



Improving Justice in Child Contact

A Strategy for Transforming Child Contact Systems: Improving Justice in Child Contact

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ABOUT IJCC

Improving Justice in Child Contact (IJCC) aims to improve children and young people's participation in decision-making around child contact for families affected by domestic violence.

- 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.
- By 'participation' we refer to children's human rights under the United Nations Convention on the Rights of the Child (UNCRC). Children have a range of participation rights, including the right to express their views freely in matters that affect them and for those views to be considered seriously.

IJCC is a project across five European countries (Bulgaria, Cyprus, Portugal, Romania and Scotland) running from November 2018 to November 2020. Each country is exploring models for children and young people to participate and working with stakeholders to eliminate the barriers for, and enhance the mechanisms that support, children and young people's participation.

More information is available on our website.

www.ed.ac.uk/education/ijcc

OUR YOUNG ADVISERS

Improving Justice in Child Contact is advised by a group of young experts, called Yello!, who have previous experience of participation work. The young people are aged between 12 and 18 and have experience of domestic violence.



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**A Strategy for
Transforming Child Contact
Systems: Improving Justice
in Child Contact**

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-
- ✓ If you are on Twitter, please use the hashtag #JusticeInChildContact and copy us in at @CRFRtweets.
 - ✓ The webinar is dealing with sensitive issues. Please take care of yourself and others. Women Against Violence Europe have information on specialist services across Europe at www.wave-network.org/find-help



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**Introductions by
Dr Marsha Scott,
Chief Executive,
Scottish Women's Aid**

Background...

- » System failures in child contact in domestic abuse cases documented across the world for over 20 years
- » A “wicked” issue: long-standing and intractable problem that is complex, involves policy and practice across multiple sectors, cannot be solved by changes in one
- » Women’s inequality is the cause and consequence of violence against women [including domestic abuse]
- » Children’s human rights, like their mothers’, are not realised in a patriarchal system

Meanwhile, in Scotland...SWA and Commissioner for Children and Young People in Scotland separate and joint work

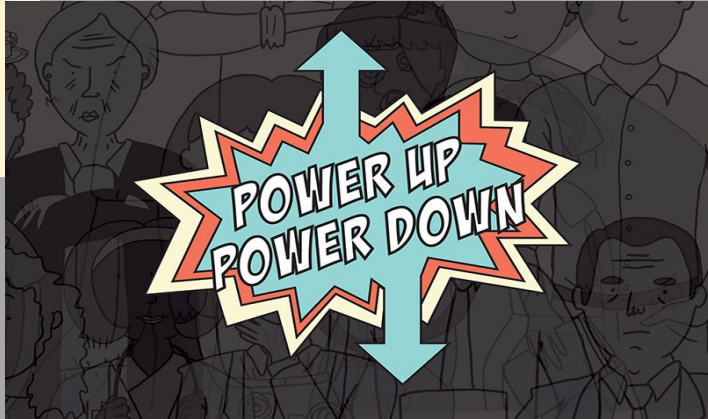
1. Child contact proceedings for children affected by domestic abuse: a report to Scotland's Commissioner for Children and Young People. Fiona Morrison and E. Kay M. Tisdall, Centre for Research on Families and Relationships (CRFR), University of Edinburgh; and Fiona Jones and Alison Reid, Clan Childlaw, March 2013
2. The treatment of the views of children in private law child contact disputes where there is a history of domestic abuse. Dr Kirsteen Mackay, December 2013.
3. Participation work providing powerful and convincing narratives

The power of participation: children and women in Parliament, St Andrew's House



Are you a
Super Listener?

kind.....	eyes to see the problems
knows what they are doing.....	mouth to communicate
remains calm under pressure.....	knows about children's rights
uses hands to communicate.....	respectful
casual clothes.....	non-judgemental
believes children.....	will talk to grown-ups for you
caring and friendly.....	can make you laugh
	do what they promised



Creating the IJCC project

- » “Nevertheless she persisted.” FOURTH application for EU funds finally successful: Bulgaria, Cyprus, Portugal, Romania, Scotland
- » Key elements
 - Gendered analysis: Realisation of women’s rights and children’s rights is inextricably intertwined
 - Multi-agency stakeholders map their national system
 - Participation projects established with children and young people, with two tools offered from Scotland
 - PowerUp, PowerDown
 - Domestic Abuse Children’s Rights Officer (CRO) modelled on West Lothian Council’s work



