Safeguarding children abused through domestic violence

Practice guidance

Barriers to disclosure
Enabling disclosure
5. Barriers to disclosure

5.1 Barriers to disclosure for victims

There are many reasons why a victim will be unwilling or unable to disclose that she is experiencing domestic violence. Usually it is because she fears that the disclosure (and accepting help) will make the current situation worse and could be fatal. It could also be that she has had a negative outcome from a previous disclosure.

A victim may:
- Minimise her experiences and/or not define them as domestic violence (this view could also be culturally based).
- Be unable to express her concerns clearly (language can be a significant barrier to disclosure for many victims).
- Fear that her children will be taken into care.
- Fear the abusive partner will find her again through lack of confidentiality.
- Fear being killed if she speaks out about the abuse.
- Believe her abusive partner’s promise that it will not happen again (many victims do not necessarily want to leave the relationship; they just want the violence to stop).
- Feel shame and embarrassment and may believe it is her fault.
- Feel she will not be believed.
- Fear that there will not be follow-up support, either because services are just not available or because she is concerned about experiencing institutional discrimination, or because a previous disclosure resulted in no follow up or offer of support.
- Fear the abuser could have her detained by the authorities.
- Fear that she will be isolated by her community.
- Fear she will be deported.
- Fear that the perpetrators immigration status will be exposed and she will be punished with an escalation of violence.
- Be scared of the future (where she will go, what she will do for money, whether she will have to hide forever and what will happen to the children).
- Be isolated from friends and family or be prevented from leaving the home or reaching out for help.
- Had previous poor experience when she disclosed.

Some victims are simply not ready to disclose abuse. It is therefore important that professionals are always alert to the possibility that their client is experiencing domestic violence and to be ready to offer support.

Practice Note
Remember, just because a victim does not disclose abuse, or because they deny it does not mean that violence and abuse are not occurring. There are many reasons why victims will not, or feel they cannot, make a disclosure so it is important to build trust with them to facilitate a possible future disclosure.

Research shows that women from Black and Minority Ethnic communities experience domestic violence for an average of 10 years before they leave the relationship and are
much more reluctant to access services than other women. The longer the abuse goes on and the greater severity of the abuse makes it even less likely for Black and Minority Ethnic women to tell anyone or leave.\[21\]

### 5.2 Barriers to disclosure for children

All children have the right to protection from violence and abuse and should have access to support. Children exposed to violence will react in different ways and have different levels of resilience. Not every child who witnesses abuse will experience long-term difficulties.

Children affected by domestic violence often find it difficult to make a disclosure, or can go to great lengths to hide the violence. This could be because the child is:

- Protective of the non-abusing parent.
- Protective of the abusing parent.
- Extremely fearful of the consequence of sharing family ‘secrets’ with anyone. This may include fears that telling someone will cause further violence to the non-abusing parent and/or themselves.
- Being threatened by the abuser.
- Fearful of being taken into care.
- Fearful of losing their friends and having to change school.
- Fearful of exposing the family to dishonour, shame or embarrassment;
- Fearful that the non-abusing parent (and the children themselves) may be deported.
- Fear that the abusing parent or extended family may take them overseas.

See Appendix 3: Communicating with a child.

Professionals who work directly with children and young people, such as staff at SureStart Children’s Centres, teachers, youth workers, child care professionals or sports coaches, can be critical in identifying children affected by domestic violence if they are appropriately trained.

Professionals working with children should be alert to any signs that a child/young person is distressed and channels of help and support within their school or organisation should be flagged up as well as external helplines and sources of support. These professionals should also know how to deal with disclosures and where to access help and support for children and young people experiencing domestic violence.

Young children benefit from supportive caregivers and safe places such as childcare and school settings. Early childhood providers can assist young children affected by domestic violence by:

- providing a nurturing environment.
- creating predictability through childcare routines.
- developing strategies to support children’s adjustment in the childcare programme.

\[21\] (Izzidien, Shayma; for the NSPCC; June 2008) “I can’t tell people what is happening at home” Domestic abuse within South Asian communities: the specific needs of women, children and young people.
• providing support to parents (e.g. child management strategies) and information about community resources.

6. Enabling disclosure

6.1 Enabling disclosure for children and non abusing parents

Where a professional is concerned about or has recognised the signs of domestic violence, the professional can approach the subject with a child or victim with a framing question. That is, the question should be ‘framed’ so that the subject is not suddenly and awkwardly introduced, for example:

For a victim: “As domestic violence is so common, we now ask everyone who comes into our service if they experience this. This is because if affects people’s safety, health and well-being, and our service wants to be supportive and keep people as safe as possible”.

