

Children and Contact in the Context of Parental Separation and Family Violence: A Practice Perspective

Karen Barker

General Manager, Separation Services, Anglicare WA

Over the past seven years, in my role with Anglicare WA, I have had the privilege of listening to many separated parents share their concerns about their children's safety when spending time with the other parent who has been violent towards them. These concerns include, but are not limited to, trying to prove to the court that their children have been victims of family violence and that this risk will continue and possibly escalate during contact visits. The protective parent often reports that the children continue to be sent on contact visits even when the children experience a significant degree of trauma over their time in the care of the offending parent. In some cases the offending parent has a new partner who is also a victim of family violence and the children are exposed to this violence while on contact visits. Despite disclosures from the children, and efforts to keep them safe by reporting to the statutory agencies, I find that many of these children continue to be sent on contact visits. I am frequently told by the protective parent that when they are in court they are informed that a) there is insufficient evidence to warrant the court preventing the child from spending time with the other (violent) parent; and b) the father has the right to a meaningful relationship with his child and therefore contact will be ordered. It seems that priority is given to the parent's right to spend time with the child at the expense of the child's need, and right, to be safe.

■ **Keywords:** Best interest, family violence, supervised contact, post separation

Introduction

It is not the intention of this paper to engage in an argument regarding the gendered nature of family violence. Nor is it the intention of the author to simplify the complexity of the families accessing the family court. The author acknowledges the challenges faced by the judiciary when faced with allegations of family violence without substantiated evidence, especially when trying to determine what is in the child's best interest. Clearly, the court is committed to understanding the complex dynamics of family violence and to developing best practice standards when working with families affected by family violence. This is evident in a recent review of the definition of family violence and the subsequent Family Law best practice principles (Family Violence Committee, 2012). There is also a plethora of research dedicated to developing an understanding of, and a commitment to, resolving allegations of family violence made during judicial hearings.

The author acknowledges that the court must be impartial and cannot make a presumption that if a person, male

or female, complains that family violence has occurred, that this is the truth. The principles of natural justice and procedural fairness are applied to ensure the legal system makes decisions that are consistent, fair and as objective as possible. The "he said, she said" nature of highly litigious battles fought in the courtroom is fraught with allegations and accusations. In my experience, I was often faced with the same dilemma. Frequently, I heard parents attempting to discredit the other parent and prove they were the better parent by making allegations of child abuse, family violence, and drug and alcohol use. Whether allegations are true or false are beyond the parameters of practitioners working in therapeutic services to prove. What is clear though, is the impact of these allegations, substantiated or not, on the children caught in the crossfire.

ADDRESS FOR CORRESPONDENCE: Karen Barker, General Manager, Separation Services, Anglicare WA.
Email: karen.barker@anglicarewa.org.au

In my experience, what is consistently missing is the voice of the child. Frequently the child's lived experience is denied a voice in the judicial proceedings. Many of the children we have worked with inform us that they are scared of a parent, yet they continue to be sent to spend time with that parent. There also appears to be little recognition that children can be re-traumatised by contact with someone who has abused them and their mothers (Holt, 2011). This paper presents a clarion call to all of those interested in children's and young people's welfare to continue to work together to find a solution to many of the challenges presented throughout this paper.

Background and Context

Over the past seven years in my role with Anglicare WA, I have had the privilege of listening to many separated parents share their concerns about their children's safety when spending time with the other parent who has been violent towards them. These concerns include, but are not limited to, trying to prove to the court that their children have been victims of family violence and that this risk will continue and possibly escalate during contact visits. The protective parent often reports that the children continue to be sent on contact visits, even when the children experience a significant degree of trauma over their time in the care of the offending parent. In some cases, the offending parent has a new partner who is also a victim of family violence and the children are exposed to this violence while on contact visits. In my experience, despite direct disclosures to the practitioners from children and efforts to keep them safe by reporting to the statutory agencies, I find that many of these children continue to be sent on contact visits.

