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Review

Review Paper: 'Discourses on the Place of Mothers Rights where They Are Subject to Domestic Violence within Child Protection Work in England'

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Abstract: This article examines the place of gendered relationships between parents with regard to child protection work in England, and the effects of this on mothers who are abused by their male partners. These areas are discussed within an emotionally, socially, and politically charged set of issues concerning to what extent the State should intervene, why, and how between parents and their children in terms of parental rights and child protection. In this way, the article examines fault lines in the Western world's ideology of the family, and concepts and realities of parental, mothers' and children's rights. In examining dominant and competing discourses on parental rights in child protection work, the case is made for the need to disaggregate concepts and approaches away from parental rights per se, to viewing the possibility of needing to see fathers and mothers needs and rights as at times being in conflict. This becomes particularly problematic in relation to mothers' rights to their own protection from abuse, and how this relates to professional interventions when both the mother and the children are being abused. It considers the need to acknowledge and foreground taking account of how the mother and child(ren) are experiencing the abuse, not how society and professionals might like to view the situation by way of an idealized view of families through a particular ideological lens.

Keywords: mother's rights; parental rights; domestic violence; gender-based violence; secondary victimization; child protection social work

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1. Introduction and Background

The aims of this article are to examine discourses concerning mothers' positions within child protection policy discourses and front-line social work practice work in England, within the consideration of how these relate to ideas about privacy of the family and its sanctity to treat its different members without State interference. It pays particular attention to social work approaches in relation to this, and the effects on the safety, wellbeing and protection of both mothers and children.

The article examines the relationship between the concept and reality concerning parental rights within family structures when child protection issues are present, and the rights and needs of mothers subject to domestic violence within such families. Whilst one dominant discourse concerns the rights of children, a less feted but deeply socially embedded discourse concerns assumptions and longstanding beliefs in terms of male rights within families which can be argued to be in opposition to mothers' rights, leading to, it is argued, a need to question the generic term "parental rights", with its inference of equality of both fathers' and mothers' rights and interests.

This then leads into the discussion of a highly emotionally, socially and politically charged issue concerning to what extent the State should intervene, and how, in what happens between parents in terms of contested views on parental rights within child protection work. This becomes particularly problematic in relation to mothers' rights to

their own protection from abuse, and how this relates to professional interventions when both the mother and their child(ren) are being abused.

The key place of crossover points between dominant discourses, ideology, social norms, law and policy as these affect interventions or non-interventions, on what basis, are discussed.

Child Protection, Families and Domestic Violence in England

Within these developments, children's rights are given primacy. Echoing the 1989 United Nations Convention on the Rights of the Child [1], which states in Article 3 "*in all actions concerning children . . . the best interests of the child shall be a primary consideration*" [1], England's Children Act 1989 states that

> "*(1) When a court determines any question with respect to . . . the upbringing of a child . . . the child's welfare shall be the court's paramount consideration*". [2]

The parameters of this in relation to the concept that family is always best for children is set out by statutory guidance from the English Government's Department for Education in its outlining of the key principles of the Children Act 1989 relating to a powerful ideology of keeping families together—"*All practitioners should follow the principles of the Children Acts 1989 and 2004 - that state that the welfare of children is paramount and that they are best looked after within their families, with their parents playing a full part in their lives, unless compulsory intervention in family life is necessary.*" [3] (p. 9). The concomitant policies and regulations emanating from this in relation to potential conflicts between parents, particularly where there is abuse of the mother by a male partner, are not addressed. Child protection and interventions with families relating to abuse and safeguarding have become a, if not the, major focus of children's statutory services within England [3–8].

