



Listening to mothers

Listening to mothers is vital in identifying children's best interests. Yet research suggests mothers' concerns are often sidelined in mediation and family proceedings:

- not being listened to is a common complaint by women through the family court system¹
- research shows court conciliators routinely ignore, reframe, or reject mothers' allegations of abuse and impaired parenting during dispute resolution²
- the emphasis on contact (rather than the full range of children's needs) means women often feel pressured to agree to shared care even when they believe the arrangement would be developmentally inappropriate or unsafe for their child³

Commonly held beliefs that impede safeguarding

The following common views are contradicted by evidence based research:

- the family courts are inundated with false allegations⁴
- allegations are unfounded unless accompanied by corroborated evidence⁵

Why listen to mothers?

- a mother's knowledge is built on physiological and emotional bonding, and years of experience, promoting an ability to empathise with the child, and thus identify their needs⁶
- mothers usually continue as the primary carer after separation, even when joint residency is ordered by the courts⁷
- each child is different, and the primary carer has unique knowledge of their child: the primary carer is therefore the expert on understanding their child's needs
- there is a clear link between mothers (but not fathers) reporting safety concerns and evidence of poorer well being in children⁸
- mothers are rarely opposed to a child's contact with the father without a valid reason⁹
- a child's well being is usually closely linked to the well being of their primary carer¹⁰.
- mothers who have safety concerns are more likely to be victims of abuse than those who don't¹¹

¹ Valuing Motherhood, Maypole Women 2010 <http://www.maypole.org.uk/research.html>

² So presumably things have moved on since then? L Trinder, A Firth and C Jenks, 2009

³ Child Custody, Law and Women's Work, S Boyd, 2003

⁴ Implacably Hostile or Appropriately Protective? C Harrison, 2008

⁵ Implacably Hostile or Appropriately Protective? C Harrison, 2008

⁶ The Cultural Contradictions of Motherhood, S Hays, 1996; The Essential Difference, Simon Baron-Cohen, 2004

⁷ Leaf 1996, from Child Custody, Law, and Women's Work, S Boyd, 2003

⁸ Evaluation of the 2006 Family Law Reforms, Kaspiew et al, Australia

⁹ Mothering through Domestic Violence, L Radford and M Hester, 2006

¹⁰ Furstenberg & Cherlin 1991, Lamb et al 1999, from Child Custody, Law, & Women's Work, S Boyd, 2003;

Implacably Hostile or Appropriately Protective?: C Harrison, 2008

¹⁰ Fathers' involvement with their secondary school aged children, E Welsh et al, Oxford University, 2004

¹¹ Evaluation of the 2006 Family Law Reforms, Kaspiew et al, Australia



Listening to mothers

- women tend to *under-report* rather than over-report abuse¹²
- continuing abuse towards the mother increases the risk that children will be abused during contact visits¹³
- mothers' estimation of the level of risk to their children is the 'single strongest predictor of future violence' by abusers¹⁴
- most allegations of abuse made by women are true (as few as 2% are false)¹⁵
- women are more likely to experience abuse than men, and their experiences involve more serious and continuous incidents, and fear¹⁶
- domestic abuse usually leaves no physical trace, so a lack of evidence cannot be held to be evidence of no abuse¹⁷

'Research has shown that women tend to report what has occurred (ie domestic abuse) accurately, with accounts that remain consistent over time and in response to interrelated interview questions, together with evidence from hospital and arrest records to substantiate their stories'¹⁸.

The risks of not listening to mothers

- universal principles displace knowledge of each child's unique personality, attachments and needs
- care arrangements are:
 - less likely to be safe or developmentally appropriate
 - less likely to endure
- mothers and children may be exposed to continuing conflict and abuse
- on going controlling and undermining behaviours prevent mothers' ability to meet their own, and their children's, needs. This can:
 - create severe psychological distress for mother and child(ren)
 - weaken the child's relationship with the parent most able to meet their needs¹⁹
 - fail to provide the child with the optimal nurturing environment
- the failure to value mothers' commitment and psychological connection to the primary care role can leave women feeling devalued, discarded, traumatised and resentful - potentially damaging maternal mental health and parental relations

Understanding the needs of each child on an individual basis is therefore enhanced when mothers' judgements are seen as vital elements in ensuring children's well being and safety.

¹² Thoennes & Tjaden 1991, Dominy & Radford 1996, from *Mothering Through Domestic Violence*, L Radford & M Hester 2006; Policy Practice, S Yearnshaw, 1997, in *Violence Against Women*, Bewley et al, 1997; Battered mothers speak out, Slote et al, 2005

¹³ Hester and Pearson, 1996, from *Making an Impact*, Children and Domestic Violence, M Hester et al, 2007

¹⁴ Weisz et al, 2000, from *The Batterer as Parent*, L Bancroft and J Silverman, 2002

¹⁵ Thoennes & Tjaden 1991, Dominy & Radford 1996, from *Mothering Through Domestic Violence*, L Radford & M Hester 2006; Policy Practice, S Yearnshaw, 1997, in *Violence Against Women*, Bewley et al, 1997

¹⁶ *Making an Impact*, M Hester et al, 2000, British Crime Survey, Walby and Allen, 2004

¹⁷ *Implacably Hostile or Appropriately Protective?* C Harrison, 2008

¹⁸ Gondolf 1998, from *Is Anyone Listening?* G Hague, A Mullender and R Aris, 2003

¹⁹ *The Batterer as Parent*, Bancroft and Silverman, 2002