

One Size Does Not Fit All – Psychological Issues in Domestic Violence

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The Relevance of Domestic Violence in Custody Disputes

- ◆ Abuse Does Not Necessarily End With Separation
- ◆ Overlap Between Child Abuse and Domestic Violence
- ◆ Relationship between DV and Empathy
- ◆ Children's Exposure to an Inappropriate Role Model
- ◆ Undermining of Non-Abusive Parent
- ◆ New Relationships Potentially Violent
- ◆ Perpetual Litigation as Form of On-Going Abuse
- ◆ Extreme Cases - Homicides and Abductions



Normal Conflict

- Education program
- Mediation services
- Collaborative law
- Co-parenting plan or joint custody

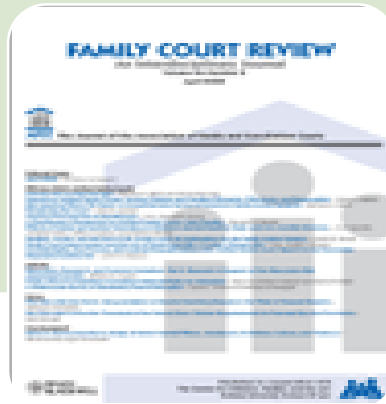
High Conflict (with no Spousal Violence)

- Custody evaluation
- Therapeutic program to reduce conflict
- Litigation and Arbitration
- Parallel parenting

Spousal Violence

- Batterer's intervention program
- DV victim services
- Programs for children exposed to spousal violence
- Supervised visitation program
- Specialized assessors
- Court monitoring/review hearings
- Sole custody

Special Domestic Violence Issue of the Family Court Review



*Report From the Wingspread Conference on Domestic Violence
and Family Courts*

Family Court Review - Articles

Peter Salem & Billie Lee Dunford-Jackson

- *Beyond Politics and Positions: A Call for Collaboration between Family Court and Domestic Violence Professionals*

Joan B. Kelly & Michael P. Johnson

- *Differentiation among Types of Intimate Partner Violence: Research Update and Implications for Interventions*

Peter Jaffe, Janet R. Johnston, Claire V. Crooks, & Nick Bala

- *Custody Disputes Involving Allegations of Domestic Violence: The Need for Differentiated Approaches to Parenting Plans*

Family Court Review - Essays

Loretta Frederick

- *Questions About Domestic Violence Screening and Assessment*

Desmond Ellis

- *Divorce and Family Court: What Can Be Done About Domestic Violence?*

Sujata Warriar

- *“It’s in Their Culture”: Fairness and Cultural Considerations in Domestic Violence*

Additional Resources

- ◆ Ellis & Stuckless, *Domestic Violence, DOVE, and Divorce Mediation*, 44 Fam. Ct. Rev. 658 (2006)
- ◆ Jaffe, Crooks & Bala, *Making Appropriate Parenting Arrangements in Family Violence Cases: Applying the Literature to Identify Promising Practices* (2006)
[http://canada.justice.gc.ca/eng/pi/pad-rpad/rep-
rap/2005_3/2005_3.pdf](http://canada.justice.gc.ca/eng/pi/pad-rpad/rep-rap/2005_3/2005_3.pdf)
- ◆ Janet R. Johnston, *A Child-Centered Approach to High-Conflict and Domestic-Violence Families: Differential Assessment and Interventions*, 12 JOURNAL OF FAMILY STUDIES 15 (2006)

Differentiation Among Types Of Intimate Partner Violence: Current Research

Article by Joan B. Kelly & Michael P. Johnson

Materials by Joan B. Kelly as presented at AFCC Vancouver, May 2008
(Modified slightly by Robert A. Simon for this presentation)



Value Of Differentiation

- ◆ Moves away from “one-size-fits-all” paradigm that **all** intimate partner violence is battering
- ◆ Appropriate and sensitive screening instruments can be developed and integrated
- ◆ Effect of treatment programs can be tailored to the characteristics of types of violence
- ◆ Can lead to the development of appropriate judicial interventions and parenting plans for families with different patterns of violence

Concerns About Differentiation

- ◆ Rigid adherence to “typologies”
- ◆ May lead to blaming the victim
- ◆ Limited information available in court to make differentiation
- ◆ May place victims at risk when differentiation is inaccurate
- ◆ Sensitive differential assessment tools not currently available
- ◆ Effective screening processes not in place
- ◆ Takes focus off battering and the batterer
- ◆ May reduce funding to battering programs