I am frequently told by the protective parent that when they are in court, they are informed that there is insufficient evidence to warrant the court preventing the child from spending time with the other (violent) parent. Frequently, I have witnessed the distress of the parent when trying to find evidence to substantiate their claim when the very nature of family violence has kept the victim quiet (Richards, 2011). The tensions posed by the father's right to a meaningful relationship with his child and the right for the child to be kept safe from harm all too often are played out in reality in the contact centres. Frequently it seems that priority is given to the parent's right to spend time with the child at the expense of the child's need, and right, to be safe.

This article therefore explores some of the key issues facing children and their parents as they navigate post-separation contact arrangements when family violence has occurred. I firstly discuss family violence and its impact on victims and then draw on current research to explore the rationale(s) underpinning contact decisions within the Family Court. Finally, the article considers the use of supervised contact centres in maintaining contact for children exposed

to family violence and explores some of the issues faced by both children and parents during supervised contact visits.

Family violence

Family violence is defined as a complex concept covering a broad range of controlling behaviours and different patterns of violence. It is not limited to physical assaults but also includes a range of both physical and psychological behaviours that typically involve fear, harm and intimidation tactics to dominate and control the victim (Braaf & Sneddon, 2007).

The Family Law Act definition is contained in section (s 4AB). This definition came into effect on 7 June 2012 and is broader than the definition that formerly appeared in the Act. This definition defines family violence as violent, threatening or other behaviour by a person that coerces or controls a family member and causes them to be fearful (Family Violence Committee, 2012).

Types of violence

Family violence has been categorised into several types and patterns of behaviour, with varying degrees of severity (Braaf & Sneddon, 2007). These have been defined by the Family Violence Committee (2012) as:

Coercive Controlling Violence: This is an ongoing pattern of violence with victims reporting social isolation, economic and emotional abuse. The perpetrator's goal is power and control over the victim inducing compliance, fear and total submission and it does not always involve physical violence;

Situational Couple Violence: This is not normally rooted in a desire for power and control, but is usually driven by an inability to manage one's emotions, which results in the escalation of an argument into a violent attack;

Separation Instigated: This occurs when there is no previous history of violence and is often an isolated incident driven by the strong emotions of separation; and

Violent Resistance: This occurs when partners try to defend themselves against the other partner's attack.

The effect of family violence on children

Family violence is widely recognised as a serious social problem with a significant body of research demonstrating its adverse effects on children (Richards, 2011; Shea-Hart, 2009). Family violence can have both immediate and long-term effects on children, resulting in developmental trauma (Richards, 2011). There is an extensive body of knowledge validating the impact family violence has on the developing child. This includes, but is not limited to: sadness, fear, anxiety, loyalty conflicts, sleeping difficulties, loss of friends and problems at school (Richards, 2011). Children can externalise or internalise the behaviours and show signs of post-traumatic stress disorder (Richards, 2011). They can

be indirect victims from hearing or witnessing the violence, or direct victims who have been subjected to a direct assault by the perpetrator or injured when they try to help the abused parent and get in the way of the attack (Laing, 2010). Children are often known as the silent victims due to their invisibility in such situations. Family violence often goes unreported and children are told not to tell anyone (Edleson, 1999; Kovacs & Tominson, 2003; Tominson, 2000, all as cited in Richards, 2011). Family violence increases the likelihood that children will be victims of direct abuse and some studies have reported that this risk can be as high as 30% to 60% (Edleson, 2001; Hester & Pearson, 1998; Strauua, 1983, all as cited in Laing, 2010).

