Children and Family Violence: The Unnoticed Victims

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Introduction

Current concerns about family violence focus on the women who are usually the victims and the men who are usually the assailants. But children are also part of families where violence is happening. Their lives, too, are being affected. Yet we know surprisingly little about their involvement.

A New Zealand study conducted by the National Collective of Independent Women's Refuges (1991) suggested that, for women receiving help from refuges, 90% of their children had witnessed violence and 50% of the children had also been physically abused. Overseas research (Jaffe, 1990; 1992) also confirms that children are often involved directly and indirectly in family violence and that this is likely to have damaging consequences for them both immediately and in the longer term.

Data recorded by the Hamilton Abuse Intervention Pilot Project (Haipp) offered an opportunity to explore further the involvement of children in incidents of family violence in New Zealand. The procedure in Hamilton is for all incidents reported to the police in that Police District to be also reported to Haipp. When an arrest has been made, the Refuge Crisisline is also contacted by the police. Refuge advocates then visit the victim and a victims' "Advocate Form" is completed and collected by Haipp. The form covers details of the incident, the assailant and the victim, including whether or not children were present, witnessed the violence and were abused themselves. One important use of the information is to make it available to the court advocate. In addition some information is routinely computerised although other information, including that on children, is only recorded in the written files.

From the written files we were able to create a computer database of 528 records of police incidents collected by Haipp between July 1991 and April 1994. This included all police incidents which involved a physical assault involving family or people in a close relationship and on which Haipp Advocate Forms had been collected. From the database it was possible to determine whether or not the victims of family violence had children in their care who were present and who were caught up in the violence; the type of violence that the children witnessed and experienced; and how the children reacted at the time. This paper presents these results, discusses the possible longer term effects of the violence on these children and suggests options for us as a society to protect the children more effectively.
Questions can be raised about the representativeness of the incidents recorded in the database. Haipp Advocate forms were only present for 46% of the police incidents reported to Haipp. The absence of a Haipp Advocate Form could come about because: the woman had left the scene before the advocate arrived; the incident was not notified to the Crisisline at the time and only came to Haipp's attention when the assailant appeared in court, the form was not filled out because information was telephoned directly to the court advocate; the victim did not wish to speak to the advocate; the incident may have been in a remote area outside that in which the advocates were able to operate. In addition, we did not record details unless it was clear that a physical assault or a serious threat had been made. It is not possible to put numbers on the various reasons and hence it is not possible to establish the representativeness of the data. On the other hand, there is little reason to suppose that the reasons that led to victims not being interviewed were related to the nature of the involvement of children, and in this sense the data is likely to be indicative of what might be expected in a more randomly selected sample of police incidents of family violence in New Zealand.

The assailants, the victims, and the children in the victims' care

There was little descriptive data on the assailants. Ethnicity was recorded for 23% and employment for 4%. We have not, therefore, reported any breakdown on these factors because there must be doubt about the reliability of the details. However, all but four of the assailants were male, all but one was over the age of 17, their average age was 31 years and 76% were aged between 20 and 39 years. Furthermore, approximately half (53%) had been convicted previously of an offence involving violence.

The average age of the victims was fairly similar to that of the assailants - 29 years; and 72% were aged between 20 and 39 years. However, twice as many of the victims were under the age of 20 compared with the assailants - 12% of victims but only 6% of assailants - and 3% of the victims were under the age of 17. At least 84% of the victims were female; we do not know the sex of the remaining 16%.

The victim sample was made up of Maori or Pakeha in equal percentages (each group made up 48% of the victim population whose ethnicity was known). This indicates that the victims in this sample are 3 to 4 times as likely to be Maori as would be expected from the 1991 census data on the ethnicity of the population of Hamilton city. However, it is important not to assume from this data that family violence is more likely in Maori families - overseas research (Sherman, 1992, p. 7) suggests that there are considerable differences in the likelihood that the police will become involved in family violence in different groups in the population.

An analysis of the 528 recorded incidents showed that at least 62% of the victims had children under the age of 17 in their care. Those with children had, on average, two each.
How often do children witness the violence?