If you receive a positive disclosure,
• Validate what has happened to the victim.
• Give key messages such as:
  o You are not to blame for what has happened.
  o You are not alone.
  o You do not deserve to be treated like this.
  o Allowing yourself to admit you are being abused is the first step to seeking help.
  o Abuse is not your fault and you have a right to be safe, protected and supported.
  o Men can suffer domestic violence and abuse too (to men).
  o Domestic violence does occur in same sex relationships.
• Ask the victim what she wants you to do.
• Act sensitively.
• Give several telephone numbers, including local domestic violence support services and Northumbria Police. See Appendix 9 for contact information.

Do not:
• Expect a positive disclosure, even if you suspect domestic violence.
• Push someone to disclose.
• Make decisions for the victims.
• Judge or make assumptions.
• Ask about domestic violence if anyone else is present.
• Act as a go-between between victim and perpetrator.

Part of your role, when working with victims of domestic violence is to create conditions of trust and confidence that will make it possible for victims to talk about what is happening to them.

As a minimum, a professional or organisation should be able to ensure that their current practice is informed by the following:
• Take the victim seriously and listen carefully to what she has to say. Remember that it can be very difficult to disclose domestic violence and ask for help.
• Give the victim plenty of time to talk; only interrupt to get essential information.
• Find out what the victim’s immediate problems are and what she wants from you. Explain how you can help within the limitations of your role.
• Interview the victim in private and respect confidentiality. Recognise the very real dangers which may be created if confidentiality is breached. Perpetrators can go to great lengths to track down their ex / partners.
• Keep an appropriate confidential record of the case. Your organisation may have limits to its confidentiality, for example where there are concerns about a child’s welfare, and you should make the victim aware of these. Remember that victims are often terrified of social services or police involvement in their lives.
• Give priority to ensuring the immediate safety of the victim and any children. Remember that she may be facing life-threatening violence. Find out what threats have been made. Does the victim have a safe place to go? If it is not safe for a victim to go home, Newcastle City Council has a responsibility to provide temporary accommodation.
• Be sensitive to and discuss the victim’s needs.
• Offer a worker of the same gender if possible. Be conscious that a worker from the same community as the victim may not be appropriate.
• If required, use a female interpreter for female victims. Always use a professional interpreter and never use the victim’s children to interpret as this creates an additional burden on them. Similarly, do not use another family member.
• Provide information about all the available options open to the victim but don’t make decisions for her. Remember that the victim’s options may be limited by lack of, or limited access to, resources. Don’t take over and tell the victim what to do – the perpetrator probably does that. The victim may need to regain self confidence in making decisions and taking control of her life. Don’t pressurise her to take action. It may be that she just needs to talk to someone and to feel that she isn’t completely alone.
• Refer appropriately. Recognise the skill and contributions which other agencies are able to make. Discuss these services with the victim and refer her to them, with her permission. Cooperate with other agencies and keep in touch with the victim if possible.
• Ask for a safe address and telephone number where you can contact the victim without the perpetrator knowing.
• Refer to the child and/or adult safeguarding lead in your organisation as appropriate if the victim is a vulnerable adult or there are children living in the home.

Practice Note
Remember that many victims of domestic violence feel totally trapped and cannot see any escape from their situation. They are often exhausted by the violence and abuse, terrified of their partner and feel that they no longer have the ability or confidence to do anything about it.

Let the victim know that many others in similar situations do escape and go on to lead safe, happy lives with their children. It can happen for her too.

See also Appendix 4: Clarification questions for a victim.
For a child: “We know that in many families, mums and dads have arguments and disagreement, does that ever happen in your family?”

The professional should explain the limits of confidentiality and his/her safeguarding responsibilities.

For more information about confidentiality and sharing information, please see the NSCB’s Supplementary Guidance on Sharing Information about Children, Young People and their Families available at: http://www.nscb.org.uk/staff-and-volunteers/procedures/sharing-information-about-children-young-people-and-their-families

If the child or their parent/carer discloses domestic violence, the professional should ask clarification questions such as those set out in:
Appendix 3 Communicating with a child,
Appendix 4 Clarification questions for a victim.

Professionals should not press the child for answers. Instead:
- Listen and believe what the child says.
- Reassure the children that the abuse is not their fault, and it is not their responsibility to stop it from happening.
- Give several telephone numbers, including Northumbria Police and local domestic violence services. See Appendix 8 for contact information.

6.2 Enabling disclosure for an abusive partner

Professionals should be alert to and prepared to receive and clarify a disclosure about domestic violence from an abusive partner/parent.

Professionals may have contact with a man on his own such as a GP, substance misuse or mental health support service, or in the context of a family through a school, accident and emergency unit, maternity service or Children’s Social Care. He may present with a problem such as substance misuse, stress, depression, psychosis or aggressive or offending behaviour – without reference to abusive behaviour in his household or relationship.

Before seeking to enable or clarify a disclosure from an abusive partner, professionals should first of all take into account their own safety, the safety of any children, the safety of the non-abusing parent and the safety of any other victims (such as ex-partners or extended family members).

