

VIRTUAL ROUNDTABLE

FAMILY COURTS, ANCILLARY SERVICES AND COVID-19

WEDNESDAY 2 DECEMBER 2020 – 10:00 - 12:00

Note of Roundtable

Attendees:

Ash Denham MSP	Minister for Community Safety
Liam McArthur MSP	Member of the Justice Committee
Ann Fehilly	ASSIST
Chloe Riddell	Children 1st
Megan Farr Maria Galli	Children & Young People's Commissioner Scotland
Janet Cormack	CLAN Childlaw
Kirsty Malcolm	Faculty of Advocates
Jennifer Gallagher	Family Law Association
Margaret Foggie	Inverclyde Family Contact Centre
John West	Law Society of Scotland
Mariel Kaney	Lord President's Private Office
Avril Hight	Promoting Positive Contact
Stuart Valentine Eileen Brownlie Isobel Bilisland	Relationships Scotland
Lucy McDonald	Safe Lives
Nicola Anderson	Scottish Courts & Tribunals Service
Marie-Louise Fox	Scottish Legal Aid Board
Susie Dalton	Scottish Women's Aid
Katy Mathieson	Scottish Women's Rights Centre
Ian Maxwell John Forsyth	Shared Parenting Scotland
Erin Connell	Private Secretary - Minister for Community Safety
Stephen Imrie	Justice Committee Clerk, Scottish Parliament
Hannah Frodsham Simon Stockwell Wendy Georgeson Catherine Bisset Lynsay Ross Ria Phillips	Scottish Government
Apologies	June Loudoun – Grandparents Apart UK
	Irina Beaton – Scottish Child Law Centre
	Louise Johnson – Scottish Women's Aid
	Marsha Scott – Scottish Women's Aid

Note

This virtual round table took place on 2 December 2020. Since then, the Scottish Government has had to introduce further restrictions¹ as a consequence of Covid-19, and the new variant of the virus.

1. Welcome and Introductions

The Minister for Community Safety welcomed everyone to the roundtable and outlined the agenda and points of order for participation.

2. Scottish Government Justice Analytical Services research

Justice Analytical Services gave a summary of the research undertaken during the pandemic and the main issues that emerged. The research was on:

1. Children's participation in remote hearings (summary of a discussion of legal professionals as part of an Equality and Human Rights Commission (EHRC) seminar).

 - The key point was the imperative of ensuring that children should have *'the same access (to justice) as others'*, and that what's needed is *'..to move heaven and earth to make sure those who want to participate can participate'*
 - There is currently no robust evidence on the preferences of children and young people on remote or physical hearings. To ensure fairness to all parties some practitioners suggest using the six [Bangalore Principles](#) (independence, impartiality, integrity, propriety, equality, and competence and diligence) as the context in which Judges could make decisions that are fair for the parties.
 - In terms of participation in tribunals, the Ladder of Participation was referenced as a way to ensure that a child or young person remain 'at the centre of the hearings' which is crucial especially as more children and young people are now attending hearings when they are remote.
 - One of the positive benefits of remote hearings over live hearings is they can enable the subject (in this case the child) to become the centre of the hearing, by *"bringing the hearing to them"*. And remote hearings seemed to increase the desire in children and young people to participate.

2. The impact of coronavirus on women experiencing domestic abuse. The introduction in this report includes links to the previous reports.
<https://www.gov.scot/publications/coronavirus-covid-19-domestic-abuse-forms-violence-against-women-girls-during-phases-1-2-3-scotlands-route-map-22-11-august-2020/>

¹ [Coronavirus \(COVID-19\): stay at home guidance - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/coronavirus-covid-19-domestic-abuse-forms-violence-against-women-girls-during-phases-1-2-3-scotlands-route-map-22-11-august-2020/)

Research on the impact on women experiencing domestic abuse:

- Services reported a range of abusive behaviours apparently specific to lockdown.
- Perpetrators asking children to show them round the house during video-contact or to hand device to other parent.
- Services spoke of instances of verbal abuse during handover and constant changes of time for contact and/or handover as a means of exerting control.
- Throughout lockdown and the subsequent Phases there were continued reports of perpetrators breaching regulations (e.g. by attending numerous households etc.) or using the child's exposure to the virus as a threat.
- Early in lockdown organisations reported uncertainty among victims of how and when contact could and should be facilitated.
- Consistent reports of women facilitating child contact outwith the conditions of agreements or court orders, in order to placate perpetrators and manage abuse.
- Earlier in lockdown some limited reports of women experiencing challenges accessing justice for ongoing harassment and abuse related to child contact. Ambiguity over whether abuse related to contact was civil or criminal matter.

3. Family Courts

Key organisations were asked to give a brief overview of the current position as regards the family courts and the issues experienced during the pandemic.