Samples, Incidence, And Measures

- Domestic violence studied in diverse settings:
 - Small shelter samples
 - Large community samples
 - Nationally representative samples
 - Clinical samples
 - Batterer treatment groups
- Data from different populations and measures have created confusion and dissent between advocates, practitioners, and researchers

- ◆ Shelter and nationally representative samples yield **different** data regarding:
 - ◆ Incidence
 - ◆ Severity
 - ◆ Consequences
 - ◆ Gender differences

DV And Gender Controversies

- Two major points of view:
 - Men are primary perpetrators of violence in intimate partner relationships
 - There is gender symmetry in partner violence
- Viewpoints are reconciled by samples and measures
- **Both** men and women are violent in intimate partner relationships
- Gender symmetry exists in some types of IPV
- Gender asymmetry in others, with more injuries of greater severity for women

Terminology In Domestic Violence

- **Domestic Violence, Battering, And Intimate Partner Violence Often Used Interchangeably**

Old Terminology

New Terminology

- **Battering or Intimate**

Coercive Controlling Violence (CCV)

Terrorism Coercive

- **Conflict-Instigated Violence**

Situational Couple Violence (SCV)

- **Female Violence**

Violent Resistance

- **Separation Engendered**

Separation Instigated Violence

Violence

Classes/Examples Of Domestic Violence

- **Psychological**
 - Cursing, demeaning, yelling, taunting
 - Isolating, coercion, threats of harm
 - Stalking, harassing, inducing fear
- **Physical**
 - Slapping, grabbing, shouting, twisting arm, pulling hair
 - Kicking, punching, biting, throwing objects
 - Choking, using guns & knives, mutilation, burning
- **Sexual**
 - Rape, forced unwanted sexual behaviors, coercion, harassment
- **Financial**
 - Controlling purchases, withholding funds and information

Spousal Violence

Assess for risk of homicide

Understanding the impact of violence on victims and children exposed

Thorough assessment of history of all forms of abuse/collateral sources

Documentation of coping strategies and previous interventions

Children's coping strategies

Factors that promote ongoing conflict

History/source of conflict

Identification of less or non-toxic parent

Children's needs

Parents' skills

Parents' ability to cooperate and promote relationship

Developmentally appropriate parenting plan and contact schedule

High Conflict

Normal Conflict

Situational Couple Violence (SCV)

- ◆ **Power, coercion and control are NOT central dynamics**
- ◆ **Initiated at similar rates by both sexes**
 - ◆ 9% - 12.2% (men) & 12.4% - 13% (women) annual incidence rates in US and Canada
 - ◆ Gender Symmetry
 - ◆ Nationally (American) representative random samples of men and women, and community samples

Situational Couple Violence (SCV)

- ◆ Conflict escalates into physical violence
- ◆ Related to poor management of conflicts and under-developed coping skills but is typically a recurring pattern
- ◆ Minor forms of violence most common (pushing, shoving, grabbing)
- ◆ Injuries not common, violence contained
- ◆ Partners not generally broadly fearful of each other
- ◆ Presence of remorse, guilt, self-reproach, regret

Situational Couple Violence (SCV)

- ◆ Frequency and time frame vary from once to frequent, past to current
- ◆ Generally decreases over time, & with age
- ◆ Most likely to stop after separation
- ◆ 67% of men and 60% of women reported violence stopped after separation (Canada)

Situational Couple Violence (SCV)

- **Mutual:** more than half reported violence perpetrated by both partners (62% men/52% women)
- **Female only violence:** 18% of men and 35% of women report only woman was violent
- **Male only violence:** 20% of men and 13% of women reported that male was violent
- Majority of violence did not result in injury to either men or women

Situational Couple Violence (SCV)

- ◆ Severe husband to wife violence
 - ◆ 2.2% reported by males
 - ◆ 2.8% reported by females
- ◆ Severe wife to husband violence
 - ◆ 4.8% reported by males
 - ◆ 4.5% reported by females
- ◆ Small number of injuries reported by both men and women in this group

- ◆ Cursing, yelling, name calling by both partners, but not coercive behaviors
- ◆ Jealousy may exist as a recurring theme in SCV with accusations of infidelity, but not isolating, stalking, and controlling behavior
- ◆ In 20% of 563 low income women reporting violence in past year, 51% were Situational Couple Violence