Family Court

When parents separate and want to make arrangements for their children's care, they are required by the Family Law Act to attempt family dispute resolution (Kaspiew, Gray, Weston, Moloney, Hand, Qu, & the Family Law Evaluation Team, 2009). This process may not be suitable for families with a history of family violence and they may be advised by the practitioner that they are exempt from attending (Kaspiew et al., 2009). The parents are then able to lodge an application for Parenting Orders with the Family Court. Mothers who access post-separation services and are victims of family violence often find that navigating the Family Court system can be extremely stressful as they attempt to prove that the abuse occurred (Laing, 2010; Ravi & Gill, 2012). They report that it is even more stressful trying to prove the impact that living with family violence has had on their children, especially if they have no "credible evidence" like medical records or police reports. This can mean that the impact of family violence, and the risk this poses to children, is minimised or ignored completely. Mothers frequently report that during the legal proceedings they have been subjected to character assassination by the other parent, accused of being an unfit parent, and accorded mental health issues or drug and alcohol addictions (Laing, 2010; Ravi & Gill, 2012; Shea-Hart, 2009). Sometimes a mother's attempt to protect her child is construed as restrictive gate-keeping by the mother to avoid the child spending time with the father. Mothers report to programme staff that they are accused of being "vengeful mothers" and of making false allegations of family violence to prevent the father from seeing his child (Laing, 2010; Ravi & Gill, 2012; Shea-Hart, 2009). However, research findings have shown that such false allegations are rare and that victims need to be believed if we are to keep them and their children safe (McInnes, 2003). Mothers also report that when they are in the court and forced to face their ex-partner who has perpetrated the violence towards them, they become re-traumatised and present as incoherent and chaotic due to their level of stress. This presentation can be in stark contrast to their ex-partner, who may appear calm and in control of the situation. Beeble, Bybee and Sullivan (2007)

argue that the ability to remain calm is a characteristic of the power and control dynamic that the perpetrator has over the victim.

Family Reports and Independent Court Expert Reports

In the case of highly contested custody battles, it can be difficult for a judicial officer to identify the extent of risk to the child both in the past and present, and into the future. To assist with this task, the court may order a family report conducted by a family consultant or a report by an independent court expert (Haselschwerdt, Hardesty, & Hans, 2010). The family consultant will meet with the parents, and in some cases the children, to assess what will be in the child's best interest and provide these recommendations back to the court via the family report (Campbell, 2004). Independent Court Expert Reports are undertaken by a mental health professional, such as a psychologist or social worker, and involve a psychological assessment of the whole family (Campbell, 2004). Critics of court experts suggest that the courts tend to use experts that arrive at assessments that fit with the common discourse of the court and that these expert contributions drown out the voice of the victim and the child (Blank & Ney, 2006).

Independent children's lawyer

The court may also decide to appoint an independent children's lawyer whose role is to talk to all the parties involved in the case and provide information and recommendations to the court based on the child's best interest (Blackman, 2002).

Best interests

When making a decision on parental contact for children post-separation, the role of the judicial officer is to examine the evidence and to make a determination based on the "best interest of the child" (Parkinson, 2006). This long-standing legal principle is discussed in a plethora of research and commentary due to its value-laden and somewhat subjective nature (Ainsworth & Hansen, 2009). In deciding a child's best interest the courts in Australia are required to consider two primary considerations (Parkinson, 2006):

- (1) that children should have the benefit of both parents having a meaningful involvement in their lives; and
- (2) the need to protect the child from physical or psychological harm.

Parkinson (2006) refers to this as "the two-tier approach" and says there is a tension between the two primary considerations, especially in relation to family violence. Which primary consideration bears more weight: the right of the parents to have a meaningful relationship with the child or the right for the child to live free from harm? Parkinson

(2006) suggests that the Full Court has established that the best interest of the child is the paramount consideration. Therefore, in the case of family violence, the right for the child to be safe should be the primary consideration. However, in my experience, this right is frequently denied due to the lack of sufficient evidence to substantiate the risk to the child.

Pro-contact culture

Some researchers suggest that there is a pro-contact culture in the Family Court and the current emphasis on maintaining the parent-child relationship overrides the safety of the child (Laing, 2010; Ravi & Gill, 2012). It is argued that many professionals who work at the court, and within the family law system, believe that parent-child contact should be maintained at all costs (Laing, 2010; Ravi & Gill, 2012). This position is based on the presumption that having a relationship with a parent, even an abusive one, is in the child's best interest. This presumption does not, however, acknowledge the risks involved for women and children post-separation where family violence has been a prevalent intra-familial issue (Hardesty & Chung, 2006; Haselschwerdt et al., 2010; Laing, 2010; McInnes, 2003; Shea-Hart, 2009).