The Children Act 1989 sets out criteria on which local authorities can intervene in families' parenting of their children, where there may be abuse of children through physical abuse, neglect, emotional abuse, sexual abuse, or most recently, living in an environment of domestic violence [3,9,10]. Research on the adverse impact of childhood exposure to domestic violence in the late 1990s and early 2000s led to reforms in legislation that recognized it as a form of child abuse, leading to it becoming a key element of the Children Act 1989 as amended by the Adoption and Children Act (2002) [11]. The definition of "significant harm"—the justification for legal action in this arena—within the Adoption and Children Act (2002)—now includes "*the impairment suffered from seeing or hearing the ill-treatment of another*"—i.e., domestic violence and abuse, within families where children are emotionally abused due to their living in an environment of domestic violence [11–14].

Whilst in legislation and regulatory policy it is stated that *"Practitioners should . . . develop their understanding of domestic abuse, which includes controlling and coercive behaviour from perpetrators of domestic abuse, and the impact this has on children"* [3] (p. 14), it is argued here this is problematic in that it does not examine the evidence, as presented in this article, of how domestic violence affects mothers and their ability to be part of protecting their children. Such effects, and possible ways to remedy these in practice, are the focus of this article.

2. Literature Review Methods

The inquiry undertaken for this article is exploratory and began with a narrative review of the literature and the evidence within that, using combinations of the search terms "domestic violence", "domestic abuse", "child protection", "child abuse", and "social work", in Google Scholar and the University of Hertfordshire's Learning Resource Centre database. Findings of a major recent systematic review of evidence produced in England by the National Institute for Health and Care Excellence on this area is also included. The work of key authors in the field who draw on research findings are also included.

In so doing, it looks at the research evidence of women's experiences of domestic violence and domestic abuse, and then additionally and specifically mothers' experiences of social work interventions in relation to situations where both themselves and their

children are experiencing domestic violence. This is, as the article sets out, affected by areas which are not easily open to empirical research, with little published work specifically on this, due partly to the complex nature of the concepts and the phenomena themselves, but also because political, policy and discourses have minimized attention to such experiences of mothers. For this reason, the historical background to how such areas have been viewed, and how these have developed over time, is presented. In order to capture the ways in which policy reflects the wider discourse, the grey literature and policy documents and law in England is also examined.

2.1. Domestic Violence and Abuse against Women/Mothers

From this literature review, evidence emerges that in England, historically and currently, there are predominant assumptions that families are the best and safest places for children, with particular focus on how the nuclear family is the best way to nurture and develop children and prepare them for the adult world, frequently presented in this way within "family-friendly" discourses and ideologies [15–17]. Whilst this is undoubtedly the case for many families, this is not always so. The evidence concerning gendered and age-related power relationships and the effects of abuse within families, as examined in this article, undermines this discourse, and has a direct bearing on the safety and wellbeing of children and adult partner carers who are being abused within families.

In this paper, the term "domestic violence and abuse" is used, as determined by the UK government in England, to refer to any incident(s) of controlling, coercive, threatening, violent or abusive behaviour, along with physical, financial, sexual, emotional, or psychological maltreatment [18]. This definition encompasses any incidents occurring between related adults, or adults who are either currently or formerly intimate partners [18]. The inclusion of "controlling" and "coercive" behaviour in this definition makes clear that domestic violence is not just a single incident, but is often a process that takes place over time [18,19].

Domestic violence towards women, and child abuse, occur in all socioeconomic groups in societies, paying no regard to employment status, disability, ethnic group, or other socio-economic factors [5,20–23]. One basic and now widely accepted view on this is that key in terms of how and why people are subject to interpersonal violence is about disempowerment and control over the victim [23–25].

The National Institute for Health and Care Excellence (NICE)—the body which determines the use of best evidence, based on a systematic review of the research to inform practice in health and social care in England (see https://www.nice.org.uk/process/pmg6/resources/the-guidelines-manual-pdf-2007970804933, accessed on 19 September 2021)—utilizes the following definition of domestic violence and abuse: "Domestic violence and abuse is defined as any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence, or abuse between people aged 16 years or over who are, or have been, intimate partners or are family members regardless of gender or sexuality. It includes psychological, physical, sexual, emotional, and financial abuse, forced marriage, and 'honour'-based violence." [20], reflecting that of the UK Government in England's Home Office [18]. This includes the category of "honour"-based violence and forced marriage, a key area of violence and abuse, including amongst certain minority ethnic groups.

