarchy*. London: Open Books.

Domestic Violence Act 1995, New Zealand Legislation, Retrieved from http://www.legislation.govt.nz/act/public/1995/0086/51.0/DLM371926.html

Donaldson, M. (1993). What is Hegemonic Masculinity? *Theory and Society, 22*(5), 643-657.

Donnestad, E., & Sanner, M. (2001). Hello, Is Anyone There? – Young Messages from another Reality. A Report to the United Nations General Assembly Special Session on Children, New York, Kristiansand: Forum for the Convention on the Rights of the Child.

Doogue, J. (2006). A Seismic Shift or a Minor Realignment? A View from the Bench Ascertaining Children's Views. *New Zealand Family Law Journal, 5*(8), 198-208.

Doumas, D., Margolin, G., & John, R. S. (1994). The Intergenerational Transmission of Aggression Across Three Generations. J*ournal of Family Violence*, *9*(2), 157-175. doi:10.1007/BF01531961

Dowling, M. (2004). Hermeneutics: An Exploration. *Nurse Researcher, 11*(4), 30-39.

Downs, W. R., & Miller, B. A. (1998). Relationships between Experiences of Parental Violence During Childhood and Women's Psychiatric Symptomatology. *Journal of Interpersonal Violence, 13*(4), 438-455. doi:10.1177/088626098013004002

Downs, W. R., & Miller, B. A. (1998). Relationships between Experiences of Parental Violence during Childhood and Women's Self-Esteem. *Violence and Victims, 13*(1), 63-77.

Drumm, J. (2000). *Domestic Violence in Auckland City*. Auckland: Preventing Violence in the Home. Retrieved from http://www.preventingviolence.org.nz/index.php?action=viewandid=12andmodule=resourcesmoduleandsrc=%40random43ea7de766f2a [Accessed 1/3/2008].

Dunn, J. & Deater-Deckard, K. (2001). *Children's Views of their Changing Families.* York: York Publishing Services (for Joseph Rowntree Foundation).

Durham Response to Woman Abuse. (1999). *Focus Group Research: 52 Women Speak Out*. Retrieved from http://www.durhamresponsetowomanabuse.com/report/focus.html [Accessed 9/7/2007].

Eatough, V., & Smith, J. A. (2008). Interpretative Phenomenological Analysis. In C. Willig & W. Stainton-Rogers (Eds.). *The Sage Handbook of Qualitative Research in Psychology* (pp. 179-194). London, Los Angeles, Calif.; London: Sage Publications.

Edin, K. E., Lalos, A., Höberg, U. & Dahlgren, L. (2008). Violent Men: Ordinary and Deviant. *Journal of Interpersonal Violence, 23*(2), 225-244. doi:10.1177/0886260507309342

Edleson, J. L. (1999). The Overlap between Child Maltreatment and Woman Battering. *Violence Against women, 5*(2), 134-154. doi:10.1177/107780129952003

Edleson, J. L. (1999). Children's Witnessing of Adult Domestic Violence. *Journal of Interpersonal Violence*, *14*(8), 839-870. doi:10.1177/088626099014008004

Edleson, J. L., Mbillinyi, L., Beeman, S. K., & Hagemeister, A. K. (2003). How Children are Involved in Adult Domestic Violence. *Journal of Interpersonal Violence*, *18*(1), 18-32. doi:10.1177/0886260502238538

Eekelaar, J & MacLean, M. (1986). *Maintenance after Divorce.* Oxford: Oxford University Press.

Ehrensaft, M. K., Cohen, P., Brown, J., Smailes, E., Chen, H., & Johnson, J. G. (2003). Intergenerational Transmission of Partner Violence: A 20 Year Prospective Study. *Journal of Consulting and Clinical Psychology, 71*(4), 741-753. doi:10.1037/0022-006X.71.4.741

Einarsdóttir, J. (2007). Research with Children: Methodological and Ethical Challenges. *European Early Childhood Education Research Journal, 15*(2), 197-211. doi:10.1080/13502930701321477

Eisenberg, M. A. (1982). The Bargain Principle and its Limits. *Harvard Law Review, 95*(4), 741-801.

Elizabeth, V., Gavey, N., & Tolmie, J. (2012a). The Gendered Dynamics of Power in Disputes over the Post-separation Care of Children. *Violence Against Women, 18*(4), 459-481. DOI: 10.1177/1077801212452049

Elizabeth, V., Gavey, N., & Tolmie, J. (2010). Between a Rock and a Hard Place: Resident Mothers and the Moral Dilemmas they Face During Custody Disputes. *Feminist Legal Studies, 18*(3), 253-274. doi:10.1007/s10691-010-9159-9

Elizabeth, V., Gavey, N., & Tolmie, J. (2012b). "…He's Just Swapped His Fists for the System" The Governance of Gender through Custody Law. *Gender & Society, 26*(2), 239-260. doi:10.1177/0891243211434765

Elrod, L. D., & Dale, M. D. (2008). Paradigm Shifts and Pendulum Swings in Family Custody: The Interests of Children in the Balance. *Family Law Quarterly, 42*(3), p. 381-418.

Ennew, J. (1994). Time for Children or Time for Adults. In J. Qvortrup., M. Bardy., G. Sgritta & H. Wintersberger (Eds.). *Childhood Matters: Social Theory, Practice and Politics* (pp. 125-144). Aldershot, Brookfield, USA.; Hong Kong, Singapore, Sydney: Avebury.

Epstein, C., & Keep, G. (1995). What Children Tell Childline About Domestic Violence. In A. Saunders (Ed.). *"It Hurts Me Too". Children's Experiences of Domestic Violence and Refuge Life* (pp. 43-57). England: Women's Aid Federation.

Epstein, M. (2012). Introduction to the Philosophy of Science. In C. Seale (Ed.).
    Researching Society and Culture (pp. 7-28)*.* London, Thousand Oaks, Calif.; New Delhi,
    Singapore: Sage Publications.

Eriksson, M., & Hester, M. (2001). Violent Men as Good-Enough Fathers? A look at
    England and Sweden. *Violence Against Women, 7(*7)*,* 779-798.
    doi:10.1177/10778010122182730

Eriksson, M., & Näsman, E. (2008). Participation in Family Law Proceedings for Children
    Whose Father is Violent to their Mother. *Childhood, 15*(2), 259-275.
    doi:10.1177/0907568207088426

Faden, R. R., & Beauchamp, T. L. (1986). *A History and Theory of Informed Consent.* New
    York, Oxford: Oxford University Press.

Fagan, J., & Barnett, M. The Relationship between Maternal Gatekeeping, Paternal
    Competence, Mothers' Attitudes about the Father Role and Father Involvement.
    (2003). *Journal of Family Issues, 24(8),* 1020-1043. doi:10.1177/0192513X03256397

Family Court Review Summary. (2011). Retrieved
    from http://www.justice.govt.nz/publications/global-publications/f/family-court-
    review-summary [Accessed 10/7/2012].

Family Proceedings Act 1980 (New Zealand).

Family Violence Death Review Committee. He tao huata e taea te karo. Fourth Annual
    Report: January 2013 to December 2013. Health Quality & Safety Commission New
    Zealand Kupu Taurangi Hauora o Aotearoa. Retrieved
    from http://www.hqsc.govt.nz/assets/FVDRC/Publications/FVDRC-4th-report-June-
    2014.pdf [Accessed 01/11/2016].

Fanslowe, J. L., & Robinson, E. M. (2010). Help-Seeking Behaviours and Reasons for Help Seeking Reported by a Representative Sample of Women Victims of Intimate Partner Violence in New Zealand. *Journal of Interpersonal Violence, 25*(5), 929-951. doi:10.1177/0886260509336963

Fanslowe, J. L., & Robinson, E. M. (2011). Sticks, Stones, or Words? Counting the Prevalence of Different Types of Intimate Partner Violence reported by New Zealand Women. *Journal of Aggression, Maltreatment & Trauma. 20*(7), 741-759. doi:10.1080/10926771.2011.608221

Fantuzzo, J. W., & Mohr, W. K. (1999). Prevalence and Effects of Child Exposure to Domestic Violence. *The Future of Children*, *9*(3), 21-32. doi:10.2307/1602779

Fattore, T., & Turnbull, N. (2005). Theorizing Representation of and Engagement with Children: The Political Dimension of Child-Oriented Communication. In J. Mason & T. Fattore (Eds.). *Children Taken Seriously in Theory, Policy and Practice* (pp. 46-57). London, Philadelphia: Jessica Kingsley Publishers.

Featherstone, B., & Peckover, S. (2007). Letting Them Get Away With It: Fathers Domestic Violence and Child Welfare. *Critical Social Policy*, *27*(2), 181-200. doi:10.1177/0261018306075708

Feerick, M. M., & Haugaard, J. J. (1999). Long-Term Effects of Witnessing Marital Violence for Women: The Contribution of Childhood Physical and Sexual Abuse. *Journal of Family Violence, 14*(4), 377-398. doi:10.1023/A:1022882131610

Fehlberg, B., Smyth, B., Maclean, M., & Roberts, C. (2011). Legislating for Shared Time. Parenting after Separation: A Research Review*., 25(*3), 318-337. doi:10.1093/lawfam/ebr015

Felitti, V. J., Anda, R. F., Nordenberg, D., Williamson, D. F., Spitz, A. M., Edwards, V., Koss, M. P., & Marks, J. S. (1998). Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults: The Adverse Childhood Experiences (ACE) Study. *American Journal of Preventative Medicine, 14*(4), 245-258. doi:10.1016/S0749-3797(98)00017-8

Finkelhor, D., Ormrod, R. K., & Turner, H. A. (2007). Poly-Victimization: A neglected Component in Child Victimization. *Child Abuse & Neglect: The International Journal, 31*(1), 7-26. doi:10.1016/j.chiabu.2006.06.008

Fereday, J., & Muir-Cochrane, E. (2006). Demonstrating Rigor using Thematic Analysis: A Hybrid Approach of Inductive and Deductive Coding and Theme Development. *International Journal of Qualitative Methods, 5*(1), 80-92.

Fergusson, D. M., & Horwood, L. J. (1998). Exposure to Interparental Violence in Childhood and Psychosocial Adjustment in Young Adulthood. *Child Abuse & Neglect: The International Journal, 22*(5), 339-357. doi:10.1016/S0145-2134(98)00004-0

Fernando, M. (2013). How Can We Best Listen to Children in Family Law Proceedings? *New Zealand Law Review, 3,* 387-407.

Finkelhor, D., Hotaling, G., Lewis, L.A., & Smith, C. (1990). Sexual Abuse in a National Survey of Adult Men and Women: Prevalence, Characteristics and Risk Factors. *Child Abuse & Neglect: The International Journal, 14*(1)*,* 19-28. doi:10.1016/0145-2134(90)90077-7

Firestone, G., & Weinstein, J. (2004). In the Best Interests of Children: A Proposal to Transform the Adversarial System. *Family Court Review, 42*(2), 203-215. doi:10.1111/j.174-1617.2004.tb00644.x

Fleury, R. E., Sullivan, C. M., & Bybee, D. I. (2000). When Ending the Relationship Does Not End the Violence: Women's Experiences of Violence by Former Partners. *Violence against Women, 16*(12), 1363-1383. doi:10.1177/10778010022183695

Flynn, C. P. (2000). Woman's Best Friend: Pet Abuse and the Role of Companion Animals in the Lives of Battered Women. *Violence against Women, 6*(2), 162-177. doi:10.1177/10778010022181778

Follingstad, D. R., Rutledge, L. L., Berg, B. J., Hause, E. S., & Polek, D. S. (1990). The Role of Emotional Abuse in Physically Abusive Relationships. *Journal of Family Violence, 5*(2), 107-119. doi:10.1007/BF00978514

For the Sake of the Children Trust (n.d.). *24 Year Snapshot of Child Abuse and Neglect Deaths in New Zealand.* Retrieved from http://www.forourchildren.org.nz/site/forchildren/24yr%20Snapshot%20of%20Child%20Abuse%20&%20Neglect%20Deaths%20in%20NZ.pdf [Accessed 7/2/2016].

Forsstrom-Cohen, B., & Rosenbaum, A. (1985). The Effects of Parental Marital Violence on Young Adults: An Exploratory Investigation. *Journal of Marriage and the Family, 47*(2), 467-472. doi:10.2307/352145

Fortin, Hunt & Scanlan (2012). *Taking a Longer View of Contact: The Perspectives of Young Adults who Experienced Parental Separation in their Youth*. Brighton: University of Sussex, Sussex Law School.

Foucault, M. (1977). *Discipline and Punish.* London: Allen Lane.

Fowler, D. N., & Chanmugam, A. (2007). A Critical Review of Quantitative Analyses of Children Exposed to Domestic Violence: Lessons for Practice and Research. *Brief Treatment and Crisis Intervention Journal, 7*(4), 322-344.

