Changing the topic: New ways of thinking about men, women and “failure to protect" when children witness intimate partner abuse

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Our Focus

- Professionals involved with women who have experienced DV face enormously complex practice decisions when it comes to the protection of children in these situations.

- Aware of dominant discourse about the effects of DV and worried about simultaneous child abuse, historical focus has been on mothers to protect (Krane, 2003).

- Women experiencing DV are often directed to leave an abusive partner, seek shelter or seek support to develop strategies for dealing with the effects of DV but leaving may well increase risk

- How might we rethink “failure to protect”? 
Our Panel

- **Julia Krane** explores failure to protect concerns in the context of shelter practices.

- **Simon Lapierre** examines mother-focused and father-absent responses in child protection practice.

- **Sarah Maiter** challenges us to recognize the detrimental impacts of colour-blind practices with racialized women in child protection.

- **Susan Strega** compels us to think about how and when to engage men as partners and fathers in our collective responses.
Failure to Protect: Legislative Lens

- Whereas child maltreatment (i.e. abandonment, neglect, physical, sexual or emotional abuse, or deprivation of necessary health care) was once defined in the legislation as the actions or inactions of an abusive or neglectful parent or caregiver...

- ...the definition now extends to the actions or inactions of the non-offending parent or caregiver through the concept of “failure to protect” or “failure to act”.
Failure to protect as gendered:

- Non-offending parent or caregiver in CPS is almost always the child’s mother (Trocmé et al., 2010).

- FTP disproportionately enacted on Indigenous, racialized, poor and otherwise vulnerable women and their children because their situations are investigated and retained (Sedlak et al., 2010).

- In Canada, female caregivers who’s situations are retained are grappling with domestic violence, few social supports, mental health problems, maltreatment as a child, and substance use (Trocmé et al., 2005).

- CPS workers suspect or confirm DV of primary caregiver in 46% of all substantiated cases of abuse or neglect (Trocmé et al., 2010).
Heightened protection concern: domestic violence

- Referrals related to DV have skyrocketed in recent years
  - increased by 867% from 1980 to 2005 in Australia (Faulkner, 2008)
  - In Canada, substantiated DV reports increased 259% from 1998 to 2003 (Trocmé et al., 2005)

- Children present/witness 60% of reported DV (Stanley, 2011)

- 1/3 of children who witness DV do not necessarily fare any worse than children in the general population (Stanley, 2011) and although the effects of DV on women’s mothering are varied (Krane & Carlton, 2012), widespread alarm about protection permeates practice

- Children are now understood as visible and vulnerable victims
“You over-stepped the limit”: Rethinking protection practices in shelter settings

Julia Krane, PhD.
School of Social Work
McGill University

“You over-stepped the limit”: Worker reflections on Aliya

- Aliya and her 5 year old daughter Shani brought to shelter by police after Aliya’s partner kicked them out their apartment and onto the street.

- From Africa, Aliya and Shani arrived in Canada from Germany six months ago, sponsored by her current partner; her status was unclear worker.

- Aliya experienced extreme physical abuse by Shani’s father in Africa and current partner

- Aliya cannot seem to manage Shani’s boundless energy; sit quietly, draw, colour and learn to read French; little stimulation or play

- One evening, while Aliya was cooking dinner, Shani was fooling around in the kitchen; she knocked over a broom that knocked over a glass of water, causing a mess. Aliya slapped her on the face twice, yelled, and marched her upstairs into the bedroom.
The intervention:

- “So I followed them upstairs and I had to intervene right then and there. I usually try not to over-step mom [when she is disciplining], but in that instant I felt that I had to... Mom was upset [that I intervened, saying] ‘this has nothing to do with you, leave me alone, my daughter is bad and she now needs to go in her room’. [Shani] was crying and screaming [and] the whole house was in an uproar. They [other residents and their children] are watching me and us to see what we are going to do about it”.

- “It is my role to protect Shani ...No matter what Shani did, or will do, or has done, you over stepped...the limit”.

- Co-worker pressure to report to CPS but worker wanted to help

- If she reports, she will “lose Aliya” but if she does not report, will Shani be protected?
Working with mothers, protecting children: it’s complicated

While we ought to be concerned about maternal care and protection, today I am going to suggest that we take pause and begin to think about mothering in the context of the shelter as central to figuring out protection issues.

