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Clinical Research & Training Consultancy

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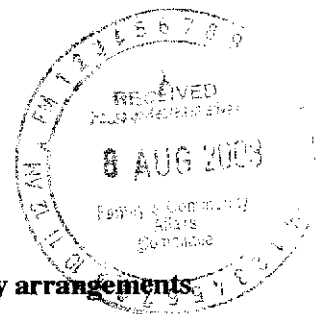
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Committee Secretary
Standing Committee on Family & Constitutional Affairs
Child Custody Arrangements Inquiry
Department of House of Representatives
Parliament House
Canberra ACT 2600

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Dear Sir/Madam,



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**Submission to Inquiry into child custody arrangements
in the event of family separation**

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I am a clinical child psychologist and research consultant specialising in family trauma and disruption, including in the event of parental separation. In recent years I have undertaken a number of research and training projects auspiced by the Commonwealth Attorney-General's Department and the Department of Family and Community Services. I have also been consulted about and contributed to a number of other submissions to this Inquiry. In particular, I have had the opportunity of sighting and concur with the submission of Associate Professor Lawrie Moloney of La Trobe University.

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This submission is deliberately brief, as I believe the existing evidence in this area is clear and conclusive. Post separation family functioning is an area in which research is ahead of practice, and we would do well to follow the evidence. There is a particular need and an opportunity for this argument to be advanced by developmental knowledge.

and Associates

Research is clear that sensitive, attuned involvement of both parents in their children's post separation lives, is the vital factor in children's ability to adjust to family separation. The key here is the climate in which post separation parenting takes place. It is now well accepted that the greatest damage to child development is done by ongoing parental conflict, whatever the living arrangements. Non-residential fathers' involvement in their children's lives contributes to better long term mental health outcomes for children, but only in circumstances of low conflict between ex-spouses.

About 38% of couples achieve cooperative co-parenting post separation. That leaves the majority, who struggle. Shared parenting in the absence of a parental relationship that can support the necessary co-operation is fraught for children, particularly pre-schoolers. Equally shared residence, that often manifests in week-about arrangements, runs counter to the developmental needs of infants, for a secure, predictable existence with their primary attachment figure, be that father or mother.

The presumption of shared parenting in the absence of wide-reaching divorce education, and early support and intervention with separated parents in high conflict is a dangerous idea for children. It is an approach that may promote parents' rights, but potentially at the expense of children's needs.

I am enclosing copies of the following articles that I have authored, and which I believe address the core issues adequately without the need for detailed reiteration here. They form part of this submission:

McIntosh, J. E. (2000). Child-Inclusive Divorce Mediation: Report on a Qualitative Research Study. *Mediation Quarterly* 18(1), 55-69.

McIntosh, J. E. (2002). Thought in the face of violence: a child's need. *Child Abuse & Neglect* 26, 229-241.

McIntosh, J. E. (2003). Enduring Conflict in Parental Separation: Pathways of Impact on Child Development. *Journal of Family Studies* 9(1), 63-80.

I would be happy to address these issues further with the Committee if required.

Yours sincerely,



Dr Jennifer McIntosh
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Enduring Conflict in Parental Separation: Pathways of Impact on Child Development

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There are established research truths about parental conflict and its impact on children which are increasingly respected in practice: divorce does not have to be harmful; parental conflict is a more potent predictor of child adjustment than is divorce; conflict resolution is important to children's coping with divorce. This synopsis of recent research moves beyond these truths, to a review of emerging "news" from the literature, with a focus on known impacts of entrenched parental conflict on children's development and capacity to adjust to separation. The findings are illustrated by the case of two siblings, Jack and Rachel¹, seen in short-term therapy by the author, in the period following their parents' highly conflictive separation. From a practitioner's chair, the news is more than noteworthy. It provides compelling arguments for a move beyond truisms about parental conflict and children's adjustment, beyond wishful myths of resilience, to look at the process of impact on development, within the context of parental dispute and family restructure.

Key Words: Children; Divorce; Parental Conflict; Development; Adjustment

Early research on divorce characterised parental separation as a landmark event from which linear pronouncements were made about the functioning of children who came from divorced and not divorced families. As Cummings and Davies (2002, p.31) wrote, "simply documenting statistically significant correlations between marital conflict and child adjustment problems has reached a point of diminishing returns". In current research, parental separation is recognised as a coat of many colours, studied as a multilayered process that impacts on children differentially, over time. The researcher's lens today is informed by multiple frameworks from social learning, family systems, trauma, cognitive, and developmental theories.

From these diverse theoretical vantage points, research findings converge on this point: unresolved, enduring parental conflict can violate children's core

¹Jack and Rachel are pseudonyms

- ly, J. (2002). *For better or for worse*. New York: Norton.
- L. (1988). *Impasses of divorce: The dynamics and resolution of* rk: Free Press.
- (1997). *In the name of the child. A developmental approach to ing children of conflict and violent divorce*. New York: Free Press.
- ith enduring child disputes: Multiple pathways to enduring mily Studies, 9(1), 37-50.
- ical and legal interventions for parents and children in putes: Current research and practice. *Virginia Journal of Social* 129-163.
- educational interventions for families in residence and ralian Journal of Family Law, 15(2), 92-113.
- s adjustment in conflicted marriage and divorce: A decade rnal of Child and Adolescent Psychiatry, 39 (8), 963-973.
- of divorce mediation research: Some answers and questions. Courts Review, 34, 373-385.
- and adversarial divorce resolution processes: An analysis of nal report prepared for the Fund for Research in Dispute e from author).
- press). Children's adjustment following divorce: Risk and s. *Family Relations*.
- 2002). *Children in focus. Working with high parental conflict*. : University, Centre for Online and Multimedia Educational
- 999). Nonresident father visitation, parental conflict, and What's best for child well-being? *Journal of Marriage and*
- er, C. (2000). Interparental conflict and parenting behaviors: w. *Family Relations*, 49, 25-44.
- R. (1992). *Dividing the child*. Cambridge, MA: Harvard
- ing conflict in parental separation: Pathways of impact on rnal of Family Studies, 9(1), 63-80.
- e, A., & Ferguson, S. (1996). *Managing differences. Federally n in Sydney: Outcomes, costs and satisfactions*. Canberra: ant Printing Service.
- (1996). *Understanding differences between divorced and intact en, and child outcomes*. Thousand Oaks, CA: Sage.
- Jordan, L. C. et al. (1999). Explaining the higher incidence of among children of divorce compared with those in two- al of Marriage & Family, 61, 1020-1033.
- 986). *Surviving the breakup: How children and parents cope with* sic Books.

developmental needs and threaten their psychological growth (Grych & Fincham, 2001; Kelly, 2000). These findings provide a strong impetus to child focused practices in Family Law dispute resolution. They point to a need in the practitioner for an unapologetic mindfulness of the needs of children. The challenge that this research throws down to the practice front is real: to deal with this not as the "flavour of the month", nor the latest itch in the Attorney General's Department, but as a fundamental, evidence-based push for evolution in practice.

Defining Entrenched Conflict

Preseparation, entrenched conflict is marked by some or all of the following parental behaviours (Johnston, 1998):

- high degrees of anger and distrust,
- incidents of verbal abuse,
- intermittent physical aggression,
- ongoing difficulty in communicating about their children,
- ongoing difficulty cooperating in the care of their children,
- sabotage of children's relationship with their other parent.

In entrenched postseparation conflict, these behaviours continue, coupled with high rates of litigation and re-litigation, pervasive mistrust, covert and overt hostility, an ongoing negative attitude to the ex-spouse, avoidance, and unsubstantiated allegations about the ex-partner's behaviour and parenting practices.

Acrimonious parental divorce with high levels of conflict constitute about one third of separations. Conflict usually diminishes significantly after divorce, with about 8-12% of parents remaining at impasse (Ayoub, Deutsch, & Maraganore, 1999; King & Heard, 1999). Available evidence suggests that parents at impasse are likely to be more emotionally distressed and/or characterologically disturbed compared to non-impasse populations (Deacon-Wood & McIntosh, 2002). The extent to which their dysfunctions are enduring attributes rather than reactions to the stress of divorce and litigation is unclear (Johnston, 1998), but for most, a combination is probably likely.

Divorce Impacts Revisited

Children rarely wish for their parents to separate (Knapp, 1994) and divorce represents the collapse of a vital, archetypal structure, not only in their external world, but in their experience of self. Most children experience considerable sadness in the first stages, with anxiety, anger, resentment, confusion, guilt, loyalty tensions, and somatic symptoms being common responses. While, over time, adjustment and robustness generally improve, within a supportive care-giving environment, the independent impacts that separation bring to bear on children's development remain notable (Amato, 2000). Aspects of the divorce itself create small risks for all children, and

higher risk for those already vulnerable through other factors (Emery, 1999). Kelly (2000) summarised these findings succinctly. Children of divorced families, compared to never divorced families are:

- more likely to experience greater economic, social, and health difficulties (McLanahan, 1999);
- more likely to use alcohol, cigarettes, and drugs;
- more likely to rely on peer groups who use substances (McLanahan); twice as likely, even when compared with otherwise bereaved children, to give birth to a child as a teenager (McLanahan);
- 2.5 times more likely to receive psychological treatment (Johnston, 1997);
- more than twice as likely to drop out of school early (Buchanan & Heiges, 2001; McLanahan & Sandefur, 1994), except when fathers are actively involved;
- more likely to have earlier marriages, which in turn correlates with increased propensity to divorce;
- more likely to demonstrate poorer socioeconomic attainment (Funder, 1996; McLanahan & Sandefur);
- More likely to be especially disturbed (especially boys) if the divorce processes are accompanied by parental violence (Margolin, Oliver, & Medina, 2001).

Cherlin, Chase-Lansdale, and McRae (1998) and others found that the gap in psychological wellbeing between divorced children and never divorced children grows through adolescence and young adulthood (see review by Amato, 1999). As Pedro-Carroll (2001) wrote: "These sobering outcomes raise important questions about the inter-generational transmission of divorce and the extension into adulthood of vexing problems that cast a shadow on life satisfaction. Yet these outcomes are not inevitable, nor are they uniformly applicable to all children" (p. 994). The fact that some children from high conflict marriages have been shown to prosper following parental divorce (Amato & Booth, 1997), suggests that divorce may be helpful or harmful depending on whether it adds or removes stress from children's lives.

Through a Developmental Lens: Impacts of Parental Conflict

Secure family environments and emotionally responsive parenting, in all family constellations, provide the core foundation for the developmental needs of children. Certain developmental goals for children at different stages are more easily threatened by virtue of their age-related ability to understand nuances and implications of parental conflict.

According to (Crockenberg & Langrock, 2001), the main-stage salient developmental tasks that are vulnerable to family stress, particularly parenting availability and style, include:

- a) development of core trust and understanding of cause and effect;
- b) development of attachment;
- c) experience of emotional arousal and regulation of affect;
- d) development of internalised beliefs about oneself;
- e) establishment of peer relationships;
- f) adaptation to school and academic achievement.

Impacts of Parental Conflict on the Core Developmental Tasks

At any stage of marital conflict or separation, factors that compromise a parent's mindfulness about their developing child need to be understood in the context of their ability to confound the child's core psychodevelopmental tasks (McIntosh, 2002; Levendosky & Graham-Bermann, 2001). When marital conflict co-occurs with other risks, namely, mental health of parents, poverty, parental substance abuse, unemployment, and low education, greater developmental impact is evident (Crockenberg & Langrock, 2001; Dixon, Charles, & Craddock, 1998).

There is no age, stage, or gender immune to the impacts of entrenched parental discord associated with separation (Buchanan & Heiges, 2001). There is general agreement that long-term impacts of divorce, particularly high conflict divorce, are worst for children in their preschool years at the time of divorce (Wallerstein & Lewis, 1998; Zill, Morrison, & Coiro, 1993). The developmental tasks facing the child in this period are great, and resources are clearly taxed when a preschooler is faced concurrently with the need to cope with high parental conflict and family restructure.

Enduring parental conflict disrupts the very organisation of emotional experience in early childhood. This type of disruption may have both escalating and cumulative developmental consequences. It interrupts vital attachment processes in infancy and toddlerhood, with high intensity conflict linked with the development of insecure and disorganised attachment styles (Boris & Zeanah, 1999; Main & Cassidy, 1988; Zeanah et al., 1999). In turn, this interrupts the development of emotional security, with children becoming more prone to negative emotional arousal and distress, less able to regulate their feelings, less optimistic about their ability to cope, and less able to cope (Lieberman & Van Horn, 1998).

In my assessment and subsequent therapeutic involvement with Jack, it was clear that his working model of attachment had twisted into a curious shape. He did not expect to have his needs thought about, did not expect care, and was inwardly preoccupied with the need to shield his neediness from me. On the outside, he was a tough nut, a bit scary in fact. But the exterior was brittle and cracked easily, particularly under the strain of further conflict, whether with his friends or in his family.

A child's ability to regulate their emotions and behaviours develops primarily in the family context. It is promoted by parental soothing, collaborative conflict

resolution, discussion of emotions and the events that elicit them, and coaching of adaptive responses. When these normative parental functions are eroded by conflict, children's ability to regulate their own emotions and to adapt in a socially competent manner can be sorely compromised.

Immediately following separation, children are likely to be exposed to especially high levels of conflict between parents. After this period, levels of conflict even out to be similar to those experienced by children in non-divorced families. Yet when postseparation conflict does occur between parents, it is more likely to be intense, less likely to involve compromise, and the topic is more likely to involve child-related matters (Buchanan & Heiges, 2001). Children made insecure by past intense marital conflict may more readily perceive threat, eliciting early emotional arousal and a process by which maladjusted behaviour becomes more likely. Children who experience intense and frequent conflict prior to separation appear to remain more highly sensitised postseparation to further conflict between parents, and are not cushioned by positive features of the marital relationship.