Francis, K. J., & Wolfe, D. A. (2008). Cognitive and Emotional Differences between Abusive and Non-Abusive Fathers. *Child Abuse & Neglect: The International Journal, 32*(12), 1127-1137. doi:10.1016/j.chiabu.2008.05.007

Freeman, M. (1997). The Best Interests of the Child? Is the Best Interests of the Child in the Best Interests of Children? *International Journal of Law, Policy and the Family, 11*(3), 360-388. doi:10.1093/lawfam/11.3.360

Frønes, I. (1994) Dimensions of Childhood. In J. Qvortrup., M. Bardy., G. Sgritta & H. Wintersberger (Eds.). *Childhood Matters: Social Theory, Practice and Politics* (pp. 145-164). Aldershot, Brookfield, USA.; Hong Kong, Singapore, Sydney: Avebury.

Fugate, M., Landis, L., Riordan, K., Naureckas, S., & Engel, B. (2005). Barriers to Domestic Violence Help Seeking: Implications for Intervention. *Violence against Women, 11*(3), 290-310. doi:10.1177/1077801204271959

Furlong, P., & Marsh, D. (2010). A Skin not a Sweater: Ontology and Epistemology in Political Science. In D. Marsh & G. Stoker (Eds.). *Theory and Methods in Political Science* (pp. 184-210). Houndsmill, Basingstoke, New York: Palgrave MacMillan.

Furstenberg, F., Morgan S. P., & Allison, P. D. (1987). Paternal Participation and Children's Well-Being after Marital Dissolution. *American Sociological Review, 52*(5)*,* 695-701.

Furstenberg, F., and Cherlin, A. (1991). *Divided Families: What Happens to Children When Parents Part*? Cambridge, MA: Harvard University Press.

Gardner, R. A. (1999). *Parental Alienation Syndrome.* Cresswell, N.J: Creative Therapeutics Inc. Retrieved from http://themenscentre.ca/wp-content/uploads/2013/08/Parental-Alienation-Syndrom-2nd-ed..pdf [Accessed 1/6/2015].

Georgsson, A., Almqvist, K., & Broberg, A. G. (2011). Naming the Unmentionable: How Children Exposed to Intimate Partner Violence Articulate their experiences. *Journal of Family Violence 26*(2)*,* 117-129. doi:10.1007/s10896-010-9349-x

Gerwitz, A. H., & Medhanie, A. (2008). Proximity and Risk in Children's Witnessing of Intimate Partner Violence Incidents. *Journal of Emotional Abuse, 8*(1), 67-82. doi:10.1080/10926790801982436

Giles-Sims, J. (1997). Current Knowledge about Child Abuse in Stepfamilies. *Marriage and the Family Review, 26*(3-4), 215-229. doi:10.1300/J002v26n03_01

Goertzel, B. (2013). *The Wechsler Preschool and Primary Scale of Intelligence (WPPSI): A Brief Overview.* Retrieved from http://goertzel.org/Preschool_IQ_Test_Overview.pdf [Accessed 1/1/2015].

Golding, J. M. (1999). Intimate Partner Violence as a Risk for Mental Disorders: A Meta-Analysis. *Journal of Family Violence, 14*(2), 99-132. doi:10.1023/A:1022079418229

Gollop, M. M. (2000). Interviewing Children: A Research Perspective. In A. B. Smith, N. J. Taylor & M. M. Gollop (Eds.). *Children's Voices: Research, Policy and Practice* (pp. 18-36)*.* Auckland: Pearson Education New Zealand Limited.

Gollop, M. M., Smith, A. B., & Taylor, N. J. (2000). Children's Involvement in Custody and Access Arrangements after Parental Separation. *Child and Family Law Quarterly, 12*(4), 396-399.

Gollop, M., Taylor, N., & Henaghan, M. (2015). *Evaluation of the 2014 Family Law Reforms: Phase One. Report to the New Zealand Law Foundation.* Retrieved from http://www.lawfoundation.org.nz/wp-content/uploads/2015/03/Evaluation-of-Family-Law-Reforms-Phase-One-Feb-2015.pdf [Accessed 5/5/2015].

Gondolf, E. W. (1999). MCMI-III Results for Batterer Program Participants in Four Cities: Less "Pathological" than Expected. *Journal of Family Violence, 14*(1), 1-17. doi:10.1023/A:1022843324943

Gover, A. R., Kaukinen, C., & Fox, K. A. (2008). The Relationship between Violence in the Family of Origin and Dating Violence among College Students. *Journal of Interpersonal Violence, 23*(12), 1668-1693. doi:10.1177/0886260508314330

Grant, B. M., & Giddings, L. S. (2002). Making Sense of Methodologies: A Paradigm Framework for the Novice Researcher. *Contemporary Nurse: A Journal for the Australian Nursing Profession, 13*(1), 10-28.

Graham-Bermann, S. A., & Levendosky, A. A. (1997). The Social Functioning of Pre-School Age Children Whose Mothers Are Emotionally and Physically Abused. *Journal of Emotional Abuse, 1*(1), 59-84. doi:10.1300/J135v01n01_04

Graham-Bermann, S. A., & Levendosky, A. (1998). Traumatic Stress Symptoms in Children of Battered Women. *Journal of Interpersonal Violence*, *13*(11), 111-128. doi:10.1177/088626098013001007

Green, B. N., Johnson, C. D., & Adams, A. (2006). Writing Narrative Literature Reviews for Peer-Reviewed Journals: Secrets of the Trade. *Journal of Chiropractic Medicine, 5*(3), 101-117. doi:10.1016/S0899-3467(07)60142-6

Grotberg, E. (1995). *A Guide in Promoting Resilience in Children; Strengthening the Human Spirit: Early Child hood practices and Reflection Number 8.* The Hague: Bernard van Leer Foundation.

Grych, J. H., Jouriles, E. N., Seank, P. R., Mcdonald, R., & Norwood, W. D. (2000). Patterns of Adjustment among Children of Battered Women. *Journal of Consulting and Clinical Psychology, 68*(1), 84-92. doi:10.1037/0022-006X.68.1.84

Guardianship Amendment Act, 1995 (New Zealand).

Guba, E. G. & Lincoln, Y. S. (1994). Competing Paradigms in Qualitative Research. In N. K
Denzin & Y. S. Lincoln (Eds.). *Handbook of Qualitative Research* (pp. 105-117).
Thousand Oaks, Calif.; London, New Delhi: Sage Publications.

*Guidance for Veterinarians Dealing with Cases of suspected or actual animal abuse and
family violence. Ministry of Primary Industries.* Retrieved
from [http://www.vetcouncil.org.nz/documentation/Other/VCNZGuidance_Veterinari
ans_AnimalAbuse_and_FamilyViolence.pdf](http://www.vetcouncil.org.nz/documentation/Other/VCNZGuidance_Veterinarians_AnimalAbuse_and_FamilyViolence.pdf) [Accessed 4/6/2014].

Guille, L. (2004). Men who Batter and their Children: An Integrated Review. *Aggression
and Violent Behavio*r, *9*(2), 129-163. doi:10.1016/S1359-1789(02)00119-2

Gulliver, P., & Fanslow, L. (2015). The Johnson Typologies of Intimate Partner Violence:
An Investigation of their Representation in a General Population of New Zealand
Women. *Journal of Child Custody*, *12*(1), 25-46. doi:10.1080/15379418.2015.1037051

Haj-Yahia, M. M. (2001). The Incidence of Witnessing Inter-parental Violence and Some of
its Psychological Consequences among Arab Adolescents. *Child Abuse & Neglect: The
International Journal, 25*(7)*,* 885-907. doi:10.1016/S0145-2134(01)00245-9

Hamberger, L. K., & Hastings, J. E. (1986). Personality Correlates of Men who Abuse their
Partners: A Cross-Validation Study. *Journal of Family Violence, 1*(4), 323-341.
doi:10.1007/BF00978276

Hamberger, L. K., & Hastings, J. E. (1991). Personality Correlates of Men who Batter and
Nonviolent Men: Some Continuities and Discontinuities. *Journal of Family Violence,
6*(2), 131-146. doi:10.1007/BF00978715

Hamberger, L. K., Lohr, J. M., Bonge, D., & Tolin, D. E. (1996). A Large Sample Empirical Typology of Male Spouse Abusers and its Relationship to Dimensions of Abuse. *Violence and Victims, 11*(4), 277-292.

Hannifin, K. (2012). *Mixed Bag for the Domestic Violence Sector in Family Court Review*. Retrieved from https://womensrefuge.org.nz/WR/News/Mixed%20bag%20for%20the%20domestic%20violence%20sector%20in%20Family%20Court%20Review.htm [Retrieved 2/3/2015].

Hannifin, K. (2015). One Year on: From a Domestic Violence Perspective. Lawtalk, 893. Retrieved from https://www.lawsociety.org.nz/lawtalk/lawtalk-archives/issue-861/one-year-on [Accessed 18/7/2016].

Hardesty, J. L. (2002). Separation Assault in the Context of Post-divorce Parenting: An Integrative Review of the Literature. *Violence against Women, 8*(5), 597-625. doi:10.1177/107780120200800505

Hardesty, J. L., & Ganong, L. H. (2006). How Women make Custody Decisions and Manage Co-Parenting with Abusive Former Husbands. *Journal of Social and Personal Relationships, 23*(4), 543-563. doi:10.1177/0265407506065983

Harne, L. (2002, July). *Childcare, Violence and Fathering: Are Violent Fathers Who Look after Their Children, Likely to be Less Abusive.* Paper presented to Townsville International Women's Conference, Townsville, Australia.

Harne, L. (2011). *Violent fathering and the Risks to Children.* Bristol, Portland: The Polity Press.

Harrison, C. (2008). Implacably Hostile or Appropriately Protective? Women Managing Child Contact in the Context of Domestic Violence. *Violence against Women, 14*(4), 380-405. doi:10.1177/1077801208314833

Hart, A. S. (2010). Children's Need Compromised in the Construction of their Best Interests. *Women's Studies International Forum*, *33*(3)*,* 196-205. doi:10.1016/j.wsif.2009.12.004

Hart, B. J. (1990). Gentle Jeopardy: The Further Endangerment of Battered Women and Children in Custody Mediation. *Mediation Quarterly, 7*(4), 317-330.

Hartmann, H. (1981). The Unhappy Marriage of Marxism and Feminism: Towards a More Progressive Union. In L. Sargent (Ed.). *Women and Revolution: A Discussion of the Unhappy Marriage of Marxism and Feminism* (pp. 1-42)*.* London: Pluto Press.

Heidegger, M. (1976). *Being and Time*. New York: Harper and Row.

Henaghan, M. (1999). Above and Beyond the Best Interests of the Child. In S. Birks & P. Callister (Eds.). *Perspectives on Fathering* (pp. 110-121)*.* Palmerston North, New Zealand: Centre for Public Policy Evaluation, College of Business, Massey University.

Henaghan, M. (2002). Legally Rearranging Families: Parents and Children after Break-up. In M. Henaghan & B. Atkin (Eds.). *Family Law Policy in New Zealand* (pp. 245-297). Wellington: LexisNexis Butterworths.

Henaghan, M. (2006) Case Note: Children's Views – Two Steps Forwards, One Step Backwards. *New Zealand Family Law Journal, 5*(6), 154-157.

Henaghan, M. (2008). Doing the COCAcobana -- Using the Care of Children Act for Your Child Clients. *New Zealand Family Law Journal, 6*(3)*,* 53-63.

Henaghan, M. (2013). Legally Defining the Family. In M. Henaghan & B. Aitkin (Eds.). *Family Law Policy in New Zealand.* Wellington: LexisNexis Butterworths.

Henaghan, M. (2015). One Year on: From a Domestic Violence Perspective. Law Talk, 893. Retrieved from https://www.lawsociety.org.nz/lawtalk/lawtalk-archives/issue-861/one-year-on. Accessed [18/7/2016].

Henaghan, M., & Nicholson, M. (2014). Family Law. *New Zealand Family Law Review, 2,* 321-353.

Henderson, P. (2000). To Heed the Child's Voice. *New Zealand Law Journal, July*, 267-272.

Hendricks K. A., (1999). *Fathers who Care: Partners in Parenting.* Wellington [NZ]: Office of the Commissioner for Children in Association with Save the Children Fund.

Henning, K., Leitenberg, H., Coffey, P., Turner, T., & Bennett, R. T. (1996). Long-Term Psychological and Social Impact of Witnessing Physical Conflict between Parents. *Journal of Interpersonal Violence. 11*(1), 35-51. doi:10.1177/088626096011001003

Herrenkohl, R. C.; Herrenkohl, E. C.; Egolf, B.P. (1983). Circumstances Surrounding the Occurrence of Child Maltreatment. *Journal of Consulting and Clinical Psychology, 51*(3)*,* 424-431. doi:10.1037/0022-006X.51.3.424

Herron, K., & Holtzworth-Munroe, A. (2002). Child Abuse Potential: A Comparison of Subtypes of Maritally Violent Men and Nonviolent Men. *Journal of Family Violence, 17*(1), 1-21. doi:10.1023/A:1013669822232

Hester, M., & Radford, L. (1996). *Domestic Violence and Child Contact Arrangements in England and Denmark.* Bristol: Polity Press.

Hester, M., Pearson, C., Harwin, N., with Abrahams, H. (2007). *Making an Impact: Children and Domestic Violence: A Reader*. London, Philadelphia: Jessica Kingsley Publishers.