- Suspend assumptions about maternal perfection
- Embrace empirical contradictions and inconsistencies on the effects of DV on children and on mothering
- Recognize the shelter as a social location
- Reclaim shelter as “safe haven” for women as mothers
Mothering: Let’s have a critical look

- Challenge glorification of mothering as ‘selfless caring’
- Recognize mothering “work”
- Appreciate the everyday tensions of mothering
-Expose Eurocentric, “White”, middle class norms as idealized and unattainable

- Social location matters (struggles, disadvantages, distress; emotional and material conditions matter)
- Dispute uncontested conceptions that mothers as carers and nurturers are “strong in the face of adversity”, “emotionally resilient” and poised to cope (Krane & Carlton, 2012)
“Public Mothering”

Mothering in a shelter is “mothering under difficult and unusual circumstances” (Krane & Davies, 2007: 31)

“Every aspect and nuance of the mother/child relationship occurs and is affected by its public and often scrutinized nature. From waking to waking, mothers and their children live in shared spaces. Family units that have previously enjoyed the freedom to express love, caring, frustration, anger and all manner of other emotions in their own homes, now are forced to express their feelings in communal settings, subject themselves to prevailing shelter rules for family living, stifle their strongest and deepest feelings, expose their style of mothering to strangers, capitulate to peer pressure and catch a glimpse of who they appear to be in the eyes of onlookers” (Boxill & Beaty, 1990: 58).
Mothering by women who have experienced domestic violence:

Empirical research remains equivocal:

- Might be stressful but at the same time joyous & fulfilling with emotional availability & supervision (i.e., Casanueva et al., 2008; Sullivan et al., 2000)

We tend to know “more about these women’s depression than their happiness, more about their difficulties as parents than their competencies, and more about their use of corporal punishment with their children... If research continues to focus solely on deficits... we will continue to know little about their strengths and capabilities” (Sullivan et al., 2000: 55)
Moving forward: 1) Suspend assumptions of maternal perfection

- Recognize that mothering with limitless emotional patience, intellectual know-how, tangible skills and material resources is impossible

- Acknowledge/give space for a mother’s inability to cope or to express her negative emotions toward her children

- Break the silence around diverse experiences of mothering and encourage mothers to locate their personal experiences within a broader sociopolitical context vis-à-vis maternal perfection
Moving forward: 2) Suspend assumptions about mothering and DV

- Consciously let go of beliefs about the root causes of struggles between abused mothers and their children
- Deconstruct perceptions of maternal deficiency and explore mothering experiences and struggles in their full complexity; “mothering narrative”
- Unravel mothering concerns and refrain from pushing the CPS panic button
- Be cautious about assuming that the mothering seen in the shelter reflects women’s mothering practices prior to or following shelter stays
- Mothers living in shelters have their “best and worst moments” but worst moments cannot be hidden (Freidman, 2007: 5)
Moving forward: 3) Rethinking “protection”:

- What is our mandate? And our mission?

- Am I a CPS worker?

- Am I mandated to make an immediate, urgent decision regarding maternal protection?

- Or, can I accept uncertainty as part of a journey to understanding and working with mother?

- Let’s reclaim feminist visions for a safe refuge for women as mothers


Failure to Protect: Mothers and CPS practice

Simon Lapierre, PhD.
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Ensuring children's safety

- While CPS workers' primary concerns lie with the children's exposure to domestic violence, their practices focus on women, who are expected to protect their children:
  - They are expected to take actions in order to ensure their children's safety;
  - These actions are expected to be successful, so that they actually ensure the children's safety.

(Scourfield, 2003)
A focus on women’s 'deficits' as mothers

In this context, women can be seen as:

- Unable to protect their children;
- Unwilling to protect their children;
- Putting their own needs or their partners' needs over their children’s needs.

Women are even seen as being the ones placing their children through this situation, and therefore being a threat to their safety.