The NICE review and subsequent guidance highlight that heterosexual women are generally more at risk than others of more severe violence and repeated physical violence; more injuries; more sexual violence; more coercive control; to have more fear of their partner; and in addition, that risk increasing where the abused person is trying to leave the relationship [20,21]. The majority of reported domestic violence incidents involve men as perpetrators and women as victims and have negative effects on the mothers and children within them [20,21]. Women are also more likely than men to experience repeated partner abuse, abuse over a longer period of time, and more severe abuse [20,21]. Evidence from self report studies in England and Wales confirms that women are more likely than men to have experienced intimate violence across the different types of abuse, and women who

were separated had the highest risk of such abuse [26]. The appreciation of the effects of such behaviour in engendering of fear in victims—on the reporting of abuse, and the fear of the reactions from the abuser if they do [27]—is key to the development of understanding mothers' responses to such domestic violence, and their feelings of ability to be able to report this both in protecting themselves, and in terms of their being able to report on and protect their children. This then builds upon the knowledge available about the power dynamics within families where there is domestic violence against adults in the household and against the children [28].

Dobash and Dobash [29] noted at their time of writing in the 1970s that courts of law were slowly starting to take account of views about the place of gendered abusive power relationships in relation to husbands, and that after several centuries of the law legitimizing, denying and minimizing the issue of wife abuse and child abuse by husbands/fathers, this became an area of concern for social and legal change in the 1980s and 1990s. Their review of the evidence at that time demonstrated the high incidence of violence from husbands against wives (and partners where they are not married) taking place within coercive and intimidating sets of power relationships. Their review of the historical and contemporary discourses concerning such intimate partner/domestic violence demonstrated how the matter had been decriminalized, ignored, or treated in a perfunctory fashion by criminal justice systems, police, medical and social services personnel, and within local communities. Similar issues were highlighted in a review of domestic violence policies in England and Wales in 2011 [30].

Gelles and Straus [27] explored the consequences of living in a violent home, and found evidence that the emotional and psychic wounds suffered from family violence and abuse can be far more damaging than the bruises and even sometimes fractures from physical injuries. They contend that families can be the most nurturing and safest places to grow up, but that they can also be the most threatening, abusive and disempowering. This then raises the question of how society and child-protection agencies determine, on a spectrum, of what is "good enough" in terms of safety and well-being for children to remain and be maintained in their families, and when conversely it comes to the point where State intervention should ensure the rights and well-being of the mother and the child, as opposed to maintaining the rights and expectations of males in the household to be able to treat the children—and female partners—as they wish.

It is beyond the scope of this article to discuss ways that intersectionality of, for example, mothers who are LGBTQ+, mothers with disabilities, and issues of ethnicity can affect professional assessment and approaches to such issues [22–25].

Equally, it is not possible to examine here in which ways fathers may be viewed and worked within child protection work in positive ways, but see, for example, Phillip et al. [31]. However, consideration of working in positive ways with perpetrators needs to take account of how mothers may, as victims, experience their abusers, and the effects of living in great fear of them. This can be argued to require from professionals an overarching focus of their work to be on the protection of mothers who are domestic abuse victims, and a need to be careful that they are not over-judgmental of such mothers without good evidence that those mothers are perpetrators who are responsible for their actions. This is because there is evidence that social workers, for example, have been found to have such judgements [32].