Higgins, G. (1994). Hammersmith Women's Aid Childhood Development Projects. In A. Mullender & R. Morley (Eds.). *Children Living with Domestic Violence*. London: Whiting and Birch.

Hill, M. (1999). What's the problem? Who can help? The Perspectives of Children and Young People on their Well-Being and on Helping Professionals. *Journal of Social Work Practice*, *13*(2), 135-145. doi: 10.1080/026505399103368

Hindin, M. J., & Gultiano, S. (2006). Associations between Witnessing Parental Domestic Violence and Experiencing Depressive Symptoms in Filipino Adolescents. *American Journal of Public Health, 96*(4), 660-663. doi:10.2105/AJPH.2005.069625

Holden, G., Ritchie, K. L. (1991). Linking Extreme Marital Discord, Child Rearing, and Child Behavior Problems: Evidence from Battered Women. *Child Development, 62*(2), 31-327. doi:10.1111/j.1467-8624.1991.tb01533.x

Holden, G. W. (2002, July). *Differentiating Violence to Children and Child Abuse. Children Exposed to Violence: Current Status, Gaps and Research Priorities.* Paper presented at National Institute of Child Health and Development (NICHD) Workshop on Children Exposed to Violence. Washington DC.

Holden, G. W. (2003). Children Exposed to Domestic Violence and Child Abuse: Terminology and Taxonomy. *Clinical Child and Family Psychology Review, 6*(3), 151-160. doi:10.1023/A:1024906315255

Holden, G. W., Barker, E. D., & Appel, A. E. (2010) Partner-Abusers as Fathers: Testing Hypotheses about their Child Rearing and the Risk of Physical Child Abuse. *Partner Abuse, 1*(2), 186-198. doi:10.1891/1946–6560.1.2.186

Holt, S., Buckley, H., & Whelan, S. (2008). The Impact of Exposure to Domestic Violence on Children and Young People: A Review of the Literature. *Child Abuse & Neglect: The International Journal, 32*(8), 797-810. doi:10.1016/j.chiabu.2008.02.004

Holt, S. (2011). Domestic Abuse and Child Contact: Positioning Children in the Decision-making Process. *Child Care in Practice, 17*(4), 327-346. doi:10.1080/13575279.2011.596817

Holt, S. (2015). Post-Separation Fathering and Domestic Abuse: Challenges and Contradictions. *Child Abuse Review, 24*(3), 210-222. doi:10.1002/car.2264

Holtzworth-Munroe, A., Meehan, J C., Herron, K., Rehman, U. & Stuart, G. L. (2000). Testing the Holtzworth-Munroe and Stuart (1994) Batterer Typology. *Journal of Consulting and Clinical Psychology, 68*(6), 1000-1019. doi:10.1037/0022-006X.68.6.1000

Holtzworth-Munroe, A., Meehan, J. C., Herron, K.., Rehman U. & Stuart, G. L. (2003). Do Subtypes of Maritally Violent Men Continue to Differ Over Time? *Journal of Consulting and Clinical Psychology, 71*(4), 728-740. doi:10.1037/0022-006X.71.4.728

Holtzworth-Munroe, A., Meehan, J. C. (2004). Typologies of Men Who Are Maritally Violent: Scientific and Clinical Implications. *Journal of Interpersonal Violence, 19*(12), 1369-1389. doi:10.1177/0886260504269693

Hooven, C., Nurius, P. S., Logan-Greene, P., & Thompson, E. A. (2012). Childhood Violence Exposure: Cumulative and Specific Effects on Adult Mental Health. *Journal of Family Violence, 27*(6)*,* 511-522. doi:10.1007/s10896-012-9438-0

Hotton, T. (2001). Spousal Violence after Marital Separation. *Juristat Canadian Centre for Justice Statistics, 21*(7), 6-19.

Houghton, C. (2008). Making a Difference: *Young People Speak to Scottish Ministers about their Priorities for the National Domestic Abuse Delivery Plan for Children and Young People.* Scottish Government:Edinburgh. Retrieved from http://www.scotland.gov.uk/Resource/Doc/228207/0061829.pdf [Accessed 8/6/2011].

Humphreys, C., & Mullender, A. (2000). *Children and Domestic Violence: A Research Overview of the Impact on Children*. Research in Practice. Retrieved from www.rip.org.UK. [Accessed 8/6/11]

Humphreys, C., & Thiara, R. K. (2003). Neither Justice nor Protection: Women's Experiences of Post-Separation Violence. *Journal of Social Welfare and Family Law, 25*(3), 195-214. doi:10.1080/0964906032000145948

Humphreys C., Houghton, C. (2008). The Research evidence on Children and Young People Experiencing Domestic Violence. In C. Humphreys, C. Houghton & J. Ellis (Eds.). *Literature Review: Better Outcomes for Children and Young People Experiencing Domestic Abuse – Directions for good Practice.* Scottish Government: Edinburgh. Retrieved from http://www.scotland.gov.uk/Resource/Doc/234221/0064117.pdf [Accessed 17/01/2011].

Humphreys, C., Lowe, P., & Williams, S. (2009). Sleep Disruption and Domestic Violence: Exploring the Interconnections between Mothers and Children. *Child & Family Social Work*, *14*(1)*,* 6-14. doi:10.1111/j.1365-2206.2008.00575.x

Hunnicutt, G. (2009). Varieties of Patriarchy and Violence against Women: Resurrecting "Patriarchy" as a Theoretical Tool. *Violence against Women, 15*(5), 553-573. doi: 10.1177/1077801208331246

Hunt, J., Roberts, C. (2004). *Child Contact with Non-resident Parents.* Family Policy Briefing 3, Oxford Centre for Family Law and Policy, University of Oxford. Retrieved from http://www.spig.clara.net/reports/hunt.pdf   [Accessed 7/4/2015].

Hutchison, I. W., & Hirschel, D. J. (2001). The Effects of Children's Presence on Woman Abuse. *Violence and Victims, 16*(1), 3-17.

Huth-Bocks, A. C., Levendosky, A. A., & Semel, M. A. (2001). The Direct and Indirect Effects of Domestic Violence on Young Children's Intellectual Functioning. *Journal of Family Violence, 16*(3), 269-290. doi:10.1023/A:1011138332712

Huth-Bocks, A. C., & Hughes, H. M. (2008). Parenting Stress, Parenting Behavior and Children's Adjustment in Families Experiencing Intimate Partner Violence. *Journal of Family Violence, 23(4),* 243-251. doi: 0.1007/s10896-007-9148-1

Irwin, J., Waugh, F., & Wilkinson, M. (2002). *Domestic Violence and Child Protection: A Research Report.* Barnardos Australia and University of Sydney: University of Sydney.

Jackson, S. (1998). Feminist Social Theory. In S. Jackson & J. Jones (Eds.). *Contemporary Feminist Theories* (pp. 12-33). Edinburgh: Edinburgh Uni. Press.

Jackson, S. (2001). Why a Materialist Feminism is (Still) Possible – and Necessary. *Women's Studies International Forum, 24*(3/4), 283-293. doi:10.1016/S0277-5395(01)00187-X

Jaffe, P. G., Lemon, N. K .D., & Poisson, S. E. (2003). *Child Custody and Domestic Violence: A Call for Safety and Accountability*. Thousand Oaks, Calif.; London, New Delhi: Sage.

Jaffe, P. G., & Crooks, C. V. (2005). Understanding Women's Experience Parenting in the Context of Domestic Violence: Implications for Community and Court Related Service Providers. *A report commissioned by Violence against Women Online Resources.*

Jaffe, P. (2014). A Presumption against Shared Parenting for Family Court Litigation. *Family Court Review 52*(2), 187-192. doi:10.1111/fcre.12081

Jarvis, K. L., Gordon, E. E., & Novaco, R. W. (2005). Psychological Distress of Children and Mothers in Domestic Violence Emergency Shelters. *Journal of Family Violence, 20*(6), 389-402. doi:10.1007/s10896-005-7800-1

Jary, D., & Jary, J. (2000). *Collins Dictionary: Sociology*. Bishopbriggs, Glasgow: HarperCollins.

Jenks, C. (2005). *Childhood*. Second Edition. London, New York:Routledge.

John, M. (2003). *Children's Rights and Power: Charging up for a new century.* London, New York: Jessica Kingsley Publishers.

Johnson, M. P. (1995). Patriarchal Terrorism and Common Couple Violence: Two Forms of Violence against Women. *Journal of Marriage and the Family, 57*(2), 283-294. doi: 10.2307/353683

Johnson, M. P. (2005). Apples and Oranges in Child Custody Disputes: Intimate Terrorism vs. Situational Couple Violence. *Journal of Child Custody, 2*(4), 43-52. doi:10.1300/J190v02n04_03

Johnson, M. P. (2007). *Domestic Violence: The Intersection of Gender and Control*. Retrieved from http://www.personal.psu.edu/faculty/m/p/mpj/dvpage.html [Accessed 2/11/07].

Johnson, M. P. (2008). *A Typology of Domestic Violence: Intimate Terrorism, Violent Resistance, and Situational Couple Violence.* Hanover, London, Boston: Northern University Press.

Johnson, M. P. & Leone, J. M. (2005). The Differential Effects of Intimate Terrorism and Situational Couple Violence: Findings from the National Violence against Women Survey. *Journal of Family Issues, 26*(3), 322-349. doi:10.1177/0192513X04270345

Johnson, H. & Sacco, V. F. (1995). Researching Violence against Women: Statistics Canada's National Survey. *Canadian Journal of Criminology, 37*(3)*,* 281-304.

Johnston, I. D. (1982). Shared Custody after Parental Separation. *New Zealand Law Journal, 1(January), 8-11.*

Johnston, J. & Campbell, L. (1993a). A Clinical Typology of Interparental Violence in Disputed-Custody Divorces. American Journal of Orthopsychiatry Association, 63(2), 190-199.

Johnston, J. & Campbell, L. (1993b). Parent-Child Relationships in Domestic Violence Families Disputing Custody. *Family and Conciliation Courts Review, 31*(3), 282-298. doi: 10.1111/j.174-1617.1993.tb00305

Johnston, J. R., Walters, M. G., & Olesen, N. W. (2005). Is it Alienating Parenting, Role Reversal or Child Abuse? A Study of Children's Rejection of a Parent in Child Custody Disputes. *Journal of Emotional Abuse, 5*(4), 191-218. doi:10.1300/J135v05n04_02

Joseph, S., Govender, K., & Bhagwanjee, A. (2006). "I Can't See Him Hit Her Again, I Just want to Run … Hide and Block My Ears": A Phenomenological Analysis of a Sample of Children's Coping Responses to Exposure to Domestic Violence, *Journal of Emotional Abuse, 6*(4), 23-45. doi:10.1300/J135v06n04_02

Jouriles, E., & Norwood, W. D. (1995). Physical Aggression Toward Boys and Girls in Families Characterized by the Battering of Women. *Journal of Family Psychology*, *9*(1), 69-78. doi: 10.1037/0893-3200.9.1.69

Jouriles, E. N., McDonald, R., Rosenfield, D., Stephens, N., Corbitt-Shindler, D., & Miller, P. C. (2009). Reducing Conduct Problems Among Children Exposed to Intimate Partner Violence: A Randomized Clinical Trial Examining Effects of Project Support. *Journal of Consulting and Clinical Psychology*, *77*(4), 705-717. doi: 10.1037/a0015994

Kaganas, F., & Day Sclater, S. (2004). Contact Disputes: Narrative Constructions of 'Good' Parents. *Feminist Legal Studies*, *12*(1)*,* 1-27. doi:10.1023/B:FEST.0000026077.03989.70

Kaplan, S. J., Pelcovitz, D., Salzinger, S., Mandel, F., Weiner, M., & Labruna, V. (1999). Adolescent Physical Abuse and Risk for Suicide Behaviours. *Journal of Interpersonal Violence, 14(*9), 976-988. doi:10.1177/088626099014009005

Kaspiew, R. (2007, March). Empirical Insights into Parental Attitudes and Children's Interest in Family Court Litigation. *Sydney Law Review, 29, 131.*

Kaspiew, R., Carson, R., Dunstan, J., Qu, L., Horsfall, B., De Maio, J., Moore, S., Moloney, L., Coulson, M., & Tayton, S. (2012). Evaluation of the 2012 Family Violence Amendments: Synthesis Report. *Australian Institute of Family Studies*. Retrieved from https://aifs.gov.au/sites/default/files/efva2012-synthesis-report.pdf [Accessed 1/10/2016].

Kaye, M., Stubbs, J., & Tolmie, J. (2003). Domestic Violence, Separation and Parenting: Negotiating Safety Using Legal Processes. *Current Issues in Criminal Justice, 15*(2), 73-94.

Kedgley, S. (1996). *Mum's the Word: The Untold Story of Motherhood in New Zealand*. Auckland: Random House.

Kellett, M., Robinson, C., & Burr, R. (2004). Images of Childhood. In S. Fraser, V. Lewis, S. Ding, M. Kellett & C. Robinson (Eds). *Doing Research with Children and Young People* (pp.27-42)*.* London, Thousand Oaks, New Delhi: Sage.

