FACT SHEET

Child Custody in cases of Violence Against Women

Findings, Priorities and Promising Practices from Perpetrator programmes and Specialised Women´s Support Services

INTRODUCTION

On 20 - 21 April 2026, WWP EN and WAVE organised a roundtable bringing together representatives from women's specialist services, perpetrator programmes, researchers and experts from across Europe to explore child custody and child protection in the context of violence against women and domestic violence.

The initiative emerged from ongoing dialogue between WAVE and WWP EN and from concerns raised by members across Europe regarding child custody, supervised visitation and the continued impact of domestic violence after separation.

Participating Countries

Participants from Austria, Cyprus, Georgia, Germany, Ireland, Italy, Malta, the Netherlands, Sweden and the United Kingdom shared experiences, challenges and promising practices from their respective contexts.

THE PROBLEM & EVIDENCE

Key Findings from Across Europe

01 Domestic violence is often minimised in custody proceedings

Violence recognised in criminal proceedings is frequently reframed as parental conflict in family courts, resulting in inadequate consideration of risk and safety.

02 Family and criminal justice systems lack effective information-sharing

Information relevant to domestic violence is often not adequately shared or considered in family justice proceedings, leading to harmful decisions on child custody and contact arrangements that fail to account for the impact of domestic violence (DV) or intimate partner violence (IPV) on children.

03 Child resistance and Refusal Dynamic

Children's views are not always interpreted within the context of trauma, fear, coercive control and family violence.

04 Child visitation

Participants from several countries reported concerns about parental alienation arguments and related concepts being used in cases involving documented domestic violence. These accusations are overwhelmingly directed at mothers when children resist contact with an abusive father.

05 Supervised visitation is often treated as a procedure rather than a safety measure

Transitions to unsupervised contact frequently occur without meaningful assessment of behavioural change or risk.

06 Systems based on perpetrator accountability

Justice and child protection systems should assess domestic violence through a perpetrator accountability framework that clearly differentiates abusive behaviour from victims' protective responses. Responsibility for the violence must never be diluted through notions of mutual conflict or shared blame

07 Mandatory specialised training remains insufficient

Participants consistently highlighted gaps in training for judges, lawyers, psychologists, social workers and child protection professionals.

A Key Message from the Discussion

"The wellbeing of children and the wellbeing of the non-violent parent are inseparable."

Participants repeatedly highlighted that child protection and survivor protection cannot be addressed separately. Effective responses must recognise the interconnected safety and wellbeing of both children and non-violent parents.

The solution and Guidelines

01 Independent screening

Independent screening for DV including coercive control for all custody proceedings

02 Information sharing

Information sharing between civil and criminal proceedings for all cases screened positive for DV

03 Child protection

In contexts involving domestic violence, protective gatekeeping—actions taken by a non-abusive parent to shield a child from physical or psychological harm —must not be interpreted as malicious alienation.

04 Protecting the mother-child relationship

In evaluating if visitation between abusive parent and child should be suspended or supervised the safety of the non violent parent/child relationship should be evaluated beyond the evaluation of the safety of the mother and of the child. Any acts of DV against the mother damages the non-violent parent/child safety that should be always considered a priority. Behavior and preferences of child should be considered as well as behaviors that exhibit trauma-induced fear, appeasing behavior.

05 Supervised visitation as safety measure

Supervised visitation should be considered a permanent safety measure until conditions have changed and risk has effectively been reassessed. In the absence of any intervening factor that specifically addresses fathering and the safety of the mother-child relationship, no changes should be made.

06 Perpetrator accountability

In cases of DV the perpetrator should be held accountable for his behaviour. Without effective safeguards and accountability mechanisms, judicial processes risk becoming a means through which abuse is perpetuated rather than prevented.

07 Training

Mandatory, gender-sensitive, evidence-based training for judges, lawyers, social workers, and psychologists is largely absent and urgently needed.

Structural Barrier Identified Across Countries

The separation of family and criminal courts — with no systematic information sharing — is one of the most critical barriers across all countries.

SOLUTIONS & PATH FORWARD

Practices to Explore Further

The models presented are examples raised by participants. While informative, they still need deeper examination to determine their specific features, effectiveness, and whether elements of these approaches could be applied more widely.

Germany

Munich Model (Münchner Modell)

A court-ordered and government-funded process involving coordinated work with the perpetrator, mother and child before recommendations are made to the family court.

Spain & United Kingdom

Specialist Courts

Integrated courts handling criminal, family and child protection matters together, enabling more informed and coordinated decision-making.

Netherlands

Trauma-Informed and Standardised Court Reports

Women's support services conduct trauma screening and prepare standardised reports that support courts in understanding the impact of violence.

Estonia

Children's Houses

Purpose-built facilities for supervised child contact that combine safety, professional support and therapeutic environments for children affected by violence.

Priorities Identified During the Roundtable

Advocacy & Communication

- Increase visibility of post-separationabuse and its impact on women and children.
- Share evidence and learning and continue dialogue across sectors, stakeholders and countries
- Counter narratives that minimise domestic violence or obscure risk.

Policy & Systemic Change

- Improveimplementation of Article31 of the Istanbul Convention.
- Strengthen information sharing between family courts, criminal courts and child protection systems.
- Expand specialised and mandatory professional training.
- Improve risk assessment processes.
- Strengthen recognition of coercive control and post-separation abuse.
- Ensure sustainable funding structures for specialist services.
- Explore specialist court and integrated response models.
- Address legislative initiatives that introduce parental alienation concepts into family law frameworks.

Relevant European Standards

Istanbul Convention – Article 31

Custody and visitation arrangements must not jeopardise the rights and safety of victims or children.

EU Directive (EU) 2024/1385

Requires strengthened protection of victims and children affected by violence against women and domestic violence.

GREVIO Monitoring Findings

Repeatedly highlight implementation gaps relating to custody proceedings, coercive control, professional training and institutional coordination.

LOOKING AHEAD

The roundtable demonstrated the value of bringing together different areas of expertise to exchange knowledge and identify common challenges relating to child custody and child protection in the context of domestic violence.

Participants expressed interest in continuing dialogue, sharing practices and strengthening understanding of how systems can better protect women and children.

WAVE – Women Against Violence Europe

https://wave-network.org/

WWP EN – European Network for the Work with Perpetrators of Domestic Violence

https://www.work-with-perpetrators.eu/

This factsheet summarises key themes emerging from the WAVE–WWP EN Roundtable on Child Custody and Child Protection in the Context of Violence Against Women and Girls held in Vienna on 20–21 April 2026.

WWP European Network

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