2.2. Historic and Current Effects on Policy, Law and Attitudes

Dobash and Dobash [29], in expanding upon their points concerning historical and contemporary discourses, considered the effects of these on societal and personal attitudes in relation to intimate partner/domestic violence. They examined the importance of how the concept of the sanctity of the family prevented external intervention. The concept derives from how legally and socially husbands could treat their wives and children as they wished, because, in law, they effectively owned them. This has been a key driver in social attitudes, politics and social structures for several centuries in England. From a point where

State intervention in family life was virtually non-existent, at the end of the 19th-centuryry attitudes began to change. From a point where the overriding and almost totally accepted idea that the rights of fathers were to be sustained in lieu of sustainability of the family unit in any circumstances—no matter what the effects on wives and children—the law and policies began to change to take into account the idea of wives and children having rights for themselves [27,29].

Cultural attitudes however can be pervasive and deep in such areas [33–36]. Dobash and Dobash [29] discuss the effects of such "hidden" factors, despite legal and policy changes. For example, Christian approaches have deeply affected the nature of discourses on wife abuse historically, culturally and in religious-based ideas, dating back to the twelfth century, which reinforced husbands' roles and rights by emphasizing women not having been made in the image of God; woman having brought about the fall of man; and how it was a man's right to control her [37]. Martin Luther in the sixteenth century, in the Protestant Reformation, maintained this idea of the "ideal" family, with the husband ruling the wife who is then compelled to obey him [37]. In the following centuries, the discourse of "just chastisement" emerged as a general principle, with any perceived threat to a husband's authority permitting him to correct her, with its justification dependent upon what the wife had done [37]. This then relates to how an "Englishman's home" has often been seen as his "castle" [38]. Formal intervention of the courts only occurred in cases of the most extreme violence [39].

Such discourses and guidance from the powerful bodies such as the churches at these times had pervasive effects in terms of social and personal attitudes to such violence and abuse.

2.3. Current Positive Developments and Barriers

Developments in law and policy, as well as social discourses, are set out by Dobash and Dobash [29] in relation to the recognition of woman abuse within intimate interpersonal relationships, and the development of feminist and refuge movements aimed at providing support and escape for women in such circumstances. They set out in detail the barriers to mothers who are subject to domestic abuse in being able to leave the situation, including the controlling behaviour of the abuser, and the fear of what would happen to themselves and their children if they were to try to leave. In addition, there is evidence that if women leave, the abuse is very likely to continue, and very possibly become worse [20,21,26]. These then become key learning points for professionals in the field, when we consider later in this article how social workers can be judgmental about mothers for not telling about the abuse for themselves and their children.

By the 1960s, the new women's and feminist movements started to reshape stereotypes and attitudes, with marriage becoming a more equal relationship in terms of, e.g., divorce and property rights, although law and attitudes were still problematic. For example, wives continued to be raped by their husbands with impunity within the law until 1992 [40]. These positive developments into the early 2000s included new legal interventions, including civil protection orders, and government guidance that instead of police seeing victims who reported it as not to be protected because they were seen by police officers as "domestics" and not to be acted upon [30], policies and guidance now emphasize how police should arrest the alleged offender if there is evidence so to do [41]. In addition, the National Policing Improvement Agency's Guidance on investigating domestic abuse recognizes the significant links between domestic abuse and child abuse, and states that police officers should investigate the welfare of all children that have witnessed domestic abuse, or where they normally reside at an address where a domestic abuse-related incident has been reported [42] However, such policies have not always had the desired outcomes [30].

In addition, the Protection from Harassment Act 1997 prohibits a person from pursuing "a course of conduct" which "amounts to harassment of another" and which "he knows or ought to know amounts to harassment of the other" [18,43].

There has undoubtedly been some movement forward for the protection and rights of women partners and children in recent decades in relation to domestic violence [3,18–21]. However, there is still a large body of evidence about its prevalence, and its effects on mothers and children.

