



**JOSIMAR
MENDES**

Consultoria, Cursos
& Serviços Psicológicos

3ª REUNIÃO DA SUBCOMISSÃO CDHHAIA

IMPACTOS DO CONTEXTO DE VIOLÊNCIA DOMÉSTICA SOBRE OS MELHORES INTERESSES DA CRIANÇA E MANUTENÇÃO DE CONTROLE COERCITIVO EM CASOS DE HAIA

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Um pouquinho sobre mim...

- *Research Associate* – ‘**Digital Youth**’, Universidade de Oxford (Inglaterra)
- Pós-doutorado – ‘**Projeto Engajadamente**’ (www.engajadamente.org), Universidade de Oxford & Universidade de Brasília
- PhD em Psicologia – ‘*The Decision-Making Process in Child Custody Cases After Parental Separation: A Cross-Cultural Study Between Brazil and England*’ (2022), Universidade de Sussex (Inglaterra)
- Especialização – *Centre for Addiction and Mental Health* (CAMH), Toronto, Canadá, 2015 - 2016
- Mestrado em Psicologia Clínica e Cultura – Visão crítica e Sistêmica sobre Alienação Parental, Universidade de Brasília, 2011 - 2013
- Idealizador do Curso ‘**Compreendendo e Garantindo os ‘Melhores Interesses’ na Prática Psicossocial: uma Abordagem Sistêmica**’
- Terapeuta Sistêmico-estrutural de casais e famílias
- Assistente Técnico e Parecerista – Guarda e Convivência (mais de 1/3 dos Tribunais estaduais)



Violência Doméstica afeta os Melhores Interesses dos filhos?



Compreensões-chave

Há um extensivo e robusto **corpo de evidências** indicando que ambientes 'instáveis', 'inseguros' e 'precários' podem ser danosos ao bem-estar e melhores interesses de crianças → podem impactar o Desenvolvimento Infantil

Instável

(Hardi et al., 2023; Koizumi et al., 2023)

Inseguro

(Kobulsky et al., 2022)

Precário

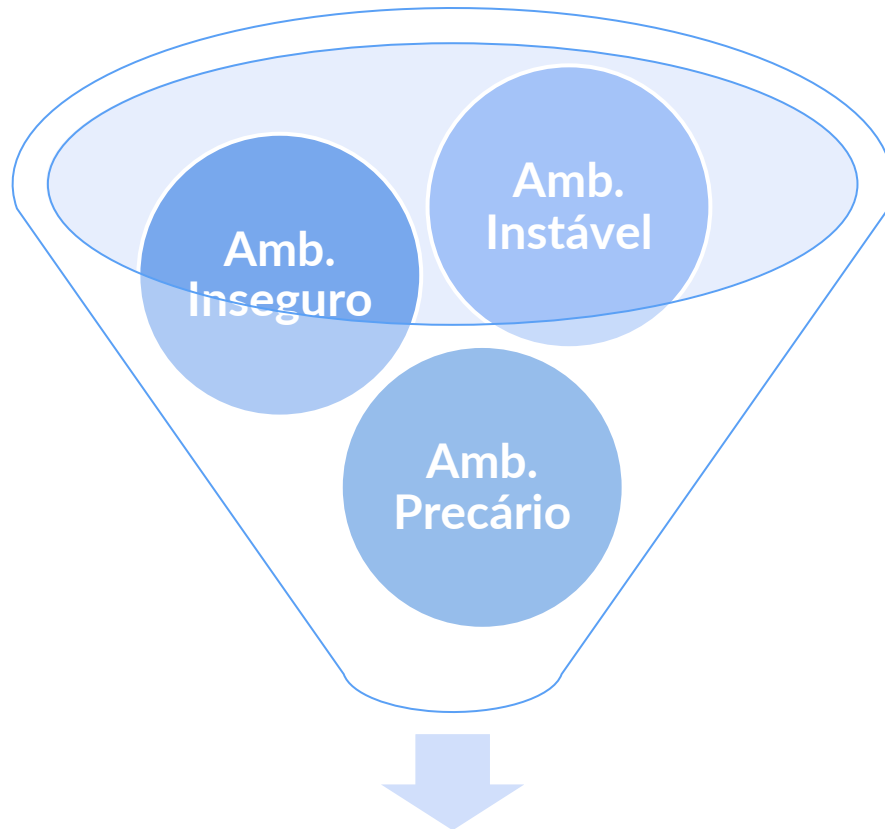
(Conrad-Hiebner et al., 2020)