Research shows that children of high conflict divorcing families are often preoccupied with surviving in the emotionally volatile climate of their divided family, and confused about their loyalties. They are unsure of whether their perception of either parent or the parents' negative views of each other is "true". This state of mind is one of acute anxiety for the child, whose capacities for everyday learning, thinking, interacting, and playing can be sorely diminished by their internal struggles (Johnston, 1997).

The internal patterns created by the falling dominos of parental conflict are complex, as Roseby wrote:

Each parent is a central and archetypal figure in the child's emotional world, regardless of the frequency of contact. This internalisation of the parent-child relationship is a developmental process, which begins very early and continues as experiences and subsequent identifications with the real or imagined parent become part of the child's sense of self. When the child is the subject of chronic parental warfare, however, identifications with each parent continually evoke inner conflict. (1995, p. 101)

Rachel was one of these children. Her father is a teacher and her mother in her own business. They fought like cat and dog for 7 of Rachel's 10 years. Rachel came to see me, referred by her mother's child-friendly lawyer, when she was 10 years of age.

She came in to the room as if trying not to let anyone know she was there. Never far from tears, she sat on the edge of the couch, clutching a worn piece of paper. It was a visiting schedule that she was trying to work out for herself, almost illegible beneath layers of white-out and crossings out and arrows pointing here, there, and everywhere over the sheet, ripped in half and stuck back together with sticky tape, with a scrawled timetable overlaid with small, obsessively written notes to herself, an attempt at ordering her chaotic world. "Tuesday - bring gym clothes back from Dad's; remember medicine, Thursday, Mum working late - go

to Dad's after school, Friday, meet Mum outside Dad's, remember medicine; Saturday, call Dad; Sunday, Mum not home - stay at Dad's, remember medicine, and so on". As I learned, the worn out paper was a self-portrait.

"Everything is wrong" - I could barely hear her - "Everything is wrong", and the tears came and didn't stop, through moments of pent-up rage. "I'm not allowed to even take my insulin from Dad's house to Mum's house. I'm not allowed to play the CD Dad gave me at Mum's house. They fight all the time about who can have me - either they both want me or neither of them wants me. And when I'm with Mum, I don't feel welcome, and when I'm with Dad, he just wants to talk about Mum."

Not surprisingly, high levels of interparental conflict are associated with significant levels of loneliness in adolescents, for both boys and girls (Johnson, LaVoie, & Mahoney, 2001).

Parental Conflict Through a Developmental Lens

Children interpret conflict through a developmental lens. Parents' conflictive behaviours are only part of the information that a child uses to construct the meaning of the conflict and its relevance for themselves (Finkelhor, & Kendall-Tackett, 1997; Medina, Margolin, & Wilcox, 2000). Their ability to appraise conflict differs in important ways, at various stages of development.

Five-year-olds are less likely to understand that conflict is about divergent goals and are more likely to be self-blaming (Jenkins & Buccioni, 2000). They cannot readily conceptualise parents as having two or more social roles (parents and spouses) and tend to focus on the parental role at all times. This lends them to being more egocentric in their interpretation of disputes; this is about parenting and, therefore, about "me". Children are unable to analyse marital conflict in terms of the mental state of their parents until about age 7, and 4 to 5-year-olds are particularly vulnerable because of their propensity to self-blame. At this stage, conflict and its resolution is understood in behavioural terms; the fight is over when the shouting stops. These young children are likely to take sides in parents' arguments with the goal of cognitive simplification, rather than true alignment with one parent over the other.

Older children, ages 7 through 9 years, understand that conflict requires change in the goal of at least one parent. This age group has a more sophisticated understanding of triangulation. These children are most sensitive to whether an argument has been resolved or not. A wider range of negative interactions is found to be conflictive by older children, who have a lower threshold for perceiving that conflict is occurring. El-Sheikh and Harger (2001) found that children most vulnerable to marital conflict perceived high levels of threat in their parents' behaviour and tended to blame themselves for the conflict. These children had

higher levels of internalising and externalising behaviours, health problems, and increased cardiovascular reactivity to arguments.

Adamson and Thompson (1998) found that children aged between 5 and 8 years typically proposed helping parents in conflict, trying to distract them through their own aggression, or avoiding the conflict altogether, whereas children aged 8 to 12 more often proposed stepping in to stop it. Older adolescents were most likely to try to avoid the conflict. Children's emotional responses to arguments in which they were a topic were predominantly of guilt, more than anger, sadness, and distress. Kerig (1999, 2001) found that those children who stepped in most actively to intervene in parents' conflicts were the most symptomatic, with marked patterns of anxiety and depression.

Research to date concludes that children across a broad developmental range can and do distinguish between forms of marital conflict. Threats to leave the marriage and parents' expressions of fear are the most distressing forms of non-physical conflict (Cummings & Davies, 2002). In these situations, children's distress is diminished as a direct function of whether conflicts are resolved, and the degree of resolution.

All children are sensitive to parental anger, but children with histories of spousal violence responded with greater intensity (Adamson & Thompson, 1998). Children from violent homes are more likely to attempt to become involved, where children from nonviolent homes are more likely to employ problem solving. The forms of adult conflict most distressing to children are those that lack resolution and include high levels of hostility, physical violence, or threats to leave (Margolin et al., 2001).

Rachel had continually tried to step in and stop her parent's fights. She would constantly plead with her parents to calm down, and each time risk being further embroiled into the conflict, blamed for taking sides. Running out of the room was out of the question - her fantasy of what they might do to each other wouldn't allow her to leave. She felt at times that she was the only deterrent to the fight escalating out of control.

Children's Experience of Parental Conflict, Through a Gendered Lens

The jury is out on the specific gender differences associated with divorce per se (Kelly, 2000; Vandewater & Landsford, 1998). However, there are notable gender effects in how children make sense of marital conflict. Boys tend to experience a higher level of threat and girls a higher level of self-blame. Both of these appraisal styles influence their patterns of adjustment (Cummings, Davies, & Simpson, 1994; Kerig, 1998). Evidence suggests that boys' externalising and anxiety-based responses are linked to their dominant experience of anger and threat in parental conflict. Girls' tendency toward internalising responses are dependent on appraisals of self-blame and perceived control.

There are numerous explanatory models currently in development that will deepen the analysis of process in this area (Davies & Lindsey, 2001). To date, these models suggest that gender may:

- influence the type of children's response to marital conflict. Basic difference in early response (e.g., hostile and egoistic appraisals or worried preoccupation and self-blame) may crystallise over time into entrenched patterns of response;
- influence the way in which responses to conflict are interpreted with implications for adjustment for boys and girls;
- influence both points along the chain.

In the United States, similar gender differences are evident in ethnic minority children and ethnic majority children (McLoyd, Harper, & Copeland, 2001).

Parental Conflict: Unpacking Process Impacts

The research literature indicates that the intensity of parent conflict, the style of conflict, its manner of resolution, and presence of buffers to ameliorate impacts of high conflict are the most important indicators of child adjustment.

Established negative effects of entrenched conflict on children include:

- disturbed patterns of emotional arousal and affect regulation, particularly in violent conflict (Jouriles, Bourg, & Farris, 1991; Lieberman & Van Horn, 1998);
- increased physiological arousal in response to conflict (De Bellis, 2001; McLoyd et al., 2001);
- heightened aggression, impulsivity, anxiety, poor social skills, and emotional problems (Block, Block, & Gjerde, 1986; Cummings & Davies, 1994; Harrist & Ainslie, 1998; McClokey & Stuewig, 2001);
- development of dysfunctional behavioural patterns in the child. Children of highly conflictive divorcing parents at impasse, are two to five times more likely to be clinically disturbed in emotions and behaviour compared with national norms (Cummings & Davies, 1994; Johnston, Gonzalez, & Campbell, 1987).

Those children who have experienced their parents' violence are likely to be the most disturbed, especially boys (Jaffe, Hurley, & Wilson, 1990; Jaffe, Wolfe, & Wilson, 1990; Margolin et al., 2001; Mertin & Mohr, 2002). Ongoing deprivation of attuned parental thought that accompanies entrenched conflict can be as damaging for children as is the witnessing of parental conflict (McIntosh, 2002).

How does this look clinically? Rachel is described by her teachers as jumpy, over-reactive, not able to screen things out. They can't understand it – she is attractive, bright, but she can't cope with school life. She has no resources to deal with playground politics – a tiff sends her into an inward rage that lasts for days on end. She has begun avoiding her classmates because that's easier. She responded to even mild conflict story stems with a sense of mounting panic, and could not think logically about pathways for resolution.

And Jack – I rarely saw Jack without being struck by his constant physical tension – his shoulders were always level with his ears, and I often thought he would kick a hole in the carpet beneath his seat, with a constant agitated kicking of his foot. He wore his label of "trouble-maker" like a badge, and found it hard to relate to me when I chose to ignore it.

The threshold at which risk occurs in each family is unknown (Kelly, 2000). It is known that the pathway for a child through his or her particular conflict separation experience is modified by a number of variables. These are reviewed separately below.

History, frequency, and type of conflict. The magnitude of parental fighting has a strong influence on children's adjustment. We know that:

- Intensity of conflict is a better predictor of adjustment than separation and divorce per se (Cummings & Davies, 1994).
- Impacts of pre- and postseparation conflict are accumulative, and historical context is vital to understanding current impacts (Cummings & Davies, 2002).
- Children's poor adjustment, parental conflict, and unsupportive parenting processes can predate separation itself, by up to 11 years (Grych & Fincham, 2001; Shaw, Emery, & Tuer, 1993);
- Frequency interacts with other dimensions of conflict, for example, intensity, severity, or destructiveness, and the message or meaning of parents' arguments (Cummings & Davies, 2002; Jouriles et al., 1991).
- For boys and girls, in married and divorced families, Beuhler et al. (1998) found that overtly hostile styles of conflict (physical and verbal) are more strongly associated with clinical behaviours than either covert styles or frequency of conflict.
- Covert conflict (unspoken tension, resentment, triangulation) is linked with internalising behaviours (depression, anxiety, withdrawal) (Buehler, 1998; Bolger & Patterson, 2001).
- Children's distress is reduced according to the degree to which the conflict is resolved (Cummings & Davies, 2002).
- Children are less distressed by nonresolution when parents are optimistic about the ultimate outcomes of conflict (Cummings & Wilson, 1999).

Ongoing conflict between parents emerges as the most important of these factors (Buchanan & Heiges, 2001). As early as the first year following parental separation, children fare better when conflict is reduced rather than when conflict remains high (Kitzmann & Emery, 1994; Long, Slater, Forehand, & Fauber 1998). Lasting impacts on children of unresolved parental conflict can be traced into their adulthood (Dube, Anda, Felitti, Edwards, & Williamson, 2002).

Impacts occur through two processes: (a) direct impact where a child observes, is party to, and may become involved in the parental conflict, and (b) indirect

impacts where parental conflict influences the child through alternative mechanisms which affect family functioning (Kitzmann, 2000).

Intensity and frequency are not the salient factors in the witnessing of domestic violence – a single exposure to parental violence can result in trauma of diagnostic proportions (Ayoub et al., 1999). In a 12 year longitudinal study, Amato (1999) found parental violence related to young adults' low satisfaction with life, poor self-esteem, less closeness to mother, more psychological distress, and more violence in their own relationships (by 189%). The strongest predictors of emotional distress in children are the combination of exposure to domestic violence and maltreatment by parents (Ayoub et al.).

Persistent conflict and parenting post divorce. A good relationship with one and preferably two parents can buffer the impacts of separation/divorce (Buchanan & Heiges, 2001). The pathway between high marital conflict and child outcomes is shaped by the type of parenting that the child receives postseparation and the quality of the parent-child relationship, in divorced and intact families (Grych & Fincham, 2001).

Some conflict is a normative part of postdivorce parenting, indeed parenting of any kind (King & Heard, 1999). Persistent conflict between spouses pervasively undermines the quality of their parenting, their affective response to their children, and styles of discipline (Fincham, Grych, & Osborne, 1994; Krishnakumar & Beuhler, 2000). A further spillover of negative affect between parent and child is common (Kerig, 2001), with negative parenting behaviours associated with a myriad of child outcomes, specifically poorer social awareness, poor self-awareness, and social withdrawal. Conversely, parental warmth plays a vital role in buffering the impact of conflict, even high conflict, as does resolution of conflict (Cummings & Davies, 1994, Emery, 1999).

Longitudinal research by Buchanan, Maccoby, and Dornbusch (1996) provides important information about the conditions of postdivorce family life associated with adjustment in adolescents. A strong predictor of child wellbeing in this study was an environment that reduced daily stress for the adolescent, through consistency of rules, routines, and expectations within the household, and quality of parental monitoring. High levels of interparental conflict were linked to lower adjustment, particularly in the area of depression and reduced effort at school. The study found triangulation of the child within the parental conflict was the most destructive element for adolescents and was most likely to occur for those adolescents who felt least close to both parents. Those who were closest to parents were least likely to feel caught between them.

Research also indicates that parental acceptance and consistency of discipline, in particular, provide vital protective buffers against the stressors associated with divorce (Wolchuk, Wilcox, Tine, & Sandler, 2000). Children with the greatest

adjustment problems experience many stressors but report minimal maternal resources (Kitzmann, 2000; Wolchuk et al.). These parenting domains may be valuable in terms of identifying at risk children.