2.4. Domestic Violence within Families: Extent and Effects on Mothers and Children

In 2021 the World Health Organization (WHO) and United Nations found that one in four women and girls around the world have been physically or sexually assaulted by a husband or male partner, according to this largest study yet undertaken, covering 161 countries based on data published between 2000 and 2018 [44]. They found that domestic violence started young, including with children, with a quarter of 15- to 19-year-old girls and young women estimated to have been abused at least once in their lives. The WHO found intimate partner violence to be by far the most prevalent form of violence against women around the world, affecting some 641 million. These figures do not reflect the continuing impact of the COVID-19 pandemic, and the UN predicted at least 15 million extra cases of domestic violence around the world as a result of coronavirus restrictions. We also know that the majority of mother and child abuse is not reported and therefore not dealt with, so we know that what has been put into place, has not protected their interests and rights to an extent that policy and lawmakers may have been aiming for [44].

Children living in families where domestic violence is a feature for their mothers and/or themselves, often live in fear of harm or rejection, have extreme anxiety or sadness, guilt, are unable to exhibit empathy or guilt, feel emotional isolation, humiliation, and have a fear of the future [45]. Research by Radford and Hester in England [46] suggests that children who experience domestic violence are left with a sense that their home is a place of danger. NICE [20] sets out how exposure to domestic violence and abuse negatively affects the psychological, mental, and emotional health of the children and their social and educational development, and how it increases the likelihood of children experiencing, or becoming perpetrators of, domestic violence and abuse as adults.

Domestic violence against mothers is known to negatively impact the ability of women to protect their children [47] with male perpetrators frequently directing their aggression and abuse towards their partner's mothering skills to undermine her self-confidence in a powerful and key social female role [47]. Women often feel responsible for being a "good" mother [47]. This can then often result in feelings of guilt, failure, and self-blame [47,48]. It can significantly and negatively affect their ability to engage with, and disclose issues of abuse to, child protection professionals. These issues become of key importance in these considerations when we take account of the strong association between domestic violence within the family home and other forms of child abuse and maltreatment, within the developing knowledge of how the most frequently reported form of trauma for children is domestic violence between parents [49], with significant negative long-term impact on children's mental, psychological and emotional health, and social and educational development, as set out above.

These issues significantly affect the safety and well-being of children in the family, due to the considerable and enduring crossover points between mother and child abuse, relating to the rights of victims of domestic partner intimate violence and child abuse [28,50]. In a contemporary meta-analysis of these crossover points, in their article on children's experiences and needs in relation to domestic and family violence, Noble-Carr et al. [51] set out how interpersonal partner family violence is a significant issue experienced by many children. The analysis was based on an examination of 32 qualitative research studies about children's experiences of domestic and family violence from the UK and North America. They found that children described domestic violence as an isolating and enduring experience, very often resulting in disruption, challenges and loss concerning their significant relationships, and feelings of fear, powerlessness, and sadness, that can have severely detrimental impacts on children's health, development, and well-being.

These issues are now recognized in English safeguarding law by the Children Act 2002 [51] in relation to children living in environments of domestic violence, as set out above, for example—although powerful negative and enduring discourses are still evident in social attitudes. For example, Josephson and Burack [52] examine how popular literature about family values has frequently justified neo-traditional models of the nuclear family, reflecting functionalist gender-differentiated roles. The dominant narrative within this concerns how the primary role for families is their enhancing of the wellbeing of all the different family members, and in particular enhancing the wellbeing of children. They found from their review of the evidence that the case for this dominant discourse is weak. It is argued here that discourses about the rights of male dominance over women and children are contained within culture, which might not be in accord with the aims of legal and policy changes, because of the powerful cultural and media discourses about families and mothers and children places within them, and, as we shall see, in how social workers often perceive these issues in their assessments and practices, which persist from the history and issues given above.

