

## **JUSTICE COMMITTEE**

### **CHILDREN (SCOTLAND) BILL**

#### **SUBMISSION FROM CHILDREN 1<sup>ST</sup>**

Children 1st has been asked by the Justice Committee to provide examples of “good and bad practice in child contact centres.” As the Committee will be aware, Children 1st has provided written and oral evidence on the Children (Scotland) Bill and on the respective Financial Memorandum. The evidence below should be read in conjunction with our comments contained within those submissions relating to our overall views of child contact centres and—first and foremost—the importance of ensuring both the emotional and physical safety of any contact arrangements for children.

Children 1st has over 130 years of experience working alongside families to provide relationship- based support when they need it and to help children and families to recover from the trauma associated with childhood adversity. We do not supervise contact at contact centres and the examples we highlight below come from the experience of families we work alongside in our domestic abuse and family support services who do have experience of child contact centres and what they have told us. Some of the anecdotes that our skilled professionals talked about below came from times they worked alongside families prior to their employment with Children 1st.

We are happy to discuss individual cases studies with any member privately if that would be helpful, however as this evidence may be shared we have kept the information below as anonymous as possible in order to protect the identities of the families involved and to keep children safe.

The experiences we are able to share are often more negative as our support workers reported back that they would usually just be told that contact was “going ok” if there was nothing to report. In particular, our support workers shared significant concerns about a lack of understanding and awareness of domestic abuse, a lack of training about domestic abuse, child development and other issues and a concern about safety arrangements for both women and children who have experience of domestic abuse and for those staff working in the contact centres. They also spoke about their concern for children where their views were not fully taken into account or whose worries about seeing a parent were ignored and where they were exposed during contact sessions to disturbing or unregulated behaviour from parents that was not prevented by contact centre staff.

We are clear that this is the experience of particular families that we support in our very specific services relating to domestic abuse and family support in two particular geographical areas. We do not have experience of all contact centres across Scotland. In Children 1st’s view, this supplementary evidence very clearly makes the case for the regulation of contact centres as proposed by the Children (Scotland) Bill, including—as we have stated in our previous evidence—investment in widespread training and support for contact centre staff as well as in the material infrastructure. Once again, we are clear that contact should only take place if it is safe.

Through the families in our services we have been told about:

- Children who have not seen their parent(s) for significant periods of time who are distressed about contact arrangements, particularly if they have witnessed previous incidents of domestic abuse.
- Parent(s) sharing concerning or emotionally coercive thoughts with their child(ren) due (in their view) to unregulated behaviour and mental health problems.
- Parent(s) asking child(ren) to pass messages back to the other parent, that was not stopped by contact centre staff.
- Gift(s) allowed to come home with child(ren) without contact centre staff checking to see whether this was appropriate.
- Ongoing instances of domestic abuse while contact continued, including coercive control and stalking behaviour.
- A sense that the focus of contact arrangement(s) was on the needs of the parent arranging contact rather than the child.
- Non- abusing parent(s) being clear that they do not believe that contact is in the best interests of the child(ren) but not being listened to.
- A feeling that there was a lack of understanding of domestic abuse and coercive control from contact centre staff, particularly if ex-partners appeared to be “charming”.
- Contact centre worker(s) not taking into account wellbeing requests for child(ren) from non- abusing parent(s).
- On one occasion, support worker(s) spoke to contact centre staff members and discovered a lack of knowledge and understanding of child development and the signs and impact of trauma which, in our opinion, led to mis- interpretation of a child’s behaviour, such as the child demonstrating forced compliance being interpreted as willing acceptance.
- One woman reflected that the contact centre felt like it was a ‘false situation’ where everyone was on their ‘best behaviour’, but she told us that her child’s behaviour changed significantly before and after contact had taken place, often—she felt—when the child felt they were in a ‘safe environment’ to speak and act more freely. She told us that she felt concerned about the gaps in interpreting her child’s behaviour and relaying that back to the Court before and after contact had taken place—not just during. We have also heard of many children whose behaviour changed significantly in the days and weeks leading up to and after contact has taken place, including one young child who repeatedly banged his head against a table and one child who kicked a hole in the door following contact.
- We have heard a number of times about women feeling unsafe emotionally and physically at contact centres. One woman told us that her ex- partner waited outside the contact centre and threatened her. Even though timings may be staggered, and there may be separate entrances and exits, we believe that it is possible for perpetrators of domestic abuse to wait outside, because they know that their ex- partner will be there at some point. In one particularly concerning case, one woman told our support worker that her ex- partner did not know her address and subsequently waited outside the contact centre and followed her home so that he could find out where she lived. We understand that this then led to further safety planning and other resources being needed to keep the woman and her child safe.

Our support workers have shared that for the women in our services who have experienced domestic abuse and coercive control this feeling of being unsafe after leaving is so significant that it is often one of the primary reasons that they stay in an abusive relationship. One woman told us that if she had known how bad the

court system was (not just the contact arrangements) and how unsafe she would feel “I would never have left.”

- Some support workers in our domestic abuse services have also shared that the women they worked alongside felt that their concerns about emotional and physical safety were not taken seriously due to the way that their ex- partner presented themselves in court. In several cases we have been told that it was not until a perpetrator of domestic abuse had an outburst in court itself demonstrating their unregulated and dangerous behaviour that contact arrangements were altered and the women’s concerns were taken seriously.
- In one example, our support worker shared that a contact centre support worker had provided some help to a family where the father was supported to understand and change his behaviour and was encouraged to consider ways to make contact fun and engaging. However, our support worker felt that the child’s voice was not taken into account because although these changes were taking place the child was clear that they did not feel safe due to the high level of emotional and physical abuse that had previously taken place.
- Our support workers also expressed concerns that contact centre staff were not able or willing to take into account a wider picture that would have given them a greater level of understanding about a particular family that was attending the contact centre. For example, seeking information from the school that would help them to take into account their views about how the child was expressing their feelings and potentially sharing this with the court as part of their assessment. The workers felt that the focus seemed to be on the father’s needs rather than the child’s needs.
- Some of the women we work alongside in our domestic abuse service shared that they felt that children were often distracted with games and toys rather than having their feelings and anxieties validated. In some cases we are told that the child may be encouraged to build their confidence and resilience but potential fears and worries related to their parent(s) are sometimes ignored.
- In one example, contact centre staff took notes during supervised contact without (we have been told) any training about how to take notes and how they would be used or what they should be looking for. Of particular concern is that these notes could be shared with the court to help with their decision-making regarding future contact arrangements.

Additionally, we have also heard a number of times of children who are distressed prior to contact arrangements, crying all the way to the contact centre in the car, holding on to car doors and exhibiting distressed behaviour such as being sick or banging their heads on tables and doors. Our support workers shared stories of children being “led away” by contact staff members and told that they “had to see Daddy”. They do not feel that this is in the best interests of either the child (who is being forced to establish a relationship in a way that they had no control over) or indeed either parents, whose relationships with their children could be significantly damaged due to the way the relationship is being facilitated. We have discussed this further in our previous written and oral evidence.

Children 1<sup>st</sup>  
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