Situational Couple Violence: When Risk Is Higher

- ◆ Aggressive, delinquent, antisocial teenagers and young adults
- ◆ Higher frequency of violence
- ◆ Injuries more common
- ◆ Fear (for men and women) associated with higher frequency of violence and injuries
- ◆ Initiated at higher rates by women (43%) than men (34%)

Situational Couple Violence: Dating Couples

- Rates of violence are higher than in general survey population
- Females perpetrate violence more often than males
- Injuries from males 8.1% and from females 6.1% of the time
- Community representative sample: 28% of the men and 37.2% of women violent toward partners

Violent Resistance

- ◆ Violent resistance of female (and male) victims in response to history of CCV – defending, fighting back, protecting
- ◆ In shelter sample, 71 % of women reported responding to CCV with violence of their own
- ◆ Gay women respond with violence more often than do straight women in violent relationships

- ◆ Protecting self or others from threats and injury is most common reason given for violence
- ◆ Women who defend self against attacks are twice as likely to sustain injury as those who do not
- ◆ Incidence of violent resistance unknown in general population or contested custody cases

Separation Instigated Violence

- ◆ **No history of violence** in marriage or in other settings prior to violence at separation
- ◆ Partner does not report coercive, controlling, or intimidating behaviors
- ◆ Violence represents atypical loss of self-control & significant psychological regression
- ◆ Generally limited to one or two episodes
- ◆ Occurs with both men and women

Separation Instigated Violence: Differences from CCV Perpetrators

- ◆ Psychological responses of perpetrators of SCV differ from CCV
 - ◆ More often acknowledgement – not denial
 - ◆ Perpetrators often embarrassed, ashamed of their behaviors, sometimes bewildered
 - ◆ Generally comply with protection orders

Coercive-Controlling Violence (Classic Battering)

- ◆ Intimidation, coercion, control, emotional abuse are **central dynamics**
- ◆ Primarily male perpetrated (87 – 97 %), but also female perpetrators in married and lesbian relationships
- ◆ Incidence of CCV (battering) in large representative samples is **lower** than Situational Couple Violence (SCV)

Coercive-Controlling Violence

- ◆ Injuries to victims more frequent and severe compared to SCV
- ◆ Denial, minimizing and blame common responses of perpetrators
- ◆ Violence more severe for ½ of abuse victims **after** separation, and risk very high
- ◆ When violence is severe and chronic, higher likelihood of severe personality disorders

Emotional Abuse and Control in CCV

- Cursing, humiliating, screaming
- Isolation from family and friends
- Checking up on whereabouts / activities
- Monitoring phone calls, mail, receipts
- Threatening to hurt children, pets, others
- False accusations of sexual infidelity
- Victim not given credit cards, checks, money
- Forced sexual acts

CCV: Women

- ◆ Little systematic research
- ◆ Identified in same-sex and heterosexual relationships
- ◆ Women use all 9 tactics of the power and control wheel (substitute use of system for male privilege)
- ◆ Violence ranges from mild to severe

Traits of Batterers

- ◆ All ethnic, social groups
 - ◆ Jealous, possessive, demanding
 - ◆ Poor locus of control
 - ◆ Low self esteem
 - ◆ Emotionally dependent
 - ◆ Explosive personality - anger surges
 - ◆ Immature
 - ◆ Lacks insight
 - ◆ Unable to manage stress
- Needs to maintain power and control by random violence and threats
 - Rationalizes abusive behaviors
 - Alcohol-drugs may play major role
 - Inability to verbalize feelings
 - Likely abused in childhood

Key Similarities/Differences

Trait	SCV	SIV	CCV
History of Power and Control Dynamics	None	None	Significant
Gender Driven??	Both Genders Equally Perpetrators	Both Genders Equally Perpetrators	Most likely Male Perpetrators in Heterosexual Couples
Risks after Separation	Very low	Low	Much higher – stalking / abduction / homicide risks
Impact on Children	Low	Medium	High

Likelihood of Undermining Parenting	Very low	Low	Very High
Likelihood of Needing Supervised Transitions	Very low	Moderate	Very high
Likelihood of Needing Sole Decision-Making	Very low	Very low	Very high
Children at risk of further trauma after separation	Very low	low	Very high

Co-Occurrence with Other Dynamics

- ◆ Some perpetrators also have co-occurring dynamics, including:
 - ◆ Mental health disorders (e.g., Bipolar Disorder, Borderline Personality Disorder, Psychotic Disorders, Impulse Disorders)
 - ◆ Substance use / abuse disorders (e.g., drugs, alcohol)
- ◆ Even though there may be a co-occurrence with these other dynamics, the disorder is not to be seen as a “cause” of the violence.