It is argued that the judiciary and associated professionals have a strong belief that fathers have a right to have a meaningful relationship with their child despite their history of perpetrating violence. Thus, there appears to be a disconnection between how the court views the father in light of the abuse allegations and how he would respond as a parent (Hardesty & Chung, 2006; Haselschwerdt et al., 2010; Laing, 2010; McInnes, 2003; Shea-Hart, 2009). Yet the literature is clear about the impact of family violence on the developing child and the damage this can do physically, emotionally and psychologically (Holt, 2011; Richards, 2011). Mothers report that while their reports of the existence of family violence are believed, what is contested is whether this means the father will be a bad parent. Some mothers say they have been directly asked by judicial officers "Does assaulting, controlling or intimidating behaviour towards them (the mother) mean he is a bad father?" Gathering information during intake and assessment regarding parenting roles and responsibilities prior to the separation gives programme staff a better understanding of the family dynamics. Frequently, mothers report to staff that the father had little to do with the children prior to the separation, yet after this their ex-partner is relentless in pursuing contact with the child. Research findings have shown that it is common for perpetrators of family violence to be disengaged parents prior to the separation and then following separation to pursue contact with the child vigorously through the court system, resulting in long, protracted court battles (Hardesty & Chung, 2006; Haselschwerdt et al., 2010; Laing, 2010; McInnes, 2003; Shea-Hart, 2009). It is suggested that this is because they want to

gain control of the mother and the child—seemingly, it has little to do with a parent-child bond (Van Horn & Groves, 2006).

Finding a child's voice among the experts

A significant body of research with children and young people suggests that children are marginalised and excluded from the right to participate in decisions that affect them, especially following their parents' separation (Bagshaw, Quinn, & Schmidt, 2006; Cashmore & Parkinson, 2009; Graham & Fitzgerald, 2011; Shea-Hart, 2011). Tension exists between the right of the child to participate and the right of the child to be protected from harm (Graham & Fitzgerald, 2011). In the family violence context it appears that children are rarely invited to participate in discussions about their level of trauma and anxiety as a result of the abuse and violence, especially in relation to contact with the violent parent (Shea-Hart, 2009). The tension seems to be around the fear that it may place the child at risk if they disclose something that may make the other parent angry (Fitzgerald & Graham, 2011; Shea-Hart, 2011). A counter-argument is that if children are not listened to and invited to participate in the discussions, including their views on what a safe visit would be like, it is possible that we risk sending children to spend time with abusive parents. Smith and Taylor (2003, cited in Shea-Hart, 2009) argue that not giving children and young people a voice where there has been family violence keeps family violence secretive, feeds into the victim's distress and can be seen as "oppression rather than protection" (Shea-Hart, 2009). The Family Law Act provides for the ascertainment of children's views, as a secondary consideration in the two-tier approach. However, there is debate regarding the weight to be given to the voice of the child in Family Court determinations (Chisholm, 2009). The literature suggests that, in some family violence cases, the child's substantiation of their mother's report of violence is dismissed on the basis that the mother allegedly coached or alienated the child (McInnes, 2003; Shea-Hart, 2009).

Supervised contact centres

In highly contested cases that involve family violence and children's safety, the court may refer the family to a supervised contact centre (Birnbaum & Chipeur, 2010; Laing, 2010; Ravi & Gill, 2012). Supervised contact centres provide a safe and neutral environment that enables the parent-child relationship to continue while supported by a third party, whose role is to supervise the visit (Birnbaum & Chipeur, 2010). Clearly, there is a need for such services, however, some researchers suggest a cautionary lens be applied when analysing the value of such an approach in the cases of coercive controlling violence. Morill, Dai, Dunn, Sung and Smith (2005), Laing (2010) and Ravi and Gill (2012) report that supervised contact centres can be used by perpetrators

as a means to continue the power and control over the victim. These authors also suggest that contact centre staff need to be skilled in understanding the dynamics of family violence, especially in relation to power and control, and need to be vigilant with regard to these dynamics. Parker, Rogers and Collins (2008) provide an insightful example from their research that depicts how subtly power and control can be exercised by a perpetrator at a contact centre. The parent brought a drink to the visit and allowed the child to keep it to take home. When the mother arrived to collect the child, she became visibly shaken and informed the worker that the drink was only given to her and the child when they had been good and complied with his wishes. This simple action was a powerful reminder that he was still in control.