See also:
Section 13: Safety Planning
Section 17: Staff Safety
Appendix 6: Safety planning with victims
Appendix 7: Safety planning with children and young people
6.3 Action after disclosure by a perpetrator

If the perpetrator discloses that domestic violence is an issue, or the professional suspects that it is, the professional should:

- Establish if there are any children in the household and, if so, how many and their ages.
- If there are children, tell the perpetrator that children are always affected by living with domestic violence and abuse, regardless of whether they witness it directly or not.
- Explain the limits of confidentiality and safeguarding responsibilities.
- Consider whether the level of detail disclosed is sufficient. If not, the professional may need to ask clarification questions such as those set out in Section 16.1 Working with men who abuse their partners.
- Be clear that abuse is always unacceptable and that abusive behaviour is a choice.
- Be respectful and empathic, affirm any accountability shown by the perpetrator, but do not collude. Denial and minimisation of the perpetrator’s role and ignoring abusive behaviour are forms of collusion, as is conveying a tacit acceptance of any forms of justification given for the violent behaviour. Domestic violence is unacceptable and many of these behaviours are against the law.
- Remember, perpetrators can be very manipulative and they do lie, so be cautious about taking everything they say at face value.

The professional should act to safeguard the children and/or the victim by:

- Informing their line manager and their agency’s nominated safeguarding children adviser.
- Using the Barnardo’s risk identification matrix (see Appendix 1) with the information available at the time to assess the degree of risk of harm to the children, in line with Section 8.7 below.
- Consult with the nominated safeguarding children adviser, in line with local procedures.
- Respond to the children and the victim in line with all sections in this practice guidance.
- Respond to the abusive partner in line with all sections in this practice guidance.

Some perpetrators who seek assistance to stop their use of violence have also experienced violence themselves and may use this as a justification for their own violence. At all times, workers need to keep separate the issues relating to a perpetrator’s own experience of being abused and his responsibility for his own use of violence against others. Any excusing, condoning or minimising of this use of violence on the basis of his own pain and difficulties reinforces his use of violence rather than challenges it, and is a form of collusion.

See also Section 16: Abusive partners / children.
Couples work, anger management, mediation and restorative justice are **not** appropriate responses to men’s abusive behaviour to women. This is because they do not include the full range of service necessary to provide a safe and meaningful opportunity for domestic violence perpetrators to stop being violent. These programmes also focus on therapeutic or treatment models, which do not take into account the dynamics of domestic violence and do not demand perpetrator accountability.

Anger management programmes are not appropriate because they are primarily about managing anger, rather than stopping violence and promoting safety. Such programmes do not have contact with or provide support to partners/ex-partners. A programme for perpetrators without such contact is not a safe programme.

Couples counselling alone, whilst it can and often does form a useful addition after successful behaviour change in a perpetrator programme, does not constitute a perpetrator programme, primarily because couples counselling will not be safe and effective for victims to participate in freely, a requirement for couples counselling to be meaningful. Both parties in couples counselling need to be able to speak openly about their partner's behaviour and address problems in the relationship in the presence of the other partner. Victims of domestic violence speaking so openly would put themselves at risk of retaliation from the perpetrator, with implications for their safety.

Couples work may be considered **ONLY**:
- Subsequent to a man completing a perpetrator programme
- **AND** after a suitable period of non-violence
- **AND** where the woman is and feels able to freely enter couples work without fear for her safety or other negative consequences

**Practice Note**
The most effective way to alter men’s abusive behaviour is for him to attend a structured, weekly, male perpetrator programme which includes education, as well as challenging his behaviours and beliefs about gender and relationships in order to change their behaviour.

**Do not refer perpetrators to anger management courses**
**Do not recommend couples counselling, mediation or restorative justice**

A perpetrator programme needs to include a range of services which are necessary in order to make sure that the programme is run as safely as possible and with the maximum possible chance of supporting change. These include:
- Assessment for suitability to attend the programme.
- Risk assessment and management.
- Inter-agency working.
- Group work for perpetrators.
- Individual and group support for victims.
- Advocacy for victims.

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In Newcastle, the perpetrator programme is currently delivered through Barnardo’s. See Appendix 9 for contact details.

6.4 Identifying ‘legitimate’ victims and/or the primary perpetrator

Professionals often come across domestic violence cases which involve counter-allegations or where the boundaries between ‘victim/survivor’ and ‘perpetrator’ are blurred and identification of the primary perpetrator and victim can present a challenge. This can lead to cases being mistakenly identified as ‘mutual abuse’. The primary or ‘legitimate’ victim can be hidden in this way when the focus is on individual incidents of violence rather than on the patterns of power, control and coercive behaviours within the dynamics of the relationship.