The Scottish Courts and Tribunals Service (SCTS) outlined the following points in relation to the family courts:

- The pandemic has had a significant impact on the justice system as a whole.
- For courts and tribunals the challenge has been ensuring that business can continue whilst also ensuring the safety of staff and court and tribunal users.
- The use of digital technology has been key feature.
- There is no backlog of family cases in the Court of Session. All hearings that were cancelled between March and end May have been rescheduled. It is at judge's discretion, in discussion with parties, as to how hearings proceed. Generally procedural are by teleconference with written submissions. There are a small number of in-court hearings.
- In the sheriff courts, there is no significant backlog. It is at the sheriff's discretion how hearings proceed, mostly using teleconference and written submissions. Some in-court hearings. Since 23 November Webex has been rolled out for evidential hearings.

Scottish Women's Aid (SWA) outlined the following in relation to the family courts

- Many women and children feeling unsafe due to delays in the courts, for example, in seeking protective orders in court.
- Lack of information and difficulties in accessing family law solicitors.
- Abusers manipulating coronavirus guidance to keep children with them beyond agreed contact times.

- Lord President's guidance on compliance with court orders was helpful – in some cases health concerns are legitimate, but in cases with history of abuse there is a belief that health concerns fabricated.
- Women and children have difficulty in having cases seen as “urgent” by the courts.

Family Law Association (FLA) outlined the following points in relation to the family courts:

- The courts were chaotic at start of lockdown. No consistency across sheriff courts as to what was “urgent”.
- Lack of clarity on rules around contact. Difficult to get access to courts to resolve these disputes. Also difficult where parents have more informal arrangements.
- FLA noted there were cases of resident parents withholding contact for un-genuine reasons.
- At present – things appear to be back on track and no issues being reported by FLA members re backlog in courts.
- Some issues with consistency in sheriff courts re procedures for written submissions and when interlocutors are issued/hearing dates set.
- Written submissions more time consuming. Question around whether such additional costs are covered by legal aid?
- Different practices in courts around whether clients/parties can dial-in to teleconference hearings or not.
- For in-court hearings, these seem Covid-secure and safe.

Shared Parenting Scotland (SPS) outlined the following points in relation to the family courts:

- Impressed with the resumption of work of courts particularly when hearing cases where contact had stopped during pandemic. Hearing at which contact reports are due have been delayed by closure of child contact centres.
- SPS user survey – 63% said coronavirus had been exploited by other parent. Many calls where court orders not being complied with, despite Lord President's guidance that they should unless otherwise agreed. Not all sheriffs taking this guidance into account.
- Inconsistencies on when parents are being included in hearings.
- Suggest that streamlining of submissions during Covid should continue permanently as in Cochem model in which submission are limited to a single page and initial hearings take place in 2-3 weeks.
- To avoid prolonged disruption to contact, courts should make initial contact decisions and decisions on non-compliance as matter of urgency.
- More preliminary settlements through pre-hearing correspondence should be encouraged and the triage system should continue.
- Procedural hearings are fine by teleconference. Child Welfare Hearings should be in-court.
- Follow recommendations from courts in England & Wales by keeping cases not involving domestic abuse or child protection out of court.
- SPS has been funded to provide online training for separated parents on Covid related issues. Details will be on website: www.sharedparenting.scot

Open discussion

The Minister invited attendees to an open discussion on the JAS research and on the Family courts. The following points were raised:

JAS research:

- The Children and Young People's Commissioner Scotland (CYPCS) asked whether the JAS research has considered the EHRC research on inclusive justice research:
https://www.equalityhumanrights.com/sites/default/files/ehrc_inclusive_justice_a_system_designed_for_all_june_2020.pdf
- JAS said that three rapid reviews had also been done on:
 - Practice and Learning from Australia and New Zealand
 - Expert Legal Testimony: Summary of EHRC Seminar and
 - Remote Mock Jury Trials in England and Wales: evaluation summary
- JAS also noted the EHRC research raised by CYPCS.
- SPS said that on research, JAS should have contacted SPS too regarding child contact issues. If they had been contacted, they would have confirmed that all of the issues raised in that research had been the experience of the callers to SPS also, e.g. online contact being monitored by resident parent, last minute changes to arrangements, verbal abuse at handovers. SPS try to get parents to assume that Covid concerns are in good faith. It is not a specifically gendered picture.
- Children 1st and SWA both emphasised that their helplines are open to all. Safe Lives said their network meetings on domestic abuse are for male and female victims. JAS confirmed that some of the services contacted as part of the research included men who had contacted various helplines.
- More research is needed on what is happening in the courts. More data was needed, including better understanding of children's experiences.
- ASSIST has also received feedback from service users that reflect those in the JAS research.
- CYPCS pointed to the Independent CRIA on the impact of Coronavirus on children, which CYPCS commissioned the Observatory of Children's Human Rights Scotland to conduct during lockdown. The full CRIA (including a summary) is available here:
<https://cypcs.org.uk/coronavirus/independent-impact-assessment/>
- Also the specific CRIA on domestic abuse is here:
<https://cypcs.org.uk/coronavirus/independent-impact-assessment/pandemic-impact-domestic-abuse/>

Family courts:

- The Minister raised the question of consistency in the sheriff courts with SCTS. SCTS outlined that it is at sheriffs' discretion how hearings proceed, so there will be differences in practice in relation to whether these are in-court and whether parties can dial-in depending on the particular circumstances of a case.
- However, SCTS will take back for further consideration the specific issues on written submissions.