Supervised contact centre reports

The courts frequently request a report from the supervised contact centres regarding the parent's behaviour and relationship with the child and this can give rise to another tension. Ravi and Gill (2012) and Laing (2010) suggest that, whilst these reports are purely observational, they can be highly influential when provided as evidence in court. The reports can contribute to the court believing that the parent-child relationship is intact and that the perpetrator is a good enough parent (Laing, 2010; Parker et al., 2008; Ravi & Gill, 2012). Many of the critics of these reports argue that contact services are artificial environments and that the visits are short enough for parents to display and maintain positive interactions and behaviours with the child. Supervised parents can make every effort to look like good parents by playing games with the child, bringing food to the visits, and so forth (Laing, 2010; Parker et al., 2008; Ravi & Gill, 2012). Although positive, this behaviour does not indicate how the parent would actually behave in other settings. Laing (2010), Ravi and Gill (2012) and Parker et al. (2008) also suggest that displaying such positive behaviour is typical of coercive controlling perpetrators who are used to remaining calm and in control in order to manipulate the situation so they look good and the mother looks bad. These authors stress that staff who work in supervised contact centres must be well trained in understanding the dynamics of family violence and be vigilant for acts that may constitute grooming, both of the child and themselves.

I acknowledge the above concerns, but also consider that the contact service court reports can provide valuable information where there are extreme concerns about the safety of the child and the level of trauma being experienced when the child is ordered to spend time with their parent. Whilst these reports are purely observational, the ability of an objective third party to describe the child's distress to the court can result in contact being suspended pending further investigations. Additionally, incidences of abusive behaviour by the parent towards the staff of the service can be reported back to the court, along with recommendations for referral to behaviour change programmes.

Should parenthood ever be dissoluble?

Parkinson (2012) has discussed the possibility of considering no contact with the violent parent when there has been a history of controlling coercive violence. Ravi and Gill (2012) and Laing (2010) also question the benefit to the child of a relationship with a perpetrator where there has been a history of controlling, coercive violence. One of the arguments used to support the need for children to have ongoing contact is based on studies of children in foster care. This research suggests that children need to know their parents so they develop a sense of belonging which assists in creating their identity and sense of self (Altobeli, 2011; Garber, 2007; Johnson, 2005). Those opposed to contact argue that the protective parent provides the child with the necessary connection to family and self and that self-identity is not assisted by involvement with a parent who is a perpetrator of violence (Laing, 2010; Ravi & Gill, 2012). Furthermore, the risk to children is too high and, without the protective parent there to protect them, the child may become the primary victim of the violence (Richards, 2011).

Perpetrators as parents

Researchers also raise concerns about the parenting capacities of perpetrators of violence. When compared with other fathers, perpetrators have poor parenting skills resulting from their sense of entitlement, self-centred attitudes and overly controlling behaviour (Hardesty & Chung, 2006; Morill et al., 2005; Rothman, Mandel, & Silverman, 2007). These parents were also more likely to over-use physical forms of discipline and be engaged in other forms of child abuse (Hardesty & Chung, 2006; Morill et al., 2005; Rothman et al., 2007).

Conclusion

The issue of parent-child post-separation contact is contentious and challenging, particularly where family violence is, or has been, an issue. Do children benefit, or not, by maintaining contact post-separation with a coercive controlling parent? This requires a more rigorous evidence-base, especially involving research from the children's perspectives. The literature is, however, consistent regarding the need for all professionals in the family law system to have a sound understanding of family violence and its effect on women and children post-separation (Hardesty & Chung, 2006; Laing, 2010; Morill et al., 2005; Ravi & Gill, 2012; Rothman et al., 2007). Research on supervised contact centres also notes the importance of staff being well trained in understanding the impact of family violence on women and children. This training should include recognition of the patterns of behaviour exhibited by coercive controlling intimate partners as they attempt to groom service providers in an attempt to discredit the victim.

Children's contact centres should take a child-centred approach to service delivery and seek to find innovative ways to invite children's participation by providing opportunities for children to speak to trained children's counsellors.