AMBIENTE

- Ansiedade, Depressão e outros transtornos mentais
- Ajuste Social
- Abuso de Substâncias
- Desenvolvimento Cerebral
- Obesidade
- Saúde Sexual



Compreensões-chave



'ESTRESSE NA VIDA TENRA'

“se estende do período pré-natal até os 3 anos de vida” (Zhang et al., 2024, p. 542)

- **Saúde Intestinal** (Zhang et al., 2024)
- **Depressão na Infância e Adolescência** (LeMoult et al., 2020)
- **Transtornos Psiquiátricos na Vida Adulta** (e.g., ansiedade, transtornos de personalidade e esquizofrenia) (Carr et al., 2013)
- **Adicção na Vida Adulta** (Texeira et al., 2017)
- **Plasticidade Cerebral** (Lopatina et al., 2021)

- **Abuso físico**
- **Abuso psicológico**



Ambientes
Instáveis, Inseguros
e Precários

Estresse na 'vida
tenra'

DESENVOLVIMENTO
INFANTIL

A necessidade da criança de ter uma percepção de estabilidade, continuidade, e segurança é crucial para a proteção dos seus **melhores interesses**, especialmente em casos de disputa de guarda (Mendes & Ormerod, 2019)

Ao promover ambientes instáveis, inseguros e precários (que podem levar ao 'estresse na primeira infância'), o contexto de **Violência Doméstica** é prejudicial ao bem-estar e aos melhores interesses das crianças



Violência Provocada por Parceiro Íntimo (IPV): refere-se à violência física, sexual, e/ou psicológica e ao stalking perpetrados por um parceiro ou ex-parceiro romântico (Bogat et al., 2023)

Exposição à IPV: quando crianças veem, escutam e/ou têm conhecimento da violência dirigida a uma figura parental pelo seu parceiro (Fong et al., 2019)



Annual Review of Clinical Psychology

**Developmental Consequences
of Intimate Partner Violence
on Children**

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and Kara Cochran

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Keywords

intimate partner violence, child development, domestic violence, prenatal
stress, attachment

Abstract

Numerous studies associate childhood exposure to intimate partner violence (IPV) with adverse adjustment in the domains of mental health, social, and academic functioning. This review synthesizes this literature and highlights the critical role of child self-regulation in mediating children's adjustment outcomes. We discuss major methodological problems of the field, including failure to consider the effects of prenatal IPV exposure and the limitations of variable-oriented and cross-sectional approaches. Finally, we present a comprehensive theoretical model of the effects of IPV on children's development. This model includes three mechanistic pathways—one that is unique to IPV (maternal representations) and two that are consistent with the effects of other stressors (maternal mental health and physiological functioning). In our model, the effects of these three pathways on child adjustment outcomes are mediated through parenting and child self-regulation. Future research directions and clinical implications are discussed in the context of the model.

“devido aos efeitos deletérios da exposição à IPV no exercício da parentalidade, a IPV também pode, indiretamente, prejudicar o desenvolvimento da autorregulação das crianças” (Bogat et al., 2023, p. 305)

- Impacto no desenvolvimento neurológico
- Problemas de apego (IPV pré-natal/pós-natal)
- Dificuldade na regulação emocional
- Desempenho acadêmico inferior
- TEPT (transtorno de estresse pós-traumático)



Exposure to Intimate Partner Violence and Children's Physiological Functioning: A Systematic Review of the Literature

Kristen A. Berg^{1,2} · Kylie E. Evans² · Gregory Powers² · Scott E. Moore³ · Stacey Steigerwald⁴ · Anna E. Bender² · Megan R. Holmes² · Abigail Yaffe² · Arin M. Connell⁵

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Abstract

Over 25% of youth in the United States are estimated to witness intimate partner violence (IPV) at some point during childhood. Research has synthesized the physical and behavioral health consequences of children's IPV exposure, but evidence of links between witnessing IPV and children's physiological functioning has yet to be integrated. The primary aim of this systematic review is to delineate the patterns by which variation in children's physiological functioning has been measured to associate with IPV exposure. This study was one component of a broader Evidence and Gap Map (EGM) consolidation of how witnessing IPV affects children's wellbeing. Seven bibliographic databases were systematically searched through August 2020 and, of 381 total EGM-included citations, 23 examined children's physiological functioning in the context of IPV exposure. Research evidences a directly deleterious effect of IPV exposure for children's endocrine, nervous, cardiovascular, and immune functioning and a vulnerability effect of physiological dysregulation across other domains of children's wellbeing. Additional research on how specific aspects of IPV exposure affect children's physiologies and wellbeing across time is critical. Future inquiry measuring dynamic associations between various physiological responses in the aftermath of witnessing IPV is needed. Further elucidating the physiological context of children's IPV exposure is important for developing and implementing interventions that maximize children's opportunities for resilience.