(Magen, 1999; Lapierre, 2010; Lapierre & Côté, 2012)
More control, but little support

- Child protection services' control over women's lives manifests in multiple ways:
  - Monitoring women's actions and women's relationships;
  - Requesting that women leave their violent partner and/or their home;
  - Threatening to remove the children, or actually removing the children, from the women's care.
- There is limited support for women as mothers, and no support for women in their own right.
History repeating

- Based on an analysis of files recorded in agencies between 1880 and 1960, Gordon (1988) demonstrated that violent men had been ignored, while abused women were judged as 'inadequate' or as 'failing to protect' their children.
- Based on 13 publications from 4 countries, Humphreys and Absler (2011) showed that there is a repetitive pattern that goes beyond the motivation and practices of individual workers.
Shifting the focus away from men’s violence

- Limited engagement with men and their violent behaviours in child protection work, particularly when they are not the children's fathers.
- Challenges in working with men, particularly when they have violent behaviours.
- Limited resources specialised in working with male perpetrators.

(Strega et al., 2003)
Assumptions reflected in those practices

- Those practices reflect a number of problematic assumptions:
  - Women have control over the situation;
  - Separation is a straightforward solution to end violence;
  - Women should know better - they should not be in this violent relationship.
- Using the women's individual characteristics ('weaknesses') in order to explain both why they are in a violent relationship and why there are issues with their mothering skills.
The complexity of women's experiences

- There are several challenges when living with domestic violence, and women react in different ways.

- With regard to their mothering:
  - Men target women's mothering and mother-child relationships;
  - Women face additional responsibilities - responding to their children's greater needs;
  - They have less control;
  - They have limited support.

- Women develop a range of strategies in order to protect their children.
Impacts on both women's and children's lives

- Women often experience child protection services as punitive rather than supportive.
- They may experience it as a second victimization.

- This may result in:
  - Feelings of frustration, guilt, powerlessness;
  - An unwillingness to disclose further incidents of violence;
  - An unwillingness to reach out for help.


Double Jeopardy: Racialized Families and Failure to Protect

Sarah Maiter, MSW, Ph.D.
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York University
Challenges to leaving abusive situation

Alaggia et al 2007; 2009

- Similar barriers as for other abused women ...but others as well:

- Study of immigrant and refugee women in Toronto and surrounding areas (mostly racialized) show:
  - many are sponsored by their partners
  - cited fears of deportation and other immigration vulnerabilities
  - concern of compromising citizenship application, especially if they reported their abuser who was also their sponsor
  - cited a lack of economic resources to sustain their family as a single parent
  - cited the prohibitive costs of seeking a sole immigration application for themselves and their children through a protracted process under humanitarian and compassionate grounds within the Immigration Act.
Contextual Considerations

- desire to maintain family unity
- shame related to acknowledging abuse
- language barriers ... significant ... interacting outside of their cultural community... and for paperwork to continue their immigration bid
- fear of surveillance by agencies leading to CPS intervention and child apprehension
- concern that police involvement could result in harsh treatment of their partners (Bernard 2001)
- created reluctance to involve any authorities to halt the intimate partner violence
- concern of judgments about their culture and community
Intervention Considerations

- interventions with mothers are complicated for these families for many reasons:
  - mothers (and fathers and families) are evaluated as the racialized ‘Other’
  - stereotypes of mothering are positioned alongside negative stereotypes of non-White, non-Western families
  - stereotypes with respect to media, law, and human services have been discussed extensively

(see, for example, Ahmed 2000; Haque 2010; Maiter 2009a; Mohanty 1994; Razack 1998, 2004; Razack, Smith, and Thobani)
Stereotypical thinking seeping into intervention

- that these women are oppressed in ways that White Western women are not
- their behaviours are controlled by inferior and primitive religions
- they are traditional, family-oriented and submissive
- are negatively tied to cultural beliefs considered outmoded in progressive Western society
- they are so oppressed that they are unable to act with any personal agency
- of course then the opposite stereotypes of racialized men are also prevalent
Considering Intersectionality

➢ Women of colour are also profoundly aware of other forms of oppression including racism and economic exploitation in their lives and in the lives of their families.

➢ This is in no way a lack of commitment to women’s equality, but rather recognition of the intersecting oppressions in the lives of women of colour and the sense that mainstream feminism centralizes a gender-specific concern that is too narrow to include intersectionality.
Service Considerations

- intervention must be informed by a theoretical framework that looks beyond essentialized cultural explanations, or generalized notions of patriarchy, and truly understand the structural constraints on these families.