Providing a safe space for children to have the opportunity to talk about their experiences and feelings assists children to develop social and emotional resilience to the parents' separation and exposure to family violence. When supervised contact centres are staffed by well-trained specialist staff and delivered in accordance with best practice standards, they are ideally placed to support the mother and child and to provide a safe neutral venue to facilitate and enhance the visiting parent-child relationship, providing it is safe to do so.

References

- Ainsworth, F., & Hansen, P. (2009). The best interest of the child thesis: Some thoughts from Australia. *International Journal of Social Welfare*, 18(4), 431–439.
- Altobelli, T. (2011). When a child rejects a parent: Why children resist contact. *Australian Journal of Family Law*, 25(3), 185–209.
- Australian Law Reform Commission (2010). *Family violence – a national legal response*. ALRC Report 114, Vol 1 and 2.
- Bagshaw, D., Quinn, K., & Schmidt, B. (2006). *Children and families in transition towards a child-centred integrated model of practice*. Magill, SA: University of South Australia.
- Beeble, M., Bybee, D., & Sullivan, C. (2007). Abusive men's use of children to control their parents and ex-partners. *European Psychologist*, 12(1) 54–61.
- Birnbaum, R., & Chipeur, S. (2010). Supervised visitation in custody and access disputes: finding legal solutions for complex family problems. *Canadian Family Law Quarterly*, 29(1), 79–94.
- Blackman, L. (2002). *Representing Children and Young People: A lawyer's practice guide*. Melbourne: Victoria Law Foundation. pp 15–31.
- Blank, K., & Ney, T. (2006). The (de)construction of conflict in divorce litigation: a discursive critique of “parental alienation syndrome” and “the alienated child”. *Family Court Review*, 44(1), 135–148.
- Braaf, R., & Sneddon, C. (2007). Family Law Act reform: The potential for screening and risk assessment for family violence. *Australian Domestic and Family Violence Clearinghouse Issues Paper No. 12*.
- Campbell, A. (2008). The right to be heard: Australian children's views about their involvement in decision-making following parental separation. *Child Care in Practice*, 14(3), 237.
- Campbell, A. (2004). *The voice of the child in family law: Whose right? Who's right?* A thesis submitted for the degree of Doctor of Philosophy at the School of Social Work and Social Policy Division of Education, Arts and Social Sciences at the University of South Australia.
- Cashmore, J., & Parkinson, P. (2009). Children's participation in family law disputes: the views of children, parents, lawyers and counsellors. *Family Matters*, 82, 15–21.
- Chisholm, R. (2009). *Family violence – a national legal response*. ALRC report 128, Vol 1.
- Family Violence Committee (2012). *Family Violence Best Practice Principles* (3rd ed.). Family Law Court of Australia publications.
- Fehlberg, B., & Behrens, J. (2008). *Australian Family Law: The contemporary context*. Melbourne: Oxford University Press. Pp. 264–281.
- Fields, M. (2008). Getting beyond ‘What did she do to provoke him?': Comments by a retired judge on the special issue on child custody and domestic violence. *Violence Against Women*, 14(1), 93–99.
- Fitzgerald, R., & Graham, A. (2011). The changing status of children within the family law from vision to reality. *Griffith Law Review*, 20(2), 421–448.
- Garber, B. (2007). Conceptualizing visitation resistance and refusal in the context of parental conflict separation or divorce. *Family Court Review*, 45(4), 588–599.
- Hannan, J., & Petridis, T. (2011). Innovation in practice: a safety assessment to child-inclusive family dispute resolution. *Journal of Family Studies*, 17(1), 36–43.
- Hardesty, J., & Chung, G. (2006). Intimate partner violence, parental divorce and child custody: Directions for intervention and future research. *Family Relations*, 55(2), 200–210.
- Haselschwerdt, M., Hardesty, J., & Hans, J. (2010). Custody evaluator's beliefs about domestic violence allegations during divorce: Feminist and family violence perspectives. *Journal of Interpersonal Violence*, 26(8), 1694–1719.
- Higgins, D., & Kaspiew, R. (2011). Child protection and family law . . . joining the dots. *National Child Protection Clearing House Issues*, No 34.
- Holt, S. (2011). Domestic abuse and child contact: positioning children in the decision-making process. *Child Care in Practice*, 17(4), 327–346.
- Hoult, J. (2006). The evidentiary admissibility of parental alienation syndrome: Science, law and policy. *Children's Legal Rights Journal*, 26(1).
- Jenkins, S. (2001). Are children protected in the family court? A perspective from Western Australia. *Australian New Zealand Journal of Family Therapy*, 23(3), 145–152.
- Johnson, C. (2005). *Come with Daddy: child murder–suicide after family breakdown*. Perth: University of Western Australia Press.
- Johnson, J. (2005). Children of divorce who reject a parent and refuse visitation: recent research and social policy implications for the alienated child. *Family Law Quarterly*, 38, 757–775.
- Kaspiew, R., Gray, M., Weston, R., Moloney, L., Hand, K., Qu, L., & the Family Law Evaluation Team (2011). Evaluation of the 2006 family law reforms. *Family Matters* 86, 8–18.
- Kelly, J., & Johnston, J. (2001). The alienated child: A reformulation of parental alienation syndrome. *Family Review*, 39(3), 249–266.
- Laing, L. (2010). *No Way to Live: women's experiences of negotiating the family law system in the context of domestic violence*. Sydney: University of Sydney and the Benevolent Society.
- McInnes, E. (2003). *Parental alienation syndrome: A paradigm for child abuse in Australian family law*. Paper presented at the Child Sexual Abuse Conference Adelaide, 1–2 May, 2003.
- Morill, C., Dai, J., Dunn, S., Sung, I., & Smith, K. (2005). Child custody and visitation decisions when the father has