Examples of these influences are to be found in relation to cultural and media representations. Firstly, Lelaurain et al. [53], in a research study which whilst carried out in France, can be seen to have applicability to England given the similarities between the two countries, set out how the concept of "romantic love" within heterosexual relationships. They contend that this concept has had an important part to play with regard to psychosocial mechanisms that can negatively affect the operationalization of legal and policy formulations in relation to the protection of women and children within families, and subsequent help-seeking barriers for female victims. The study of 235 French adults explored the processes underlying the relationship between this formulation of love and attitudes toward this kind of violence, and the legitimization of intimate partner violence, such as perceived severity of violence, victim blame, and exoneration of the perpetrator. It also examined the mediating effect of patriarchal ideologies, i.e., domestic violence, ambivalent sexism myths, on this relationship. The research findings included how the more the participants adhered to ideas of romantic love, the more they blamed the victim and exonerated the perpetrator, and subscribed to domestic violence myths.

Secondly, as part of cultural processes of transmission of such discourses, the effect of media portrayals can be argued to still confirm problematic attitudes to domestic violence, having important influence in socializing the views and behaviour of the general population about how to view and respond to domestic violence as an event to be ashamed of. As a result of this—and from fear about how the abuser is likely to respond if they break the secrecy of it to outside people/professionals—many victims and survivors take a long time—if ever—to share their experiences with professionals such as social workers [13,46,47]. From their study with colleagues in Australia, Italy, Slovenia, UK and the US, Ramon and Lloyd researched different types of media representation of domestic violence, including films, television, newspapers, social media, and Ted lectures. They examined media representation of different types of domestic violence (elder abuse, child abuse, abuse of women and of men) concerning gender-based violence. The researchers consider that such media reflect public opinion, but also aim to mould it. In applying an intersectional perspective to the analysis of the coverage of domestic violence they determined that the "*values espoused by the owners of and the journalists working for a specific media source play a central part in the attitudes taken in interpreting and representing domestic violence and abuse*" and that "*Media representations also influence public attitudes towards victims' and perpetrators' actions*" [54] (p. 26).

Resultant from these processes, Paechter [55] notes the discourses and narratives that have shaped legislation, policy and cultural attitudes for a number of centuries have given men's rights priority within marriage over their wives and children, and the effects of these have not disappeared within cultural and family transmission of roles and power dynamics contained within the cultural unit. Paechter sets out evidence of the hegemony around such cultural attitudes to male dominance and power which still have great traction

with certain communities and families, and the ways in which discourses and narratives on femininity give justification for male dominance in many sectors of society and is interpreted and utilized in ways which have prevented a complete transformation in equality of women in terms of their rights. This then, as we can observe, has a concomitant effect on women's/mothers' rights.

3. Current Issues Arising from Discourses on Domestic Violence in Relation to (Disaggregated) Parents Rights in Child Protection Work

These discourses and the evidence of the negative effects and the extent of such domestic violence on mothers and children then relates to how social workers have in England been found in some quarters to be blaming mothers who are victims/survivors of domestic abuse from their male partners [48]. Where there is concurrent abuse by the partner of the children in the family unit, the mother in some circumstances has been shown to have been blamed for not protecting her children when she is herself—as has been evidenced in previous sections of this article—experiencing debilitating fear from the use of power dynamics from the abuser [28,32]. Child protection professionals are human beings, affected by cultural and media representations, which can affect their assessments and judgments in situations where domestic violence occurs.

3.1. Influences on Social Work Professionals' Attitudes and Practices

The historical, cultural and power-based dynamics set out above regarding the sanctity of the family based on men's dominance and rights to treat their wives and children as they see fit, appear to have continued to influence social work professionals' attitudes and practices. There is evidence of the failure of workers to engage fully and effectively with children and their mothers, and to have too great a regard for the discourse around the dominant ideology as opposed to the reality of some families' lives as set out in this article—assuming the best in parents in their relationships with each other, and that family life is inherently good in itself. Whilst this is true for the majority of parents to some extent or another, it is necessary to consider that this is not true for all [5,52,53,56,57]. Witt and Diaz [58] discuss how domestic violence features significantly within many of the most complex child protection cases in children's social care in the UK. With the extensive knowledge of these effects on domestic violence on mothers and children, there are concerns that child protection workers do not always identify the presence or effects of abuse in families or of domestic violence [58,59]. Child protection services have been criticized for being slow to realize that helping to establish safety for the mother is synonymous with ensuring safety for the children in cases of domestic violence [28]. Where domestic violence is a feature in child protection situations, these situations are both often of higher risk and more likely to have more frequent recurrences [60].