Keywords Bioregulatory functioning · Domestic violence · IPV · Childhood trauma · Systematic review

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Introduction

Intimate partner violence (IPV) and its consequences for children are critical public health concerns. The Centers for Disease Control (2015) defines four primary types of IPV including physical and sexual violence, stalking, and psychological aggression by a current or former intimate partner. Recent estimates indicate that more than a quarter of adult women in the United States will experience some form of IPV in their lifetime (Smith et al., 2018). Research also suggests that over 13 million youth witness IPV at some point during childhood, with most of those witnessed assaults perpetrated by men (Hamby et al., 2010). Children may witness IPV firsthand (e.g., see or hear the altercation, intervene) or observe its aftermath such as seeing a caregiver's bruising or perceiving psychological tension in the home (Holden et al., 1998). Given knowledge that children's emotional and physiological regulation is affected by their feelings of security and stable attachment within their family systems (Cummings & Miller-Graff, 2015), IPV exposure

“Crianças podem testemunhar a IPV diretamente (e.g., ver ou ouvir a alteração, intervir) ou observar suas consequências, como ver hematomas em sua cuidadora ou perceber a tensão psicológica no ambiente doméstico” (Berg et al., 2022, p. 1321)

- Impactando o funcionamento endócrino, nervoso, cardiovascular e imunológico das crianças

A Systematic Review of Risk and Protective Factors for Externalizing Problems in Children Exposed to Intimate Partner Violence

Vanessa C. Fong¹, David Hawes², and Jennifer L. Allen¹

Abstract

Intimate partner violence (IPV) is a serious public health issue with innumerable costs to the victims, children, and families affected as well as society at large. The evidence is conclusive regarding a strong association between exposure to IPV and children's externalizing problems. Moving forward, the next step is to enhance our understanding of risk and protective factors associated with these outcomes in order to tailor treatments to meet the needs of both parents and children. The databases Medline, PubMed, and PsylINFO were searched combining variations of the key words such as parent*, child*, mother, partner abuse, domestic abuse, spousal abuse, interpersonal violence, domestic violence, or intimate partner violence. This search was combined with child externalizing behaviors specifically conduct*, oppositional defiant disorder, externaliz*, aggress*, hyperactivity, and ADHD. A total of 31 studies from all three databases were reviewed following application of inclusion and exclusion criteria. The main findings were that child age and gender, callous-unemotional traits, cognitive appraisals, maternal mental health, and quality of parenting emerged as key mediating and moderating factors of the relationship between IPV exposure and child externalizing problems. These findings suggest that interventions provided to families exposed to IPV need to target both maternal and child risk factors in order to successfully reduce child externalizing problems.

Keywords

intimate partner violence, domestic violence, parenting, externalizing problems, parenting interventions

Child exposure to intimate partner violence (IPV) is a pervasive problem worldwide and is associated with significant emotional, social, and behavioral difficulties in children. Due to growing awareness of the negative impact of exposure to IPV, an increasing number of studies have attempted to gain a better understanding of risk and protective factors associated with child outcomes. Although there is no standard definition of IPV due to variation in national and state legislation, there is general consensus that it includes not only physical aggression, such as hitting, kicking, and beating, but also emotional or psychological abuse such as humiliation, intimidation, and controlling actions (Wathen & MacMillan, 2013). "Exposure" in the context of IPV refers to children seeing, hearing, or being aware of violence directed toward one parent figure from his or her partner (Jaffé, Wolfe, & Wilson, 1990). Due to inconsistent definitions and underreporting of IPV, reliable national data on the prevalence of IPV are lacking. However, recent statistics estimate that in the United States, approximately 15.5 million children are exposed to IPV, and of these, 7 million have been exposed to extreme forms of violence within their household (Fortin, Doucet, & Damant, 2011).

