

## **JUSTICE COMMITTEE**

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

#### **SUBMISSION FROM RELATIONSHIPS SCOTLAND**

We would wish to place supplementary information before the Justice Committee in their consideration of the Children Scotland Bill 2019 following other submissions and evidence submitted to you.

The following should be read together with Relationships Scotland's initial submission to the Justice Committee, the oral evidence given by Stuart Valentine CEO Relationship Scotland and Isobel Bilsland , Manager , Relationships Scotland Borders to the Justice Committee's Evidence Session on 14 January 2020, and the first further submission on 23 January concerning Specialist risk Assessments.

The Relationship Scotland Network specifically welcomes the opportunity to submit information from parents who use Child Contact Centres. This feedback from clients is attached in Appendix 1.

Whilst comments from clients are of course a very useful source of information, we would wish to stress to the Committee the importance of context and the unique individual circumstances of each family.

Relationships Scotland has a child centred approach in line with our general principles of neutrality and impartiality in relation to the context of the family involved and any conflict between the parents. Decisions should be made in the best interests of the child, whilst at the same time seeking to ensure the safety and welfare of all family members.

The Relationship Scotland Network always stresses that safe contact for each child is of the utmost importance. We believe that courts should have the resources required to obtain as much information as possible, which can then give a sound basis for the most appropriate decisions to be made for each child.

As will be evident from our recent written submission, we continue to highlight the need for a robust risk assessment before any decision is made by the court. We have highlighted the vital role that Specialist Risk Assessments could play in ensuring that only safe referrals are made to Child Contact Centres and that contact only takes place when it is safe to do so.

It is worth highlighting again that decisions regarding whether or not contact should take place are primarily made by the courts, or by clients' mutual agreement, not by those managing Child Contact Centres. That said, there are on rare occasions times when Child Contact Centres will not accept referrals from the courts if it is felt that contact can't be facilitated safely.

Currently most referrals to use child contact services are from court or via solicitors who advise their clients to approach a child contact service to facilitate contact. In

2018/19, over 2,500 children used the centres and around 80% of the total referrals in that year were from solicitors or the courts.

Within the Relationships Scotland Network Child Contact Centres are operated by experienced managers with trained staff who work to National Standards and Practice Procedures, alongside a Code of Professional Conduct for supported and supervised contact. Our centres operate within national health and safety procedures, which help ensure a safe, warm and inviting physical space for contact to take place.

It is important to note that within the contact centres, parents are responsible for the care of their children, while the staff have an overall responsibility for the health and safety of all those within the centres at all times.

The value of the Relationships Scotland's Network of Child Contact Centres is given in the appendices. Appendix 1 includes remarks given by parents using the Child Contact Centres; Appendix 2 is a case study indicating the advantages of our Network's integrated support.

Each parent referred to a Child Contact Centre within our Network will attend a confidential intake / pre-contact meeting when the clients' history and needs are discussed and risks assessed. This will include child protection; history of domestic abuse; mental health issues; substance misuse issues; Police involvement and any court involvement – e.g. interdicts or non-harassment orders. There is also an assessment made of levels of conflict and safety (for clients and staff) and the risk of abduction, and clients' consent to permit staff to seek relevant information from other agencies (such as Social Work or other Third Sector agencies).

The assessment also includes the child's and adults' views and expectations of the contact. The Child Contact Centre also indicates their expectation of the parents using the service, such as rules for arrival and departure, the use of telephones and our policy for non-abusive language and non-abusive behaviour towards all others within the centres.

If any area of concern is identified, this will be fully investigated and resolved prior to contact taking place.

There has been anecdotal information given to the Committee in other submissions, which does not match our Network's experience. Our Child Contact Centres would always listen to, and if appropriate, act on any concerns raised by our clients. Should any current centre users have any concerns then we would encourage them to contact the service to discuss these further.

Prior to contact taking place parents are made aware of the following:

- Agreement about bringing / not bringing gifts (subject to agreement by both parents)
- Whether the specific centre permits parents to take photographs – at some centres this is not practical due to proximity of other children.
- Child Contact Centres staff do not pass messages onto the other parent except if this relates to a child's well-being – e.g. information about health. If

a parent attempts to pass inappropriate/irrelevant messages via the children or if a parents behaviour is not appropriate towards the child or disrupts others families in the centre then staff are trained to intervene and if appropriate to stop contact. The use of the Child Contact Centre by that parent would then be reviewed and the use of the service could potentially be withdrawn.

- Information that the resident parent will leave the centre first and arrive last. The contact parent has to agree to arrive first and wait at the end of contact for a period of time to allow the other parent and the child/children to leave the area (generally 15 minutes) If the resident parent has specific concerns e.g. resources impacting their ability to leave the area of the centre, then additional provisions may need to be implemented.

Another area of concern for us is a child who is reluctant or distressed to see their other parent. No child would be ever be forced to see their other parent in our centres against their will. If a child was distressed, our staff would talk with the child and the resident parent to try to understand the reasons for this. In many cases, children who initially are unsure about contact go on to have very positive contact with the contact parent.

It is against our ethos, policies and procedures to say a child must see their parent. Also, our Child Contact Centres do not entice children with promises of treats such as a puppy, sweets or toys.

We do appreciate it can be an upsetting time for the child and parents (including the anxieties for the resident parent about possible harm to their relationship with the child) and our centres will try to explore those anxieties. As we have said before this process often has at least one reluctant parent. In many cases a court order to use a Child Contact Centre is resented by both parents.