Police attending an incident of domestic violence sometimes have difficulty in properly determining the dominant aggressor, resulting in the victim being arrested and charged for defending themselves, for retaliating or for initiating violence as a precursor to imminent violence directed against them. In other cases, there are indications that domestic violence perpetrators can be quite sophisticated at turning the law on victims by calling 999 themselves or by purposely injuring themselves before the police arrive as part of strategy of minimisation, denial or blame for their actions.

Distinctions between acts of domestic violence and self-defence can be confusing and determining the perpetrator and victim can appear difficult. It is also important to remember that either party can present their experiences as ‘mutual abuse.’ For someone using violence or abuse, this may be a way to minimise or excuse their behaviour. For someone experiencing domestic violence, this may reflect a concern for their partner or a focus on their perceived role rather than their experience of victimisation. However, for professionals with an understanding of power and control, the term ‘mutual abuse’ is clearly inappropriate as in most cases, one partner is exerting control over the other within the context of fear, intimidation and abuse.

Identification of the primary victim and perpetrator is important in such cases so as to avoid:
- Colluding with a perpetrator of domestic violence.
- Providing services to someone who does not need them.
- Equipping a perpetrator who presents as a victim with information that may be used against his partner.
- Failing to accurately assess risk to a partner and any children.

It is also important to remember to never rule out the possibility of bi-directional violence and abuse, or that an individual victim can have used negative behaviour and actions in the past. However, this information must be viewed in the context of an assessment alongside other forms of information such as records of past incidents provided by the police, referrals into MARAC or information from health professionals.

It is important to engage with the issue of dual arrests, counter-allegations of abuse and mutual abuse, and in order to identify who is experiencing domestic violence a close analysis of the relationship is required to identify the imbalance of power. This is
particularly the case in same sex relationships because same-gendered partners might be relatively similar in size and strength. Police and other professionals are sometimes challenged to conceptualise LGBT domestic violence because they may often be looking for a disparity in physical size between the injured party and the perpetrator.

In evaluating the dynamics in the relationship the following questions should be asked:
- Who uses violence, when and why?
- What kind of violence do they use?
- What happens when they use violence?
- Is it what they intended or hoped for?
- What kinds of coercive controlling tactics are employed? And to what end?
- Are these tactics effective?
- Does race or ethnicity play a part? (in the case of someone from a black or minority ethnic community).
- Does sexual orientation or gender identity (in the case of LGBT relationships) play a part?

The screening process is not an absolute and someone who is a perpetrator is potentially skilled at manipulating any exchange, even with experienced professionals.

**Practice Note**
In identifying the victim and the perpetrator in a relationship, it is essential to examine the power, control and coercive dynamics of the relationship rather than focusing solely on incidents of violence and abuse.

The table below, developed by the Dyn Project\(^\text{23}\) provides some broad outlines of the difference between a perpetrator who presents as a victim and a legitimate victim.

<table>
<thead>
<tr>
<th>Actual Victim/Survivor</th>
<th>Perpetrator Presenting as a Victim</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimises severity of incidents, although is likely to provide details and chronology</td>
<td>Minimises events, and is vague and unable to provide details</td>
</tr>
<tr>
<td>Takes responsibility for, or excuses the actions of perpetrator</td>
<td>Blames their partner for the incident</td>
</tr>
<tr>
<td>Empathy for partner, including difficult circumstances or childhood experiences</td>
<td>Focus on their experiences, little or no empathy for their partner</td>
</tr>
<tr>
<td>Feels remorse for fighting back or defending themselves</td>
<td>Feels aggrieved</td>
</tr>
<tr>
<td>Can identify a very specific reason why they called, often abusive</td>
<td>Less likely to identify a specific incident, instead focuses on general grievances</td>
</tr>
<tr>
<td>Ashamed of victimisation</td>
<td>Assertively claims victim status</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Actual Victim/Survivor</th>
<th>Perpetrator Presenting as a Victim</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fearful</td>
<td>Does not appear to be in any immediate risk, nor fearful</td>
</tr>
<tr>
<td>Confused</td>
<td>Overly confident</td>
</tr>
<tr>
<td>Has tried unsuccessfully to leave or repair relationship</td>
<td>Claims not to be able to understand why previous relationships ended</td>
</tr>
<tr>
<td>Feels a sense of obligation to abusive partner</td>
<td>May emphasise their role as a provider, or ‘saviour’</td>
</tr>
<tr>
<td>Focus on own responsibilities</td>
<td>Stereotyped view of roles in relationships</td>
</tr>
</tbody>
</table>

These sentiments will not all necessarily be presented during an assessment. Equally, many could be apparent in either the victim or the perpetrator. The issue is how these broad ideas can reveal the (abusive) dynamics of the relationship. It is therefore imperative to link information obtained from an assessment with other types of information (e.g., records of past incidents provided by the police).