In their longitudinal study, Karz and Gottman (1997) found that parental warmth and praise, with low levels of derogatory comments about the other parent, completely buffered children from negative outcomes of academic difficulty, emotional regulation problems, negative peer relationships, and child physical illness. The authors refer to these capacities as the emotional "scaffolding" that parents are able to provide their children.

Paternal involvement. The fathering role appears to be more consistently altered by marital conflict than the mothering role (Coiro & Emery, 1998). This research suggests that the fathering role remains more tenuous and less well-defined socially than the mothering role, and more subject to the disruption and disorganisation that marital conflict brings. Withdrawal of the mother from facilitating situations that enhance the father-child relationship is a key variable here.

The extent to which fathers' involvement impacts on child adjustment after divorce is related, as always, to a complex web of variables. However, clear patterns are emerging in the research. Conflict again plays a key role: when parent conflict postdivorce is low, increased father involvement appears to be closely associated with better child outcomes. (Amato & Rezac, 1994).

Rachel's father was pivotal to her sanity, and yet in order to see him, she had to cross the minefield of her mother's wrath, and was harbed at every point. She needed the space in her father's mind that remained there for her, alone. She needed the kind of thought that he could give. These were properties of her relationship with her father that her mother, at that time, found hard to acknowledge.

A meta analysis of 63 studies of father involvement (Amato & Gilbreth, 1999) provided food for thought. Children's economic and general wellbeing, and enhanced health status and educational attainment was linked to the timely payment of child support, to fathers' close emotional bonds with their children, and an authoritative parenting style.

Fathering behaviours commonly associated with high conflict families include withdrawal from their parenting role and more negative and intrusive behaviours with children. A higher incidence of depression is common in this group of men (Doherty, 1998; Pleck, 1997; Vandewater & Landsford, 1998).

In the United States, Braver (1998) found that 8 to 25 % of children have no contact with their father 2 to 3 years after divorce (an improvement over the past two decades), although Kelly (2000) observed that contact continues to decrease over time, with relocation, remarriage, and continuing conflict. We know that child adjustment and quality of relationship are far better when fathers are involved in

meaningful activity in their children's lives, not just weekend entertainment (Amato & Gilbreth, 1999). Yet, as Amato and Gilbreth suggested, access arrangements have disadvantaged many fathers in denying a context for meaningful and authoritative parenting. Standard contact arrangements in Australia, such as every second weekend, are likely to diminish a father's role in a child's life, and with this, the likelihood of their ongoing financial support of the child.

In isolation, fathers' increased contact with children is not thought to produce better outcomes for children. From their longitudinal sample, Wallerstein and Lewis (1998) found that no subjects who saw their father under a rigidly imposed court order or unmodified parental agreement, reported having a good relationship with him after reaching adulthood. No-one has a definitive response to the question of when the effects of interparental conflict outweigh the benefits of maintaining an ongoing relationship with each parent (Lamb, Sternberg, & Thompson, 1997). Although high conflict makes frequent contact risky for children, the effect depends on the quality of relationship between child and visiting parent and the way conflict is handled (Buchanan & Heiges, 2001).

Previous research has shown that the first year after separation is critical to the long-term maintenance of the parent-child relationship. Madden-Derdich (2000) found that, in the first year post divorce, the most significant predictors of continued parental interaction were the level of support which the father received from his ex spouse and the father's self-satisfaction with his parenting.

Ongoing Conflict and the Alienated Child

To the literature on the impacts of extreme, protracted conflict, Kelly and Johnston (2001) have contributed a key reformulation of parental alienation syndrome. They highlighted ongoing parental conflict as a chief protagonist in the creation of the alienated child, within a complex web of factors. Particular risk occurs when children are used in the expression of marital conflict, pulled into the marital conflict as "major players in a Greek chorus . . . The intensity of the conflict, its burdensome presence for one or more years, the polarization of extended family and larger community and the failure of parents to address their children's needs combine to create intolerable anguish, tension, and anger for children" (p. 256).

As Rachel said, "Mum told me to ring Dad the other night, to tell him that only a bloody idiot of a parent would expect me to miss school so that I could go away with him. She does it all the time, and he's started now too. He gave me this letter for Mum the other day. I read it. I couldn't believe what he was saying. It was like poison. I just had to throw it away, and never told Mum I had it. At school, we get detention for sending hate mail. What do they get?"

One psychological resolution for the child is to diminish the feeling of being torn apart by rejecting the "bad" parent and ceasing contact.

Sib-ship: Buffering the Impacts of Conflict

Key buffers to parental conflict identified in the research include good sibling relationships (Masten & Coatsworth, 1998). Caya and Liem (1998) found that sibling support ameliorates the negative impact of parental conflict on self-esteem, competence, social skill and global self-worth. Buchanan et al. (1996) found that only 10% of siblings lived separately at 18 months after the divorce, but 3 1/2 years after, the incidence was 35%. Quality of interaction rather than proximity appears important to the provision by siblings of meaningful support, of a type not rendered by peers.

Jack's phone-calls to Rachel out of the blue stayed with her; she continued to feel accompanied by him at a level that only they understood.

Psychological Robustness and Vulnerability

Conflict translates into different outcomes for different children. Kelly (2000) concluded from her meta-analysis that research supports the view that the long-term outcome of divorce for the majority of children is resilience, rather than dysfunction. However, this type of finding, taken out of context, can be extremely misleading.

The concept of resilience applied to this population is not straightforward, and deserves some unpacking (Hughes, Graham-Bermann, & Gruber, 2002). Resilience has been described as "demonstrated competence in the face of challenges to adaptation or development" (Masten & Coatsworth, 1998). Overly simplistic working definitions tend to view resilience as the opposite of risk. Resilience is relative, not absolute, and changes with differing stressors. A host of protective factors, intrinsic and extrinsic to the child, interact with sources of risk, reducing the probability of negative outcomes for children in stressful situations.

Individual factors that buffer stress include: intelligence, easy going temperament, specific talents, physical attractiveness, child's interpretation of events, and ability to respond effectively when confronted with stressful situations (Masten & Coatsworth, 1998). Key environmental buffers include emotionally supportive and responsive caretaking from parents and significant other adults, good sibling relationships, activities that give the child a sense of efficacy, success, and reinforcement.

Even in the presence of such factors, resilience does not come effortlessly, and is not without cost. A child can adapt in certain areas; for example, the child may appear behaviourally to be adjusting well, while feeling taxed in other areas, particularly the less visible arenas of self and self-other relations (McIntosh, 2002).

Pedro-Carroll (2001) examined opportunities for reducing risk and fostering the psychological wellbeing of children and families through research, evidence-based interventions and proactive social policy, emphasising the need for building behavioural and social-emotional competencies in children who experience high conflict divorce. In short, resilience becomes a helpful notion only when we stop assuming it, and look instead at our role in creating it.

Conclusion

The findings summarised here are unequivocal, and unapologetic regarding parental conflict and impacts on child development. Yes, children are strong, yes, development is robust, no, divorce does not have to be damaging, yes, parents basically want the very best for their children; and, yes, enduring parental conflict places the odds against all children, in all families.

Powerful as it is, this research will only have impact if our collective practice and policies are mobilised by it. Continuing to practice in ways that do not actively create a child focus can no longer be regarded as good practice in primary dispute resolution. Over time, it is hoped that this research will inspire more practices to abandon the safety of conventional models and to prioritise the psychological wellbeing of children. In this way, research provides a foundation for building the kind of dispute resolution climates in which children's development and fortitude can be supported, and not further challenged.

References

- Adamson, J.L., & Thompson, R.A. (1998). Coping with inter-parental verbal conflict by children exposed to spouse abuse and children from non-violent homes. *Journal of Family Violence, 13*(3), 213-233.
- Amato, P.R. (1999). Children of divorced parents as young adults. In E.M. Hetherington (Ed.), *Coping with divorce, single parenting and remarriage: A risk and resiliency perspective* (pp. 147-164). Mahwah, NJ: Erlbaum.
- Amato, P.R. (2000). The consequences of divorce for adults and children. *Journal of Marriage and the Family, 62*, 1269-1287.
- Amato, P.R., & Booth, A. (1997). *A generation at risk: growing up in an era of family upheaval*. Cambridge, MA: Harvard University Press.
- Amato, P.R., & Gilbreth, J.G. (1999). Non-resident fathers and children's wellbeing: a meta-analysis. *Journal of Marriage and the Family, 61*, 557-573.
- Amato, P.R., & Rezac, S. (1994). Contact with residential parents, inter-parental conflict, and children's behaviour. *Journal of Family Issues, 15*, 191-207.
- Ayoub, C.C., Deutsch, R.M., & Maraganore, A. (1999). Emotional distress in children of high-conflict divorce: the impact of marital conflict and violence. *Family and Conciliation Courts Review, 37*(3), 297-314.
- Block, J., Block, J., & Gjerde, P. (1986). The personality of children prior to divorce. *Child Development, 57*, 827-840.
- Bolger, K.E., & Patterson, C.J. (2001). Pathways from child maltreatment to internalising problems: Perceptions of control as mediators and moderators. *Development and Psychopathology, 13*, 913-940.
- Boris, N., & Zeanah, C. (1999). Disturbances and disorders of attachment in infancy: an overview. *Infant Mental Health, 20*(1), 1-9.
- Braver, S.L. (1998). *Divorced dads: Shattering the myths*. New York: Tarcher/ Putnam.

- Buchanan, C., & Heiges, K. (2001). When conflict continues after the marriage ends: effects of post-divorce conflict on children. In J.Grych & F.Fincham (Eds.), *Interparental conflict and child development* (pp. 337-362). New York: Cambridge University Press.
- Buchanan, C.M., Maccoby, E.E., & Dornbush, S.M. (1996). *Adolescents after divorce*. Cambridge, MA: Harvard University Press.
- Buehler, C., Keishnakumar, A., Stone, G., Anthony, C., Pemberton, S., Gerard, J., & Barber, B.K. (1998). Interparental conflict styles and youth problem behaviours: a two-sample replication study. *Journal of Marriage and the Family, 60*, 119-132.
- Caya, M.L., & Liem, J.H. (1998). The role of sibling support in high-conflict families. *American Journal of Orthopsychiatry, 68*(2), 327-333.
- Cherlin, A.J., Chase-Lansdale, P.L., & McRae, C. (1998). Effects of divorce on mental health throughout the life course. *American Sociological Review, 63*, 239-249.
- Coiro, M.J., & Emery, R. (1998). Do marriage problems affect fathering more than mothering? A quantitative and qualitative review. *Clinical Child and Family Psychology Review, 1*, 23-40.
- Crockenberg S., & Langrock, A. (2001). The role of emotion and emotional regulation in children's responses to interparental conflict. In J.Grych & F.Fincham (Eds.), *Interparental conflict and child development* (pp.129-156). New York: Cambridge University Press.
- Cummings, E.M., & Davies, P. (1994). *Children and marital conflict: the impact of family dispute and resolution*. New York: The Guilford Press.
- Cummings, E.M., & Davies, P. (2002). Effects of marital conflict on children: recent advances and emerging themes in process-oriented research. *Journal of Child Psychology and Psychiatry, 43*(1), 31-63.
- Cummings, E.M., Davies, P., & Simpson, K. (1994). Marital conflict, gender, and children's appraisal and coping efficacy as mediators of child adjustment. *Journal of Family Psychology, 8*, 141-149.
- Cummings, E.M., & Wilson, A.G. (1999). Contexts of marital conflict and children's emotional security: Exploring the distinction between constructive and destructive conflict from the children's perspective. In M. Cox & J. Brooks-Gunn (Eds.), *Formation, functioning and stability of families* (pp. 105-129). Mahwah, NJ: Erlbaum.
- Davies, P.T., & Lindsay, L. (2001). Does gender moderate the effects of conflict on children? In J. Grych & P. Fincham (Eds.), *Inter-parental conflict and child development* (pp. 64-97). New York: Cambridge University Press.
- Deacon-Wood, H., & McIntosh, J. (2002). *Education and group interventions for separated parents in conflict: A review of research and leading programs*. A publication of the Children in Focus Program, La Trobe University, Bundoora, Victoria, Australia.
- De Bellis, M.D. (2001). Developmental traumatology: The psychobiological development of maltreated children and its implications for research, treatment, and policy. *Development and Psychopathology, 13*, 539-564.
- Dixon, C., Charles, M.A., & Craddock, A.A. (1998). The impact of experiences of parental divorce and parental conflict on young Australian adult men and women. *Journal of Family Studies, 4*(1), 21-34.
- Doherty, W.J. (1998). Responsible fathering: an overview and conceptual framework. *Journal of Marriage and the Family, 60*, 277-292.