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Dr Sarah Morton

Matter of Focus

**“Real Evaluation: Telling the
story of a complex project”**

(please see other slides
shown separately)



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**Mr Humza Yousaf MSP,
Scottish Cabinet Secretary
for Justice**



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IJCC Partner Highlights



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Heloísa Perista

Sociologist and Researcher

**Portugal: CESIS – Centro de
Estudos para a Intervenção
Social (Centre for Studies for
Social Intervention)**

Portugal: the IJCC strategy for transforming child contact system

- ✓ New laws and policy initiatives that take children's rights into account in the case of domestic violence
➡ **a policy environment** that favoured the implementation of IJCC activities, the spread of our messages and the engagement of key stakeholders
- ✓ The **Domestic Violence Specialised Integrated Sections (SEIVD)**: pilot projects in four regions of the country articulating the intervention of criminal and family courts for the crime of domestic violence
- ✓ How has being part of IJCC contributed to these changes? **Fostering listening to children's views by:**
 - Setting up a **Young Experts Group**: advisory role; participation in multisector forum meetings; participation in bilateral meetings including with the judicial system, public prosecutors in particular
 - Raising awareness by adopting participation methodologies: completion of a trial of the **Power-Up / Power-Down** project of a **multi stakeholder forum**



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Elena Triffonova

Project Manager

**Bulgarian Gender Research
Foundation**

IJCC project in Bulgaria engaged experts from police, social workers and legal professionals and like-minded people working in the field of women and children.

This project with the mission and philosophy focused on children participation and how to listen to children's voices contributed in Bulgarian context that we can be defined as "not friendly" after the events as cancelling the Convention 210 of Council of Europe for combating domestic violence, refusing National Strategy for Children and stopping for six months the Law for Social Services.

The positive change in Bulgaria we can perceive in some professionals that are not too many. The participatory methodology for child contact is supportive for them. The new model with proven positive results encourage and strengthen the formal and network of experts from the Alliance for Protection against Gender Based Violence (umbrella organization of 11 NGOs) and also other experts from Police, State Institutions and Court. Power-up, Power Down methodology is a something new and challenging but at the final phase of the project we faced more understanding and acceptance.

A follow on from the IJCC project is two Working Groups within the Ministry of Justice were formed after the initiative of BGRF and Alliance for Amendments of Bulgarian Law for Protection against Gender Based Violence. The result of WG's principle of more protection for victims and sensitive approach for parental of domestic violence and holistic approach to victim and child.



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Dr Marsha Scott

Chief Executive

Scottish Women's Aid



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Laura Albu

Executive President

**Romania: Community Safety
and Mediation Center**



Working with Courts from 2 cities (Iasi and Brasov);

Organising hearings;
stakeholders meetings;
podcasts;
meetings at national and regional level

A young expert group established of girls between 11-18 years old - called #AuroraStart-meets online and directly.

***Observation:** The judge ordered Maria to stay and visit her father, even after 11 years of constant hitting and domestic abuse against her, her sisters and mother. The poem is about her reading the court order. Maria now wants to start a support group for other children who are going through the same experiences as her, and she became the youngest volunteer where she helps with transcripts from audio recordings of meetings with judges, lawyers and therapists for podcasts.

Note to my judge – Maria, Romania, 13 years

It was only one wish I have had,
I asked not to see him again
And it is such a somber thing
You demand that I must visit him.

I read* and a tear slipped my face
Because in danger you have put me
You told me I need to stay with him
As if it was a little thing.

Ești un Super Ascultător?



Working on adapting Istanbul Convention and find concrete ways to included them into internal legislation.

Article 26 – Protection and assistance for children witnesses;

Article 31 – Custody, visiting rights and safety;

Article 56 -Protection measures;

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Susana Elisa Pavlou

Director

**Cyprus: Mediterranean
Institute of Gender Studies
(MIGS)**

Contribution of IJCC to change in Cyprus

Make children's right to be heard real in the context of domestic abuse

- **Children's Advocate in the Woman's House** and building practice-based evidence;
- Active engagement of **Commissioner for the Rights of the Child and Young Experts Group**

Challenges remaining...

- Family law reform
- Greater understanding of how to actually do participation – and make children's right to be heard real



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Audience Q&A



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What next?



