

## **PE1635/H**

Petitioner submission of 30 May 2017

Response to submissions.

### **Families Need Fathers**

I noted that in responses from Families Need Fathers the response concise as it was chose to deal with generalisations rather than specifically responding to the petition. There was no mention of domestic abuse or hearing a children's view. There was nothing about the child being paramount or indeed the rights of a child except the right to have contact with both parents. There was no mention of risks. It is imperative to deal with specifics. The petition is specifically about domestic abuse and how these cases are dealt with within a court setting. It is about domestic abuse and contact issues not about contact generally. It is about safety within centres, that currently have none and I would assume that would be a concern for all who use them. We are all too sadly aware of how one person not related to others can cause pain and injuries and even death to others. It may be someone in the next room who puts a child at risk of harm rather than the parent in the room with the child and this should concern all parents.

### **Children and Young People's Commissioner**

The submission from the Children's and Young People's Commissioner shares many of the concerns and issues highlighted in the petition and I would concur with many of the points contained within it. The submission cites lack of awareness of issues and dynamics of domestic abuse by professionals and Sheriffs. It cites research highlighting a bias towards contact even when a child did not want to maintain contact with a domestically abusive parent, thus highlighting issues with how the law is implemented and interpreted. I would also agree with the comments which raise some fundamental questions about what constitutes supervised contact, the risk factors involved and the funding, regulations and inspection of contact centres.

### **Scottish Women's Aid**

The submission from Scottish Women's Aid articulates accurately many of the issues facing women and children when engaged with court and contact process. I would concur with the submission's contents and would highlight the following relevant issues contained within; The Children Scotland Act 1995 section 11 7(A-e) remaining unknown or unused as a competent means of dealing with cases involving domestic abuse; the lack of interface between criminal and civil courts; the lack of a child's views being heard or heeded; the parenting choice of domestic abuse; the study which highlights the danger using contact centres poses to children and women when domestic abuse is a factor; the widespread and unchallenged assumption that all contact is in the best interests of the child; the cooccurrence of domestic abuse

and child abuse and domestic abuse as the single biggest predictor of child abuse; the Safe and Together model and also the excellent work of Power Up Power Down.

### **Relationships Scotland**

This submission begins with generalisations about contact. Again I would reiterate this petition is specific in its aims concerning domestic abuse, centres and children's rights.

This submission concedes that there are a significant number of men in Scotland who are violent and coercively controlling and that women and children must be kept safe from them following divorce and separation. Yet contact centres, despite having no security, accept referrals to facilitate contact that has been court ordered despite the full knowledge that domestic abuse is a problem within those particular cases.

This submission says that contact would not go ahead if it were not considered safe for the child or resident parent. I would question what exactly it would take for a risk assessment to show that there is a risk given the circumstances of my case. I would also again reiterate that I was informed that they could not guarantee my safety on the premises. If this is the case then how could any child's safety be guaranteed?

From the submission it would appear that Relationships Scotland would value specialist risk assessments to be carried out prior to any involvement with their organisation. The submission also acknowledges that child welfare reports are carried out by solicitors who are not specialists in domestic abuse or child protection issues and that as an organisation Relationships Scotland is provided with very little information from the courts.

However, the submission also states that it is responsible for carrying out risk assessments for all cases. I would have to question how is that possible when by their own admissions they have little to work with and even when they are aware of circumstances which may include a history of violence then they choose to allow contact to take place in a second floor tenement flat.

The statement within the submission that "staff and volunteers have been trained to raise an alarm verbally if an emergency occurs". This is surely unacceptable when children are involved and whose complex family life situation may include a history of violence.

Relationships Scotland as an organisation are like all charities in that they are required to operate under OSCR Regulations which only pertain to their aims and objectives as a charity and how that it is funded. OSCR in the year 2016/17 showed a surplus of funds of nearly £400,000 for Relationships Scotland in Edinburgh. The surplus is not replicated in every area that Relationships Scotland operates as each area seems to operate under its own charity number but it does raise questions as to why a not for profit organisation has such resources and why they are not being used to provide suitably secure and safe premises and professionally qualified staff.

The Practices and Procedures that Relationships Scotland operate under should make anyone who has care of a child be very concerned. Internal Standards from an organisation that does not require professional qualifications from its centre managers let alone those who work with children surely raises more than a few questions about those standards.

A P.V.G and good intentions are no substitute for knowledge, professional practice and experience. Their client group after all is vulnerable children. No external regulation, inspection or standards mean that this charity is effectively a closed system, some of whose client group may have also come from another closed system of the courts. Given the prevalence of child abuse in society this whole situation is one that requires to be rectified quickly for the protection of the children, parents and staff of these centres. The use of CCTV would require Relationships Scotland to register with the Information Commissioner and would also show exactly what takes place within centres which again, given the assertion that women and children must be kept safe, would only be a good thing. It would also I assume be helpful for courts purposes.

Relationships Scotland concedes that it would welcome the introduction of external regulation of Child Contact Centres. I would suggest that this would only be one step of many needed to ensure children's safety at child contact centres.