- Dube, S.R., Anda, R.F., Felitti, V.J., Edwards, V.J., & Williamson, D.F. (2002). Exposure to abuse, neglect, and household dysfunction among adults who witnessed intimate partner violence as children: Implications for health and social services. *Violence and Victims, 17*(1), 3-17.
- El-Sheikh, M., & Harger, J. (2001). Appraisals of marital conflict and children's adjustment, health, and physiological reactivity. *Developmental Psychology, 37*(6), 875-885.
- Emery, R. (1999). *Marriage, divorce and children's adjustment*. (2nd ed.) Bvesley Hills, CA: Sage.
- Fincham, F.D., Grych, J.H., & Osborne, L.N. (1994). Does marital conflict cause child maladjustment: directions and challenges for longitudinal research. *Journal of Family Psychology, 8*, 128-140.
- Finkelhor, D., & Kendall-Tackett, K. (1997). A developmental perspective on the childhood impact of crime, abuse and violent victimisation. In D. Cicchetti & S.L. Toth (Eds.), *Rochester Symposium on Developmental Psychopathology: Vol. 8. Developmental perspectives on trauma: theory, research and intervention* (pp. 1-12). Rochester, NY: University of Rochester.
- Funder, K. (1996). *Citizen child: Australian law and children's rights*. Melbourne: The Australian Institute of Family Studies.
- Grych, J., & Fincham F. (2001). *Inter-parental conflict and child development*. New York: Cambridge University Press.
- Harrist, A., & Ainslie, R. (1998). Parental discord and child behaviour problems. *Journal of Family Issues, 19*, 140-163.
- Hughes, H.M., Graham-Bermann, S.A., & Gruber, G. (2002). Resilience in children exposed to domestic violence. In S.A. Graham-Bermann, & J.L. Edleson, (Eds.) *Domestic violence in the lives of children: The future of research, intervention, and social policy* (pp. 67-90). Washington, DC: American Psychological Association.
- Jaffe, P., Hurley, D., & Wilson, D. (1990). Children's observations of violence: Critical issues in child development and intervention planning. *Canadian Journal of Psychiatry, 35*, 466-470.
- Jaffe, P., Wolfe, D., & Wilson, S. (1990). *Children of battered women*. Newbury Park, Sage.
- Jenkins, J.M., & Buccioni (2000). Children's understanding of marital conflict and the marital relationship. *Journal of Child Psychology and Psychiatry, 41*(2), 161-168.
- Johnson, H., La Voie, J.C., & Mahoney, M. (2001). Inter-parental conflict and family cohesion: predictors of loneliness, social anxiety and social avoidance in late adolescence. *Journal of Adolescent Research, 16*(3), 304-318.
- Johnston, J. (1998). *Developing and testing a group intervention for families at impasse*. Unpublished report, Center for the Family in Transition, California, USA.
- Johnston, J. (1997, August). What mediators need to know about children of conflicted and violent families. Paper presented at the Fourteenth Annual Conference of the American Academy of Family Mediators: Cape Cod, USA.
- Johnston, J.R., Gonzalez, R., & Campbell, L.E. (1987). Ongoing post-divorce conflict and child disturbance. *Journal of Abnormal Child Psychology, 15*, 497-509.
- Jouriles, E.N., Bourg, W.J., & Farris, A.M. (1991). Marital adjustment and child conduct problems: a comparison of the correlation across sub-samples. *Journal of Consulting and Clinical Psychology, 59*, 354-357.
- Katz, L.P., & Gottman, J.M. (1997). Buffering children from marital conflict and dissolution. *Journal of Clinical Child Psychology, 20*, 434-438.
- Kelly, J.B. (2000). Children's adjustment in conflicted marriage and divorce: A decade review of research. *Journal of the American Academy of Child and Adolescent Psychiatry, 39*, 963-983.
- Kelly, J.B., & Johnston, J.R. (2001). The alienated child: a reformulation of parental alienation syndrome. *Family Court Review, 39*(3), 249-266.
- Kerig, P. (1998). Gender and appraisals as mediators of adjustment in children exposed to inter-parental violence. *Journal of Family Violence, 15*, 345-363.
- Kerig, P. (1999). Gender issues in the effects of exposure to violence on children. *Journal of Emotional Abuse, 2*, 87-105.
- Kerig, P. (2001). Children's coping with inter-parental conflict. In J. Grych & F. Fincham (Eds.), *Inter-parental conflict and child development* (pp. 213-248). New York: Cambridge University Press.
- King, V., & Heard, H.E. (1999). Non-resident father visitation, parental conflict, and mother's satisfaction: what's best for child well-being? *Journal of Marriage and the Family, 61*, 385-396.
- Kitzmann, K.M., & Emery, R. (1994). Children and family coping one year after mediated and litigated child custody disputes. *Journal of Family Psychology, 8*, 150-157.
- Kitzmann, K.M. (2000). Effects of marital conflict on subsequent triadic family interactions and parenting. *Developmental Psychology, 36*(1), 3-13.
- Krupp, J. (1994). *A phenomenological approach to the reconciliation fantasy of the child of divorce*. Unpublished doctoral dissertation, Graduate School of Liberal Arts and Sciences, Duquesne University, Pittsburgh, USA.
- Krisnakumar, A., & Buehler, C. (2000). Inter-parental conflict and parenting behaviours: A meta-analytic review. *Family Relations, 49*, 25-44.
- Lamb, M.E., Sternberg, K.J., & Thompson, R.A. (1997). The effects of divorce and custody arrangements on children's behaviour, development and adjustment. *Family and Conciliation Courts Review, 4*, 393-404.
- Levendosky, A.A., & Graham-Bermann, S.A. (2001). Parenting in battered women: The effects of domestic violence on women and their children. *Journal of Family Violence, 10*(2), 171-192.
- Lieberman, A., & Van Horn, P. (1998). Attachment, trauma and domestic violence: implications for child custody. *Child Adolescent Psychiatric Clinic of North America, 7*, 423-443.
- Long, N., Slater, E., Forehand, R., & Fauber, R. (1988). Continued high or reduced inter-parental conflict following divorce: Relation to young adolescent adjustment. *Journal of Consulting and Clinical Psychology, 56*, 467-469.
- Madden-Derdich, D.A., & Leonard, S.A. (2000). Parental role identity and fathers' involvement in co-parental interaction after divorce: fathers' perspectives. *Family Relations, 49*(3), 311-318.
- Main, M., & Cassidy, J. (1988). Categories of response to reunion with the parent at age six: predictable from infant attachment classifications and stable over a one month period. *Developmental Psychology, 24*(3), 415-426.
- Margolin, G., Oliver, P., & Medina, A. (2001). Conceptual issues in understanding the relation between inter-parental conflict and child adjustment: integrating developmental psychopathology and risk/resilience perspectives. In J. Grych & F. Fincham (Eds.), *Inter-parental conflict and child development* (pp. 9-38). New York: Cambridge University Press.

- Masten, A.S., & Coatsworth, J.D. (1998). The development of competence in favourable and unfavourable environments: lessons from research on successful children. *American Psychologist*, 53, 205-220.
- McIntosh, J. (2002). Thought in the face of violence: A child's need. *Child Abuse and Neglect*, 26, 229-241.
- McLanahan, S.S. (1999). Father absence and children's welfare. In E.M. Hetherington (Ed.), *Coping with divorce, single parenting and remarriage: A risk and resiliency perspective* (pp.117-145). Mahway, NJ: Erlbaum.
- McLanahan, S.S., & Sandefur, C. (1994). *Growing up with a single parent: What hurts, what helps*. Cambridge, MA: Harvard University Press.
- McCloskey, L.A., & Stuewig, J. (2001). The quality of peer relationships among children exposed to family violence. *Development and Psychopathology*, 13, 83-96.
- McLoyd, V., Harper, C., & Copeland, N.K. (2001). Does gender moderate the effects of marital conflict on children? In J. Grych & F. Fincham (Eds.), *Interparental conflict and child development* (pp. 9-38). New York: Cambridge University Press.
- Medina, A.M., Margolin, G., & Wilcox, R.R. (2000). Family hostility and children's cognitive processes. *Behavior Therapy*, 31, 667-684.
- Mertin, P., & Mohr, P. (2002). Incidence and correlates of posttrauma symptoms in children from backgrounds of domestic violence. *Violence and Victims*, 17, 5.
- Pedro-Carroll, J. (2001). The promotion of wellness in children and families: challenges and opportunities. *American Psychologist*, 56(11), 993-1004.
- Pleck, J.H. (1997). Paternal involvement: Levels, sources, and consequences. In M.L. Lamb (Ed.), *The role of the father in child development*. (3rd ed.). New York: Wiley.
- Roseby, V. (1995). Uses of psychological testing in a child focussed approach to child custody evaluations. *Family Law Quarterly*, 29(1), 97-110.
- Shaw, D.S., Emery, R., & Thier, M. (1993). Parental functioning and children's adjustment in families of divorce: a prospective study. *Journal of Abnormal Child Psychology*, 21, 119-134.
- Vandewater, E., & Lansford, J. (1998). Influences of family structure and parental conflict on children's well-being. *Family Relations*, 47, 323-330.
- Wallerstein, J.S., & Lewis, J. (1998). The long-term impact of divorce on children: A first report from a 25 year study. *Family and Conciliation Courts Review*, 36(3), 368-383.
- Wolchik, S.A., Wilcox, K.L., Tein, J. X., & Sandler, I.N. (2000). Maternal acceptance and consistency of discipline as buffers of divorce stressors on children's psychological adjustment problems. *Journal of Abnormal Child Psychology*, 28(1), 87-102.
- Zeanah, C.H., Danis, B., Hirshberg, L., Benoit, D., Miller, D., & Heller, S.S. (1999). Disorganised attachment associated with partner violence: a research note. *Infant Mental Health Journal*, 20(1), 77-86.
- Zill, N., Morrison, D.R., & Coiro, M.J. (1993). Long-term effects of parental divorce on parent-child relationships, adjustment, and achievement in young adulthood. *Journal of Family Psychology*, 7(1), 91-103.

Children and the Sh Primary Dispute Re

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What follows is a guide for professionals with information relating to matters is practiced in presents a narrative pe of the Child (BIC), F legislative framework ; international and fede discussions and refere information. In additi researchers and practiti enhancing the voice of within which lawyers pr exhaustive, given the b likely to have.

KeyWords

Of all the types of disputes in system, it appears that those co common. A recent survey of Kingdom (UK) resort to legal separation-related conflicts res the frequency of the next categ 1999, p. 258). Therefore, Prim mediators, counsellors, and con relating to parental divorce or situations that have legal implica who are parents or with the chil with their clients' legal represent

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Child-Inclusive Divorce Mediation: Report on a Qualitative Research Study

Jennifer McIntosh

Research into the unique needs and interests of children in the light of parental separation has provided the impetus for many family law mediation practices to include children's voices in divorce mediation. This chapter describes a model of child-inclusive practice in family law mediation (McIntosh, 1998) and its pilot implementation in two diverse Australian contexts. Encouraging findings from the first group of families to work through the model are presented, indicating both anticipated and unanticipated gains for both children and parents.

Increasingly, dialogue around the need to represent children's interests in family law mediation is expanding and giving rise to practices that aim to "broaden the scope of divorce mediation" by actively addressing the needs of children (Beck and Blank, 1998). In some countries, notably the United States, a number of approaches to child conferencing in mediation have been established, ranging from one-time consultation models to more expansive and resource-intensive therapeutic mediation models (Johnston, 1997). However, for many practitioners, the pros and cons, whys, ifs, buts, probably nois, and why nois of directly consulting with children as part of the divorce mediation process remain contentious (Haynes, 1997; Gibson, 1998).

Australia's Family Law Reform Act 1995, implemented in June 1996, placed increased emphasis on the use of mediation for primary dispute resolution and clarified the mandate of mediators to address the best interests of children, their adjustment to parents' separation, and their unique needs as

Note: The model discussed in this article (McIntosh, 1998) was developed for research purposes by Jennifer McIntosh of Strategic Partners P/L in the context of a research project commissioned by the Commonwealth Department of Family and Community Services, Australia. All parties gratefully acknowledge Janet Johnston and the Centre for the Family in Transition for providing materials for modification and use within this project.

embodied in a parenting plan. The aim of these changes, as stated in section 60B(1) of the act, is "to ensure that children receive adequate and proper parenting to help them achieve their full potential and to ensure that parents fulfil their duties and meet their responsibilities concerning the care, welfare and development of their children."

A substantial research and evaluation project was undertaken to address the practice implications of the legislation (Strategic Partners, 1999). A national survey explored current methods of representing children's needs across family law-related counseling and mediation services. It revealed that only 4 percent of mediators had ever consulted with school-aged client children directly through the course of mediation.

On the basis of these results, the research agenda turned to formulating an identifiable approach to child-inclusive practice. The two agencies selected to participate in training implemented a four-month pilot project. Both agencies were part of the federally funded network of Family and Child Mediation Services, which operates independent of the Australian family court. Parents attend voluntarily and are usually represented by their own lawyers. In this pilot project, parents did not pay for the child consultation or associated work, but continued to pay for their own mediation sessions (usually three to four in total). To this end and in keeping with wider resource limitations in the field, a single-session child consultation model was designed, although many parents and children would have liked more time. The resulting data are from a small field of client families; however, the findings are telling and provide strong impetus for further dialogue and research.

Overview of the Model

The pilot model focused on a single individual consultation with school-aged children, conducted by a trained child interviewer who was not involved in the parents' mediation. Children did not attend their parents' mediation sessions and were never asked to make decisions related to the separation or access arrangements. Rather, they were given an opportunity through discussion, play, and drawings to explore what the separation had been like for them and their fantasies, fears, and wishes in relation to it.

Feedback was given at a separate session to parents and their mediators by the child interviewer, and mediators actively attempted to incorporate themes and issues from the child's feedback into the ongoing mediation. In this way, the model aimed to provide an opportunity for children's voices to be added to and to enrich the mediation process, to give children a chance to debrief, and to reinforce that a third agenda of the children's needs would be regarded equally in the mediation to the agendas of each parent.

Selection Criteria. Selection of children was based on the following criteria:

Child-Inclusive Divorce Mediation

Both parents agreed to the consultation. Both understood and agreed to the immunity of the child's material from court matters.

Children agreed to participate when asked by parents (and by the interviewer). Parents were willing with support to listen to and discuss the views of their children.