Kelly, J. B. (1997). The Best Interests of the Child: A Concept in Search of Meaning. *Family and Conciliation Courts Review, 35*(4), 377-387.

Kelly, J. B. (2003). Parents with Enduring Child Disputes: Multiple Pathways to Enduring Disputes. *Journal of Family Studies, 9*(1), 37-50. doi:10.5172/jfs.9.1.37

Kelly, J. B. (2006). Children's Living Arrangements Following Separation and Divorce: Insights from Empirical and Clinical Research. *Family Process, 46*(1), 35-52. doi:10.1111/j.1545-5300.2006.00190.x

Kelly, J. B., & Johnson, M. P. (2008). Differentiation among Types of Intimate Partner Violence: Research Update and Implications for Interventions. *Family Court Review, 46*(3), 476-499. doi:10.1111/j.1744-1617.2008.00215.x

Kelly, M. (2012). Research Questions and Proposals. In C. Seale (Ed.). *Researching Society and Culture* (pp. 97-117). London, Thousand Oaks, Calif.; New Delhi, Singapore: Sage Publications.

Kelly, L. & Mullender, A. (2000). Complexities and Contradictions: Living with Domestic Violence and the UN Convention on Children's Rights. *The International Journal of Children's Rights, 8*(3)*,* 229-241. doi:10.1163/15718180020494631

Kellogg, N. D., & Menard, S. W. (2003). Violence Among Family Members of Children and Adolescents Evaluated for Sexual Abuse. *Child Abuse & Neglect: The International Journal, 27*(12), 1367-1376. doi:10.1016/j.chiabu.2003.10.008

Kernic, M. A., Holt, V. L., Wolf, M. E., McKnight, B., Huebner, C. E., & Rivara, F. P. (2002). Academic and School Health Issues among Children Exposed to Maternal Intimate Partner Abuse*. Paediatric Adolescent Medicine*, *156(6),* 549-555.

Kernic, M. A., Wolfe, M. E., Holt, V. L., McKnight, B., Huebner, C. E., & Rivara, F. P. (2003). Behavioural Problems among Children Whose Mothers are Abuse by an Intimate Partner. *Child Abuse & Neglect: The International Journal*, *27*(11)*,* 1231-1246. doi:10.1016/j.chiabu.2002.12.001

Kershner, M., Long, D., & Anderson, J. E. (2001). Abuse against Women in Rural Minnesota. *Public Health Nursing,* 15(6), 422-431. doi:10.1111/j.1525-1446.1998.tb00369.x

Kilpatrick, K. L., & Williams, L. M. (1998). Potential Mediators of Post-Traumatic Stress Disorder In Child Witnesses to Domestic Violence. *Child Abuse & Neglect: The International Journal, 22*(4), 319-330. doi:10.1016/S0145-2134(97)00178-6

King, V. (1994). Nonresident Father Involvement and Child Well-Being: Can Dads make a Difference? *Journal of Family Issues, 15*(1), 78-96. doi:10.1177/019251394015001004

King, M., & Trowell, J. (1992). *Child Welfare and the Law: The Limits of Legal Intervention.* London: Sage.

Kitzmann, K. M., Gaylord, N. K., Holt, A. R., & Kenny, E. D. (2003). Child Witnesses to Domestic Violence: A Meta-Analytic Review. *Journal of Consulting and Clinical Psychology*, *71*(2), 339-352. doi:10.1037/0022-006X.71.2.339

Kjørholt, A. T. (2002). Small is Powerful: Discourses on 'Children and Participation' in Norway. *Childhood, 9*(1), 63-82. doi:10.1177/0907568202009001005

Kline Pruett, M., McIntosh, J., & Kelly, J. (2014). Parental separation and Overnight Care of Young Children, Part 1: Consensus through Theoretical and Empirical Integration. *Family Court Review, 52*(2), 240-255. doi:10.1111/fcre.12087

Kolbo, J. R. (1996). Risk and Resilience Among Children Exposed to Domestic Violence. *Violence and Victims, 11*(2), 113-128.

Kohm, L. M. (2008). Tracing the Foundations of the Best Interests of the Child Standard in American Jurisprudence. *Journal of Law & Family Studies, 10*, 337-376.

Koren, G., Carmeli, D. B., Carmeli, Y. S., & Haslam, R. (1993). Maturity of Children to Consent to Medical Research: The Babysitter Test. *Journal of Medical Ethics*, *19*(3), 142-147. doi:10.1136/jme.19.3.142

Kurki-Suonio, K. (2000). Joint Custody as an Interpretation of the Best Interests of the Child in Critical and Comparative Perspective. *International Journal of Law, Policy and the Family, 14*(3), 183-205. doi-org.helicon.vuw.ac.nz/10.1093/lawfam/14.3.183

Kurz, D. (1996). Separation, Divorce and Woman Abuse. *Violence Against Women, 2*(1), 63-81. doi:10.1177/1077801296002001004

Laaksonen, T., Sariloa, H., Johansson, A., Jern, P., Varjonen, M., von der Pahlen, B., Sandnabba, N, K., & Santilla, P. (2011). Changes in the Prevalence of Child Sexual Abuse, its Risk Factors, and their Associations as a Function of Age Cohorts in a Finnish Population Sample. *Child Abuse & Neglect: The International Journal, 35*(7), 480-490. doi:10.1016/j.chiabu.2011.03.004

Lacroix, C. (2006). Freedom, Desire and Power: Gender Processes and Presumptions of Shared Care and Responsibility after Parental Separation. *Women's Studies International Forum, 29*(2)*,* 184-196. doi:10.1016/j.wsif.2006.03.004

Landis, J. T. (1960). The Trauma of Children when Parents Divorce. *Marriage and Family Living*, *22*(1), 7-13. doi:10.2307/347395

Langhinrichsen-Rohling, J., Hankla, M., Stormberg, C. D. (2004). The Relationship Behavior Networks of Young Adults: A Test of the Intergenerational Transmission of Violence Hypothesis. *Journal of Family Violence*, *19*(3), 139-151. doi:10.1023/B:JOFV.0000028074.35688.4f

Lansdown, G. (2010). The Realisation of Children's Participation Rights. In B. Percy-Smith & N. Thomas (Eds.). *A handbook of Children and Young People's Participation: Perspectives on Theory and Practice* (pp. 11-24)*.* London, New York: Routledge.

Larner, W. (2000). Neo-Liberalism: Policy, Ideology, Governmentality. *Studies in Political Economy, 63*(1)*,* 5-25. doi:10.1080/19187033.2000.11675231

Laverty, S. M. (2003). Hermeneutic Phenomenology and Phenomenology: A Comparison of Historical and Methodological Considerations. *International Journal of Qualitative Methods, 2*(3), 1-29.

Leavitt, L. (2002, July). *Measuring Violence Exposure. Children Exposed to Violence: Current Status, Gaps and Research Priorities.* Paper Presented to National Institute of Child Health and Development (NICHD) Workshop on Children Exposed to Violence. Washington DC.

Lee, R. M., & Renzetti, C. M. (1990). The Problems of Researching Sensitive Topics: An overview and Introduction. *American Behavioral Scientist*, *33*(5), 510-528.

Lehmann, P. (1997). The Development of Post-Traumatic Stress Disorder (PTSD) in a Sample of Child Witnesses to Mother Assault. *Journal of Family Violence*, *12*(3), 241-257. doi:10.1023/A:1022842920066

Lentz., S. A. (1999). Revisiting the Rule of Thumb: An Overview of the History of Wife Abuse. *Women and Criminal Justice, 10*(2), 9-27.

Liss, M., & Stahly, G. B. (1993). Domestic Violence and Child Custody. In M. Hansen & M. Harway (Eds.). *Battering and Family Therapy: A Feminist Perspective* (pp.175-187). Newbury Park, CA: Sage.

Litrownik, A. J., Newton, R., Hunter, W. M., English, D., & Everson, M. D. (2003). Exposure to Family Violence in Young at risk Children: A Longitudinal Look at the Effects of Victimisation and Witnessed Physical and Psychological Aggression. *Journal of Family Violence*, *18*(1), 59-73. doi:10.1023/A:1021405515323

Lloyd-Smith, M., & Tarr, J. (2000). Researching Children's Perspectives: A Sociological Dimension. In A. Lewis & G. Lindsay (Eds.). *Researching Children's Perspectives* (pp. 59-70). Buckingham, Philadelphia: Open University Press.

Lloyd, J. (1978). Marital Breakdown. In P. Koopman-Boyden (Ed.). *Families in New Zealand Society.* (pp. 138-158). Wellington: Methuen.

Logan, T. K., Walker, R., Horvath, L. S., and Leukefeld, C. (2003). Divorce, Custody and Spousal Violence: A Random Sample of Circuit Court Docket Records. *Journal of Family Violence,* 18(5), 269-279, doi:10.1023/A:1025113210752.

Lopez, K. A., & Willis, D. G. (2004). Descriptive versus Interpretive Phenomenology: Their Contributions to Nursing Knowledge. *Qualitative Health Research, 14*(5), 726-735. doi:10.1177/1049732304263638

MacLennan. C. (2015, Aug). *Domestic Violence*. Paper Presented at National Council of Women. Retrieved from http://www.catrionamaclennan.co.nz/blog/national-council-of-women-speech-domestic-violence [Accessed 18/7/2016].

Maclean M., & Eekelaar, J. (1997). *The Parental Obligation: A Study of Parenthood across Households*. Oxford: Hart.

MacLennan. C. (2013, April). Barrister Alarmed Child Protection Clauses being Removed. Radio New Zealand. Retrieved from http://www.radionz.co.nz/news/national/133688/barrister-alarmed-child-protection-clauses-being-removed. [Accessed 1/4/2016].

Mahon, A. (2012). *Former Advisory Group Not Consulted on Family Court Changes.* Retrieved from http://www.scoop.co.nz/stories/PO1210/S00171/former-advisory-group-not-consulted-on-family-court-changes.htm [Accessed on 3/2/2015].

Maker, A. H., Kemmelmeier, M., & Peterson, C. (1998). Long-Term psychological Consequences in Women of Witnessing Parental Physical Conflict and Experiencing Abuse in Childhood. *Journal of Interpersonal Violence*, *13*(5), 574-589. doi:10.1177/088626098013005002

Martin, S. L., Gibbs, D. A., Johnson, R. E., Rentz, D. E., Clinton-Sherrod, M., & Hardison, J. (2007). Spouse Abuse and Child Abuse by Army Soldiers. *Journal of Family Violence, 22*(7)*,* 587-595. doi:10.1007/s10896-007-9110-2

Martin, J., Langley, J. & Millichamp, J. (2006). Domestic Violence as Witnessed by New Zealand Children. *New Zealand Medical Journal, 119*(1228), 1-14.

Mason, J. (2005). Child Protection Policy and the Construction of Childhood. In J. Mason & T. Fattore (Eds.). *Children Taken Seriously in Theory, Policy and Practice* (pp. 91-97). London, Philadelphia: Jessica Kingsley Publishers.

Mathias, J., Mertin, P., & Murray, A. (1995). The Psychological Functioning of Children from Backgrounds of Domestic Violence. *Australian Psychologist*, *30*(1) 47-56.

Maxwell, G. M. (1994). Children and Family Violence: The Unnoticed Victims. *Social Policy Journal of New Zealand, 2,* 81-96.

Maxwell, G., & Carroll-Lind, J. (1998). Distorted Childhoods: The Meaning of Violence for Children. *Social Policy Journal of New Zealand*, *10,* 177-189.

Mayall, B. (2000). The Sociology of Childhood in Relation to Children's Rights. *The International Journal of Children's Rights, 8*(3)*,* 243-279. doi:10.1163/15718180020494640

Mayall, B. (2002). *Towards a Sociology for Childhood: Thinking from Children's Lives.* Buckingham, Philadelphia: Open University Press

Mbilinyi, L. F., Edleson, J. L., Hagemeister, A. K., & Beeman, S. K. (2007). What Happens to Children when their Mothers are Battered? Results from a Four City Anonymous Telephone Survey. *Journal of Family Violence, 22*(5), 309-317. doi:10.1007/s10896-007-9087-x

McAtee, P. (2015). One Year on: From a Domestic Violence Perspective. Law Talk, 893.
Retrieved from https://www.lawsociety.org.nz/lawtalk/lawtalk-archives/issue-861/one-year-on [Accessed 18/7/2016].