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To conclude ...

- ✓ See website for other project information and outputs www.ed.ac.uk/education/ijcc
- ✓ If you are looking for advice or information about domestic violence, see Women Against Violence Europe have information on specialist services across Europe at www.wave-network.org/find-help



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

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The Project PARTNERS



Matter
of Focus



THE UNIVERSITY OF EDINBURGH
Moray House School of
Education and Sport



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Real Evaluation: Telling the story of a complex project

The International Justice in Child Contact Project

Dr Sarah Morton, Director, Matter of Focus
and Honorary Fellow, University of Edinburgh



This project is funded by the Rights, Equality and Citizenship Programme of the European Union (2014-2020).



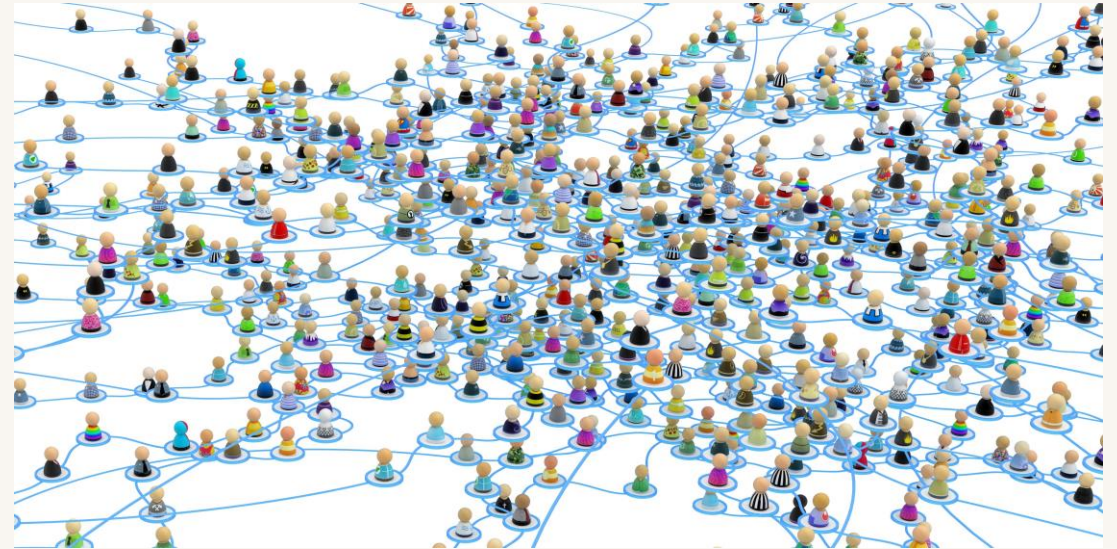
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Understanding change in complex projects

- IJCC project to ‘inspire’ countries to take appropriate action
- Allowing people to reflect on context and ‘do the right thing’
- Unlike other ‘scale’ models – much more likely to be effective