This then relates to one key discourse in social work theory and practice in England about strength-based and solution-focused approaches [8,61]. This should be the preferred option with most families, reflecting the higher-order policy, media, and cultural narrative of the family being intrinsically good, and therefore in trying to keep families together. However, it can be problematic when social workers become involved in their dual role of supporting parents but also potentially controlling their behaviour when it could be deemed that "bad" parenting is not ensuring the safety and well being of the children involved. In such situations, social workers have to be part of recommending that a court makes an order to remove parental responsibility from the parents they have been working with [62]. This then can compromise the rights of mothers who are being abused themselves in such situations; Fleckinger [63] sets out from her research how child protection workers can have "*blind spots*" to the marginalization of female victims of relationship violence, affected by "*deep-set attitudes and partially unconscious moral concepts which quite unintentionally, may lead to child protection social workers to blame the survivors of gender-based violence*" [63] (p. 5). This can lead to judgmental and punitive attitudes towards the mother, with negative effects, with a need, it appears, for social workers to understand and utilize to a greater degree strategies to prevent victim-blaming attitudes.

3.2. Mother Abuse and Child Protection

In terms of how child abuse is viewed, and how concepts and ideas of risk are applied (or not) re risk to children and mothers from strengths-based approaches, Edleson [64] contends that framing domestic violence as a child protection issue is the wrong response by children's social care, suggesting that a "*more generalized, welfare and community-based response is needed in the majority of cases*". Robbins and Cook [65] (p. 1669) summarize the difference in approaches as follows:

> "*Two contrasting approaches to domestic abuse have emerged: one from the voluntary sector where expertise developed in relation to the welfare and rights of women, the other from statutory services where the emphasis is on child protection, risk and investigation.*"

Humphreys et al. [66] argue that shifting child protection structures could result in families receiving both earlier support and increased resources. This would limit child protection responses to domestic violence to only the most serious cases, with more supportive and preventive work taking place. However, due to higher thresholds within children's social care in England, engagement with families and service providers often only occurs when the situation has already reached crisis point. What this could mean then, within a general view of supporting families as generally the best approach, is that this approach could put mothers and children at more risk if the abuse of them both is not part of risk assessments in the provision of such support strategies, within an "eyes wide open" approach to these risks without the general dominant discourse and ideology of family is "best".

Child protection responses by social workers often become the most likely option, due to the perception that the mother has appeared to them to be culpable in failing to protect her child(ren) [63]. Based on this perception, social workers can often insist that the mother separates from the perpetrator of the violence, and research shows that this is ordinarily reinforced through either the threatened or actual removal of the child(ren) [28].

Hester [67] argues that levels of support and forms of empowerment for women in domestic violence situations have been subsumed within an emergent child protection culture of "mother blaming" (see also [28]), with social workers tending to focus on a mother's failures/deficiencies. This then inadvertently allows obfuscation of the male violence that generated the problems [68]. Radford and Hester [46] challenge what they view as the denigration of mothering within child protection agencies, and mother-blaming for child abuse. Such an approach of non-blame would, arguably, support women to regain confidence and control over their own safety and wellbeing, and mothering abilities, which, in turn, would improve the well-being and safety of their children [47], as they could find it possible to be more assertive re their own and their children's needs.

4. Conclusions

In its meta-analysis of evidence in the area of domestic violence, set out for those over 16 to other family members but also applicable to younger children, NICE advises that professionals should be aware of reasons why people may be reluctant to disclose domestic violence and abuse, including:

- *"Fear of retribution from the perpetrator of the abuse.*
- *Fear of causing a family breakdown or bringing dishonour to the family, or that their children may be removed from their care, or of an unsympathetic response, and/or of not being believed.*
- *Shame or embarrassment.*
- *Cultural stigma.*
- *Not believing that anything can be done to help them.*
- *Believing that the experience is "too trivial" to mention"* [20], (see section 'Scenario: Managing domestic violence and abuse').