The training within our Network for both supported and supervised contact includes the following areas:

- Impact/stats on separation and divorce on children and both their parents ;
- Domestic Abuse and guidelines – including impact upon children and the impact of the new Domestic Abuse Act ;
- Child protection;
- Ages and stages – child development;
- Confidentiality;
- Current relevant legislation;
- Managing challenging situations;
- Practicalities of a Child Contact Centre and health and safety risks generally.

Those workers who supervise contact and write reports will have received specific additional training. Generally, Relationships Scotland Child Contact Centres provide reports for supervised contact only. Training is updated yearly and ongoing support is available for all staff working in our Child Contact Centres.

## **Relationships Scotland**

## **Appendix 1 – Feedback from Families**

Of those who completed our Measuring Outcomes forms:

**83%** said that attending the CCC had helped improve their family situation

**99%** would recommend our Child Contact Centres to others

### Comments from Families

*A safe environment to see my daughter with helpful staff*

*Enables me to see my boy, which I wouldn't be able to do otherwise*

*Don't have to see my ex or speak to him, which has relieved my anxiety about this*

*Thanks to the Contact Centre, we have made huge leaps forward*

*Strengthened the bond between myself and my daughter*

*Kids are starting to develop a bond again with their father, which is nice to see*

*Excellent place, staff made my son (who has a learning disability) and my daughter very welcome. They both feel safe and secure attending each week*

*The Centre is the only safe place contact can take place*

*This service has helped me see my daughter to which I am very grateful*

*The staff are first class and very friendly. The Contact Centre provides possibly the only means of contact with my son for which I am extremely grateful*

*The Contact Centre has warm and friendly staff who take my daughters needs and mine into consideration*

*Pleased to have moved out of the Centre to handovers and looking forward to doing it all ourselves*

## Appendix 2 – Case Study

The case study below was included in an article published by the Family Court Review in 2019. It describes the impact of the tailored support for families with complex needs that the Relationships Scotland Network offers. It is provided as an illustration of the benefits of our range of integrated support for families, including Child Contact Centres.

### Case Commentary: Sam's Family

One family that has been supported by a range of interventions working together illustrates the potential benefit of flexible, tailored, integrated services. Names have been changed to protect confidentiality.

The two year old boy, Sam, in this case lives with his dad, John, and two older children from a different relationship. Mum, Janice, has a history of drug and alcohol misuse, and mental health issues, which result in hospital admissions. Both parents are prone to angry outbursts and aggressive behaviour. The court awarded two hours of supported contact for Sam to spend time with his mum at the Child Contact Centre on a fortnightly basis initially.

The first session went well, in a small rural centre with no other families present due to the bad weather at the time. At the next session John was dismayed to find other families using the centre. He had not appreciated the difference between supported contact and supervised contact and he disputed the type of contact that the court had ordered. Janice was distressed when contact did not go ahead on this occasion. The Family Support Worker, Alison, contacted both parents after the aborted contact session and arranged to meet with them separately. She was able to explain to John in more detail how the contact centre support works and started to talk with him about what Sam might be experiencing. Alison talked with Janice and also spoke to her substance misuse support workers and her social worker to agree the best way to help going forward.

Both parents agreed to participate in a one to one Parenting Apart, parent information session. They worked through the Parenting Apart session materials with Alison separately and learnt more about what they and Sam were going through and how best to help him, and they started to work on their communication skills. The Parenting Apart sessions were a turning point, particularly for John. Contact had been failing, John didn't trust Janice, but he was able to see that if she could be supported then Sam would benefit from having a positive relationship with them both. After attending Parenting Apart Janice commented that 'I now have a better understanding of how my son and other children feel' and John said 'I realise I have to encourage contact for my son's sake.'

A number of additional difficulties impacted on the progress of contact. Janice experienced a close family bereavement, John split up from his new partner, and Janice became pregnant again and had further health complications. Five months after the initial court order, a subsequent court order was made – this time for four sessions of supervised contact. This would allow a report to be prepared with a view to moving back to supported contact. Due to Janice's health issues, only two of the

planned supervised sessions took place. They were with a different worker and were very positive. Janice and Sam interacted really well and had a fun time together.

Janice is currently in hospital again and further sessions are on hold for three months. Alison is in touch with John, and the hope is that Janice will engage with the service in the future for further support after her baby is born. If the supervised contact progresses to supported contact successfully, it may be that, in time, mediation would be appropriate for this family to work out the detail of arrangements to take the contact forward outside of the centre. Some parents access counselling to work on their relationship issues and for some families a more in depth systemic therapeutic support is beneficial.

This case demonstrates the complexity of the lives of many families making use of Relationships Scotland centres and services. Chaotic lifestyles and additional support needs can result in slow progress. The one to one support of the Family Support Worker has made a huge difference to this family. Parenting Apart was a turning point. Some families are engaged with Member Services for an extended period of time as the appropriate support changes and they make progress. Trust in the agency has been built up and they are able to move between services easily. The Service Manager for this case commented that this contact plan 'would be nowhere unless the services were joined up'.

***Family Court Review Journal: Cubitt, R. (2019) Finding the Right Support: One Size Doesn't Fit All. Family Court Review Vol 57 No 3, July 2019, 327-331***