McConnell-Henry, T., Chapman, Y., & Francis, K. (2009). Husserl and Heidegger: Exploring the Disparity. *International Journal of Nursing Practice, 15*(1), 7-15. doi:10.1111/j.1440-172X.2008.01724.x

McConnell, N., & Taylor, J. (2016). Evaluating Programmes for Violent Fathers: Challenges and Ethical Review. *Child Abuse Review, 25*(3)*,* 183-191. doi:10.1002/car.2342

McIntosh, J., & Long, C. (2005). Current Findings on Australian Children in Post-separation Disputes: Outer Conflict, Inner Discord. *Journal of Family Studies*, *11(*1), 99-109. doi:10.5172/jfs.327.12.2.165

McIntosh, J., & Chisholm, R. (2008). Cautionary Notes on the Shared Care of Children in Conflicted Parental Separation*. Journal of Family Studies, 14*(1), 37-52. doi.org/10.5172/jfs.327.14.1.37

McIntosh, J. E., Pruett, M. K., & Kelly, J. B. (2014). Parental Separation and Overnight Care of Young Children, Part II: Putting Theory into Practice. *Family Court Review, 52*(2), 256-262. doi:10.1111/fcre.12087

McIntosh, J. E., Smyth, B. M., & Kelaher, M. (2013). Overnight Care Patterns Following Parental Separation: Associations with Emotion Regulation in Infants and Young Children. *Journal of Family Studies, 19*(3), 224-239. doi:10.5172/jfs.2013.19.3.224

McCloskey, L. A., Figueredo, J. A. & Koss, M. P. (1995). The Effects of Systemic Family Violence on Children's Mental Health. *Child Development*, *66*(5), 1239-1261. doi:10.1111/j.1467-8624.1995.tb00933.x

McCloskey, L. A., & Stuewig, J. (2001). The Quality of Peer Relationships Among Children Exposed to Family Violence. *Development and Psychopathology*, *13*(1), 83-96.

McDonald, R., & Jouriles, E. N. (1991). Marital Aggression and Child Behavior Problems: Research Findings, Mechanisms and Intervention Strategies. *The Behavior Therapist*, *14,* 189-192.

McDonald, R., Jouriles, E. N., Ramisetty-Mikler, S., Caetano, R. & Green, C.E. (2006). Estimating the Number of American Children Living in Partner-Violent Families. *Journal of Family Psychology, 20*(1), 137-142. doi:10.1037/0893-3200.20.1.137

McDonald, R., Jouriles, E. N., Rosenfield, D., & Corbitt-Shindler, D. (2011). Predictors of Domestically Violent Men's Aggression toward Children: A Prospective Study. *Journal of Family Psychology*, *25*(1), 1-11. doi:10.1037/a0022449

McGee, C. (2000) *Childhood Experiences of Domestic Violence*. London, Philadelphia: Jessica Kingsley Publishers.

McPherson, M. J. (1995). *Divorce in New Zealand: Recent Trends, Future Directions, Policy Implications and Research Needs.* Palmerston North: Social Policy Research Centre, Massy University.

Meier, J. S. (2015). Johnson's Differentiation Theory: Is it Really Empirically Supported? *Journal of Child Custody, 12*(1), 4-24. doi:10.1080/15379418.2015.1037054

Meyer, S. (2010). Seeking Help to Protect the Children? The Influence of Children on Women's Decisions to Seek Help when experienced Intimate Partner Violence. *Journal of Family Violence, 25*(8), 713-725. doi:10.1007/s10896-010-9329-1

Miller, V. A., Drotar, D., Kodish, E. (2004). Children's Competence for Assent and Consent: A Review of Empirical Findings. *Ethics & Behavior,* 14(3), 255-295. doi:10.1207/s15327019eb1403_3

Ministry of Health, (2014). Suicide Facts: Deaths and Intentional Self-Harm Hospitalisations 2011. Retrieved from http://www.health.govt.nz/publication/suicide-facts-deaths-and-intentional-self-harm-hospitalisations-2011 [Accessed 2/2/2015].

Ministry of Justice, (2011). *Appearing in the Family Court (Care of Children Act 2004)*. Retrieved from http://www.justice.govt.nz/courts/family-court/what-family-court-does/documents/pdf-pamphlets/courts011.pdf/view?searchterm=familycourthearings [Accessed 2/7/2011].

Ministry of Justice (2011). Reviewing the Family Court: A Public Consultation Paper. Retrieved from http://www.justice.govt.nz/publications/global-publications/f/family-court-review-public-consultation-paper/publication [Accessed 2/2/2013].

Mnookin, R. H. (1975). Child Custody Adjudication: Judicial Functions in the Face of Indeterminacy. *Law and Contemporary Problems, 39,* 226-235. doi:10.2307/1191273

Mnookin, R. H. (1985). Divorce Bargaining: The Limits on Private Ordering. *University of Michigan Journal of Law, 18*(4), 1015-1037.

Moloney, L. (2003). Bargaining over Children. *Family Matters*, *65(Winter),* 56-61.

Morris, A., Humphreys, C., & Hegarty, K. (2015). Children's Views of Safety and Adversity when Living with Domestic Violence. In N. Stanley & C. Humphreys (Eds.). *Domestic Violence and Protecting Children: New thinking and Approaches* (pp. 18-33). London, Philadelphia: Jessica Kingsley Publishers.

Morrill, A. C., Dai, J., Dunn, S., Sung, I., & Smith, K. (2005). Child Custody and Visitation Decisions When the Father Has Perpetrated Violence Against the Mother. *Violence Against Women, 11*(8), 1076-1107. doi:10.1177/1077801205278046

Morris, A. (1999). Maternal Alienation: The Use of Mother-blaming in Abuse. *Australian Journal of Primary Health - Interchange, 5*(3), 71-75. doi.org/10.1071/PY99036

Morrison, F. (2009). After Domestic Abuse: Children's Perspectives on Contact with Fathers. *Centre for Research on Families and Relationships Briefing No 42, June*. Retrieved from http://www.crfr.ac.uk/reports/rb42.pdf [Accessed 6/6/2011].

Morrow, V., & Richards, M. (1996). The Ethics of Social research with children: An Overview. *Children & Society, 10*(2)*,* 90-105. doi:10.1111/j.1099-0860.1996.tb00461.x

Mullender, A., Hague, G., Imam, U., Kelly, l., Malos, E., & Regan, L. (2002). *Children's Perspectives on Domestic violence.* London, Thousand Oaks, New Delhi: Sage Publications.

Murrell, A. R., Christoff, K. A., & Henning, K. R. (2007). Characteristics of Domestic Violence Offenders: Associations with Childhood exposure to Violence. *Journal of Family Violence, 22(*7), 523-532. doi:10.1007/s10896-007-9100-4

Neale, B. (2001). Family Values: Children's Reflections on Post-Divorce Family Life. *Childrenz Issues, 5*(1), 6-9.

New Zealand Families Commission. (2009). Family Violence Statistics Research Report No.4/09. Wellington.

New Zealand Family Violence Clearinghouse (2013). Children's Commissioner Opposes Family Court Changes. Retrieved from https://nzfvc.org.nz/news/childrens-commissioner-opposes-family-court-reforms [Accessed 2/2/2016]

New Zealand Family Violence Clearinghouse. (2016). Data Summary: Violence against Women (2016). Retrieved from https://nzfvc.org.nz/data-summaries [Accessed 2/11/2016].

Nelson, P. (2008). *Women's and Children's Wellbeing in the Shadow of Post-separation Violence.* (Unpublished master's thesis). University of Auckland, Auckland, New Zealand.

Nielsen, L. (2011). Shared Parenting After Divorce: A Review of Shared Residential Parenting Research. *Journal of Divorce & Remarriage, 52(*8), 586-609. doi:10.1080/10502556.2011.619913

Newbury, R., (2003). *Child-Parent Contact Following Separation and Divorce: Response of a Practitioner.* Retrieved from http://www.nz/s.org.nz/conference/newberry.pdf [Accessed 31/1/11].

Newman, T., & Blackburn, S. (2005). *Transitions in the Lives of Children and Young People: Resilience Factors, Interchange 78*. Edinburgh: Scottish Executive Education Department. Retrieved from http://files.eric.ed.gov/fulltext/ED472541.pdf [Accessed 6/6/2011].

O'Reilly, L. (1997). *The Child's Best Interests: Balancing the Right to Parental Relationship with the Rights to Protection.* The 1997 Family Violence Symposium: Palmerston North, New Zealand.

Orloff, A. (1996). Gender in the Welfare State. *Annual Review of Sociology, 22*, 51-78.

Ornduff, S. R., & Monaham, K. (1999). Children's Understanding of Parental Violence. *Child & Youth Care Forum, 28*(5), 351-364. doi:10.1023/A:1021974429983

Overlien, C., & Hyden, M. (2009). Children's Actions when Experiencing Domestic Violence. *Childhood, 16*(4), 479-496. doi:10.1177/0907568209343757

Parliamentary Counsel Office, Te Tari Tohutohu Pāremata. Crimes (Substituted Section

  59) Amendment Act 2007. Retrieved

  from http://www.legislation.govt.nz/act/public/2007/0018/latest/DLM407671.html

  [Accessed 1/9/2014].

Patton, M. Q. (2002). *Qualitative Research and Evaluation Methods*. Thousand Oaks,

   London, New Delhi: Sage Publications.

Parker, S. (1994). The Best Interests of the Child – Principles and Problems. *International

  Journal of Law and the Family, 8(1),* 26-41.

Parkinson, P., & Cashmore, J. (2008). *The Voice of the Child in Family Law Disputes.* New

  York: Oxford University Press.

Parkinson, P., Cashmore, J., & Single, J. (2007). Parent's and Children's Views on Talking

  to Judges in Parenting Disputes in Australia. *International Journal of Law, Policy and

  the Family, 21*(1), 84-107. doi:10.1093/lawfam/ebl022

Paveza, G. J. (1988). Risk Factors in Father-Daughter Child Sexual Abuse: A Case-Control

  Study. *Journal of Interpersonal Violence, 3*(3), 290-306.

  doi:10.1177/088626088003003003

Paxton, B. (2003). Domestic Violence and Abuse of Process. *Australian Family Lawyer,

  17*(1), 7-13.

Pelcovitz, D., Kaplan, S. J., DeRosa, R. R., Mandel, F. S., Salzinger, S. (2000). Psychiatric

  Disorders in Adolescents Exposed to Domestic Violence and Physical Abuse. *American

  Journal of Orthopsychiatry*, *70*(3), 360-369. doi:10.1037/h0087668

Peled, E. (1998). The Experience of Living with Violence for Preadolescent Children of

   Battered Women. *Youth & Society*, *29*(4), 395-430.

   doi:10.1177/0044118X98029004001

Pence, E., & Paymar, M. (1993) *Domestic Violence Information Manual: The Duluth Domestic Abuse Intervention Project*. Retrieved from Http://www.eurowrc.org/05.education/education_en/12.edu_en.htm [Accessed 20/08/2011].

Perel, G., & Peled, E. (2008). The Fathering of Violent Men: Constriction and Yearning. *Violence against Women, 14*(2), 457-482. doi:10.1177/1077801208314846

Perry, C. N. (2000). An Empirical Study of Applications for Protection Orders Made to the Christchurch Family Court. *Butterworth's Family Law Journal, 3*(6), 139-145.

Perry, A., & Scanlon, L. (1999*). Children's Welfare in Divorce*. Paper presented at the Annual Conference of the Socio-Legal Studies Association, Loughborough University, 6 April 1999.

Piaget, J. (1978). *Development of Thought: Equilibration of Cognitive Structures*. (Translated by A. Rosin). Oxford, United Kingdom: John Wiley and Sons Limited.

Pilcher, J. (1994). Mannheim's Sociology of Generations: An Undervalued Legacy. *The British Journal of Sociology*, *45*(3), 481-495. doi:10.2307/591659

Piper, C. (2000). Assumptions about Children's Best Interests. *Journal of Social Welfare and Family Law, 22*(3), 261-276. doi:10.1080/01418030050130176

Pollack, W. (1998). *Real Boys: Rescuing our Sons from the Myths of Boyhood*. New York: Random House.

Pollard, D. (1999). *The Changing Legal Standards in Custody Law*. (Unpublished Dissertation for Bachelor of Law Honours) University of Auckland, Auckland, New Zealand.

Pond, R., & Morgan, M. (2005). New Zealand Women's Experiences of Lawyers in the Context of Domestic Violence: Criticisms and Commendations. *Women's Studies Journal,* 19, 79-106.

Pond, R., & Morgan, M. (2008). Protection, Manipulation or Interference with Relationships? Discourse Analysis of New Zealand Lawyer's talk about Supervised Access and Partner Violence. *Journal of Community and Applied Social Psychology, 18*(5)*,* 458-473. doi:10.1002/casp.948

Pope, L., & Ferraro, K. (nd). The Daluth Power and Control Model. Retrieved from http://vawresources.org/index_files/powercontrolmodel.pdf [Accessed 4/3/2016].

Powley, K. (2013). Expert's Fear: How Many Kids Will Die? New Zealand Herald. Retrieved from http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10873177 [Accessed, 1/4/2016].

Pringle, G. (2004). A Social History of the Articulations between Rugby Union and Masculinities within Aotearoa New Zealand. *New Zealand Sociology, 9*(1), 102-128.

Prout, A. (2003). Participation, Policy and the Changing Conditions of Childhood. In C. Hallett & A. Prout (Eds.). *Hearing the Voices of Children: Social Policy for a New Century* (pp. 11-25). London, New York: RoutledgeFalmer.

Prout, A., & James, A. (1997). A New Paradigm for the Sociology of Childhood? Provenance, Promise and Problems. In A. James & A. Prout (Eds.). *Constructing and Reconstructing Childhood: Contemporary Issues in the Sociological Study of Childhood* (pp. 7-33). London, Washington: Falmer Press.