A range of child mental health outcomes have been documented following exposure to IPV, including externalizing problems, anxiety, depression, and trauma symptoms (Grip,

Almqvist, & Broberg, 2012). However, this review will focus on child externalizing behaviors in order to facilitate a more in-depth exploration of evidence for risk and protective factors for past IPV exposure and this specific child outcome. Children who witness IPV are more likely to display a range of externalizing problems including aggression, hyperactivity, inattention, impulsivity, lying, cheating, and bullying (Bauer, Gilbert, Carroll, & Downs, 2013; Laheem, Kuning, & McNeil, 2009). The association between exposure to IPV and child externalizing problems is robust, with a recent meta-analysis by Evans, Davies, and DiLillo (2008) revealing a medium effect size of 0.47. Meta-analyses examining other risk factors for externalizing problems have revealed comparable effect sizes to exposure to IPV. For example, Fearon,

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“Mesmo quando crianças e mães são separadas dos agressores, os efeitos prejudiciais da IPV tendem a persistir.

Resultados de estudos longitudinais também sugerem um papel causal da VPI no desenvolvimento de problemas de conduta infantil” (Fong et al., 2019, p. 150)

- Agressão
- Hiperatividade
- Falta de atenção
- Impulsividade
- Mentira
- Trapaça
- Bullying



A criança não deve ser retornada ao Estado de sua residência habitual se...

13(1) (b)

houver um **risco grave** que o seu retorno possa expor a criança a um **dano físico ou psicológico** ou, de outra forma, colocá-la em uma situação intolerável

A **Violência Doméstica** pode representar um **risco** para a **integridade física da criança?**

SIM!

A **Violência Doméstica** pode representar um **risco** para a **integridade psicológica da criança?**

SIM!



Violência Doméstica & Manutenção do Controle Coercitivo



VD & Controle Coercitivo

- ❖ **Controle Coercitivo:** padrão de **comportamentos intencionais e reiterados** exercidos por uma pessoa com o **objetivo de subjugar, isolar, intimidar e restringir a autonomia da parceira** (ou parceiro), por meio de **ameaças**, humilhações, **vigilância**, **manipulação**, imposições econômicas, e/ou violência física e sexual, criando um **ambiente de medo constante e submissão**.
 - ❖ **Dinâmica contínua de dominação e poder**, que compromete gravemente a liberdade, segurança e bem-estar da vítima.
- ❖ O contexto de **imigração internacional** para **mulheres vítimas de violência doméstica** pode aumentar a **vulnerabilidade** e a alegação de **‘Sequestro Internacional’** pode servir como um **proxy para o controle coercitivo**
 - ❖ *Se você me deixar, vai ficar sozinha, passar necessidade (sem rede de apoio, sem renda) e não poderá retornar ao Brasil com o nosso filho*
 - ❖ *Se você me deixar, eu irei ficar com a guarda do nosso filho*
 - ❖ *Se você ao Brasil sem a minha autorização, vou te acusar de ‘sequestradora’ e “alienadora”*

VD & Controle Coercitivo

- ❖ Além do controle coercitivo, as alegações de “sequestro internacional” podem ser um **mecanismo de violência psicológica e patrimonial**
 - ❖ **Estresse psicológico** por ser acusada de “sequestradora”, sofrer processos criminais do país estrangeiro, e poder perder a guarda e/ou ter seus direitos parentais restringidos
 - ❖ Custa caro ter uma boa defesa (legal e psicossocial) para contrapor as alegações de “sequestro internacional” e apontar, de forma robusta e técnico-científica, o contexto de VD e sua relevância *in casu* → **esgarçamento do patrimônio financeiro** → aumento do estresse psicológico → maior suscetibilidade a abusos e controle coercitivo



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DESAFIOS & SALVAGUARDAS NECESSÁRIAS

DESAFIOS & SALVAGUARDAS

“We are trying our best”

- Não é suficiente
- **Não podemos contar com a boa vontade dos tribunais**
 - Vieses
 - Estereótipos de gênero arraigados e misoginia (vide Protocolo do CNJ)
 - Processo de tomada de decisão centrado nos adultos
 - Peritos *ad hoc* sem expertise
- **Precisamos realmente colocar as crianças e seus melhores interesses em primeiro lugar**
 - Baseado em evidências e não em ‘boa vontade’
 - Reconhecer e gerenciar adequadamente fatores de risco, como a violência doméstica



THANK YOU!

OBRIGADO!

¡GRACIAS!



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