



Improving Justice in
Child Contact

Working together across Europe

Kay Tisdall, Professor of Childhood Policy

Childhood & Youth Studies Research Group,
MHSES University of Edinburgh

www.ed.ac.uk/education/ijcc

Improving Justice in Child Contact is a project across five European countries (Bulgaria, Cyprus, Portugal, Romania and Scotland) running from November 2018 to January 2021.

Partners are:

- [Български център за джендър изследвания](#): Bulgarian Gender Research Foundation
- [Μεσογειακό Ινστιτούτο Μελετών Κοινωνικού Φύλου](#): Mediterranean Institute for Gender Studies
- [Centro de Estudos para a Intervenção Social](#): Centre for Studies for Social Intervention
- [UMAR – União de Mulheres Alternativa e Resposta](#): Women's Union for Alternative and Response
- [Fundatia Centrul de Mediere si Securitate Comunitara](#): Community Safety and Mediation Centre Foundation (CMSC)
- [Scottish Women's Aid](#)
- [Childhood & Youth Studies Research Group, Moray House School of Education, University of Edinburgh](#)



IJCC is advised by a young expert group, Yello! These are young people aged 12-18 who have experience of domestic violence.

IJCC was evaluated by [Matter of Focus](#)



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IJCC aims to improve the participation of children and young people in decisions around child contact for families affected by domestic violence.

This presentation addresses:

1. Why do we need this project?
2. What did the project do?
3. What are our key results and conclusions?



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1. Why do we need this project?

United Nations Convention on the Rights of the Child, Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.



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By '**child contact**' we mean communication (such as phone calls or spending time) between a child and a parent who are not regularly living together. Child contact cases typically occur when parents are separating and divorcing, and they cannot agree on such communication.

In English research, 62% of contested child contact cases involved allegations of **domestic abuse**.

Source: <https://www.cafcass.gov.uk/wp-content/uploads/2017/12/Allegations-of-domestic-abuse-in-child-contact-cases-2017.pdf>



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“Nowadays, it feels like they [the courts] don't take the child's view into account, but the views of the parent who seems more upset. What I really hope for is family law hearings to get better, and to give the children a good home life, unlike others, like me, who had to fight for their right to have a say in my own life.”

Young person's reflections on her experience in Scotland.

Source: <https://www.ed.ac.uk/files/atoms/files/mh-ijcc-briefing-childs-experiences.pdf>



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2. What did the project do?

- A. Emphasise the need for **systems change** and develop **collaborative working**. Systems mapping and action plans were available tools.
- B. Explore 2 models:
 - A **Child Contact Children's Rights Officer**, who supports children affected by domestic violence to give their views and wishes on child contact to a judge.
 - **Power up/Power Down**, which aims to meaningfully involve children and young people – with experience of domestic violence – to influence policy and practice
- C. Support and work with the young expert group, **Yello!**



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3. What are our key results and conclusions?

- More similarities than differences, across partner contexts
- Opportunities for change when there are policy openings
- The involvement of children and young people is very powerful to inspire and result in change



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Rona Mackay, Member of
Scottish Parliament

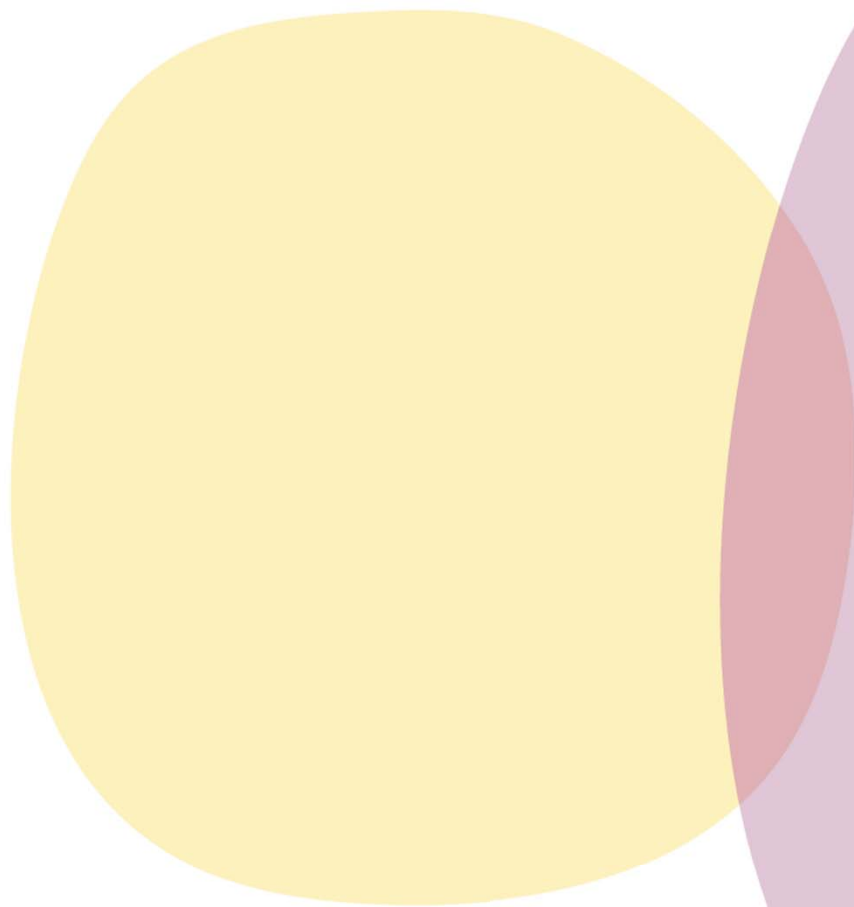
At the last stage of the
Children (Scotland) Bill

“One of the most memorable parts of our journey in getting the bill to Stage 3 was the evidence that the committee heard in private from young people from Yello! ... One by one, we heard of the traumatic and unhappy experiences of court-ordered contact in which the young people had felt powerless to express what they really wanted. I was in awe of their bravery in telling their stories to a room full of adults. They have helped to shape the bill so that future generations will not have to endure their experience.”

Source: <https://www.scottishparliament.tv/meeting/stage-3-proceedings-children-scotland-bill-august-25-2020>



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“Arguments that it might be distressing to the child do not normally constitute good reason to disenfranchise the child ... Furthermore, high conflict disputes can be particularly stressful for children and being able to express their concerns and worries can be reassuring and supportive.”

Source:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/421005/voice-of-the-child-advisory-group-report.pdf



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To conclude ...

... do we all need to
become a
Super Listener?

Are you a Super Listener?



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Improving Justice in Child Contact is funded by the European Union's Rights, Equality and Citizenship Programme (2014-2020).

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