BUT

Much harder to evaluate

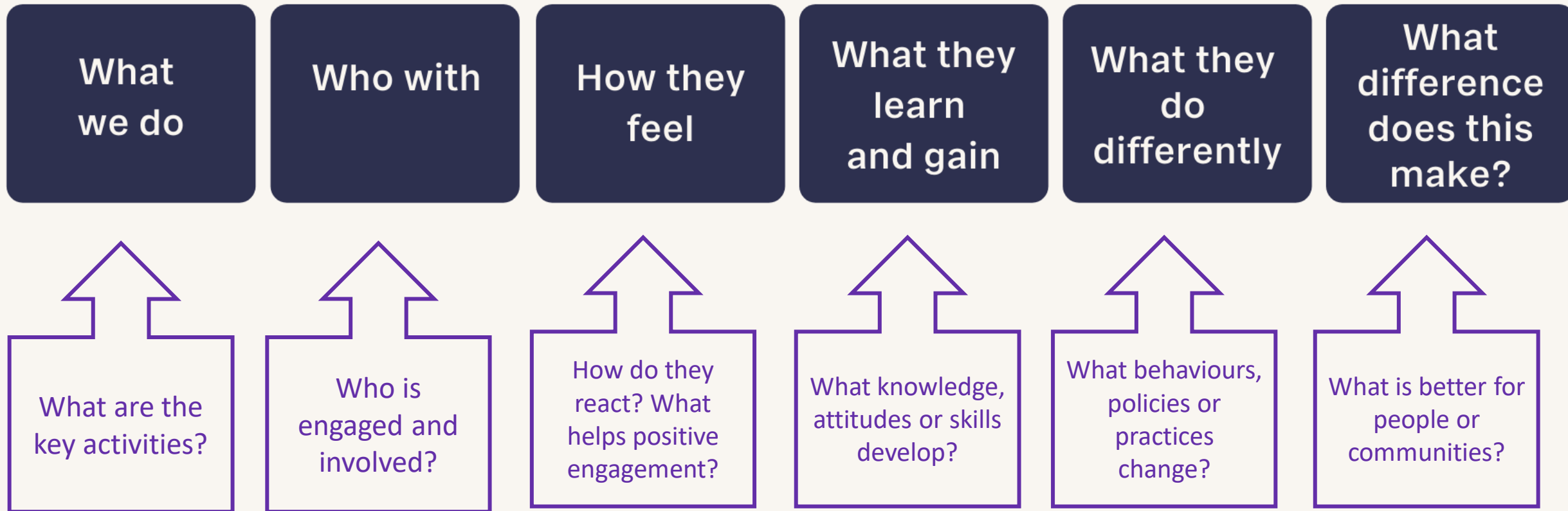


A different approach to understanding change