Analysis of the data clearly established that children were frequently present when family violence occurred. In 58% of all the incidents on which there was information, children were present in the house at the time.

Because many incidents involved victims who had children in their care, these children were very likely to have been present when the incident occurred. The data show that children were present for 79% of the cases in which victims had children in their care. Even when victims did not have children in their care, there were children present in the house during 21% of the incidents. These were most likely to be the siblings of a young victim, the assailant's children or the children of other relatives of the assailant or the victim.

When children were present, they were very likely to witness the violence; 73% did so. Other children who were not actually in the same room would often have heard the screams, the thuds and the shouting that must surely have accompanied the assaults:

*He kicked & punched her body, grabbed her by the hair and dragged her around the room. He threatened to harm her family and the baby. She was held down to the ground while he slapped and punched her face. He came to the house and broke down the door and threatened the woman. She was punched and kicked. He threatened to hit her with a piece of four by two. He threatened to take the baby.*

Some of the comments confirmed that the children did indeed hear what happened even when they did not watch it:

*The child, aged 7 years, woke twice and was very frightened. The children heard what happened and the things he was saying about them. The children were in and out of the room. The daughter went to help her mother but he told the kids to get out. The children were in the back room. The 12 year old heard the noise and rang the police.*

Afterwards, the children who did not actually see what had happened, would have seen the injuries:

*When the victim's cousin, a child, saw the injuries he was afraid and went home.*

In some cases very young babies were in the room. It is not possible to judge the extent to which they would have been affected, but in several examples they were in a crib in the same room as the victim, or in the victim’s arms, while the assault was occurring.

What the children saw or heard

Most of the violence that occurred when children were present did not involve objects or weapons - the violence came directly from hands, fists, feet, heads, teeth and bodies (84%). However, 10% of the incidents did involve objects which were used to hit or to throw at the victim. Sometimes the objects seemed like natural weapons: bottles, belts, the hoses of vacuum cleaners and so on. But often they were everyday household articles which were handy at the time: eggs, a plastic ve-
getable rack, plates, and even a stuffed toy. A minority of the assaults involved weapons: knives or an axe were used, usually to threaten rather than to cut, by 4%, and the use of a gun was threatened in 1% of cases.

The degree of violence was by no means trivial. Table 1 below sets out a classification of the different types of assaults in cases where children witnessed the attack.

**Table 1. Table 1: Types of assaults witnessed by children: percentages (N=188)**

<table>
<thead>
<tr>
<th>Types of Assault</th>
<th>Percentage(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sexual attack</td>
<td>1</td>
</tr>
<tr>
<td>Hitting or throwing things at</td>
<td>10</td>
</tr>
<tr>
<td>Kicking</td>
<td>13</td>
</tr>
<tr>
<td>General attack</td>
<td>27</td>
</tr>
<tr>
<td>Punching</td>
<td>34</td>
</tr>
<tr>
<td>Pushing and shoving</td>
<td>7</td>
</tr>
<tr>
<td>Slapping</td>
<td>5</td>
</tr>
<tr>
<td>Threats</td>
<td>5</td>
</tr>
</tbody>
</table>

Threats were the least obviously injurious but these threats were almost always very drastic: usually a threat to kill or to damage severely. Sometimes they were made or backed up by the display of objects, knives or guns. Slapping or pushing and shoving were the most prominent methods in a number of the incidents to which police were called; in some of these cases there were no visible injuries but in others the women were severely bruised and hurt by being knocked to the ground or against the furniture. Punching was the most frequent method of assault and the results in many of these cases were moderately serious. The next most frequent category was that of general attack, which usually included a range of methods such as pushing, knocking over, dragging along the ground, slamming the victim against a wall or other object, threatening, jumping on the victim and punching or slapping; in many of these cases the injuries were quite severe. Kicking, sometimes accompanied by punching and other forms of attack, often led to severe injuries, especially when the assailant wore steel-capped boots. Only 10% of the victims were hit with objects or had objects thrown at them, in contrast to the 85% who were attacked with hands, feet, heads and bodies. And finally there were a small number of cases which included a sexual assault.