- a framework of notions of patriarchy alone contributes to even further stereotyping of racialized men as they are then positioned among all men as having advanced the least and being the most traditional and patriarchal.
Fears of Mothers to consider in intervention

Although findings about child removal are mixed in situations of IPV, for a host of reasons there are particular concerns for ethno-racial/immigrant/refugee families. These include fears that:

- disclosing partner abuse will set off a chain reaction of negative events;

- their parenting will be scrutinized and perhaps found to be ‘different’ which would increase the likelihood of child removal;

- their immigration status, or the precarious status of refugees whose files are under review, will be negatively influenced (Alaggia, et al. 2007; 2009)

- In addition, undocumented immigrants do not want to draw attention to themselves under any circumstances (Alaggia, et al., 2009)
Service Considerations

- concerns of mothers will need to be heard and services tailored to meet their needs

- yet mothers may not be willing to speak fully about their immigration status, so we will need to explore this area cautiously and only if we can help

- need to be open to hearing about experiences of racism and oppression

- ambivalence and fear of social services must not be explained away as cultural

- And we must work at understanding women beyond a protection discourse, i.e., in the situation Julia presented, how can we get a fuller understanding of Aliya?
What about the fathers?

Susan Strega, PhD.
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Birds of Change
by Dylan Thomas

- Dylan Thomas is a Coast Salish artist from the Lyackson First Nation

- Our slides, as well as the cover of our book, *Failure to protect: Moving beyond gendered responses*, have reproduced this print with permission.

- It depicts a flock of white ravens (symbolic of impending great change in Salish culture) rushing towards the moon (representing the protector of the earth)

- A befitting image for our call to change our ways of thinking about failure to protect in the context of domestic violence
Cook, 29-year-old father of four, charged with attempted murder of their mother.

Husband charged with murder - seeks custody of children from victim’s parents.

Boy stabbed to death by his father, Peter Lee, who also killed wife and her parents.

Boy's killing by father preventable, advocate says.

Father charged with first-degree murder in the deaths of his son and daughter and the attempted murder of his wife.

System failed murdered Schoenborn children.
The context

- 2 year turnover rate in Canadian child welfare ranges from 46 percent to 90 percent
- IPV situations often complex
- Risk focus
- Diminished resources
- High caseloads
- Difficult to notice or name men’s violence
Gender bias in child welfare: How fathers are not seen

- Breaking ‘the cycle’ and mother blame
- The tradition cycle: Bad mothers produce bad mothers
- The cycle of violence
  Children who witness/experience violence will grow up to be violent
- The partner cycle:
  Bad mothers pick bad men
Why see fathers?

- Likely to remain in their children’s lives
- Almost 80% of men convicted of partner assault had a fathering role
  - 50% expected this to continue after release
- May go on to establish new families
- Most not concerned about effects of their violence on children – but some are
- Danger to mothers and children
97% of Canadian spousal homicides involved a male perpetrator and a female victim (Data 1991-2003, Li & Dauvergne, 2006).

- Average: 75 women a year murdered

Men are the perpetrators in 88% of substantiated incidents of partner violence (73% are fathers) (CIS, Black, 2010)

- Men who kill an intimate partner are 10x more likely to have been recently divorced or separated than men who commit non-lethal violence

- More than 1/3 of serious assaults occur post-separation

- In Canada between 1991 and 2003, fathers (66%) and step-fathers (2%) committed most family homicides involving child or youth victims (Dauvergne & Li, 2005).

- Most child murders occur post-separation
Principles and practice strategies

- **Principle**
  Fathers are responsible for their children

- **Practice Strategy**
  Provide support to enable fathers to take responsibility
Principles and practice strategies

原理
暴力并不必然消除男性作为父亲的身份，但必须直接与他们沟通。

行为策略
尊重的行为涉及对父亲的责任追究。
**Principles and practice strategies**

**Principle**
Expect accountability – but use legislation and policy when necessary
- No-contact orders
- Protective intervention orders
- Supervision orders
- Information-sharing with mothers.

**Practice strategies**
Voluntary actions are preferred
- Leave the home until he can guarantee safe conduct within it
- Enroll in an anti-violence program
- Seek out & attend programs specific to violent fathers
- Voluntary agreement to a no-contact order.
What violent fathers say

- Work with me, not at me.

“They’re helping me ... they’re not against me. So that’s what helped me to become this.”

“I’ve had a lot of support to become a different, a better parent.”