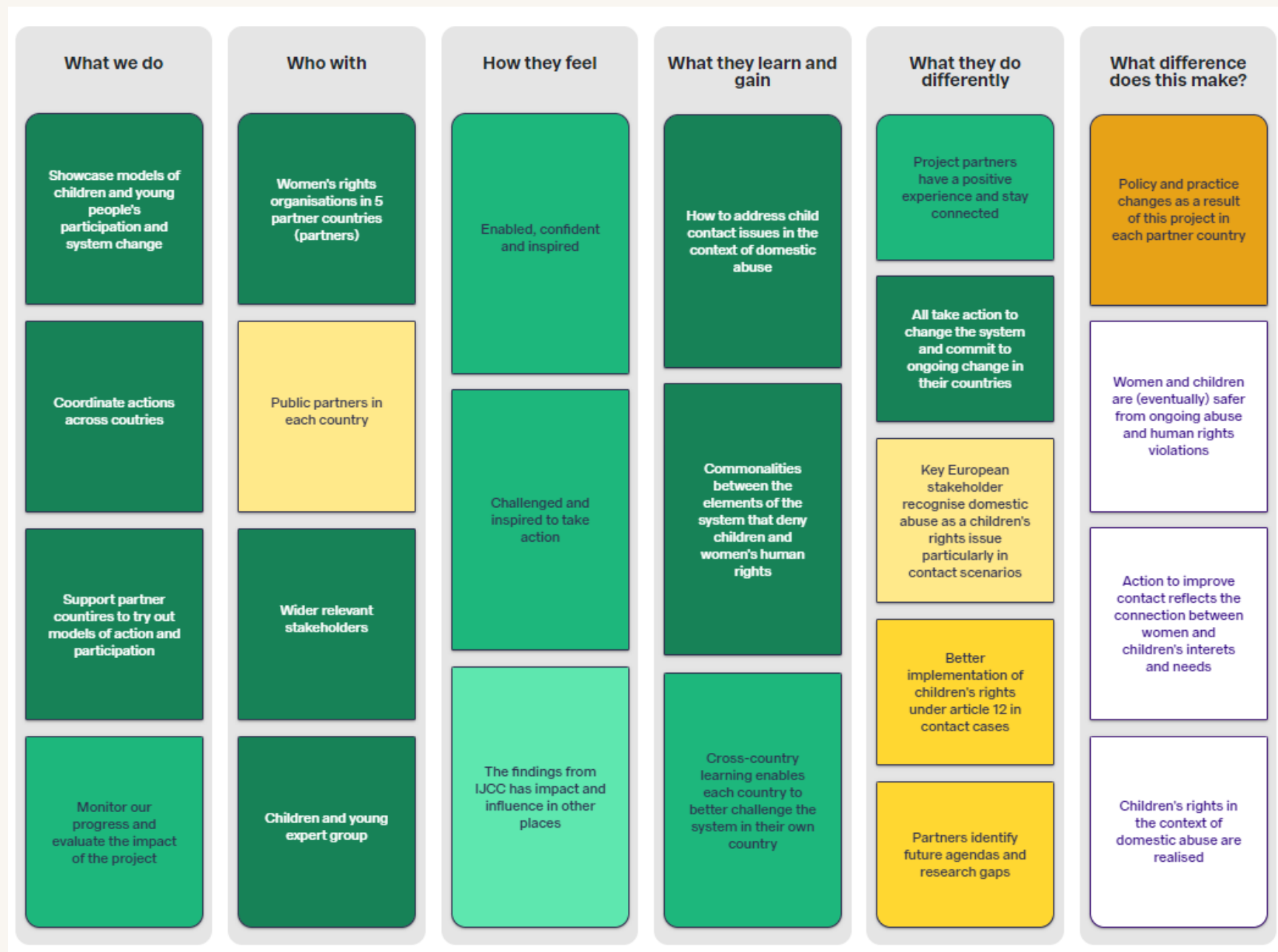


- There is no direct cause-effect in a project like this
- Instead we focus on ***contribution***