The very brief categorisation above of the assaults gives some indication of their severity; but even more vivid are the full accounts which sometimes ran to several pages. We summarised the accounts in order to fit them into one and a half lines on our computer. Below are some of these summaries. The cases that have been selected are neither the mildest nor the most severe but rather those that are typical:

*He hit her with the steel table leg over the body and punched her in the face and head. Pushing her with his hand around her throat, he kept on punching her. She was fist punched, backhanded, pushed against the wall and he attempted to strangle her. Knocked on the floor, kicked in the head,*
pushed over. Then he pulled a knife and threatened to kill her. He slapped her several times, twisted her arm, pushed her against the cupboards and threatened to break her arm. Picked her up and threw her at the wall and the fridge eight times. Hit her with a cupboard and threatened her with a gun. He threw a chair at her, smashed her into a wall. Then he threw vacuum cleaner pieces at her. Kicked her in the back, punched her face, threw her against a wall and attempted to strangle her. Dragged her around the house by the hair, banged her head on the floor, punched her in the face, grabbed her head and slammed it against the towel rail.

These were traumatic scenes for children to be watching. And in the days following the violence, the children in the victim's care would have seen the impact on their caregiver of the injuries that had been sustained.

**Table 2. Types of injuries sustained by the victims and the part of the body injured: percentages (N=476)**

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Type of Injury</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Fracture</td>
</tr>
<tr>
<td>3</td>
<td>Cut requiring stitches</td>
</tr>
<tr>
<td>1</td>
<td>Teeth broken or knocked out</td>
</tr>
<tr>
<td>0.5</td>
<td>Rendered unconscious</td>
</tr>
<tr>
<td>7</td>
<td>Black eyes</td>
</tr>
<tr>
<td>61</td>
<td>Bruises, laceration, redness, swelling etc.</td>
</tr>
<tr>
<td>26</td>
<td>No visible injuries</td>
</tr>
</tbody>
</table>

**Table 3. Part of body injured (N= 345 visibly injured victims)**

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Body parts</th>
</tr>
</thead>
<tbody>
<tr>
<td>80</td>
<td>Head (or head and other parts)</td>
</tr>
<tr>
<td>10</td>
<td>Body (or body and limbs)</td>
</tr>
<tr>
<td>10</td>
<td>Limbs only</td>
</tr>
</tbody>
</table>

The above table shows that a quarter of the victims reported no visible injuries, but 61% reported being left with visible marks in the form of cuts, bruises, lacerations, swelling and redness. The remainder reported more serious injuries, in the form of black eyes (7%), or damaged teeth, stitches and/or fractures (another 7%). It is noticeable that most of the reported injuries (80%) were to the head, neck and face, so that they would have been very visible. Only 20% of the visible injuries were confined to the body and limbs. The pattern of injuries reported was the same regardless of whether or not children were present or watching.

The reality behind the statistics presented in the above table was detailed on the files:
She had a dislocated jaw, lumps on the head, a broken cartilage on her ear, bruised arms and sore ribs. Two black eyes and a cut above the eye. Bruises on her face and stitches in her head. A black eye, a split lip, a bruised body and lumps on the head. Bruising and teethmarks on her face. A swollen face and red marks around her neck. Damaged wrist, lacerations, swollen hand and twisted neck.

For some of the children, this would not have been the first time they had seen family violence. The records show that for 16% of the assailants there had been a previous violent incident reported to Haipp. Comments recorded on the Haipp Advocate Form sometimes referred to other incidents:

*The children have witnessed me being hit before and they have been affected by the emotional and mental abuse. My daughter has witnessed other assaults.*

Sometimes these previous incidents had involved a child rather than an adult as the victim:

*The baby was hospitalised before with brain injuries from an assault.*

**Who was violent to whom in the presence of children**

Most of the children on whom there was information watched an incident in which either the victim or the assailant was their mother or father or in which both of their parents were involved (93%). Another three percent watched a brother or sister being assaulted. The remaining four percent had different relationship to the victim or assailant; for instance: grandchildren, nephew, neighbour, and so on.

