



Improving Justice in Child Contact

Collaborative working briefing

December 2020

This briefing has been produced as part of the Improving Justice in Child Contact project. It sets out the findings and learning from the project in developing collaborative working practices across sectors. Such collaboration seeks to embed systemic change, in order to improve children's rights in child contact processes and to protect children and women impacted by domestic violence. See the IJCC Collaborative Working Report for more information.

Collaborative Working Briefing

Key findings

- *Despite different systems, processes, and legal contexts across countries, the same systemic issues exist for children and women in relation to domestic violence and child contact, increasing their risk of harm. A systems change approach is needed to embed meaningful change.*
- *While systemic issues are similar, the systems change approach needs to be tailored to the opportunities and challenges in each particular context; processes and achievements therefore look different across countries.*
- *The process of collaborative working is key to systems change; it helps to increase awareness and understanding of domestic violence and child contact across stakeholders, change attitudes, and improve communication and co-ordination across different parts of the system.*
- *Bringing together children's rights and women's rights organisations and understandings provides productive and powerful alliances.*
- *It can be difficult to challenge pre-existing dynamics of a system and to engage stakeholders who often have diverse motivations for getting involved. Stakeholders are motivated through partnerships and by sharing international examples of improving child contact systems in the context of domestic violence.*
- *System mapping is a useful tool for identifying points of resistance and opportunity, prioritising, and action planning; care needs to be taken to balance identifying problems and identifying solutions, and keeping the experiences of children and women connected.*
- *Children and young people's participation is essential to influencing change.*

Background

[Improving Justice in Child Contact](#) (IJCC) aimed to address the issues around child contact and domestic violence by testing out models to better uphold children's rights in child contact systems and enhance children and young people's participation in decision-making. The project - undertaken by women's and children's rights organisations in Bulgaria, Cyprus, Portugal, Romania, and Scotland - used approaches piloted in Scotland on system mapping and children and young people's participation as a 'blueprint' for the other partners to adapt to their own country context.

Systemic issues in relation to domestic violence and child contact

Domestic violence perpetrators often use child contact proceedings as a tool to continue exerting power and control over women and children after divorce or separation.¹ This is exacerbated by systemic issues, including:

- A lack of understanding about how children are harmed beyond witnessing physical violence to their mothers;
- Separating a perpetrator's abuse from their parenting;
- Different and sometimes contradictory understandings of, and responses to, domestic violence across agencies; and
- Ineffective implementation in family courts of children's right to express their views about matters affecting them and for those views to be given due weight in decision-making.²

The very systems designed to protect children and women therefore end up enabling perpetrators to exert harm. Systemic change is needed to address this.

Systems change

Systems change is an approach to societal development that aims to bring about lasting change, by altering underlying structures and mechanisms that make a system operate in a particular way. Such structures and mechanisms include policies, relationships, resources, power structures, and values. Systems change can require radical shifts in people's attitudes as well as in the ways people work. A key principle of a systems change approach is the engagement of multiple actors within a system. Systems-level

¹ Bancroft, L., Silverman, J. and Ritchie, D. (2012 2nd edition) *The Batterer as Parent: Addressing the Impact of Domestic Violence on Family Dynamics*. Thousand Oaks, CA: Sage

² Article 12 of the United Nations Convention on the Rights of the Child:
https://downloads.unicef.org.uk/wp-content/uploads/2016/08/unicef-convention-rights-child-uncrc.pdf?_ga=2.258850190.545027101.1593081429-1790952204.1593081429