Pruett, K. M., & DiFonzo, H. (2014). Closing the Gap: Research, Policy, Practice and Shared Parenting. *Family Court Review, 52*(2), 152-174. doi:10.1111/fcre.12078

Pruett, M. K., McIntosh, J. E., & Kelly, J. B. (2014). Parental Separation and Overnight Care of Young Children, Part I: Consensus Through Theoretical and Empirical Integration. *Family Court Review, 52*(2), 240-255. doi:10.1111/fcre.12087

Pruett, M. K., Ebling, R., & Insabella, G. (2004). Critical Aspects of Parenting, Plans for Young Children: Interjecting Data into the Debate about Overnights. *Family Court Review*, *42*(1), 39-59. doi:10.1111/j.174-1617.2004.tb00632.x

Pruett, M. K., Hogan-Bruen, K., & Jackson, T. (2000). The Best Interest of the Child: Parents' versus Attorneys' Perspectives. *Journal of Divorce & Remarriage, 33*(1/2), 47-63. doi: 10.1300/J087v33n01_03

Puig, A., Koro-Ljungberg, M., & Echevarria-Doan, S. (2008). Social Constructionist Family Systems Research: Conceptual Consideration. *The Family Journal: Counselling and Therapy for Couples and Families, 16*(2), 1139-146. doi:10.1177/1066480707313785

Punch, S. (2001). Negotiating Autonomy: Childhoods in Rural Bolvia. In L. Alanen & B. Mayall (Eds.). *Conceptualizing Child-Relations* (pp. 23-36). London, New York: RoutledgeFalmer.

Qvortrup, J. (1997). A voice for children in statistical and social accounting: A plea for children's right to be heard. In A. James & A. Prout (Eds.). *Constructing and Reconstructing Childhood* (pp. 78-98). London, Washington, D.C.: Falmer Press.

Radford, L., Sayer, S., & AMICA. (1999). *Unreasonable Fears? Child Contact in the Context of Domestic Violence: A Survey of Mothers' Perceptions of Harm*. Bristol: Women's Aid Foundation England.

Radford, L., & Hester, M. (2006). *Mothering through Domestic Violence.* London, Philadelphia: Jessica Kingsley Publishers.

Rakil, M. (2006). Are Men who Use Violence Against their Partners and Children Good Enough Fathers? The Need for an Integrated Child Perspective in Treatment Work with Men. In C. Humphreys & N. Stanley (Eds.) *Domestic Violence and Child Protection: Directions for Good Practice* (pp. 190-202). London, Philadelphia: Jessica Kingsley Publishers.

Randolph, J. J. (2009). A Guide to Writing the Dissertation Literature Review. *Practical Assessment, Research & Evaluation, 14*(13), 1-13.

Rankin, J. M., & Ornstein, A. E. (2009). A Commentary on Mandatory Reporting Legislation in the United States, and Canada, and Australia: A Cross-Jurisdictional Review of Key Features, Differences and Issues. *Child Maltreatment: Journal of the American Professional Society on the Abuse of Children, 14*(1), 121-123. doi:10.1177/1077559508328781

Reinharz, S., & Chase, S. E. (2001). Interviewing Women. In J. F. Gubrium & J. A. Holstein (Eds.). H*andbook of Interview Research: Context and Method* (pp. 221-238). Thousand Oaks: Sage Publications.

Renner, L. M. (2009). Intimate Partner Violence Victimisation and Parenting Stress: Assessing the Mediating Role of Depressive Symptoms. *Violence against Women, 15*(11), 1380-1401. doi:10.1177/1077801209346712

Reppucci, N. D., & Crosby, C. A. (1993). Law, Psychology and Children: Overarching Issues. *Law and Human Behavior, 17*(1), 1-10.

Rhoades, H. (2002). The 'No Contact Mother': Reconstructions of Motherhood in the Era of the 'New Father'. *International Journal of Law, Policy and the Family, 16*(1)*,* 71-94. doi:10.1093/lawfam/16.1.71

Rhoades, J., & Boyd, S. B. (2004). Reforming Custody Laws: A Comparative Study. *International Journal of Law, Policy and the Family. 18*(2), 119-146. doi:10.1093/lawfam/18.2.119

Ricoeur, P. (1975). *Phenomenology and Hermeneutics*. Meeting of the Western Division of the American Philosophical Association, Chicago, Illinois, April 24-26, 1975.

Riddell, R. (2008). Protecting Children from Family Violence. Retrieved from http://www.justice.govt.nz/courts/family-court/publications/speeches-and-papers/protecting-children-from-family-violence [Accessed 17/7/2013].

Roberts, H. (2003). Children's participation in Policy Matters. In C. Hallett & A. Prout (Eds.). *Hearing the Voices of Children: Social Policy for a New Century* (pp. 26-37). London, New York: RoutledgeFalmer.

Roberts, H. (2000). Listening to Children and Hearing them. In P. Christensen & A. James (Eds.). *Research with Children* (pp. 225-241). London: Falmer Press.

Robertson, N., & Busch, R. (1997). Seen but not heard? How Battered Women and their Children Fare under the Guardianship Amendment Act 1995. *Butterworth's Family Law Journal, 2(8), 177-188*.

Robertson, N., Busch, R., D'Souza, R., Sheung, F. L., Anand, R., Balzer, R., Simpson, A., & Paina, D. (2007). *Living at the Cutting Edge: Women's Experiences of Protection Orders. Volume 1: Women's Stories.* Wellington: Commissioned by the Ministry of Women's Affairs.

Robinson, A. (2010). *Children: Heard But Not Listened to? An Analysis of Children's Views in Decision-making Under s6 of the Care of Children Act.* (Unpublished Dissertation for Bachelor of Law Honours). University of Otago, Dunedin, New Zealand.

Roguski, M. (2011). Pets as Pawns: The Co-existence of Animal Cruelty and Family Violence. *Prepared for Royal New Zealand Society for the Prevention of Cruelty to Animals and The National Collective of Women's Refuges.*

Rose, N. (1989). *Governing the Soul: The Shaping of the Private Self*. London, New York: Routledge.

Rosen, L. N., Dragiewicz, M., & Gibbs, J. C. (2009). Fathers' Rights Groups: Demographic Correlates and Impact on Custody Policy. *Violence against Women, 15*(5), 513-531. doi: 10.1177/1077801209331409

Ross, S. M. (1996). Risk of Physical Abuse to Children of Spouse Abusing Parents. *Child Abuse & Neglect: The International Journal, 20*(7), 589-598. doi:10.1016/0145-2134(96)00046-4

Rothman, E. F., Mandel, D. G., & Silverman, J. G. (2007). Abusers Perceptions of the Effect of their Intimate Partner Violence on Children. *Violence against Women, 13*(11), 1179-191. doi:10.1177/1077801207308260

Russell, D., Springer, K. W., & Greenfield, E. A. (2010). Witnessing Domestic Abuse in Childhood as an Independent Risk Factor for Depressive Symptoms in Young Adulthood. *Child Abuse & Neglect: The International Journal, 34*(6)*, 448-453. doi:10.1016/j.chiabu.2009.10.004

Salisbury, E. J., Henning, K., & Holdford, R. (2009). Fathering by Partner-Abusive Men: Attitudes on Children's Exposure to Interparental Conflict and Risk Factors for Child Abuse. *Child Maltreatment: Journal of the American Professional Society on the Abuse of Children, 14*(3), 232-242. doi:10.1177/1077559509338407

Satir, V. (1967). *Conjoint Family Theory*. Palo Alto: Science and Behavior Books.

Saunders, D. G. (1992). A Typology of Men Who Batter Women: Three Types Derived
from Cluster Analysis. *American Journal of Orthopsychiatry, 62*(2), 264-275.

Saunders, B. J., Goddard, C. (2005). The Objectification of the Child through 'Physical
Discipline and Language: The Debate on Children's Rights continues. In J. Mason & T.
Fattore (Eds.). *Children Taken Seriously in Theory, Policy and Practice* (pp. 113-122).
London, Philadelphia: Jessica Kingsley Publishers.

Schwandt, T. A. (1998). Constructivist, Interpretivist Approaches to Human Inquiry. In N.
K. Denzin & Y. S. Lincoln (Eds.). *The Landscape of Qualitative Research: Theories and
Issues* (pp. 221-259). Thousand Oaks, London, New Delhi: Sage Publications.

Scott, K. L. & Crooks, C. V. (2007). Prelliminary Evaluation of an Intervention Program for
Maltreating Fathers. *Brief Treatment and Crisis Intervention, 7*(3), 224-
238. doi: 10.1093/brief-treatment/mhm007

Scott, K. L. & Lishak, V. (2012). Intervention for Maltreating Fathers: Statistically and
Clinically Significant Change. *Child Abuse & Neglect: The International Journal, 36*(9),
680-684. doi:10.1016/j.chiabu.2012.06.003

Scoular, J. (1998). Feminist Jurisprudence. In S. Jackson & J. Jones (Eds.). Contemporary
Feminist Theories (pp. 62-72). Edinburgh:Edinburgh Uni Press.

Seuffert, N. (1996). Lawyering for Women Survivors of Domestic Violence. *Waikato Law
Review.* Retrieved
from http://www.waikato.ac.nz/law.wlr/special_1996/1_seuffert.html [Accessed
9/02/2006].

Shalansky, C., Erickssen, J., & Henderson, A. (1999). Abused Women and Child Custody:
The Ongoing exposure to Abusive Ex-Partners. *Journal of Advanced Nursing, 29*(2),
416-426. doi:10.1046/j.1365-2648.1999.00904.x

Shamgar-Handelman, L. (1994). To Whom Does Childhood Belong? In J. Qvortrup., M. Bardy., G. Sgritta & H. Wintersberger (Eds.). *Childhood Matters: Social Theory, Practice and Politics* (pp. 145-164). Aldershot, Brookfield, USA.; Hong Kong, Singapore, Sydney: Avebury.

Shared Parenting and Joint Custody. Retrieved from http://www.lawlink.co.nz/members/timpanywalton/jointcusgtody.pdf [Accessed 22/2/2016].

Sheehan, R. (2003). The Marginalisation of Children by the Legal Process. *Australian Social Work, 56*(1), 28-39. doi:10.1046/j.0312-407X.2003.00050.x

Shephard, M. (1992). Child-Visiting and Domestic Abuse. *Child Welfare, 71*(4), 357-367.

Sieber, J. E., & Stanley, B. (1988). Ethical and Professional Dimensions of Socially Sensitive Research. *American Psychologist, 43*(1), 49-55. doi:10.1037/0003-066X.43.1.49

Silverman, D. (2012). Research and Policy. In C. Searle (Ed.). *Researching Society and Culture* (pp. 45-57). Los Angeles, London, New Delhi, Singapore, Washington, DC. : Sage Publications.

Silvern, L., Karyl, J., Waelde, L., Hodges, W. F., Starek, J., Heidt, E., & Min, K. (1995). Retrospective reports of parental partner abuse: Relationships to Depression, Trauma Symptoms and Self-Esteem among College Students. *Journal of Family Violence, 10*(2), 177-202. doi:10.1007/BF02110599

Simon-Kumar, R. (2011). The Analytics of "Gendering" the Post-Neoliberal State. *Social Politics, 18*(3), 441-468. doi:10.1093/sp/jxr018

Smart, C. (1989). Power and the Politics of Child Custody. In C. Smart & S. Sevenhuijsen (Eds.). *Child Custody and the Politics of Gender (*pp. 1-26) London, New York: Routledge.

Smart, C. (1989). *Feminism and the Power of the Law*. London, New York: Routledge.

Smart, C. (1995). Losing the Struggle for another Voice: The Case of Family Law. *Dalhousie Law Journal, 18,* 173-194.

Smart, C. (2000). Children and the Transformation of Family Law. *University of New Brunswick Law Journal, 49,* 137-156.

Smart, C. (2003). Towards an Understanding of Family Change: Gender, Conflict and Children's Citizenship, *Australian Journal of Family Law, 17*(AJFL 20), 20–36.

Smart, C. (2004). Equal Shares: Rights for Fathers or Recognition for Children. *Critical Social Policy, 24(*4), 484-503. doi:10.1177/0261018304046673

Smart, C. (2006). Shifting Horizons: Reflections on Qualitative Methods. *Feminist Theory, 10*(3), 1-14. doi:10.1177/1464700109343253

Smart, C. & Neale, B. (1997). Arguments Against Virtue: Must Contact Be Enforced. *Family Law, May,* 331-336.

Smart, C., & Neale, B. (1999). *Family Fragments.* Cambridge: Polity Press.

Smart, C., Neale, B., & Wade. A. (2001). *The Changing Experience of Childhood: Families and Divorce.* Cambridge, Oxford, Malden: Polity Press.

Smith, C. (1997). Children's rights: Judicial Ambivalence and Social Resistance. *International Journal of Law, Policy and the Family, 11,* 103-139. doi:10.1093/lawfam/11.1.103

Smith, C., Grimes, M., Morrison, F., Houghton, C., & Stafford, A. (2008). *Consultation with Children and Young People with Experience of Domestic Abuse on the Scottish Government National Domestic Abuse Delivery Group Draft Proposals: Main Report.*

Scottish Government:Edinburgh. Retrieved from www.scotland.gov.uk/socialresearch [Accessed 8/6/2011].