Each child was likely to benefit from the opportunity to talk. Children involved in therapy or counseling were considered case by case. The mediation consultation represented a single strategic conversation for a specific purpose that was not generally seen to detract from therapeutic work—and indeed could add to it. If parents or child felt that the consultation would interfere with or overload the child, it was not pursued. In the initial model, the level of parental conflict was not a determining factor for inclusion. Although most cases in the pilot sample tended to be within a low to moderate range of conflict, two high-conflict cases were included, including one shuttle mediation, with some very good outcomes from the child and parents' perspectives. (In very high-conflict cases, where the parties cannot or refuse to sit in the same room, a shuttle mediation process is employed, whereby the mediators move between the parties, who are in different rooms.)

Reason for referral was not a criterion. For example, parents presenting for property-only mediations were also offered the opportunity to review their decisions regarding their children.

Model Process. The overall process of the child-inclusive model had four stages.

Stage One: Early Focusing of Parents on Children's Needs. Early on and throughout the course of the mediation, mediators worked to enable parents to focus on and identify the needs of their children and the likely impact of decisions on them. At intake, developmental details about each child and specific concerns that either parent had about them in relation to the divorce were discussed. Parent education materials around the responses of children to separation and conflict were given at intake, together with an explanation of the agency's role in supporting parents to include their children's voices in the mediation.

Following the intake assessment and first mediation session, if mediators and parents appraised the situation as appropriate for consultation with the children, parents were asked to discuss this possibility with their children. Moderators carefully discussed with parents what feedback they could or could not expect from the child interview and how this information might be used throughout the mediation. This was an important phase of the work (informally called the contracting phase), and the child interview did not continue until both parents agreed to the limitations and the respect for

confidentiality involved in the interview. In some cases, a written agreement was used; in others, oral discussion only was required. Whether or not children were consulted, dialogue was encouraged in the mediation process about parents' views of their children's needs, ways of speaking to their children about the separation, and the decisions they were trying to reach.

Stage Two: Consulting Directly with Children. School-age children were seen by mediators who were specifically trained and supervised by a clinical child psychologist to conduct this consultation. All child interviewers were from social science backgrounds and had prior experience in working therapeutically with children.

For the purposes of the research pilot, there was a one-time session with children, lasting between sixty and seventy-five minutes. When sibling groups attended, all children were initially seen together, with each child then given an opportunity to speak to the interviewer alone. The consultation occurred between the first and second mediation sessions. Subsequent to the pilot, child interviews are now incorporated in a more fluid fashion and may occur over more than one session or may involve a follow-up session with the child at the conclusion of the mediation process.

Contracting with children was done carefully to ensure that they understood the boundaries of the session, including confidentiality and feedback to parents. The interviewer explained that he or she would talk to the child's parents about how the child generally seemed to be handling the family changes, but would not discuss anything in particular that the child did not wish to be repeated. Through play, drawings, and discussion, the child consultant explored the child's response to the family's situation and the child's hopes, wishes, and fears. Each child was encouraged to consider any information that she or he specifically wanted the mediator to share with the parents or any questions the child wanted the mediator to pass on about the separation or the mediation.

The session may sound deceptively simple, but it is not. It required of the interviewer considerable clinical skill in putting children at ease, enabling them to talk, handling distress, and understanding the complex material that the children presented. Interviewers discussed coping strategies with children when it seemed appropriate.

Stage Three: Feeding the Child's Needs and Views to the Mediation. The child interviewer was briefed by mediators prior to meeting with the parents in order to understand dynamics that might bear on the parents' ability to "hear" what was said. In most cases, feedback was to both parents together, although in the case of one shuttle mediation, it was given separately. The child interviewer discussed both his or her general assessment of the impact of the separation on the child and the child's current needs with respect to the separation, together with any specific issues or questions the child had wanted raised. Just as each parent's opening statement about his or her own needs was recorded on a whiteboard at the outset of the mediation, so the child's feedback was recorded as a third statement to be addressed in the process and remained in clear,

written format throughout parents' sessions. If the child interviewer saw a need for ongoing counseling or some other input, such as specialist assessment or school-based support, this was discussed and an appropriate referral given.

This area of feedback required considerable skill and sensitivity by the consultant in talking together with parents in a way that facilitated thought about the child and did not overwhelm the parents. Since the conclusion of the pilot, child consultants now vary their involvement with parents, sometimes providing time for individual discussions with each parent or staying on for a further mediation session. Both provide an extended supportive space for parents to reflect on their conflict through their child's eyes and to consider the way in which their children's unique needs might best be met through a parenting agreement.

Stage Four: Integrating the Child's Needs and Views into Negotiations. Following the child feedback session, the child consultant left, and mediators continued the mediation, incorporating the child's agenda into it. If agreements were reached, the resulting parenting plan identified in some detail the needs of each child and the manner in which the parents agreed to address them. This stage foreshadowed developmental changes as the children grow older and the likelihood that plans would need review in the light of the children's changing needs. Finally, parents were encouraged to share the results of the mediation with the children.

Training in the Child-Inclusive Mediation Process. Staff from the two participating agencies came together for an initial day-long workshop to go through the model and research design, with a second training day for child interviewers. Although only social science professionals with prior experience working with children were trained to consult with children directly, all staff were briefed about the child interview and feedback to parents and incorporation of the feedback into the ongoing mediation.

Training for child interviewers covered rapport building, clarifying expectations, use of family drawings and projective material, confirming what was to be communicated to parents, and ensuring the child felt supported and reassured by the process. Follow-up group supervision and consultations were provided.

Staff in this pilot concluded that training would best occur in a series of sessions over time, alongside close supervision of cases in progress. Subsequent to the pilot, a full two-day training program for new child interviewers has proved worthwhile. Clearly mediators without child-specific training who might want to consult in this way would require extensive training and support.

The Research

This section outlines the research design and major findings from this pilot study.

Design. All parents with school-aged children attending for mediation over a four-month period were screened for participation in this pilot. Of those

who met the criteria, the take-up rate was 80 percent. Families who declined cited the following reasons:

They saw no need for outside help. They said they had good communication with their former partner and children.

They preferred any discussions to remain within the family.

They wanted to protect the children from knowing what was happening.

A parent declined.

The child declined.

The children were already seeing a counselor about the separation.

Research Interviews. Thirteen families who completed the child-inclusive mediation process were studied in detail for this research pilot. Personal interviews in the family home or one of the parent's place of residence occurred between eight and ten weeks after the parents had received feedback from the children's session. Twenty-two parents and seventeen children were interviewed. Three parents could not be contacted. One father declined to be interviewed due to a recent trauma.

A child psychologist conducted semistructured research interviews with the children from the pilot sample. Interviews took place in a room of their choice at their family home, with sibling groups together and time for each child to speak privately. The research interview used a brief multiple-choice questionnaire but relied mainly on projective drawings and stories about the child's experiences of the child mediation consultation and the outcomes of their parents' mediation.

The residential parent was interviewed concurrently by a second researcher in another room using a semistructured interview format and a written questionnaire. The nonresidential parent was interviewed in his or her home or occasionally by telephone (at the parent's request) using the same interview and questionnaire format as for the residential parent. The interview covered parents' views on the impact of their conflict on their children, the parents' views on the efficacy of the mediation process for their children, and the relative success of the mediation process for resolving conflict about the children.

The children and their parent joined together with both researchers after the sessions to answer any questions or talk about any feelings aroused by the discussions.

Contrast Sample. As a substudy to the main pilot, a contrast group of thirty-seven parents whose children were not offered a child consultation were surveyed with the same questionnaire and a modified written form of the interview. These families were matched for number and age of children, length of separation, perceived severity of the children's response to the parental separation, residence, and extent of parental conflict over parenting arrangements. The purpose was to contrast the parents' views on the efficacy of "mainstream" (that

is, consultation with parents only) versus child-inclusive mediation in being able to have a positive effect on parenting agreements and aspects of the children's short-term adjustment to the parental conflict and the separation process.

Results

The results are from one metropolitan agency over the four-month pilot phase (the other agency did not recruit a sample until further into the project, and their data were not available for this analysis). By the end of the trial period:

Twenty-six parents from thirteen families had completed mediations using this child-focused model.

Twenty-eight children (twelve girls and sixteen boys) were consulted, with their ages ranging from four to seventeen.

Nine couples were separated for fewer than six months, and four between six and twenty-four months.

In two families, the father was the resident parent.

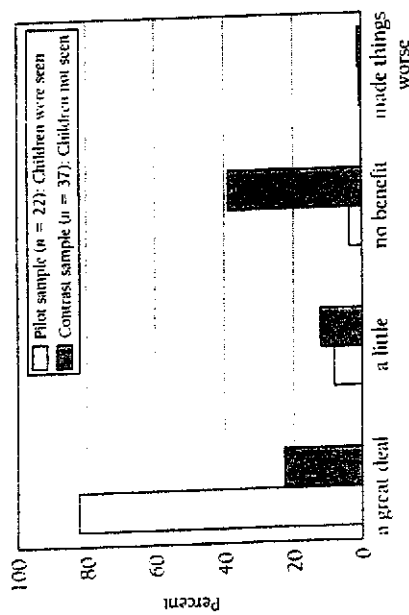
Parents in the sample reported the following reasons for attending mediation: property and finances (the reasons cited by eight parents), child arrangements (cited by six parents), and both (cited by eight parents).

Parents' Feedback. Twenty of the twenty-two parents in this pilot (91 percent) reported significant worry about the impact of their dispute on their children at the time of beginning mediation. Findings from the contrast survey subsample of thirty-seven parents whose children were not offered a consultation were similar: 85 percent of these parents reported significant worry about their children at the time of going to mediation. Despite similar levels of initial worry, parents' views on the short-term benefits (within three months) to their children of the overall mediation differed markedly, depending on whether the children had been seen directly.

Most clearly, parents from the child-inclusive sample reported that their children had gained something from the mediation process, regardless of the parents' views on mediation outcomes. Principally, they saw children as having had a chance to "off-load," share, find some solutions for coping with the parents' conflict, have their questions listened to, and feel they had been heard. These parents also talked about the positive impacts of their own attempts to talk with their children arising from the mediation process and the important secondary gains to the children of their resolved conflicts.

Parents from the contrast sample whose children were not seen described similar secondary gains of resolved conflict, although their children had not gained directly from the chance to talk privately or to contribute to the mediation process. More parents from this contrast group reported that the children did not gain in any way from mediation and overall rated the benefit of mediation to their children as much lower than did the pilot sample. Figure 1

Figure 1. Parents' Views on Overall Benefit of Mediation to Children



summarizes responses to the question, "Overall, to what extent do you believe your child benefited from the mediation?"

Whereas 42 percent of parents whose children had not been seen reported no short-term gain for their children from the mediation process, only 4 percent of the pilot sample reported this result. In three of these pilot families, the parent who reported no gain had been personally unhappy with the outcome of the mediation. However, the child's other parent in each case thought that the child benefited directly, as did the child.

The kinds of benefits that parents in the pilot sample identified highlighted a sense of relief in their children, of having "a lighter load," and frequently leading to more open communication with parents following the child interview, as illustrated in the following comments:

They both came out happy—they were more themselves than they had been in ages.

He was more open afterward and bubbly, and ever since he's shown more insight into it all and understanding of what's going on.

She wanted to go back again. She had a chance to express how she saw things in a nonthreatening environment where she could even have fun.

It was invaluable for our son to have a place to debrief. Afterward, he breathed a huge sigh of relief.

Many parents and children commented that it was useful for the children to talk in the presence of their siblings—for example, "They needed to let each

other know what they thought about us splitting up." Several parents thought their own conflict and distress at the time made it opportune for someone outside the situation to listen to the children:

They felt they could talk with this person without putting either of us down.

The kids felt they had to edit what they say to us, but not to them.

The kids need to understand things that we haven't been very good at explaining to them.

Interestingly, all parents who attended initially for "property only" reasons were pleased to have a chance to review their plans for the children and commented favorably on the outcomes for themselves and their children. Half believed that the outcomes regarding the children had in fact been more successful than property outcomes, and half reported that the process of coming together as parents helped them to move on to resolve property disputes in a more cooperative manner.

Only one of the twenty-two parents experienced the process of her children seeing her as personally difficult. This mother felt that her children had not been honest in saying that they wanted to continue to see their father. In saying they did, it meant she had to continue to have contact with her former partner, which she had hoped not to.

Some parents reported feeling guilty and anxious at what the children might say, but were generally reassured by the feedback they received, as reflected in these comments:

Any sort of communication from the kids would have been helpful and the mediator was able to get this going [nonresidential father].

They were totally honest, and I couldn't believe the difference it made. I wasn't worried about it because we weren't in the headspace to really be there for the kids, and here was someone offering to help. It was great [residential mother].

I was all for it when I heard about it. He won't come and talk about things with me, but I knew he'd have questions and concerns of his own [residential father].

The whole of the mediation was an emotional experience, but the kids' being seen was painless [residential mother].

I thought it was fantastic that he was treated with the same respect as we were. Going to counseling would have singled him out as having problems. Being part of the mediation was acknowledging that he was just trying to find the best way to get through this huge change, like us [residential mother].

A number of parents said they would have liked at least one further session for the children to have feedback on the outcomes of the mediation.

Changes in Parents' Attitudes and Behaviors. A content analysis of interviews revealed the following kinds of benefit that parents identified as a result of participating in the child-inclusive mediation:

- It reassured them (twenty of twenty-two).
- It confirmed that they were on the right track (eighteen of twenty-two).
- It gave them new information (seventeen of twenty-two).
- It reduced conflict between them around the children (sixteen of twenty-two).
- It reduced conflict between the former partners generally (six of twenty-two).