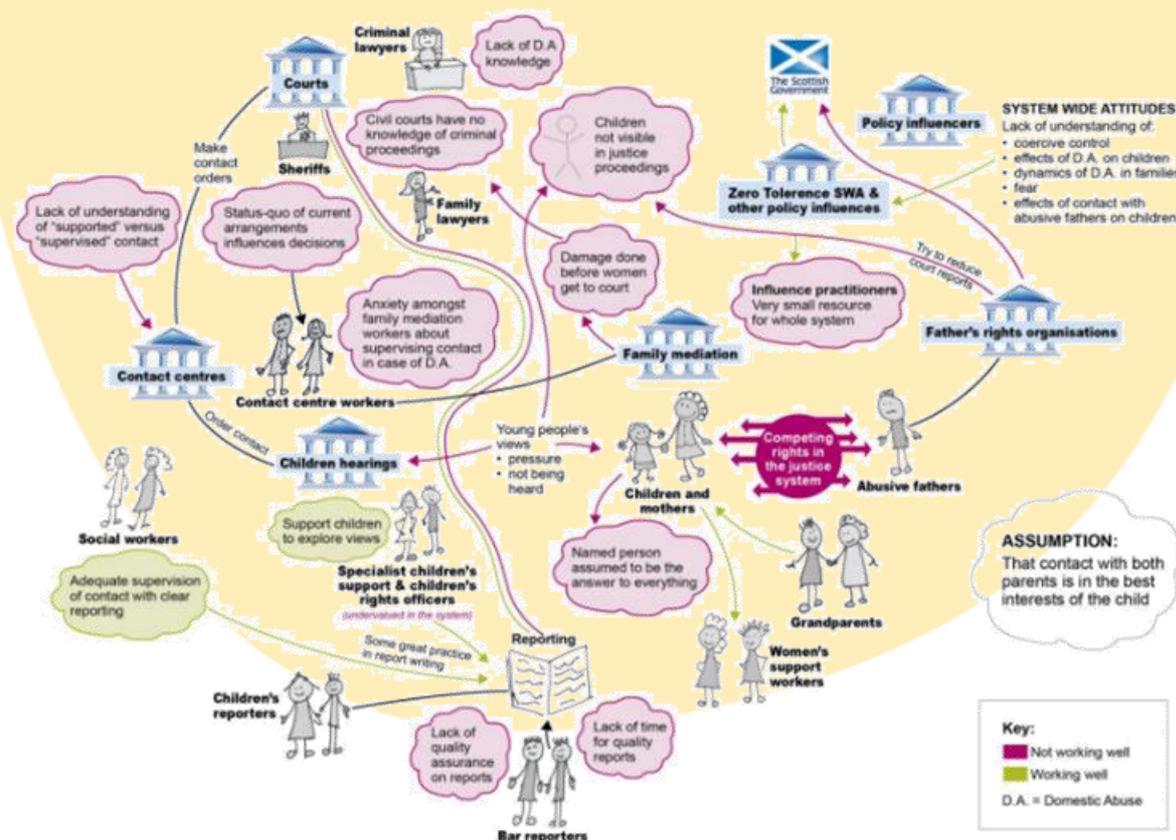


interventions hold great potential for positive social change, with the ability to alter the structure and rules of a social system.³

System mapping is part of a systems change process. It can identify:

- the boundaries of a system;
- the main actors in a system and how they relate to each other;
- points of leverage and points of resistance; and
- the beliefs or assumptions of different stakeholders.⁴

Figure 1: Example of a child contact system map: by Sarah Morton (Matter of Focus)



In undertaking systems mapping, project partners identified **what worked well**:

- Increased understanding and awareness amongst stakeholders of the key issues around child contact and domestic violence;
- Enabled stakeholders to develop a 'larger picture' of the issue;
- Made clearer the connections and interactions between key institutions, where these connections were working well, and where they could be improved; and

³ Abercrombie, A., Harries, E. and Wharton, R. (2015) *Systems change: a guide to what it is and how to do it*, <https://www.thinknpc.org/resource-hub/systems-change-a-guide-to-what-it-is-and-how-to-do-it/>

⁴ Abercrombie, A., Harries, E. and Wharton, R. (2015) 'Systems change: a guide to what it is and how to do it': Lankelly Chase Foundation: <https://www.thinknpc.org/resource-hub/systems-change-a-guide-to-what-it-is-and-how-to-do-it/>

- Helped to identify ‘bottlenecks’ in the system and priorities for improvement.

and found certain challenges in:

- Maintaining the focus on children and women and their connected experiences of domestic violence, rather than focusing on one group or the other;
- Identifying where one agency’s responsibility ‘ended’ and another’s responsibility ‘began’; and
- Pinpointing concrete measures to solve the problems identified.

All partners developed **action plans** as an outcome of their multi-stakeholder engagement. The plans aimed to include actions to embed long-term change, such as:

- Developing training for stakeholders on domestic violence and children’s and women’s rights
- Amending or developing relevant national policy and legislation
- Setting up specialised domestic violence teams across agencies
- Carrying forward participation initiatives with children and young people

The importance of children’s participation in embedding/influencing change

Alongside the development of collaborative working practices, the [IJCC project implemented children’s participation initiatives adapted from Scottish models](#).

Young Expert Groups (YEGs) were developed to ensure that children and young people with lived experiences of domestic violence were included in decision-making throughout the project. Meeting children and young people in person helped decision-makers to feel more responsibility to take account of their views. This led to stronger engagement with key stakeholders and the development of more nuanced policy recommendations and legislation informed by children and young people’s views and experiences.

Conclusion

Despite project partners’ different contexts, the same systemic issues appeared for women and children affected by domestic violence. While approaches to addressing these systemic issues differed across countries, common elements for success included:

- One agency or sector alone cannot implement lasting change; it takes collaborative working across sectors to ensure a common understanding and approach;
- Children and young people’s participation is an essential part of influencing change; and
- It is important to make use of the opportunities and points of leverage specific to the particular context.



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.

Improving Justice in Child Contact 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

If you require this document in an alternative format, such as large print or a coloured background, please contact Grace Kong at Grace.Kong@ed.ac.uk or +44 (0)131 651 6459 [* Please note that she is working from home during the UK lockdown at the moment and will not be able to answer your calls from her office.]



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.



SUPPORT

If you are looking for advice or information about domestic violence, help is available. Women Against Violence Europe have information on specialist services across Europe at www.wave-network.org/find-help

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