Smith, L. (2000). To See or Not to See? Psychological Perspective on safety and Access issues with Children and their Parents who have been Violent. *New Zealand Family Law Journal*, *3*(7), 161-169.

Smith, M. D. (1990). Patriarchal Ideology and Wife Beating: A Test of a Feminist Hypothesis. *Violence and Victims, 5*(4), 257-272.

Smyth, B. Caruana, C., & Ferro, A. (2004). Fifty-Fifty Care. In B. Smyth (Ed). *Parent-Child Contact and Post-Separation Parenting Arrangements.* (pp. 19-30) Report No. 9. Australian Institute of Family Studies.

Smyth, B. & Molony, L. (2008). Changes in Patterns of Post-Separation Parenting Over time: A Brief Review. *Journal of Family Studies, 14*(1), 7-2. doi:10.5172/jfs.327.14.1.7

Solberg, A. (1997). Negotiating childhood: Changing constructions of age for Norwegian children: A voice for children in statistical and social accounting: In A. James & A. Prout (Eds.). *Constructing and Reconstructing Childhood* (pp. 118-137). London, Washington, D.C.: Falmer Press.

Solomon, J. & George, C. (1999). The Development of Attachment in Separated and Divorced Families: Effects of Overnight Visitation, Parent and Couple Variables. *Attachment & Human Development, 1*(1), 2-33. doi:10.1080/14616739900134011

Spilsbury, J. C., Belliston, L., Drotar, D., Drinkard, A., Kretschmar, J., Creeden, R, Flannery, D. J., & Friedman, S. (2007). Clinically Significant Trauma Symptoms and Behavioral Problems in a Community-based Sample of Children Exposed to Domestic Violence. *Journal of Family Violence, 22*(6)*,* 487-499. doi:10.1007/s10896-007-9113-z

Spilsbury, J. C., Kahana, S., Drotar, D., Creeden, R., Flannery, D. J., & Friedman, S. (2008). Profiles of Behavioral Problems in Children who Witness Domestic Violence. *Violence and Victims, 23*(1), 3-17.

Spiwak, R., & Brownridge, D. A. (2005). Separated Women's risk for Violence: An Analysis of the Canadian Situation. *Journal of Divorce and Remarriage, 43*(3/4), 105-117. doi:10.1300/J087v43n03_06

Stafford, A., Stead, J., & Grimes, M. (2007). *The Support Needs of Children and Young People Who Have to Move Home because of Domestic Abuse.* Edinburgh: University of Edinburgh. Retrieved from http://www.clicp.ed.ac.uk/publications/Reports%20SWA/SWA_Research%20main%20Report%5B1%5D.pdf [Accessed 2/2/2011].

Stark, E. (2007). *Coercive Control: How Men Entrap Women in Personal Life*. New York: Oxford University Press.

Stark, E. (2012). Representing battered Women: Coercive Control and the Defence of Liberty. Retrieved from http://www.stopvaw.org/uploads/evan_stark_article_final_100812.pdf [Accessed 1/8/2016].

Stein, T., & Rzepnicki, T. (1983). Decision-making in Child Welfare: Current Issues and Future Directions. In B. McGowan & W. Meezan (Eds.). *Child Welfare Current Dilemmas, Future Directions* (pp. 259-295)*. Itasca, Il.: F. E. Peacock.

Sternberg K. J., Baradaran, L. P., Abbott, C. B., Lamb, M. E., & Guterman, E. (2006). Type of Violence, Age, and Gender Differences in the Effects of Family Violence on Children's Behavior Problems: A Mega-Analysis. *Developmental Review*, *26*(1), 89-112. doi:10.1016/j.dr.2005.12.001

Sternberg, K. J., Lamb, M. E., Guterman, E., & Abbott, C. B. (2006). Effects of Early and Later Family Violence on Children's Behavior Problems and Depression: A Longitudinal Multi-Informant Perspective. *Child Abuse & Neglect: The International Journal, 30*(3), 283-306. doi:10.1016/j.chiabu.2005.10.008

Stevenson-Hinde, J. (2007). Attachment Theory and John Bowlby: Some Reflections. *Attachment & Human Development*, *9(*4), 337-342. doi:10.1080/14616730701711540

Stewart, G. (1994). Domestic Violence: The Bristol Case and the Davison Report. *Butterworth's Family Law Journal, 11*(6), 116-121.

Straus, M. (1990). Ordinary Violence, Child Abuse and Wife Beating: What do they have in Common? In M. A. Straus & R. J. Gelles (Eds.). *Physical Violence in American Families: Risk Factors and Adaptations to Violence in 8,145 Families* (pp. 403-429). New Brunswick, London: Transaction Publishers.

Suh, E., & Abel, E. M. (1990). The Impact of Spousal Violence on Children of the Abused. *Journal of Independent Social Work, 4*(4), 27-34. doi:10.1300/J283v04n04_03

Suicide Facts: Deaths and Intentional Self-Harm Hospitalisations 2011 (2014). Ministry of Health Manatū Hauora. Retrieved from http://www.health.govt.nz/nz-health-statistics/health-statistics-and-data-sets/suicide-data-and-stats [Accessed 7/6/2014].

Spiwak, R., & Brownridge, D. A. (2005). Separated Women's Risk for Violence: An Analysis of the Canadian Situation. *Journal of Divorce and Remarriage*, *43*(3/4), 105-117. doi:10.1300/J087v43n03_06

Tajima, E. (2000). The Relative Importance of Wife Abuse as a Risk Factor for Violence against Children. *Child Abuse & Neglect, 24*(11), 1383-1398.

Tajima, E. (2002). Risk Factors for Violence against Children: Comparing Homes with and without Wife Abuse. *Journal of Interpersonal Violence, 17*(2), 122-14. doi:10.1177/0886260502017002002

Tajima, E. (2004). Correlates of the Co-Occurrence of Wife Abuse and Child Abuse Among a representative Sample. *Journal of Family Violence, 19*(6), 399-410. doi:10.1007/s10896-004-0684-7

Tapp, P. (2006). Judges are Human Too: Conversation between the Judge and a Child as a Means of Giving Effect to Section 6 of the Care of Children Act 2004. *New Zealand Law Review*, *1, 35-74*.

Tapp, P., & Taylor, N. (2001). Where Should the Focus be in the Aftermath of Parental Separation: Children's Rights and Interests or Parental Responsibility/Rights? *Childrenz Issues, 5*(1), 10-16.

Tapp, P., & Taylor, N. (2002). Protecting the Family. In M. Henaghan & B. Atkin (Eds.). *Family Law Policy in New Zealand.* (pp. 75-120). Wellington: LexisNexis Butterworths.

Tapp, P., & Taylor, N. (2007). Protecting the Family. In M. Henaghan & B. Atkin (Eds.). *Family Law Policy in New Zealand.* (pp. 81-165). Wellington: LexisNexis Butterworths.

Tapp, P., & Taylor, N. (2013). Protecting the Family. In M. Henaghan & B. Atkin (Eds.). *Family Law Policy in New Zealand.* (pp. 99-161). Wellington: LexisNexis Butterworths.

Taylor, N. J. (1998). *Guardianship, Custody and Access or Parental Responsibility, Residence and Contact: Family Law Legislation in New Zealand and Australia.* Occasional Paper - June. New Zealand Issues Centre, University of Otago, Dunedin.

Taylor, N. J. (2006). What do we know about involving children and young people in family law decision-making? A research update. *Australian Journal of Family Law, 20*(2), 154-179.

Taylor, N. J. (2006). Establishment of the New Zealand Family Court. *New Zealand Family Law Journal, 5*(7), 169-180.

Taylor, N. J., & Caldwell, J. (2013). Judicial Meetings with Children: Documenting Practice within the New Zealand Family Court. *New Zealand Law Review, 3*, 445-463.

Taylor, N. J., Gollop, M., & Smith, A. B. (2000). Children and young people's perspectives on the role of counsel for the child. *Butterworths Family Law Journal*, *3*(6), 146-154.

Taylor, N., Smith, A., Gollop, M., & Tapp, P. (2001). *Child-Parent Contact Following Separation and Divorce: The Implications for Family Law of New Zealand and International Research.* Paper presented at Law Conference, Session Reference:S22. Retrieved from http://www.nzls.org.nz.conference.pdf%20files/TaylorSsa22.pdf [Accessed 31/01/08].

Taylor, N., Smith, A., & Tapp, P. (2001). *Children, Family Law and Family Conflict: Subdued Voices. Paper presented at New Zealand Law Conference,* Christchurch. Retrieved from http://www.lawyers.org.nz/conference/pdf%20files/S13%20papers.pdf [Accessed 2/2/2011].

Teicher, M. H., & Vitaliano, G. D. (2011). Witnessing Violence towards Siblings: An Understudied but Potent Form of Early Adversity. *Plus One*, *6(*12), 1-10.

Temm, J. New Zealand Law Society (2013). *Government's Proposed Changes to the Family Court Puts Children at Risk. Lawtalk, 815(*28 March 2013), 23-24. Retrieved from http://ndhadeliver.natlib.govt.nz/delivery/DeliveryManagerServlet?dps_pid=IE20205321 [Accessed on 20/11/2016]

Thompson, A. E., & Kaplan, C. A. (1996). Childhood Emotional Abuse. *British Journal of Psychiatry, 168*(2), 143-148. doi:10.1192/bjp.168.2.143

Thompson, C. J., Pollio, H. R., & Locander, W. B. (1994). The Spoken and the Unspoken: A Hermeneutic Approach to Understanding the Cultural Viewpoints That Underlie Consumers' Expressed Meanings. *Journal of Consumer Research, 21(3),* 432-452.

Tisdall, E. K. M., Bray, R., Marshall, K., & Cleland, A. (2004). Children's Participation in Family Law Proceedings: A Step Too Far or a Step Too Small? *Journal of Social Welfare and Family Law, 26*(1), 17-33. doi:10.1080/01418030410001694387

Tolley, P. (2015). *Little Progress in Domestic Violence Prevention.* Retrieved from http://www.radionz.co.nz/news/national/266584/little-progress-in-domestic-violence-prevention [Accessed on 28/5/2015].

Tolmie, J., Elizabeth, V., & Gavey, N. (2009). Raising Questions about the Importance of Father Contact within Family Law Practices. *New Zealand Law Review, 4*(4)*,* 659-694.

Tolmie, J., Elizabeth, V., & Gavey, N. (2010). Is 50:50 Shared Care a Desirable Norm Following Family Separation? Raising Questions about Current Family Law Practices in New Zealand. *New Zealand Universities Law Review, 24*(1), 136-166.

Tong, R. (1992). *Feminist Thought: A Comprehensive Introduction.* London: Routledge.

Towle, M. (2015). Legal Aid Rules not Failing Domestic Violence Victims Says Minister. Radio New Zealand. Retrieved from http://www.radionz.co.nz/news/national/287453/legal-aid-service-not-failing-minister [Accessed 18/7/2016].

Trickett, P. K. (2002). Defining and Conceptualizing Children's Exposure to Violence. *Children Exposed to Violence: Current Status, Gaps and Research Priorities.* Paper presented to National Institute of Child Health and Development (NICHD) Workshop on Children Exposed to Violence. Washington D.C.

Trinder, L. (2008). Maternal Gate Closing and Gate Opening in Post-divorce families. *Journal of Family Issues. 29*(10), 1298-1324. doi:10.1177/0192513X08315362

Troon, C. L. (2014). *The Gap: Women's and Men's Perspectives on Parenting in the Context of Domestic Violence.* (Unpublished Master's Thesis), University of Waikato, Hamilton, New Zealand.

Tuohy, D., Cooney, A., Dowling, M., Murphy, K., & Sixmith, J. (2013). An Overview of Interpretive Phenomenology as a Research Methodology. *Nurse Researcher, 20*(6), 17-21.

Turney, D., & Tanner, K. (2005). *Understanding and Working with Neglect. Research in Practice: Every Child Matters Research Briefings 10*, London, DfES, pp. 1-8.

United Nations General Assembly Document A/RES/44/25 (December 1989) Convention on the rights of the Child. Retrieved from http://www.hrweb.org/legal/child.html [Accessed 16/6/2011].

Varcoe, C., & Irwin, L. G. (2004). "If I Killed You, I'd get the Kids": Women's Survival and Protection Work with Child Custody and Access in the Context of Woman Abuse. *Qualitative Sociology, 27*(1), 77-99. doi:10.1023/B:QUAS.0000015545.82803.90

Varcoe, C., Jaffer, F., & Irwin, L. (2002). Abuse through Child Custody and Access: A Critical Site of Women's Work in Collaboration with Women in Action. Vancouver: British Columbia Health Research.

van Krieken, R. (2005). The 'Best Interests of the Child' and Parental Separation: on the 'Civilizing of Parents'. *The Modern Law Review, 68*(1), 25-48.

van Manen, M. (1990). *Researching Lived Experience: Human Science for an Action Sensitive Pedagogy*. New York: State University of New York.

van Manen, M. (1997). *Researching Lived Experience: Human Science for an Action Sensitive Pedagogy.* London, Ontario: Althouse Press.