Tell your contribution story



Overall project outcome map



What data, evidence and feedback

- x baseline and follow-up
- x before and after snapshots

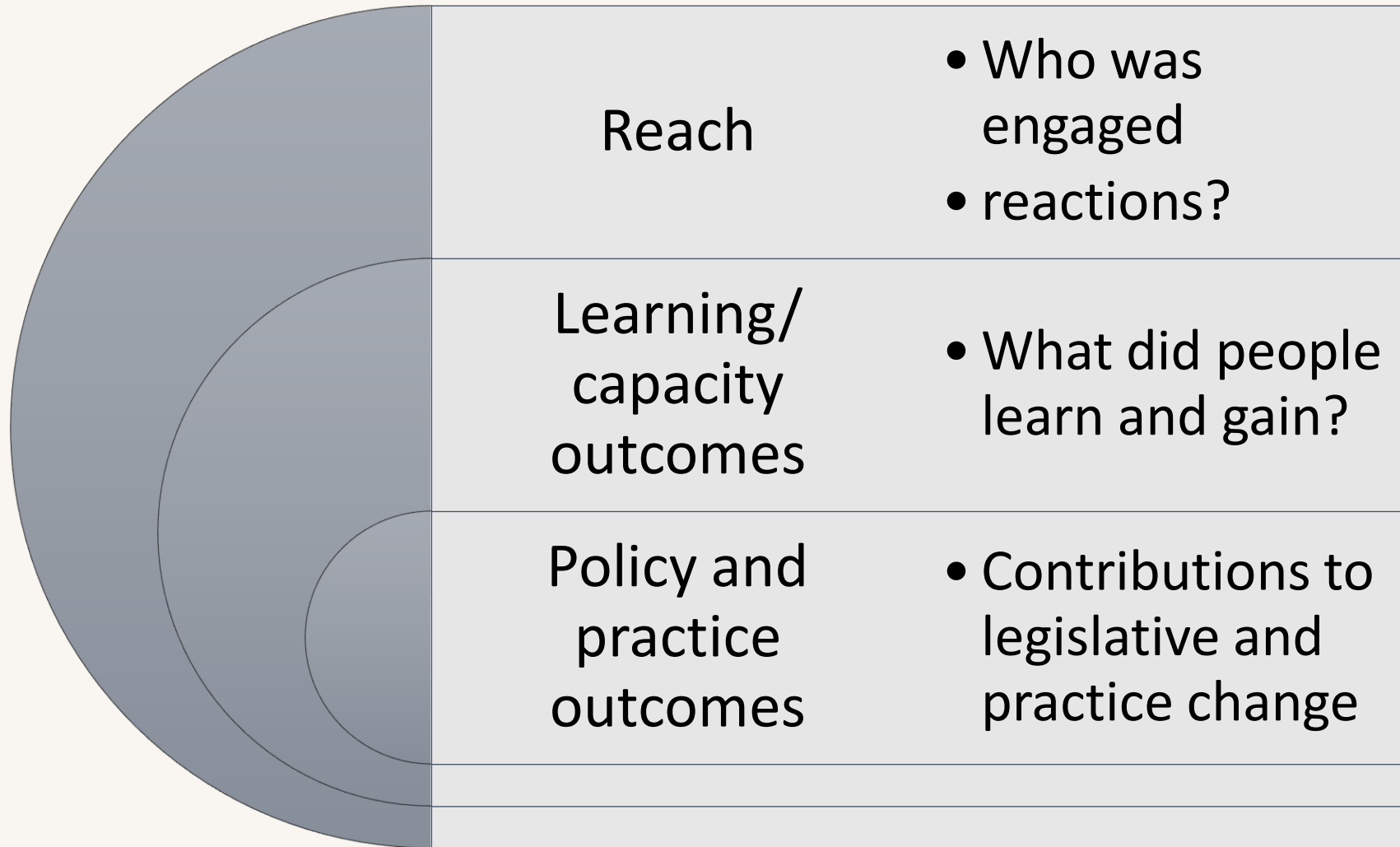


- ✓ Assess the reach of the project
- ✓ Assess different levels of outcomes
- ✓ Try to get feedback in ways that can be pulled together across countries
- ✓ Qualitative data to ‘tell the story’

What data we collected

Type	Method	Collected	Number of countries
Initial country comparisons	Group reflection and discussion	Partner meeting Feb 2019	All
Stakeholder Event Feedback	Feedback survey	As required	4
Partner activity updates	Feedback form	Via email	all
Young advisors (yello) feedback from outcome mapping workshop	Feedback form	Meeting October 2019	Project-wide
Stakeholder survey	Online survey	November 2019 and August 2020	all
Interviews with partners	Interviews via virtual conference	October 2020	all

The IJCC project

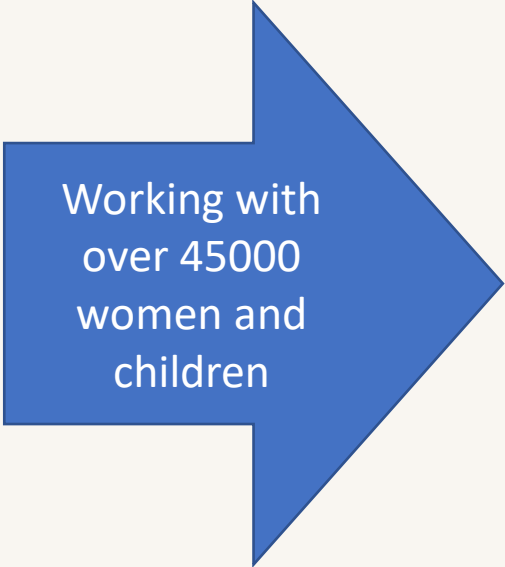


Reach

Country	No. of stakeholders engaged
Bulgaria	28
Cyprus	27
Portugal	90
Romania	45
Total	190

Stakeholders engaged

Stakeholder group	Bulgaria	Cyprus	Portugal	Romania
NGO/Charity	✓	✓	✓	✓
Central Public Administration			✓	✓
Regional Public Administration			✓	✓
Local Government		✓	✓	
National Government	✓	✓		
Police	✓	✓	✓	✓
Legal	✓	✓	✓	✓
Social Services	✓		✓	✓
Health		✓	✓	✓
Education		✓	✓	✓
Independent Authority		✓	✓	