In contrast to some workers' fears that the parents might find the interview intrusive, most parents felt supported by the process and reported a sense of relief that their children were able to discuss their experiences with someone outside the family.

Half of the parents (mostly fathers) said the child feedback had led to a direct change in their behaviors and actions in relation to the children, which they felt would not have occurred had the children not given their own input—for example:

I learned why my children didn't want to live with me. I was desperate for information I could trust and found this. Now I know how to handle it and make it better for the kids [nonresidential father].

I was surprised that the kids were worried about all sorts of things about me, like where I was living, that I was upset, how could we split when we used to be in love. Now I do things differently with them, and I'm more aware of how I handle things with them. I had to reexplain stuff to them and also stop talking about money with them. I see my kids as more human now and that they have a right to some answers [nonresidential father].

I think it was really invaluable. It gave us some information we may not have had otherwise, and also it was like a confirmation that we were on the right track. It became crystal clear what the girls wanted, and it removed the emotion that happened when my husband and I tried to talk it through on our own or with them [residential mother].

It was such a relief to me to hear that the kids were coping okay, and we learned about a few things we had no idea about [residential father].

The remaining parents reported that the child feedback led to changes in their attitude toward and knowledge about the children that they felt they would not have in the absence of their children's input—for example:

It opened my eyes. There were fears that I didn't realize the kids had and things that have really hurt them, which is something my wife and I really avoided thinking about. In other ways, it reinforced that we weren't doing too many things wrong [residential father].

I learned that the kids miss their dad, and I'm okay with that. I also learned the kids' main worry was the fighting between us—not that we split up [residential mother].

I didn't realize before then that my son feels this loyalty burden and feels responsible for me [residential mother].

Only one parent said it did not result in any change to her actions or attitude; however, the father in this case had learned the reasons that his children did not want to see him, and she felt this was a valuable outcome for all.

Feedback from Children. Seventeen children between the ages of five and sixteen were personally interviewed about their experiences of the mediation involvement. The majority (fifteen of the seventeen) reported unequivocal benefits from speaking with the child interviewer and having their ideas, worries, and questions conveyed separately to their parents.

Two brothers (ages seven and nine) felt it had not helped them because they were "doing okay" to start with, but they offered that it might have helped their parents to hear that. These comments illustrate many facets of the children's experiences:

All kids should be given the opportunity to talk with someone, and then they can choose if they want to. It's better than having no one and not knowing what to say to Mum and Dad [girl, aged nine].

[In answer to the interviewer's question, "What if Mummy and Daddy were too angry to listen to the mediator?"] But it would still help me [boy, aged eight].

It's a good thing to do when you need to talk with your brothers and sisters about everything that's happening at home [girl, aged sixteen].

It's good because you just need to say how it is for you [boy, aged ten].

You need to talk to the mediator when you need to make it perfectly clear what you want from Mum and Dad [boy, aged eleven].

It's good to go when kids are worried about what will happen with their parents and how it will turn out [girl, aged nine].

I reckon all kids should do this if they are confused. It helps to know why your parents are fighting and what they are trying to do about it. We all wanted to go back after [girl, aged fourteen].

I came away knowing how my brothers and sister felt and that they were sad and upset and how I could help them—like if an argument started between us kids, we could say “Are you upset about them again?” instead of just thinking it was always about us (girl, aged thirteen).

The children were able to articulate the potential tension in this model that parents may not have been able to hear and accommodate children's feedback. Nonetheless, children were clear that they themselves had gained something from the process. Only four children when asked were able to imagine circumstances when it might not be useful for children to take part in this kind of interview, summarized in the following quotations:

When some things won't change, like my brother told the mediator that he hated my parents' communicating through him, and she told them, but they haven't stopped doing it. I don't think Mum and Dad can be sorted out, even with all the mediation in the world.

When the kids don't want to and when they don't need to, except it's good for them to be invited to and let them decide.

Parents' Views on When Children Should Be Consulted in the Mediation Process. Parents' views were far ranging on this topic, divided mainly into perceived benefits for children in their own right and for the mediation process.

When It Will Benefit Children in Their Own Right. General opinion was that direct consultation was useful whenever children in their own right would benefit from debriefing about their experiences of the family separating and any conflict that had led the parents to mediation in the first place. Parents made the distinction between this process and an ongoing counseling process—for example, “It's not about deep personal concerns, but about lifting a burden from their shoulders.”

When Parents' Personal State of Mind Limits Their Ability to Communicate with or Hear Their Children. Several parents thought their own conflict and distress at the time made it opportune for someone outside the family situation to listen to the children, partly as a process of regaining trust. This reason is summarized in the following quotations: “They felt they could talk to this person without putting either of us down,” “The kids felt they had to edit what they said to us, but not to the mediator,” and “The kids needed to understand things that we haven't been very good at explaining to them.”

When the Information Would Facilitate the Mediation. The final category that parents mentioned consistently was that children should be seen when their views would help parents establish parenting plans, either through reassurance or new knowledge—for example, “when parents need an objective, unbiased opinion about whether the kids are okay” and “when we may not really know what they want because they are too afraid to say it to us.” Most felt that it would be less useful if the children were coping well with the separation. This

is borne out in our research findings. On the subject of age, parents felt this needed to be assessed child by child. Some preschoolers would benefit and understand the process, and others would not, but many felt it important for younger children to be included with brothers and sisters in a sibling interview. Finally, some parents acknowledged that their own defensive or neglectful state of mind might lead to a “waste of feedback” from the child, but were cognizant that the child could benefit.

Mediators' Experiences of Child-Inclusive Practice

At the close of the pilot, a research workshop was held with the metropolitan agency, Family Mediation Centre of Melbourne, to ascertain views on the model and staff experience of working with it. The overwhelming feeling was that the model had added significantly to the way in which mediators thought about their work and forged new means for diluting conflict in the course of the mediation. When the model worked well from the workers' point of view, it had the following effects:

- It encouraged honesty.
- Children benefited in their own right.
- The focus for the parents changed (“let's behave like parents”).
- Parents learned.
- It defused arguments.
- Blaming was reduced.
- It reinforced care in the family system.
- Workers felt they were making a difference.

When the model didn't work well from the workers' perspective, the following points were noted:

- The parents remained overwhelmed and did not seem at the time to make productive use of the feedback provided.
- The couple were in high conflict.
- The children were powerful executives in the family system, and their feedback was given too much weight.
- The children might have responded well, but the mediation overall did not succeed.
- The parents could form effective parenting plans on their own.

In general, mediators were more likely to rate the impacts as being lower than parents did, and lower still than children did. In particular, workers routinely believed that parents in high conflict had not been able to hear or use the feedback given them. However, research interviews with these parents indicated that even in an extraordinarily difficult, shuttle case, parents reported a change in their outlook or behavior in relation to their children's needs.

Although this model represents a bare-bones approach to incorporating children's needs into family law mediation, resource needs are still considerable in the ongoing implementation of such an approach. In this study, management estimated that the model required about an extra six to eight hours of worker time from the intake process, briefing of workers, extra appointment time, reporting time, coordination, and supervision. Since the completion of the pilot, procedures have become more streamlined in one agency in particular (Melbourne's Family Mediation Center), and a single interview session creates about three to four hours of work time for the child consultant. This agency now charges parents for the child consultation at the same rate that parents pay for their own mediation sessions.

Conclusion

The model of child-inclusive mediation described here aimed to provide a clear and safe structure through which the voices of children could be added to the divorce mediation process, in a research pilot where the short-term outcomes for child, parent, and mediator could be examined. Despite modest resources and limited time lines, this project raised many questions of interest and importance to be covered in future research, particularly longer-term impacts on children and parents of the child-inclusive approach and the impact of the model on the quality of longer-term mediation outcomes. These are steps to be undertaken should funding become available to pursue them.

The findings to date are highly encouraging of what can be achieved with a skeleton model, a committed organization, and appropriately trained professionals. Through a combination of parent education resources, discussion of developmental needs, and direct feedback about the nature of their children's response to separation, parents were supported to look at their children's unique needs in relation to the overall conflict. Feedback often reconfirmed for separating couples the achievements many had known together as parents and helped to refocus warring couples on shared care. Parents and their children concurred that their children gained a sense of relief, a lighter burden, a clearer perspective, and the experience of being heard. Although the mediators involved tended to underestimate the impact on families relative to the families' feedback, they universally reported that the model added a valuable new dimension to their thinking and practice in the representation of children's needs in family law mediation.

The wider project of which this pilot is a part identified critical organizational factors for agencies to consider before embarking on child-inclusive practice of this nature (Strategic Partners, 1999). However, it concluded that not too far beyond the reach of current funding, it seems possible for children to be supported and more actively represented by Australian mediation services through the course of family separation than has traditionally been the case.

References

- Beck, P., and Blank, N. "Broadening the Scope of Divorce Mediation to Meet the Needs of Children." *Mediation Quarterly*, 1998, 14 (3), 179-199.
- Gibson, D. "Ifs, Buts and Maybes of Child-Inclusive Mediation." In T. Fisher (ed.), *Proceedings of the Fourth National Mediation Conference*. Melbourne, 1998.
- Haynes, J. "Plenary: Expanding Mediation to All Areas of Conflict." Presentation to Family Mediation, Beyond Divorce, Fourteenth Annual Conference of the American Academy of Family Mediators, 1997.
- Johnston, J. "Plenary: What Mediators Need to Know About Children of Conflicted and Violent Families." Presentation to Family Mediation: Beyond Divorce, Fourteenth Annual Conference of the American Academy of Family Mediators, 1997.
- McIntosh, J. "A Model of Child Focused Mediation for Australian Family and Child Mediation Services." In T. Fisher (ed.), *Proceedings of the Fourth National Mediation Conference*. Melbourne, 1998.
- Strategic Partners Pty. *Child Inclusive Practice in Family and Child Counselling and Family and Child Mediation*. Report for Family and Community Services, Commonwealth of Australia, 1999.

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Commentary

Thought in the face of violence: a child's need

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Abstract

Objective: This article provides a clinical perspective on the combined impacts on children of spousal violence in the home and the absence of attuned parental thought that accompanies it.

Methods: This article takes the form of a commentary, drawing on clinical case studies and research literature to illustrate the child's experience of "unthinking," nonreflective parental states of mind, from the point of witnessing violence through to contact arrangements post-separation. Parallel dynamics and impacts are discussed with caregiving and legislative systems.

Results: The article suggests that "unthinking" states of mind in parents can be as damaging for a child as the overt witnessing and experiencing of violence.

Conclusions: The prevention or early overturning of unthinking states of mind, in and out of the home, greatly influences the nature of a child's recovery from domestic violence. © 2002 Elsevier Science Ltd. All rights reserved.

Keywords: Children; Domestic violence; Treatment; Contact

Introduction

Violence is inherently a nonthinking state of mind. It engenders reactive rather than reflective behavior wherein thought, feeling, and affect of both perpetrator and victim are grossly simplified or denied. Children who live in angry homes experience violence in many forms. A more insidious but nonetheless cogent companion of interparental conflict for children is the profound web of "unthinkingness" within which violence is propagated. This article considers some impacts on children of these combined insults, suggesting that the absence of thought can, in some cases, be as damaging for a child as the witnessing and

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experiencing of violence. “Unthinking” nonreflective states of mind underscore most family violence, and are often paralleled within the caregiving system and the legislation and policies that guide it, adding layers of trauma, largely unseen, to the child’s experience of domestic violence. It is the prevention or early overturning of such unthinking states of mind, in and out of the home, that so determines the nature of a child’s recovery from domestic violence.

Literature overview

A large body of literature in the area of domestic violence’s impacts on children is summarized in recent overviews (Margolin & Gordis, 2000; McIntosh, 2000; Edleson, 1999; Kolbo, Blakely, & Engelman, 1996; Cummings & Davies, 1994). Beyond a doubt, research indicates that hearing witness to spousal violence poses a significant threat to any child’s emotional development, with many studies also highlighting cognitive and social ramifications. Established findings indicate that the more lasting the violence, the more acute the discord, the fewer mediating influences, the worse the outcomes for children. This area of research suffers from a certain lack of subtlety, although some insightful qualitative studies have been undertaken that add depth to our understanding of children’s experiences of interparental violence (Mullender, Kelly, Hague, Malos, & Imam, 2000). Below is an outline of selected research that provides context for comments that follow on the developmental impacts of domestic violence.

Some well established sequelae of interparental violence for children

- Psychopathology is four times more likely in children of battered women than in children from nonviolent homes (Zeanah, Danis, Hirshberg, Benoit, Miller, & Heller, 1999; Mathias, Mertin, & Murray, 1995).
- Interparental violence leads to much higher rates of disturbance in children than, for example, exposure to community violence (McIntosh, 1997; Margolin & Gordis, 2000).
- Initial reactions to domestic violence in children are often depressive and dissociative in nature. This can be very misleading to the untrained eye. It can look like there is nothing wrong (Mertin, 1995).
- Violence against mothers in childhood is highly associated with ongoing depression in adolescent girls and patterns of dissociation from aggression in adulthood (Spaccarelli, Sandler, & Roosa, 1994).
- Subsequent reactions if trauma goes unresolved typically include aggressive behavioral disturbances, poor academic performance, poor peer relations, regressive behaviors, poor mastery and esteem (Cummings & Davies, 1994).

Never research areas identify other concerns

- Infants show clear disturbances in response to spousal violence from at least 6 weeks of age (Zeanah et al., 1999).