Ver Steegh, N., & Gould-Saltman, D. (2014). Joint Legal Custody Presumptions: A Troubling Legal Shortcut. *Family Law Review, 52*(2), 263-270.

von Dadelszen, P. (2007 July). *Judicial Reforms in the Family Court of New Zealand*. Paper presented to Symposium of Chief Judges of Family Courts, Singapore. 5, 267-286.

Walby, S. (1990). *Theorizing Patriarchy*. Oxford: Blackwell.

Walker, J. (1993). Co-operative Parenting Post-Divorce: Possibility or Pipedream? *Journal of Family Therapy, 15,* 273-293. doi:10.1111/j.1467-6427.1993.00759.x

Walker, L. E. A., & Edwall, G. E. (1987). Domestic Violence and Determination of Visitation and Custody in Divorce. In D. J. Sonkin (Ed.). *Domestic Violence on Trial: Psychological and Legal Dimensions of Family Violence*, New York: Springer.

Wallbank, J. (2007). Getting Tough on Mothers: Regulating Contact and Residence. *Feminist Legal Studies, 15*(2)*,* 189-222. doi:10.1007/s10691-007-9056-z

Wallerstein, J. S., & Lewis, J. M. (2004). The Unexpected Legacy of Divorce: Report of a 25 Year Study. *Psychoanalytic Psychology, 21*(3), 353-370. doi:10.1037/0736-9735.21.3.353

Wallerstein, J. S., & Kelly, J. B. (1980). Surviving the Breakup: How Children and Parents Cope with Divorce. New York: Basic Books.

Walton, J. R. (2012). *Difficult Conversations: The Dynamics Surrounding New Zealand Women's Disclosure of Intimate Partner Violence to Family and Friends*. (Unpublished Master's Thesis). Victoria University of Wellington, Wellington, New Zealand.

Ware, H. S., Jouriles, E. N., Spiller, L. C., McDonald, R., Swank, P. R., & Norwood, W. D. (2001). Conduct Problems Among Children at Battered Women's Shelters: Prevalence and Stability of Maternal Reports. *Journal of Family Violence, 16*(3), 291-307. doi:10.1023/A:1011190316783

Wauchope, B. A., & Straus, M. A. (1990). Physical Punishment and Physical Abuse of American Children: Incidence Rates by Age, Gender and Occupational Class. In M. A Straus & R. J. Gelles (Eds.). *Physical Violence in American Families: Risk Factors and Adaptations to Violence in 8,145 Families* (pp. 133-148). New Brunswick, London: Transaction Publishers.

Websdale, N. (2010). *Familicidal Hearts: The Emotional Styles of 211 Killers*. New York: Oxford University Press.

Webster, R.E. (2001). Symptoms and Long-term Outcomes for Children who have been Sexually Assaulted. *Psychology in the Schools, 38*(6)*,* 533-547. doi:10.1002/pits.1041

Whitfield, C. L., Anda, R. F., Dube, S. R., & Felitti, V. J. (2003). Violent Childhood experiences and the Risk of Intimate Partner Violence in Adults: Assessment in a Large Health Maintenance Organization. *Journal of Interpersonal Violence*, *18*(2), 166-185. doi:10.1177/0886260502238733

Williamson, K. (2006). Research in Constructivist Frameworks Using Ethnographic Techniques. *Library Trends, 55*(1), 83-101.

Willis, J. W., with M. Jost., & Nilakanta, R. (2007). *Foundations of Qualitative Research: Interpretive and Critical Approaches.* Thousand Oaks: Sage Publications.

Wilson, D., & Webber, M. (2014). *The People's Report: The People's Inquiry into Addressing Child Abuse and Domestic Violence.* Auckland: The Glenn Inquiry.

Wilson, M. I., & Daly, M. (1996). Male Sexual Proprietariness and Violence against Wives. *Current Directions in Psychological Science*, *5*(1), 2-7.

Wolak, J., & Finkelhor, D. (1998). Children Exposed to Partner Violence. In J. L. Jasinski & L. M Williams (Eds.). *Partner Violence: A Comprehensive Review of 20 Years Research* (pp. 73-112). Thousand Oaks, CA.: Sage Publications.

Wolcott, H. F. (1990). On Seeking and Rejecting – Validity in Qualitative Research. In E. W. Eisner & A. Peshkin (Eds.). *Qualitative Inquiry in Education: The Continuing Debate* (pp. 121-152). New York: Teachers College Press.

Wolfe, D. A., Crooks, C. V., Lee, V., McIntyre-Smith, A., & Jaffe, P. G. (2003). The Effects of Children's Exposure to Domestic Violence: A Meta-Analysis and Critique. *Clinical Child and Family Psychology Review, 6*(3), 171-187. doi:10.1023/A:1024910416164

Worley, K. O., Walsh, S., & Lewis, K. (2004). An Examination of Parenting Experiences in Male Perpetrators of Domestic Violence: A Qualitative Study. *Psychology and Psychotherapy: Theory, Research and Practice, 77*(1), 35-54. doi:10.1111/j.2044-8341.2010.02001.x

Wuest, J. T. (1995). Feminist Grounded Theory: Exploration of the Congruency and Tensions between Two Traditions in Knowledge Discovery. *Qualitative Health Research, 5(*1), 125-137. doi:10.1177/104973239500500109 nz

Wyness, M. (2006). *Childhood and Society: An Introduction to the Sociology of Childhood.* Hampshire, New York: Palgrave MacMillan.

Ybarra, G. J., Wilkens, S. L., & Lieberman, A. F. (2007). The Influence of Domestic Violence on Preschooler Behavior and Functioning. *Journal of Family Violence, 22*(1)*,* 33-42. doi:10.1007/s10896-006-9054-y

Yule, T. (1996) *A Critique of the Domestic Violence Act 1995*. Dissertation for Bachelor of Law (Honours) The University of Auckland, Auckland, New Zealand.

Zeoli, A. M., Rivera. E. A., Sullivan, C. M., & Kubiak, S. (2013). Post-Separation Abuse of Women and their Children: Boundary-Setting and Family Court Utilization among Victimized Mothers. *Journal of Family Violence, 28*(6), 547-560. doi:10.1007/s10896-013-9528-7

Zerk, D. M., Mertin, P. G., & Proeve, M. (2009). Domestic Violence and Maternal Reports of Young Children's Functioning. *Journal of Family Violence, 24*(7), 423-432. doi:10.1007/s10896-009-9237-4

Appendices

Appendix 1: Operational Definitions

The following is a list of operational definitions used in this study:

Domestic Violence: In this study domestic violence/abuse is defined as physical, sexual, emotional, psychological, or financial abuse perpetrated against a female partner in order to maintain control (Women's Aid, 2007).

Guardianship: Both parents have joint legal guardianship of children under the law, regardless of whether children reside primarily in one home (Care of Children Act, 2004). The definition of legal guardianship was further extended under the Care of Children Act 2004. Fathers now have equal rights to their children if they have resided with, or have been married to the mother any time between conception and birth or if they are named on the birth certificate.

Gatekeeping: "Mother's preferences and attempts to restrict and exclude fathers from childcare and involvement with children" (Fagan & Barnett, 2003, p. 1021).

Biological Determinism: Previously, less concern was placed on the biological father with an assumption that when parents separated and the mother remarried, the role of the father would be assumed by the mother's new husband (stepfather). However, over the past few decades a shift has occurred under the law around custody and divorce with primacy now focused on parenting. Central to the new understanding are the best interests of the child that are equated with on-going contact with both parents, with the emphasis being on the biological rather than the social father (Smart, 2000).

Internalizing Behaviour: Refers to socio-emotional responses such as depression, anxiety, fearfulness, and low self-esteem.

Externalizing Behaviour: Manifests in social interaction with others, for example, aggression, bullying, and anti-social functioning.

Exposure/Witnessing abuse: Includes watching and hearing the violence, becoming involved in an incident, or experiencing the aftermath. This can include, for example, seeing a mother's distress or injuries, or damage to the home environment.

Patriarchy: A structure in which men have more power and privilege than women, and an ideology that legitimises this arrangement (Smith, 1990).

Presumption: A supposition, presupposition, belief, judgement, surmise, conjecture, speculation and hypothesis and is a technical term with specific application in legal proceedings (Ver Steegh & Gould-Saltman, 2014).

Rules of Thumb: A rule based on experience or practice previously utilised in family law (Henghan, 2013).

Appendix 3: Interview Schedule

Interviews were unstructured and questions were asked where more information was required. Areas of particular interest when commencing the interview were as follows:

A general overview of childhood experiences

Whether parents had made arrangements privately or through legal counsel or the courts

Whether participants had a say over arrangements

How they felt about arrangements

How much time was spent between households?

Memories of any violence that had occurred

If there was any police involvement

Whether fathers had made an effort to accommodate participants when they stayed, providing them with their own space

The amount of autonomy participants were given as they aged

Whether fathers were flexible if participants asked for extra time with their mother for example at Christmas or on special occasions

Whether fathers co-operated and communicated well with mothers

Appendix 3: Interview Schedule

PARTICIPANT INFORMATION SHEET

CHILDREN AND YOUNG PEOPLE

Do we need to Revisit Maternal Preference where the Father has been Violent to the Mother? Young People's Experience of Post-Separation Fathering

Researcher:	Pam Nelson
	pamela.nelson@vuw.ac.nz
	██████████

Supervisors:	Dr. Rhonda Shaw, Senior Lecturer School of Social and Cultural Studies
	Rhonda.Shaw@vuw.ac.nz

Dr. Allison Kirkman, Senior Lecturer School of Social and Cultural Studies
Allison.kirkman@vuw.ac.nz

I am doing research on domestic violence to learn about children and young people's experience of living with their father following their parents' breakup as part of a co-parenting arrangement. This research is for my Doctoral thesis at Victoria University in Wellington and I am hoping to interview 20-25 young people aged between 12-26. I am interested in learning about your daily routines at home, the flexibility of the arrangement and your experiences with the court.

If you agree to participate I will interview you for approximately 1-2 hours. The interview will be recorded and transcribed by myself and will take place at a location convenient to you, such as your home or a location of your choice. All of the tapes will be transcribed by me and accessible only to me and my Supervisors. Your name and the names of other family members will be disguised along with any other identifying details in my thesis and any other publications such as journal articles or conference papers produced as a result of this study.

Electronic transcripts will be stored on my computer which will be password protected, at the School of Social and Cultural Studies at Victoria University in Wellington. Upon completion of the study all transcripts will be stored in a locked cabinet in the department for a period of three years after which time they will be destroyed.

If you feel unable to continue during the interview, you have the right to ask for the tape to be turned off and for the interview to be terminated. You can withdraw from the project at any time up to one month after the interview, and the transcripts will be immediately deleted.

You will be asked to indicate on the Consent form, whether or not you would like to receive a summary of my findings at the completion of the study. If you are under 16 consent will also be required from one parent.

Please read this information sheet carefully before deciding whether or not to participate. If you decide to participate in this study, thank you, and I look forward to talking to you.

If you have any questions about our project either now or in the future, please feel free to contact:

Pam Nelson   Dr Rhonda Shaw
School of Social and Cultural Studies   School of Social and Cultural Studies
                                                Studies
Victoria University   Victoria University
P O Box 600   P O Box 600
Wellington 6140   Wellington 6140

Pamela-nelson @vuw.ac.nz   Rhonda.Shaw@vuw.ac.nz

For Ethical concerns contact:
The Convenor
Human Ethics Committee
Email: kathy.nelson@vuw.ac.nz
Victoria University
P O Box 600
Wellington 6140

Thank you very much for your time.
Pam Nelson

APPROVED BY THE VICTORIA UNIVERSITY HUMAN ETHICS COMMITTEE ON
REFERENCE 19248

Appendix 5: Participant Consent Form

VICTORIA
TE WHARE WĀNANGA O TE ŪPOKO O TE IKA A MĀUI
UNIVERSITY OF WELLINGTON

CONSENT TO PARTICIPATE IN RESEARCH

Do we need to Revisit Maternal Preference where the Father has been Violent to the Mother? Young People's Experience of Post-Separation fathering

Type of Research: **Interviews**

An explanation of this research project has been provided and I fully understand what is involved in this research.

I agree for the interview to be taped.

I understand that I can request for the tape to be turned off at any time and for the interview to be terminated.

I understand that I can withdraw from the project up to a month after the interview has taken place and that all information will be destroyed.

I understand that confidentiality of data is to be preserved and that information will be stored on a password protected computer in the School of Social and Cultural Studies and deleted 3 years after the completion of the project.

I understand that confidentiality of data is to be preserved and that information will be stored on a password protected computer in the School of Social and Cultural Studies and deleted 3 years after the completion of the project.

☐   I would like a report on the study upon completion of the research.

Name_____

(Please print clearly)

Signed_____

Date: _____

APPROVED BY THE VICTORIA UNIVERSITY HUMAN ETHICS COMMITTEE ON REFERENCE 19248