In the cases where the children watched one or the other of their parents attacking or being attacked, the relationship between the pair is described in Table 3.

**Table 4. Table 3: Relationship between victim and assailant in cases where the victim and/or assailant's child or children was present: percentages (N=250)**

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Relationship</th>
</tr>
</thead>
<tbody>
<tr>
<td>27</td>
<td>Married</td>
</tr>
<tr>
<td>36</td>
<td>Partners</td>
</tr>
<tr>
<td>63</td>
<td><strong>Total in a current live-in relationship</strong></td>
</tr>
<tr>
<td>4</td>
<td>Previously married</td>
</tr>
<tr>
<td>13</td>
<td>Previously partnered</td>
</tr>
<tr>
<td>17</td>
<td><strong>Total in a live-in relationship previously</strong></td>
</tr>
<tr>
<td>8</td>
<td>Boyfriend/girlfriend</td>
</tr>
<tr>
<td>3</td>
<td>Previously boyfriend/girlfriend</td>
</tr>
<tr>
<td>11</td>
<td><strong>Total previous or current non live-in relationship</strong></td>
</tr>
</tbody>
</table>
Relationship	Percentage
---
Father attacking his child	1
Son attacking his mother	2
A relative attacking another	4
Other relationships	3

The table shows how close the relationship was between the assailant and the victim. In 63% of the incidents, the children were present during an assault involving both their caregivers. In 17% of cases there had been a close live-in relationship between the assailant and victim previously. Another 11% of the children, although not watching both their caregivers, were watching a couple who were involved in a non live-in romantic relationship. Together these relationships accounted for 90% of the incidents.

In the remaining 10% of the incidents the children who were present watched their fathers attack their siblings, their siblings attack their mothers or one of their parents attacking or being attacked by another relative or friend.

**What happened to the children who watched**

Unfortunately the files do not tell us much about the reactions of the children; but the brief comments that were made provided some insight into what probably happened in most of the cases.

The first thing to note is that there was not a single record which suggested that the child witnesses endorsed, joined in or applauded the violence. Where comments were made on the emotional reactions of the children, distress and fear were almost universally recorded:

*Children very upset and crying. Children yelling; crying for the assailant to stop; 9 year old boy yelling leave my mum alone; 3 year old calling out "Mum! Dad! Mum! Dad!" The 2 year old was very distressed; screaming and crying. When the daughter found her mother [lying unconscious] she was afraid and tried to waken her mother.*

In 15% of the cases when children were present, the children were recorded as having actively attempted to prevent what was happening. Some (6%) tried to get help:

*The 14 year old was told to get out of house last night and ran to the neighbours for help. The 7 year old was screaming for her father to stop and the 14 year old ran away to get help. The 5 year old called the police and described the assault to them.*

Some (10%) tried actively to intervene to protect the victim or to prevent further harm:

*The 14 year old tried to intervene, crying, and the 18 year old also tried to stop what was happening. The 5 year old was crying and yelling for him to leave mum alone. This child had also been assaulted previously by the assailant. The 7 year old jumped on the assailant's back telling him to stop and then ran next door and called the police. The small child was crying and punching the assailant's*
back saying: "Leave Mummy alone". The children were all crying and their mother was scared for her daughter because the daughter tried to help her.

And some of those who tried to intervene, or even just cried out, were also abused either verbally or physically:

The child screamed and was hit by the assailant. The 2 oldest children tried to intervene and were shouted at and threatened. He threatened the 5 year old with the death of his mother. The children were scared and ran outside. The son [14 years] tried to intervene but was also whacked and pushed. The victim's son [the assailant] picked up a hockey stick and hit his brother on the shoulder when the younger boy tried to intervene. When the son intervened the assailant took him to the washhouse and gave him a hiding. A brother of the 14 year old victim got punched when he tried to intervene.