- Young children exposed to domestic violence are dramatically more at risk of disturbed attachment relations to their mothers (Zeanah et al., 1997; Boris & Zeanah, 1999; Zeanah et al., 1999).
- Domestic violence combines the impacts of inescapable shock together with an acute or chronic deprivation of sensitive caregiving. The latter as much as the former is the catalyst for psychological and developmental damage (Perry, 1997; Perry & Pollard, 1998; Perry, Pollard, Blakely, Baker, & Vigilante, 1995).

Not all child survivors of domestic violence go on to perpetuate violence. Mediating factors have been identified, such as gender, mother’s levels of stress, parenting style, relationship with the abuser, and childhood resilience. This article draws together many years of clinical observations to suggest that the quality of parental and systemic “thought” about a child’s experience of violence is also a vital mediating force in the child’s ability to manage and integrate the meanings of family trauma in their lives.

Parental thought and the impact of its absence

The psychoanalytic definition of trauma, following Freud, is simple enough: any event that overwhelms the ego. That is, any event that surpasses the child’s ability to process and make emotional sense of what has happened. One of the basic functions of parents is to bring the world to the child in manageable doses, not flooding and overwhelming developing egos and fledgling cognitive structures, making experience manageable, tolerable, and thinkable. It is a normal parental function to provide thought, reflection on and containment of the child’s experience, separate from the parent’s own experience. Parenting from a developmental perspective is not about preventing conflict or stress from ever entering the child’s world. On the contrary, it is about allowing life’s gritty, real experiences into children’s lives in ways and means that can be thought about and integrated usefully into ever increasing capacities to function independently in the world. It is these parental functions of protection and thought that so severely break down in a spousal violence dynamic.

It is well known how these states of mind are created in both perpetrators and victims of domestic violence and how unconsciously driven they are much of the time. Reducing a complex web of causation to its most common denominators, chronic domestic violence is typically characterized by a man whose own childhood experiences have led him to dissociate or cut off unconsciously from his own fear, and the fear of others, including his children (Hartman & Burgess, 1993). This state of mind enables acts of extreme aggression, even in front of his own children, upon their mother. The woman’s own history often weaves with the current spousal conflict to create a state of dissociation from aggression, that itself perpetuates a cycle of fear and victimization. It leaves few pathways open for reflection on her own state of mind or that of her children. Both aspects of parental dissociation, from fear and from aggression, join to compromise the executive functions of protection and thought.

Children's patterns of healing and adjustment

The absence of reflective parental thought in itself can lead to a fundamental disruption of the child's ability to recover from the trauma they have experienced. When a child is not helped to deal with and integrate the impact of family violence, the overwhelming nature of events is often broken down into seemingly unconnected pieces, for example with fragmentation of immediate and long-term memory of the trauma. A child may be able to talk about what happened but unable to describe bodily feelings or personal thoughts. As behavior becomes severed from the emotions that drive it, so emotion becomes severed from the traumatic event that caused it. The meaning of the event then becomes based on disrupted patterns of processing and recall, leaving the child with impaired pathways for understanding aggressive and fearful information. In subsequent weeks, months, and years, the child's real experience can break through in disconnected expressions, often marked by acute anxiety and fear.

The results of "trauma learning," as Hartman and Burgess (1993) label it, are not easily distinguished (Perry, 1998). Once established, the effects can be seen in breakthrough symptoms of chronic tension, arousal, numbing, avoidance, and intrusive thoughts about the violence itself or a playing out of the unthinking state that was its context. A child's basic alarm response and trauma reaction can be resolved or intensified according to the immediate and longer-term responses she or he encounters. Ongoing difficulties by a parent to provide thoughtful and timely support, together with fragmented responses by the helping system, clearly intensify the child's experience.

Reaching a child following domestic violence experiences means aiming at an integrated psychological outcome, helping the child immediately and longer-term to master traumatic experiences so they are not compelled to dwell on, act out, or avoid them. Many other less successful outcomes are possible, depending on the severity of the child's and parent's experience and the quality of response they meet with. In all types of unintegrated outcomes, the child is left with restrictions in their means for dealing with interpersonal conflict and intimacy. For example, a typical pattern of an anxious outcome sees a child who is unable to progress in a flexible, productive manner, dominated instead by anxious recollection of the trauma. Anxiety disorders, eating disorders, phobic, and obsessive responses are associated with this pattern of adjustment to family violence. Avoidant outcomes see the child who denies, avoids, or recants that the violence occurred. This child appears emotionally absent, lacking energy for living and learning. These children in adolescence often present with substance abuse or conduct disorders. Delinquent, aggressive, and disorganized outcomes also dominate the clinical picture.

Problems with achieving integrated recovery for the child are evident at most points in service delivery. The western world remains a predominantly adult-focused society, and many of our philosophical and theoretical persuasions lead to a focus in service delivery on the adult's experience and on their recovery. In part, this logic cannot be faulted in the domestic violence field. As Meritt (1996) writes: "Circumstances delaying the mother's recovery, for example, ongoing threats by the spouse and involvement in protracted custody and access disputes, may also be expected to similarly affect the child(ren)" (p. 82).

Most emergency and longer-term counseling services in Australia focus on restoring the mother's capacity to protect and to think, essential for the child's longer-term recovery and protection (Szirom, 2000). This can take a long time. Sometimes it cannot be achieved. In both cases, the question begs: "What happens to the child?" In the face of a preoccupation with parent's rights and needs, what happens to the rights of a child to heal from trauma when a parent cannot for good reasons be the chief instrument of their recovery?

These points are illustrated with a case that "followed" the author over several years and through several professional roles.

Monty's case

The family care team arrived at a client's house where a domestic violence incident was reported, to find that the spouse had fled. He had left nothing unbroken in the house, including his family. His wife was in a corner, with her throat cut by a broken kitchen plate. Her 2-year-old son, Monty, was in another corner, with the other half of the plate. He held the plate up and then put it to his throat, saying "Daddy cut cut." He repeated this over and over until a worker took him outside to play, while the glass was swept and police called.

Through the next days and weeks in a refuge, the boy was distracted with toys and often cuddled, but not spoken to, not played with about what he had seen. Not debriefed. Why? He was seen to be "too young for counseling" and perhaps too young to be affected anyway. Support for his mother equated with support for the boy, went the rationale. The weeks turned to months of official assessment, to see whether the mother was capable of leaving the violent relationship and protecting her son. Three months after the incident, the boy had the hallmarks of a disorganized child, who did not know how to go about getting care from his mother. He was extremely frightened of loud noises but would play a dangerous and repeated game of banging on the windows. He had still had no treatment. Mother received daily counseling and active support to parent her son, whose experience she still could not think about.

Two and a half years later, in a large child psychiatry department, the consulting team was handed a referral to see this same boy for autism assessment. Monty had continued in the care of his mother primarily. She had left his father, although his father was granted court-ordered access upon his release from jail. Contact was unsupervised for 3 hours each fortnight. The court's argument: he had never been violent to his son. The boy indeed presented with autistic-like defenses, cut off, highly dissociated with obsessive traits, but he was not autistic. The psychiatry department did not feel it could offer treatment until all legal and protective matters were cleared up. Community and Family Support agencies did not have the expertise to deal with the boy, although they continued to support the mother. In my assessment, this was a woman who, through her own history of unresolved trauma, would not for many years, if at all, form a capacity to think about her son in the way that was needed.

This situation could never have been easily dealt with. However, a vacuum of thought around the boy's needs in his own right is evident, wherein intervention separate to his mother's support did not happen. Assessment of the combined impact of violence and of both parents' dissociation from their son's ongoing trauma might have been instigated when the violence first came to public attention, when this boy was an infant. These cases throw into

relief the legal system's inclination to undermine treatment options, alongside the helping system's fear and "unthinkingness" in the face of legal involvement. Stronger and more fluid links between refugees, family support, legal and psychiatric services must be forged, grounded in a common child inclusive approach to domestic violence.

Early intervention for infants and preschoolers

Responses to very young children in domestic crisis situations often follow the pattern outlined in the above case. Professionals may be lured into thinking that infants and even toddlers are too young to be affected by domestic violence. Research is rapidly proving this wrong. From 2 weeks of age, infants have been observed to make organized attempts to defend themselves when caregivers do not (Groves, Lieberman, Osofsky, & Fenichel, 2000). Violence witnessed as young as 2 months old is held vividly in nondeclarative memory, and untreated can be expressed in fragmented form throughout the child's life. Emotionally, infants and toddlers who have witnessed or experienced prolonged family violence are highly likely to develop disorganized attachments to their mothers (Zeanah et al., 1999). This means that they develop no coherent strategy for obtaining comfort when it is needed and that they are frequently frightened by the presence of their mother, as well as by the presence of the perpetrator of the violence.

Both frightening and frightened behaviors during interactions with an infant lead to the development of disorganized attachments (Main & Hesse, 1990). In essence, a victimized mother is simultaneously a source of comfort and of fear to the infant. The fear is caused by the mother's chronically overwhelmed state of mind that, if unmitigated, then allows the infant to be chronically overwhelmed. As a pattern, this has devastating developmental consequences for the child, and underpins much of the intergenerational cycle of domestic violence.

This article adds its voice to others, such as Osofsky & Dickson, 2000, in contending that a child is old enough to be effected by family trauma, then they are old enough to be thought about and helped. Early supportive intervention is vital for mother-infant couples exposed to domestic violence. Many mothers can be guided to soothe and support their very young children. In other cases, early and ongoing individual trauma work with preschoolers necessary in addition.

Systemic blocks to early intervention

Early trauma intervention is rare for preschoolers and infants, not because they are too young, but because it requires specialist skills, sorely lacking in the domestic violence field. It is disquieting to see the helping system's uneven response to various violent scenarios. For example, trauma inflicted by community violence or natural disaster often brings swift support and intervention for child victims. The taboos around offering support in the face of family-inflicted trauma are enormous and mean that we often find ourselves with no avenue for reaching children other than via protective intervention, which can mitigate against the seeking of support (Bagshaw, Chung, Couch, Lilburn, & Waddiam, 2000) and often protect

without healing. The question remains of how services might be positioned in such a way that they are not intrusive and undermining of parents, but indeed provide a prompt, supportive, thinking presence at a time when a family's resources for thinking are so clearly depleted.

The capacity for child-focused thought as a determinant of intervention

Which children need what kind of input in the face of domestic violence? There are some useful questions to consider in answering this:

- Within the child's immediate family and helping system, what is the quality of thought and reflection on what the child has experienced?
- What are the personal resources and capacities within this system for assisting the emotional recovery of the child, immediately and longer-term?
- Is this enough now?

Such questions can help child protection workers and clinicians to think through what support might be offered to children in their own right. In particular, it is vital to consider the kind of damage not addressed by trauma debriefing or brief group programs, the kind of damage caused more by the "unthinking state" of parents than by violence, where wounds need to be tended as slowly and intricately as they were created. The following case provides an example.

Rebecca's case

Rebecca, at age 5 years, was referred by the protective authority for psycho-emotional assessment and review of her case plan. Rebecca had lived with her father and stepmother. Her mother's whereabouts were unknown. Her father had been regarded as a reasonably reliable caregiver, who tended to have high expectations of everyone.

Rebecca came to the attention of protective services one night when a neighbor reported screaming and banging coming from Rebecca's house. Rebecca had been woken in the night and beaten severely by her father in what he later described to be a fit of rage and exhaustion. It was not the first time, but it was the worst. In telling her story, Rebecca disclosed that she had for some years watched her father beat her stepmother, and then endured her stepmother's blame and punishments following each occasion for being "Daddy's golden girl." In an interview, it was evident that the stepmother's combined suffering and violent projections of blame mitigated against the possibility of thought about Rebecca in her own right, instead adding further layers of trauma to the child's already unmanageable load.

In an interview, Rebecca's father also displayed a marked inability to think about his daughter's experience. Since he had loved her so well for so many years and only beaten her once, he reasoned that she should not be too upset by it all, and everything would be fine if she could only come home.

Observing an access visit was like watching a horrible replay of the unthinking dynamic Rebecca had experienced at home. Her communications of fear and anxiety were marked, but her father did not read these cues or respond as she needed. She continually tried to elicit a

receiving response from him, which he could not give, even in play. She played out being hungry kitten who wanted food; he told her the cupboard was bare. She tried to tickle him; he played rough and tumble that frightened her. She played out being a puppy who wanted to be tucked into bed; he played out growling and biting her paws so that she would hurry up. He could not think about why this sent her running to the supervisor in the room (and not her stepmother, also present, who did not intervene).

In this climate of highly dissociated thinking by both caregivers, it was clear that Rebecca needed separate and long-term support to come to terms with the trauma of the violence and, moreover, the impact of the unthinking relationships she had experienced. Domestic violence response systems need to be swift and adept at spotting those children who will always require this sort of intervention and find ways of providing it. Longer-term, the goal is to prevent children from growing up to be adults who expect nothing but unthinking relationships. Shorter term, the aim of providing or supporting a thinking, reflective presence is to prevent children from dissociating from aggression or from fear, simply because they did not receive enough focused support to help them integrate the otherwise overwhelming meanings of their experience. It may be that such intervention lies at the heart of domestic violence prevention.

Child-focused thought in contact following family separation

From early intervention and prevention, there is potential for healing and recovery of trust other down the track, through supported contact arrangements following parents' separation (Strategic Partners, 1999). At the point of re-establishing contact following domestic violence, "unthinkingness" about children's experience can too easily spread from the home to the surrounding legal and helping system, mitigating against rather than promoting recovery. In particular, the tensions involved for children of domestic violence in court-ordered access visits are acute.

