



The lack of recognition of domestic violence in family law procedures in the Netherlands

'Where violence disappears from view'

Judith Martens (Sterk Huis)
Sonja Steman (Blijf Groep)
Essa Reijmers (Valente)



Branchevereniging voor participatie,
begeleiding en veilige opvang



Case study Destiny & John





Research as strategic tool for change

Inspiration:

- Istanbul Convention on preventing and combatting violence against women and domestic violence: *Article 31 – Custody, visitation rights and safety*
- [Italian research](#) presented at [Women Against Violence Europe](#) (WAVE), Madrid 2023

Strategy for change:

- Independent research as tool to effect change in the justice system and chain:
 - Coalition partners needed
 - Association Women and Law, Verwey-Jonker Instituut, Child in crisis and Achmea
 - Victim and Society Foundation



Where violence disappears from view (1)

Overall conclusion:

Domestic violence and coercive control play hardly any role in court decisions around divorce, care and access and custody.

- Domestic violence? Not taken into account in the judges decision.
- Underlying assumptions:
 - parents are equal, so both have equal right to contact with the child
 - focus on the future, not the past
- Risk-assessment instruments: hardly ever asked for or used by judges.



Where violence disappears from view (2)

- If safety is considered: the safety of the child, not that of the mother.
- Impact of violence against the mother on the child's safety: hardly considered.
- Parenting skills: do not weigh in the decision.
- Use of Istanbul Convention: not common amongst family lawyers.

Recommendations:

- Training on domestic violence and coercive control for all legal professionals and support workers.
- Assessment framework should be introduced, requiring judges to explicitly consider domestic violence in their decisions.



Follow-up after this study

Advocacy and political lobby

- Media attention: national newspapers, radio, social media
- Questions in parliament and response secretary of state: initiated talks with Child Protection Board and Council for the Judiciary on an improvement process

Sharing of expertise and tools

- Training sessions for lawyers and judges
- Gathering (family) lawyers: next step towards assessment framework

Actions women's shelters and Valente

- Presentation for National Network of Women's Shelters
- Regional presentations to discuss outcomes with stakeholders

Case study - revisited





For further information, please contact us:

Judith Martens: judithmartens@sterkhuis.nl
<https://www.linkedin.com/in/judith-martens-782374a7/>

Sonja Steman: s.steman@blijfgroep.nl
<https://www.linkedin.com/in/sonja-steman-14520110b/?originalSubdomain=nl>

Essa Reijmers: essa.reijmers@valente.nl
<https://www.linkedin.com/in/essa-reijmers-595a331a/>



Branchevereniging voor participatie,
begeleiding en veilige opvang



Based on research (2025):

<https://www.verwey-jonker.nl/publicatie/waar-geweld-uit-beeld-raakt/>

by Katinka Lünneemann: klunneemann@verwey-jonker.nl

For more information see:

<https://www.verwey-jonker.nl/onderzoeker/katinka-lunneemann/>

Milou Lünneemann: mlunneemann@verwey-jonker.nl

For more information see:

<https://www.verwey-jonker.nl/onderzoeker/milou-lunneemann/>