Sometimes the children seem to have been hurt almost accidentally or as a side product of the attack on another victim:

The chair missed the mother and hit the baby. The baby who was in the mother's arms got hit instead sometimes. The 6 year old boy was screaming and saying: "Don't hurt my mummy". The baby was screaming and so the assailant pushed a toy panda down on the baby. The assailant threw a wooden cot at the baby and knocked the 14 year old to the ground.

The injuries for these children who became caught up in the violence were sometimes life threatening:

The baby was pulled from the mother, dropped on the floor and punched. It was later hospitalised with a fractured skull.

In another case, the threat to a child seemed potentially very dangerous:

He had a rope around the 2 year old's neck connected to the ceiling while he punched the mother around the head and body [he has sole custody of the children].

Altogether, in 16% of the incidents on which there were records of children being present, the children too became victims of the physical violence. In a few cases (3%), the principal object of the violence was a child. The descriptions below outline some of the attacks that were made on children:

Hit with a belt for an hour; massive bruising to the bodies of the children. Hit 12 year old child in the face with a tent pole; broken cheekbone, chipped teeth, stitched face and cut mouth. 14 year old - punched around head and body; bruised head and leg, redness and soreness. 5 year old was hit around the leg with the jug cord, punched in the face and threatened to harm; there were welts on the legs and a bruised cheek.

In at least 30 cases (6% of those where children were present) a pregnant woman was the victim. In 5 of these cases the assault seemed directed, at least in part, toward the unborn child. For example:
She was hit with the fist in the body and stomach. He punched her head, kicked her abdomen, bit her hand and hit her on the head with a handbag. He put her in a headlock and squeezed her stomach. He grabbed her, punched her face and legs, delivered body slaps to her stomach, shoved her and threatened to kill her babies and her; she sustained facial swelling, bruising, a lump on the head and bruised legs and stomach.

And in one case the file noted that the pregnant victim had already miscarried once after a previous beating. A later incident involving the same people was noted in the Haipp files and this time, although the second pregnancy should have resulted in a birth by that date, no children were recorded as being in the care of the woman.

**What happened afterwards**

The violence is only the first part of the incident. Police attended all these scenes, so that the children were likely to have also watched their parents, whether victims or assailants, being interviewed by the police. In 93% of cases the assailants were arrested and taken into police custody. Most of them were later sentenced in court: 14% were given a sentence of imprisonment, 48% received community sentences or monetary penalties and another 24% were given suspended sentences. In addition to these penalties, involvement in a Haipp programme was a condition of their sentence for 62%.

The victims went to the doctor to have their injuries attended in 30% of cases. And in 10% of cases women went to a refuge. All these events are likely to have affected the children in a variety of ways and in different degrees.

**Conclusions**

Family violence is usually seen as occurring between men and women in intimate relationships. The reality is in many cases more complex. The data recorded on the Haipp files paints a vivid picture of the extent to which children are intimately involved with family violence. The two principals involved in the incidents were often parents who were caring for children (in at least 62% of incidents in the sample the victim was a parent of children under 17). Children were present in the house while the violence was occurring in 87% of the incidents in which their parent was the victim. They usually witnessed the violence, or at least heard it. The beatings often occurred to the punctuation of screams and cries from frightened children.

Sometimes the children became directly involved in the incident by trying to intervene (10%) or by seeking help (6%). And, in nearly one in 5 incidents, the children were themselves the targets either principally or as well: unborn children were attacked as they lay in their mothers womb, babies were punched by mistake or thrown from their mother's arms, children were belted and punched and threats were made to take them away or to hurt them.

As well as this direct involvement, the children are likely to be affected by what they see and hear. Over and above the immediate fear of being in a violent situation, there are a number of other elements that may create conflict for the children. First, the children are watching at least one of their parents act violently or being the target of violence. When both caregivers are involved there must
be a conflict between the child's loyalty to the assailant and to the victim. Second, regardless of loyalties, the children are faced with the practical question of what should they do about the violence. Third, the child is seeing violence portrayed as part of a close sexual relationship between adults. These experiences are likely to have a powerful effect on the child's developing understanding of intimate adult life and the role of violence in human relationships. Nor can one feel much more sanguine about the impact on the children who witnessed the other assaults.