Defense Mechanisms

- Denying
- Minimizing
- Rationalizing
- Forgetting
 - ◆ (Could be related to neuropsychological impairment or substance abuse)
- Dissociating or Splitting

Violence Has Many Forms

- ◆ Physical abuse

- ◆ hitting
- ◆ kicking
- ◆ biting
- ◆ slapping
- ◆ spitting

- ◆ pushing
- ◆ shoving
- ◆ pulling hair
- ◆ throwing or breaking things

Violence Has Many Forms

- ◆ More Harmful Physical Violence Can Include

- ◆ stabbing

- ◆ shooting

- ◆ actions leading to internal injuries

- ◆ use of weapons

- ◆ strangling

Violence Has Many Forms

◆ Emotional Abuse

- ◆ name calling
- ◆ degradation
- ◆ badgering
- ◆ isolation
- ◆ controlling
- ◆ making someone think they are crazy
- ◆ humiliating
- ◆ monopolizing of perceptions
- ◆ threats to harm or commit suicide
- ◆ verbal assaults on one's self-esteem
- ◆ constant criticisms

Violence Has Many Forms

- ◆ Economic Violence
 - ◆ Restricting access to community funds
 - ◆ giving an insufficient “allowance” to manage the household
 - ◆ having to ask permission to have or use money
 - ◆ financially depriving the children in retaliation for a partner’s behavior
 - ◆ Many women stay in abusive relationships for fear of becoming homeless or unable to feed the children if they were to leave.

Violence Has Many Forms

◆ Sexual Violence

- ◆ Controlling, pressuring, and intimidating sexual behavior by one spouse toward the other is considered a form of violence
- ◆ Marital rape
- ◆ being forced to engage in sexual behaviors that are abhorrent
- ◆ being forced to have sex when you don't want to or having unwanted violence as a part of the sex act are all forms of sexual violence
- ◆ Sexual abuse can be more devastating to a woman's self-image than other forms of physical abuse

- Violence is most devastating when several of these patterns are combined.
- There are a few families in which the violence may appear to be mutual
- True mutual violence is fairly rare
- When there is mutual violence:
 - Who is the primary initiator
 - Who lives in more fear
 - Is one person reacting in self-defense to the violence of the other

History is Very Important

- ◆ There May or May Not Be Corroborating Evidence - Absence of Such Evidence Does Not Mean Violence Hasn't Occurred
- ◆ Parents Should be Asked to Describe First, Most Recent, and Worst Incidents
- ◆ If a Parent Describes Mild Violence, More Severe Violence Should be Explored – Always remain open and curious and remember that disclosure is difficult and comes out in pieces.

History is Very Important

- ◆ The most robust predictor of violence is past behavior, which is much more useful than personality traits or psychological testing
- ◆ THERE IS NO PSYCHOLOGICAL PROFILE FOR A PERPETRATOR!
- ◆ THERE ARE NOT TESTS THAT CAN DETERMINE WHO IS VIOLENT!
- ◆ Look for a history of violence in other settings, as well as probation failures and restraining orders

History is Very Important

- There is greater risk of future violence when violence has been long-term, there has been no treatment, the perpetrator externalizes blame and/or denies problems, and the perpetrator focuses on the victim

History is Very Important

- There's a lower risk of renewed violence when there is acknowledgment of the violence, guilt and remorse that focuses on the impact on the victim and/or children, responsibility for violent behavior, empathy for the effect of the violence on the children, awareness of children's needs, an understanding that the abuse has served to maintain control in the relationship, and a motivation to change

Characteristics of Victims

- ◆ Low Self Esteem / Often feels stupid (and batterer has told her how stupid she is)
- ◆ Believes all the myths about battering relationships
- ◆ Also a traditionalist about the home - strongly believes in family unity
- ◆ Accepts responsibility for batterer's actions

Characteristics of Victims

- Experiences guilt, denies the terror and anger she feels
- Attempts to control people and events in her environment to keep batterer from losing temper
- Presents a passive face to the world
- Multiple stress reactions, often with psychosomatic complaints

Characteristics of Victims

- Believes no one will be able to help her resolve her predicament
- Often dependent and frightened / Batterer has often told her no one else would have her
- Fear of being beaten is less strong than fear of losing or fear that things will worsen if she leaves him or reports the abuse
- This can include fear that he'll hurt children

Why Would Women Stay or Go Back to Abusive Partners?

