

Twenty-nine child homicides:

Lessons still to be learnt on domestic violence and child protection

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Women's Aid Federation of England (Women's Aid) is the national domestic violence charity which co-ordinates and supports a network of over 500 refuges, advocacy and support services for women and children experiencing domestic violence.

Women's Aid believes that all children have a right to enjoy regular contact with both parents after separation, provided it is safe for all those involved, adequate measures for protection are in place, and that it is of sufficient quality to meet the parenting needs of the child.

There is a clear overlap between the experience of domestic violence and child abuse, so it is vital that professionals working in the family justice system and in statutory agencies recognise contact with a violent parent as a serious child protection issue.

Women's Aid has compiled details of 29 children in 13 families who were killed between 1994 and 2004 as a result of contact (and in one case residence) arrangements in England and Wales. Ten of these children were killed in the last two years. The Government has acknowledged that with regard to five of these families contact was ordered by the court.

Aim and content of the report:

This report emphasises the lessons that Women's Aid believes should have been learnt from these 29 child homicides, and seeks answers to the following questions:

1. Did the court knowingly grant unsupervised contact or residence to a violent parent – and if so, has anyone been held accountable?
2. Was domestic violence recognised as a serious child protection issue?
3. Did professionals understand the dynamics of domestic violence?
4. Were children listened to and taken seriously?
5. Did frontline staff recognise significant risk indicators?
6. Was Government guidance followed?
7. Why was no Serious Case Review carried out with regard to seven of the children?

The report is largely based on the executive summaries of Serious Case Reviews, carried out after the children were killed. As we have no wish to cause further distress to relatives, we have not named any of the children.

Findings

- In three cases it is clear that not only did the court grant orders for unsupervised contact or residence to very violent fathers but that these decisions were made against professional advice, without waiting for professional advice or without requesting professional advice. There was nothing to indicate that any court professionals have been held accountable.
- It is clear that domestic violence was involved in 11 out of the 13 families. In one of the two remaining cases the mother has spoken of her ex-partner's obsessively controlling behaviour (a characteristic feature of domestic violence) and in the other case there were concerns about the child's safety.
- Several of the homicides occurred during overnight stays.
- Mental health issues (including depression and suicide threats or attempts) are mentioned with regard to 9 of the 13 fathers who killed their children.
- In several cases where statutory agencies knew that the mother was experiencing domestic violence, the children were not viewed as being at risk of 'significant harm', even when she was facing potentially lethal violence.
- In five cases it is clear that the father killed the children in order to take revenge on his ex-partner for leaving him.
- Some professionals clearly did not have any understanding of the power and control dynamics of domestic violence, and did not recognise the increased risks following separation or the mother's starting a new relationship.
- In several cases professionals did not talk to the children and this meant that, in effect, there was no assessment of their needs. Sometimes this was because the perpetrator prevented any meaningful contact with the child.
- With regard to the five homicide cases where contact was ordered by the court, we can only assume that the court did not follow the recommendation in the Good Practice Guidelines about ensuring the safety of the child and the resident parent before during and after contact. The guidance in *Working Together to Safeguard Children* about supporting the non-violent parent also appears to have been largely ignored.
- No explanation was given for the failure to carry out Serious Case Reviews with regard to seven of the children who were killed

Women's Aid recommendations

- Serious Case Reviews should always be carried out when children are killed in circumstances which suggest previous information about violence or abuse within the family, and family court professionals should be required to take part whenever this is relevant.
- Mechanisms are required for holding family court professionals accountable for decisions that result in children being killed or seriously harmed. If found to be responsible, professionals (judges, magistrates, barristers, solicitors, expert witness or family court adviser) should lose their right to adjudicate, represent parties, provide evidence or report to the court in family proceedings.
- All statutory workers with child protection responsibilities should receive training to enable them to understand the dynamics of domestic violence and its links with child protection, and to recognise significant risk indicators.
- Legislation should require the courts to assess risk and to prioritise the safety of the child in all cases involving allegations of abuse, because there is always likely to be risk in contact disputes involving domestic violence.
- The Government should require professionals working in statutory agencies and within the family justice system to prioritise supporting non-violent parents in making safe choices for themselves and their children.
- A person who is awaiting trial for a violent offence against a family member should not be allowed to have unsupervised contact with a child.
- In cases where there are allegations of abuse but insufficient evidence to prove this, children should be assessed in a child-friendly environment using appropriate techniques over several weeks to establish the child's perspective and whether the child is at risk, and to make appropriate recommendations for the child's welfare, because children are very unlikely to disclose abuse during a one-off interview with a person, whom they do not know and trust.
- Independent domestic violence advocacy services and supervised contact facilities should be available in every local area as part of a co-ordinated community response to domestic violence.
- The Government should commission research to identify significant risk indicators for children in cases of domestic violence where there are contact or residence proceedings or arrangements.
- Evidence from information sharing databases of domestic violence and its adverse affects on children should be made available to the family justice system, including CAFCASS. Safeguards must also be provided to ensure that the basic details contained on the databases cannot be used by domestic violence perpetrators to track down their victims.