- perpetrated violence against the mother. *Violence Against Women*, 11(8), 1076–1107.
- Parker, T., Rogers, K., & Collins, M. (2008). Danger zone: Battered mothers and their families in supervised visitation. *Violence Against Women*, 14(11), 1313–1325.
- Parkinson, P. (2012). *When is parenthood dissoluble?* Sydney Law School Research Paper No 11/65. Retrieved from SSRN: <http://ssrn.com/abstract=1938749>.
- Parkinson, P. (2006). Decision-making about the best interest of the child: The impact of the two tiers. *Australian Journal of Family Law*, 20(2), 179–192.
- Parkinson, P., & Cashmore, J. (2009). Children's participation in family law disputes: The views of children, parents, lawyers and counsellors. *Family Matters No 82*.
- Pulido, M., Forrester, S., & Lacina, J. (2011). Raising the bar: Why supervised visitation providers should be required to meet standards for service provision. *Family Court Review*, 49(2), 379–387.
- Ravi, T., & Gill, A. (2012). *Domestic violence, child contact and post-separation violence issues for South Asian and African-Caribbean women and children. A report of the findings*. NSPCC.
- Richards, K. (2011). Children's exposure to domestic violence in Australia. *Trends and Issues in Crime and Criminal Justice* No. 419.
- Robert, L. (2002). Gaining access to one's children: An evaluation of a visitation program for noncustodial parents. *Families in Society*, 83(2), 163–174.
- Rothman, E., Mandel, D., & Silverman, J. (2007). Perceptions of the effect of their intimate partner violence on children. *Violence Against Women*, 13(11), 1179–1191.
- Shea-Hart, A. (2009). Child-inclusive mediation in parenting disputes where domestic violence is an issue. *Conflict Resolution Quarterly*, 27(1), 3–26.
- Shea-Hart, A. (2011). Child safety in Australian family law: responsibilities and challenges for social science experts in domestic violence cases in Australia. *Australian Psychologist*, 46(1), 31–40.
- Smyth, B., & Chisholm, R. (2006). Exploring options for parental care of children following separation: a primer for family law specialists. *Australian Journal of Family Law*, 20, 193–218.
- Taylor, N. (2006). What do we know about involving children and young people in family law decision-making? A research update. *Australian Journal of Family Law*, 20(2), 154–178.
- Van Horn, P., & Groves, B. M. (2006). Children exposed to domestic violence: making trauma-informed custody and visitation decisions. *Juvenile and Family Court Journal*, 57(1), 51–60.