- ◆ For the sake of the children.
- ◆ Fear of retaliation.
- ◆ Hope for change.
- ◆ Low self-esteem, loneliness.
- ◆ Isolation, poverty, religion.
- ◆ Believe their partner really needs them.

Why Would Women Stay or Go Back to Abusive Partners?

- ◆ Fear
- ◆ Kids
- ◆ Cash
- ◆ Love

Separation Critical Stage for Abused Women

- ◆ If stay, accused of failure to protect children
- ◆ If leave, may be stalked, harassed or accused of being an unfriendly parent
- ◆ Children may be weapon for threatening, punishing, dominating and controlling
- ◆ Abused women 5 times more likely to be killed during initial separation - lethal time
- ◆ Custody battle may perpetuate violence

Impact of Domestic Violence on Women

- 💧 PTSD - anxiety, depression, hypervigilance
- 💧 May present as angry, distrustful
- 💧 May blame self for violence - abuse destroyed self-esteem (must be my fault)
- 💧 May have little confidence in own parenting
- 💧 Conflict: safety plan vs reconcile with man (the children's father and source of income)
- 💧 Fear loss of custody

When Women are Violent

- ◆ Male victims report violence 1/10th as often as do women
- ◆ Police are less likely to arrest women or file incident reports, even for similar injuries
- ◆ Female violence creates fear in children and male victim
- ◆ Not taken seriously by society or courts
- ◆ Women tend to use more lethal means

Range of Services Needed

- ◆ Batterer intervention programs
- ◆ Screening / Assessment / Triage / Referrals
- ◆ Use of custody mediation
- ◆ Custody and access (Parenting Plans)

Do Risks for Parenting for Children Vary with Different Types of Violence

- ◆ YES – But
 - ◆ No instruments yet exist to reliably differentiate between types of DV
 - ◆ Sparse research exists on how parenting of perpetrators and victims vary with types of DV
- ◆ Clinical studies of parenting in high conflict, violent & abusive samples can be compared to parenting in larger community samples

Parenting Problems Of CCV Perpetrators

- ◆ Uses coercive discipline tactics, including physical abuse of child
- ◆ Alternately overly permissive and rigidly authoritarian
- ◆ Reverses roles with child erratically
- ◆ Violates child's emotional boundaries, and may perpetrate sexual abuse
- ◆ Emotionally abused child – mind games, put downs, isolates child socially
- ◆ May encourage immoral & criminal behavior
- ◆ May abduct or threaten to abduct child
- ◆ Lack of empathy on impact of violence to child
- ◆ Intolerant of developmentally appropriate behavior or “special needs”
- ◆ Demands that child demonstrates affection and loyalty

- ◆ Uses access to coerce or harass other parent
- ◆ Rewards child for rejecting/punishing and other parent
- ◆ Unable to focus on child and his/her needs
- ◆ Has limited awareness of child's personality, preferred activities, achievements, etc.
- ◆ Angry outbursts, breakdowns into rage, especially when discussing child's situation
- ◆ Denies child's expression of ideas, feelings, in favor of own
- ◆ Convinced that all child's feelings/needs are either identical to own or manipulated by other parent
- ◆ Impulse of responses, with occasionally odd or bizarre remarks about child

Parenting Problems Of CCV Victims

- ◆ Anxious, depressed, PTSD symptoms
- ◆ May use drugs/alcohol to numb pain
- ◆ Preoccupied with demands of the abuser
- ◆ Physically and emotionally exhausted and unavailable
- ◆ Less warm, more permissive, OR coercive and power assertive
- ◆ Role reversal with child
- ◆ Unable to protect child from abusive partner
- ◆ Brainwashed by abuser to accept child's abusive treatment
- ◆ Lacks confidence in parenting/poor self-esteem
- ◆ Difficulty managing children (especially boys)
- ◆ Acts irrationally, or with seemingly poor judgment