Working with
over 45000
women and
children

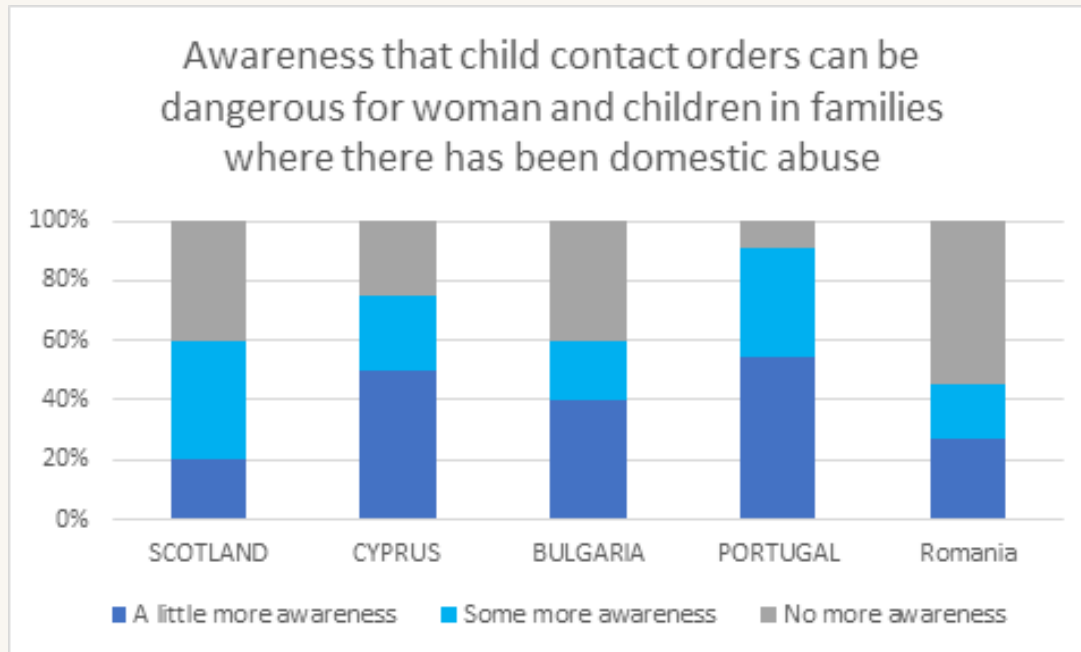
Reactions to stakeholder events

- ✓ Enjoyed *sharing – good practice and ways of working*
- ✓ Useful to make new connections– especially with the police, and across normal professional boundaries

I was very positively surprised by the way the project was welcomed ..by organisations. From beginning, our invitation to take part in forum got a very positive response, orgs got really engaged in the projects and gave good input.(Partner)



What did they learn and gain?



- Learning about child contact in the context of domestic abuse
- Cross country learning – good practice and making links
- Spending time with other agencies diagnosing the system problems
- Connections with the agencies that can help move the agenda forward

Raising awareness of issues

Across all countries a little or some more awareness:

- That children have a right to express their views about contact with their parents
- That children are harmed by living in families where there is domestic abuse between their parents
- That children are safer when their mothers are helped to be safe



Overall policy/practice change

- Improvements to laws and policies to protect women and children in the context of domestic abuse.
- Improved/implemented training for professionals on domestic abuse and child contact



Policy and practice highlights:



Bulgaria: more specialist training and working towards improving children's experience in the court system

Cyprus: introduction of a children's rights officer specialist service for domestic abuse.

Scotland: better protection for children in contact orders through the Children Scotland Act

Portugal: several new laws that take children's rights into account in the case of domestic abuse.

Romania: improvements to how children are treated in the court system

- Several countries report that they will continue their work on these issues and that further impacts are likely in the future.

Involving children and young people

- Young people's group in Scotland
- Building on Power-up Power-down work of previous project
- Asking partners to involve young people in the work



Involving children and young people

Scotland	YELLO group advised the overall IJCC project and influenced the passing of the Children (Scotland) Bill
Bulgaria	Interviews with young people who have experience of the court system have been undertaken and will be shared with judges to help improve the system and recognise children's rights in the courts
Cyprus	Power Up/Power Down methodology was translated and implemented with 15 young people in cooperation with the Commissioner for the Rights of the Child, and their recommendations will be taken to the Family Court
Portugal	Established a young advisory group that has worked alongside the main organisation and will continue to advise key agencies. They translated and adapted the power up power down methodology to the Portuguese context
Romania	Collected testimonials from girls about their experiences of the court system and sent these to judges before they met together. This helped to focus on how to improve the way the system works.

“Involving children and young people in the project has made a massive difference. This was a new approach here, but it has helped to put the issues firmly on the agenda” (Project Partner)

Linking across countries

Providing:

- ✓ Solidarity on difficult issues
- ✓ Examples of how things had changed elsewhere
- ✓ Opportunities for learning
- ✓ Ideas (like a children's rights officer, or systems mapping)
- ✓ Being able to point to, and draw from international expertise

Conclusions

- Lots of action, impacts and potential impacts in the project
- Using a 'contribution' lens helps understand these
- It seems clear there will be further legacies
- Allowing people to interpret and take action appropriate to their context has been a powerful tool for change



Thank you!

Let's keep the conversation going:

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LinkedIn: [.../company/matter-of-focus](https://www.linkedin.com/company/matter-of-focus)