What will be the future of children whose vivid early memories of close human relationships enshrine violence and victimisation? Overseas research (Jaffe et al, 1992 reviews much of this work) increasingly suggests that children who have witnessed family violence demonstrate adjustment difficulties in a number of areas including health problems, cognitive deficits, adolescent hostility and aggression and difficulties in adult relationships with the opposite sex. Research (Straus and Gelles, 1990, Jaffe et al, 1990 and 1992) also suggests that these are the children who are likely to grow up to fight and bully their peers, to beat their wives and to commit violent crimes; or, especially if they are female, who are likely to acquiesce in victimisation and accept violence from their friends and partners.

The data described in this paper come from records of incidents that came to police attention because of a primary focus on men's violence towards women. The fact that there were so many cases where the violence towards children during these incidents remained in the background, raises the question of how much more violence towards children goes unrecorded. Certainly it seems reasonable to assume from this data that, despite the growing awareness of the need to call the police when men hit women, there is not the same recognition of the need to call the police when children are the victims. To beat or belt a child, or even to punch them, is still seen by many as a legitimate part of parenting. A recent study from this Office (Maxwell, 1993) showed that 2% of a random sample of over 300 current parents said that they had given their child "a really severe thrashing" and 11% reported that they had "hit with a strap, stick or something similar". Such behaviour is likely to continue to be seen as acceptable parenting rather than violence towards children so long as it is supported by the fact that Section 59 of the Crimes Act 1961 exempts from a charge of assault parents who use "reasonable force" towards their children.

Not only is there too little information in New Zealand on the incidence and prevalence of family violence that involves children, but we also know too little of the impact that family violence has on children who are caught up in it. Locally the only research on the effects on children of involvement in family violence comes from a recent thesis by Tanya Pocock (1994), which compares children in refuges with children who are not.

Although research is needed, the information that is already available clearly establishes that a problem exists. It is time to include children in policies about family violence.

If New Zealand is to assert the importance of laying charges when women are assaulted, the police should equally be required to lay charges when children have been assaulted. Here, the problem may be in part one of awareness. Routine inquiries by police who attend incidents of family violence about whether or not any children have also suffered from the violence may lead to better protection
of children; especially if the police are also required to act on any case where there is evidence of violence towards children.

Domestic Protection orders are currently available only to those in a spousal relationship (although a woman's children may also be named on protection orders). Restraining orders are available under the Children, Young Persons and Their Families Act 1989 to protect children but they are not readily available on the first occasion an incident of violence involving a child is reported. Alterations to the Domestic Protection Act which are currently being considered could protect children in families where violence has occurred or been threatened and orders to protect children could be made available on an ex parte basis in the same way as they are available to an adult partner (Office of the Commissioner for Children, 1994). Further, the police should be included as a party able to make application for orders for the protection of a child where there are grounds to believe that the child may be in danger.

At present, custody orders can be made without those conducting inquiries being required to ascertain whether or not there has been a history of violence in the relationship between the adults and the children involved - these practices should be reviewed. Recently Justice Sir Ronald Davison (1994) has proposed that a primary concern in all dealings with situations where family violence has occurred should be - are the children safe? He specifically proposes that a parent who has used violence against a spouse should not be granted custody or unsupervised access until they can show that the child will be safe with them. Other North American jurisdictions are currently considering or have developed codes that include a concern for the potential physical danger to children (Hart, 1992). Such proposals deserve consideration in relation to Family Court proceedings and in relation to all other inquiries about the placement of children.

It is time, therefore, to ensure that New Zealand takes the same steps and makes the same provisions to ensure the safety of children in homes where there is family violence, that it has put in place to protect the safety of women. And it is time to examine issues of safety from violence for all children for whom a change of placement, custody or access is being considered.

Note: Since this paper was written New Zealand has developed new legislation which provides for domestic protection orders for children and defines violence to include psychological violence including allowing children to witness violence. New police policy is also being developed to encompass responses to potential child witnesses. Children who experience or witness violence will be referred to state funded programs. Further research is ongoing.

References