All of this talks to women's and children's experiences, and listening to them, and acting, when that may mean challenging parental authority and control when this is abusive towards both.

This article made the case for disaggregating terms and concepts away from parental rights per se, to viewing in abusive circumstances the possibility of needing to see fathers and mothers needs and rights as being in conflict, considering equally how this can affect children's rights. This becomes particularly problematic in relation to mothers' rights to their own protection from abuse, and how this relates to professional interventions when both mothers and children are being abused.

What we can see from the areas addressed in this article is the emerging greater recognition of the effects of male abuse, aggression and violence used against mothers and children within the same family environment. Whilst it can be argued that this should mean that women's and children's rights to protection are becoming paramount, as it is meant to be for children under the Children Act 1989, there is also the evidence examined in this article on how domestic violence is still pervasive and prevalent, and children are at times not being protected; and that mothers and their children are often not telling child protection staff of abuse, or fear receiving poor responses if they do, that allows the abuser/abuse to continue—or allow it to get worse. Such lack of reporting/disclosure is due mainly to issues of fear of the male abuser from the mother and the children, and also of the reactions that we evidenced in this article about social workers attitudes towards domestic violence. This includes the blaming of mothers for allowing abuse to continue, when she is also subject to grossly disempowering, violent and threatening behaviour, often deepening in severity over long periods of time, from their male partners.

Where there is concurrent abuse by the partner of the mother and children in the family unit, social workers have been shown at times to be negatively judgmental of mothers, with them being blamed for not protecting their children when they are in debilitating fear from the power dynamics of the male partner's abuse [13,15,32]. Thus, the effects of victim/survivor blaming can be seen as partly at least due to an overemphasis on keeping families together as a form of sustainability, which can actually facilitate/allow the continuation of the abuse by abusive male partners. Failures have been shown in recognizing and responding effectively to the needs of such female partners and children as a result of such abuse [32].

This analysis would suggest that there is a need for greater emphasis on such realizations from the knowledge base in training, policies, approaches and methods, which rightly embrace strength-focused, relationship-based, solution-focused approaches, with their focus on empowerment, and anti-oppressive practice, when balanced with such uncomfortable realities [8,58,61,67,69,70].

The evidence and conclusions from this review of the evidence do not suggest taking away from how some mothers are clearly active participants to some level or another in the abuse of their children, either jointly with male partners, or their own. Assessment and interventions in relation to woman/mother abuse by male partners have to be part of an assessment in relation to a continuum of where a mother maybe the victim of abuse by their male partner which disempowers them, through to the other end of the spectrum where they themselves are active participants in such abuse.

In order to meet these conflicting demands for social work, it is suggested that, as far as possible, social workers need to acknowledge and agree on their role and purpose of assessments and interventions with parents and children (where possible and safe for all), within shared decision making of plans to the greatest extent possible [62,70]. However, if this cannot be made to work, when assessing that the abuse of a mother and her children is oppressive for both, then this needs to be acknowledged and foregrounded, taking full account of how the mother and child(ren) are experiencing the abuse, not how we would like to view the family through an ideological view of how we would like families to be.

In this way, the article examined the fault lines in the Western world's ideology of the family and concepts and realities of parental, mothers, and children's rights. It achieves this by critically analyzing, changing and developing discourses, ideologies, and legal and policy provisions, and their effects on social workers views about the family in western societies compared to the actualities in evidence of family life, and debates and discourses

about how state intervention should or should not frame what family life should be like, for whom and how, regulated in what type of ways, in contrast to important principles and deeply embedded attitudes in England in relation to parental rights within families to treat their children as they see fit.

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