Contact for children with a parent who has perpetrated domestic violence is a vexed and complex issue. Can it ever be a good thing? The answer identified in the above research across Australian Contact Centers is yes, for some children, at the right time, at the right support. The success hinges largely on the capacity of workers to think about the child's experience of contact, and to facilitate therapeutic contact specific to that situation, in conjunction with the residential parent's and the visiting parent's ability to act on the needs of their child in contact. Through the child's eyes, success critically hinges on the visiting parent's ability to show that they can think about, understand, and accept the child's experience of fear, and, through this thought, give evidence of a changed dynamic.

Contact centers (of which there are 30 federally funded throughout Australia) provide a neutral, physically safe environment for residential parents to bring children for contact, with supervised visiting or changeover for the child with their nonresidential parent. While usually set up more to protect adults than to facilitate children's recovery from trauma, the philosophy of contact service work in Australia has dramatically changed in the past 2 years and being actively child-focused, providing a thinking, reflective avenue for many children's recovery.

In a substudy of this large project, 49 children who had experienced various levels of domestic conflict and violence were observed closely through their first 6 months of visiting at Contact Centers. The aim was to study the impact of the contact on the child, and to explore what kinds of interventions and support could help a parent-child relationship to heal and to move on.

Over a 6 month period of visiting, many children indeed re-established a foundation of trust through supported, facilitated contact. However, one in seven cases saw the children's psychological functioning deteriorating dramatically through the course of visiting. Each of these cases was marked by the child's past experience of a direct and very frightening threat to their mother's safety and to their own, often via attempted abduction. Children as young as 9 months, in this situation, displayed signs of being overwhelmed in the course of visiting, and developmental lags and behavioral problems became evident as time went by. A typical example follows.

Belinda and Sam: an observed visit with a violent father

Belinda is 2 years old and her brother, Sam, is 12 months. The background to the case is one of chronic domestic violence. Their mother left their father when Sam was 6 weeks old. There had been extreme violence on the evening of the separation, culminating in their father shooting at the mother and children as they ran to the car. Through lengthy legal battles, supervised contact was court-ordered. The rationale: he had never intended to harm the children. Their mother feared for her life if she did not bring the children. This observation occurred 6 months into visiting. Visits occurred every fortnight for 3 hours.

Belinda's mother takes the children from the car to go into the Contact Center. Sam looks at the building and begins crying in a very distressed way. His mother carries him into the center. He is clinging to her and throwing himself about in her arms. His distress continues unabated for 20 minutes while she tries to settle him and reassure him. This has been the pattern in each visit. He is soothed while his mother holds him. As soon as she tries to put him down, he begins again. The little girl, Belinda, is quiet, does not speak to anybody, robotic in her movements. There is no language, little eye contact. She does as she is told and does not show any overt signs of distress.

When his mother leaves, Sam is beside himself. He is strapped into his pusher and reaches out for her, tears streaming down his face. The little girl looks down at the ground and shuffles her feet. The workers are actively involved in helping the children to settle, to no avail with Sam. He continues to cry, to reach out of the worker's arms in the direction of the gate through which his mother has left.

Their father arrives and greets the two children. He takes Sam from the worker's arms, and Sam reaches back toward the worker with his arms out. The worker moves away from him and says "No, no. Daddy's here now, you have a cuddle with Daddy." The boy continues to reach for her and is very distressed.

Their father walks around the yard for a few minutes with both children in his arms. The little boy quiets somewhat, but after a couple of minutes, resumes his crying. The father does his best to quiet the boy, soothing him, patting him on the head, and then pushing him in the

pusher, Sam gestures that he wants to come out of the pusher. When Father gets him out, Sam immediately reaches back for the pusher, indicating not only that he wants to go back into it, but that he wants to be strapped in more tightly. Father does this, resecuring the boy in his harness, but Sam continues to cry uncontrollably.

Father throughout is patient and quiet. He tries to feed Sam and to cuddle him, to little avail. At the end of the visit, the father walks again around the yard, holding both of them and says goodbye. He gives a kiss to his daughter, who looks down at the ground and waggles her fingers but does not look at him. Sam turns away when his father kisses him and points in the direction of the door through which his mother will come.

The children's father leaves through his exit, and some minutes later their mother arrives. Sam looks up at her and starts crying immediately, reaching for her. She picks Sam up and he clings to her, crying. Her daughter, Belinda, looks up and smiles at her mother, saying nothing. Their mother collects the children's bag and is cheerful in her tone to the children, asking them if they had a good time. Neither responds, and they leave. The children are very quiet and seem to be exhausted. In the car park, Sam finally stops crying in his mother's arms.

This observation showed clearly that, for the children involved, the trauma of domestic violence was ongoing. To think about the child's experience and to move at the child's pace is the only way in which such cases can ever succeed. To push ahead in a manner that thinks about parent's legal rights rather than children's psychological needs is to perpetuate the violence that children experience, doing untold damage not only to the child but to the potential for the parent-child relationship to re-form in a more healthy manner. Court orders must be challenged and worked with, and, better still, their potential impact more carefully researched before set in place. With further research, rulings more like this may become possible: "Access is ordered on the grounds that the perpetrating parent shows a clear understanding of the child's experience of violence and a willingness to work toward a recovery of trust. The child must show a readiness for supported supervised contact, to begin slowly and to build up to a maximum of X hours per fortnight, as determined by the child's readiness."

The following case illustrates the possibilities for some families of timely child-focused orders for facilitated contact, even in the aftermath of extreme violence.

Christine's case: contact following domestic violence and abduction

Christine is 10 years old. She attends court-ordered contact. She had witnessed many violent clashes between her parents, resulting in her mother suffering broken ribs, nose, and fractured cheekbones over the years. Events culminated following their separation when her father attempted to abduct Christine from her mother's house in the middle of the night. Christine had 6 months of weekly therapy following this episode and before contact. Her father attended court-ordered individual counseling that targeted far more than anger management. It was work that understood the complexity of his behavior and the need to achieve more than his ownership of the problem. It attempted to put him back in touch with his own

experiences of fear, for so long cut off, and to provide some insight into what his family's experience of him might have been.

Her father's account

"Look, I can't say it's not embarrassing for me to have to visit my kids here; it is. But it would have been a huge legal battle to avoid coming to the Contact Center, and, more than that, I gave in because it's what my kid wanted. I lost the plot a while ago and got so frustrated with my ex that I tried to kidnap Christine. The poor little kid got a hell of a fright, and the whole lot of them took off for months—I couldn't find them. When I did find them, they were terrified of me. So we are here, slowly getting back to where we went wrong. I know I did wrong, and I talk to Christine about it. I've said sorry and that we can come here as long as she likes, until I've earned her confidence back again. I lost her trust, and I'm willing to do whatever it takes to get it back. I figure I have to go as slow as she needs, but eventually I hope to visit with her away from this place. The workers have been great, and today they will talk with Christine about coming up to the shop with me during the visit—just a little outing to show her that she is safe with me outside of here too. The worker can come too if that makes her feel better."

Christine's account after this visit

Christine comes in, chewing on a lolly that Dad bought her at the shop. She says she went out of the grounds today for the first time with Dad and that it was ok. She breathes a huge sigh of relief and smiles as she says "The worker helped me to tell him that I was still scared, and he said he understood and that I didn't have to do anything I didn't want to. Just him saying that helped and I thought I could go with him, without the worker. Before, he used to get drunk, and once he came over while we were asleep and took me out of my bed. Today, he said he was so sorry about that and that he would never hurt me again. I had butterflies in my tummy today when he said he wanted to take me out for a walk to the shop, but he told me not to worry and that it was up to me to decide. I think he will be ok now, but if I'm not feeling safe I'll just tell him or the workers and it'll be ok. Mum said he'd have to work bloody hard to get our trust back, but she thinks Daddy is really sorry deep down and that he's not a bad person. I think so too."

A child placed in a visiting arrangement who has had therapeutic input, has had a careful preliminary assessment of their fears and concerns about visiting, and whose visiting process has been well thought through is provided with an opportunity to move forward with control over her situation. When a visiting parent is simultaneously counseled in strategies that may help the child to recover trust and the fears of the residential parents are addressed as they were in this case, recovery is possible. We see in the above case a "reflecting" father and the dimensions of healing enabled through his child-focused thought. In this type of visiting, far more than just the meeting of legal rights is achieved. We see a father no longer dissociated from his child's fear and a child who is not cut off from the aggression she has witnessed and experienced. In most cases then, the question that legal and helping professionals alike must

ask is not whether access should occur, but if it might occur in such a way that proves psychologically useful to the child.

Summary

Children of all ages are affected by domestic violence in two ways: the witnessing of physical and emotional trauma and the experience of a state of mind in parents and the helping system which can either facilitate their recovery from the trauma or further perpetuate it. If untreated, domestic violence trauma in children can subvert the course of their psychological growth, and create the potential for a replay of unintegrated experience throughout their lives.

Meeting the needs of traumatized children in any service delivery context means being aware of and responsive to the combined effects of violence and the deprivation of attuned thought on a child's development. It means understanding that the child's trauma state is not just reactive to the most recent incident, but to an amalgam of violently intrusive and violently neglectful experiences over time, an amalgam that molds developing minds and personalities into very compromised shapes. It remains for us to ensure that violent "un-thinkings" is not replicated in the legal and helping systems that these children encounter post-domestic trauma.

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References

- Bagshaw, D., Chung, D., Couch, M., Libum, S., & Wadham, B. (2000). *Reshaping responses to domestic violence: final report*. Adelaide: University of South Australia.
- Boris, N., & Zeanah, C. (1999). Disturbances and disorders of attachment in infancy. *Infant Mental Health Journal*, 20 (1), 1–9.
- Cummings, E. M., & Davies, P. D. (1994). *Children and marital conflict: the impact of family dispute and revolution*. New York: Guilford Press.
- Edleson, J. L. (1999). Children's witnessing of adult domestic violence. *Journal of Interpersonal Violence*, 14 (8), 839–870.
- Groves, B., Lieberman, A., Osofsky, J., & Fienichel, E. (2000). Protecting young children in violent environments: a framework to build on. *Zero to Three*, 20 (5), 9–14.
- Hartman, C., & Burgess, A. (1993). Information processing of trauma. *Child Abuse & Neglect*, 17 (1), 47–58.
- Kolbo, J. R., Blakely, E. H., & Engleman, D. (1996). Children who witness domestic violence: a review of the empirical literature. *Journal of Interpersonal Violence*, 11 (2), 281–293.
- McIntosh, J. (1997). *Promoting well being in child development: a review of recent literature and practices*. VictHealth Issues Series. Carlton: Victorian Health Promotion Foundation.
- McIntosh, J. (2000). Thought in the face of violence: a child's need. In *Partnerships against domestic violence*.

National forum: the way forward. Children, young people, and domestic violence. Proceedings. Canberra: Office of the Status of Women.

Main, M., & Hesse, E. (1990). Parents unresolved traumatic experiences are related to infant disorganized attachment status: is frightened or frightening parental behavior the linking mechanism? In M. Greenberg, D. Cicchetti, & M. Cummings (Eds.), *Attachment in the pre-school years* (pp. 36–51). Chicago: University of Chicago Press.

Margolin, G., & Gordis, E. B. (2000). The effects of family and community violence on children. *Annual Review of Psychology*, 51, 445–479.

Mathias, J., Mertin, P., & Murray, A. (1995). The psychological functioning of children from backgrounds of domestic violence. *Australian Psychologist*, 30 (1), 47–56.

Mertin, P. (1996). A follow-up study of children from domestic violence. *Australian Journal of Family Law*, 10, 77–85.

Mullender, A., Kelly, L., Hague, G., Malos, E., & Innam, U. (2000). *Children's needs, coping strategies and understanding of woman abuse*. Coventry, UK: Economic and Social Research Council.

Osofsky, J., & Dickson, A. (2000). Treating traumatized children: the costs of delay. *Zero to Three*, 20 (5), 20–24.

Perry, B. D., & Pollard, R. (1998). Homeostasis, stress, trauma and adaptation: a neuro-developmental view of childhood trauma. *Child and Adolescent Psychiatric Clinics in North America*, 7 (1), 33–51.

Perry, B. D. (1997). Incubated in terror: neurodevelopmental factors in the "Cycle of Violence." In J. D. Osofsky (Ed.), *Children in a violent society* (Chapter 7, pp. 124–148). New York: Guilford Publications.

Perry, B. D., Pollard, R. D., Blakely, T. L., Baker, W. L., & Vigilante, D. (1995). Childhood trauma, the neurobiology of adaptation, and "use-dependent" development of the brain: how "states" become "traits." *Infant Mental Health Journal*, 16 (4), 271–291.

Spaccarelli, S., Sandler, I., & Roosa, M. (1994). History of spouse violence against mother: correlated risks and unique effects in child mental health. *Journal of Family Violence*, 9, 79–98.

Strategic Partners. (1999). *Contact services in Australia: research and evaluation project*. Canberra: Department of Family and Community Services.

Szironi, T. (2000). Overview of findings from partnerships projects. In *Partnerships against domestic violence. National forum: the way forward. Children, young people, and domestic violence. Proceedings*. Canberra: Office of the Status of Women.

Zeanah, C., Boris, N., Heller, S., Hinshaw-Fuselier, S., Larrieu, J., Lewis, J., Palmiero, R., Rovinans, M., & Valliere, J. (1997). Relationship assessment in infant mental health. *Infant Mental Health Journal*, 18 (2), 182–197.

Zeanah, C., Danis, B., Hirshberg, L., Benoit, D., Miller, D., & Heller, S. (1999). Disorganized attachment associated with partner violence: a research note. *Infant Mental Health Journal*, 20 (1), 77–86.