- The Minister asked SCTS about the streamlining of submissions. SCTS explained that this is ultimately for the judiciary, but that this will be fed back.
- Children 1st said that similar issues to those raised by SWA and FLA were being raised through Parentline.
- The Faculty of Advocates (FoA) said on the consistency point that across the sheriff courts they are all using different mechanisms for dialling in and managing remote hearings. Some sheriffs struggle to get all participants on the call. This is confusing and potentially limits access to the hearing.
- FLA agreed and said it would be useful if a distinction could be drawn between administrative and substantive proceedings. Same direction could be issued to all sheriff clerks on this.
- SPS asked if there is going to be a standard process for video conferencing across the whole of Scottish courts.

Children's hearings:

- CYPSCS noted there are very mixed experiences of children and families in the Children's Hearings System which is operating quite differently from the civil courts and the Additional Support Needs jurisdiction of the Health and Education chamber of the First Tier Tribunal for Scotland. It would be useful to cross-reference children's experiences and views across the decision-making systems. Meaningful participation is key to ensure human rights compliance and child-friendly justice.
- CLAN Childlaw noted in relation to how children in virtual Children's Hearings feel about their participation that their solicitors' experience has been mixed.
- Concerns about blended hearings - some parties are in the Hearing room, while some are connecting remotely – risk to parties having equal opportunity to participate.
- With virtual hearings it's possible other people are in the room, raising privacy issues.
- Major issue with some young people not having a suitable device to access virtual Hearing, with result they either don't attend at all, join with difficulty (e.g. by audio only), or join with parent's or partner's device, creating potential conflict issue.
- The technology can impact on ability to hear people. This can lengthen an already difficult Hearing and add to distress.
- Can be an issue of participants talking over each other. This has an impact on children's participation.
- It is essential the young person is always at the centre of the discussion.

Action points were:

- Variations across the courts in terms of parties' attendance at remote hearings and how written submissions are dealt with – SCTS to feedback.
- Whether the streamlining of submissions will continue permanently– SCTS to feedback.
- Separate administrative procedures from substantive procedures – SCTS to feedback.
- JAS to look at publishing the three rapid reviews.
- JAS to contact SPS regarding the research on the impact of coronavirus on child contact.

- Scottish Government to consider research and data available from the courts.

4. Child contact centres

Key organisations were asked to give a brief overview of the current position as regards the child contact centre services and the issues experienced during the pandemic.

Relationships Scotland outlined the following points on child contact centres:

- Since March services moved online to help children keep in touch with parents they don't live with, including letter box contact, outdoor physically distanced walks, outdoor handovers and online contact.
- Since the Scottish Government guidance was published in August all services are now offering face-to-face services.
- Availability of venues remains a big problem in terms of reopening.
- Physical distancing and hygiene measures impacting on contact time. No overlaps in families attending. Services trying to open for longer and on more days.
- Difficulties for families, e.g. where can't now rely on relatives for transport, this can cause timing issues.
- At Level 4 reverting to online options where possible. In lower levels some services aren't accepting families from higher level areas.
- The RS child contact centre practice head offered to speak to any of the attendees with specific issues about the services RS offer – eileen.brownlie@relationships-scotland.org.uk

RS Borders outlined impact on their services:

- Premises remains main issue, particularly local council landlords not allowing buildings to be used. One centre currently being used instead of four.
- Restrictions on capacity. Many families are desperate and court referrals are coming in.
- Alternative arrangements and new practices more costly in terms of staffing.
- Extra time needed for children who are struggling with contact (e.g. where haven't seen parent since March).

Promoting Positive Contact (PPC) outlined the following points regarding their service:

- They are fortunate to have dedicated premises for both centres, so no issues regarding being able to open.
- From March tried to use online alternative (Zoom) with limited success, but now in Level 4 and have been using this more successfully, with parents being more receptive.
- In Level 4 after careful consideration only open for limited handover services.
- On reopening more generally this has gone well for parents and children. Usual staff are working so children are familiar with them.
- Frustration from parents when contact is being first arranged then restrictions come in that halt this.

Inverclyde Family Contact Centre outlined the following points regarding their service:

- Premises have separate entrances/exits which has helped for minimal meeting of different families.
- Capacity is an issue and no drop-in service now offered. 15 minutes between sessions for cleaning and session reduced to 1.5 hours.
- Open longer hours and with more volunteers.
- Reopened when schools reopened after lot of preparation regarding furnishings, toys, etc.
- Children didn't appear to be too negatively impacted by not seeing parents for number of months.
- Local sheriffs kept cases going through August.
- Disappointed the centre didn't use Zoom more over summer, so more orders could have been complied with.
- Often contact cannot take place outwith contact centre because parent doesn't have suitable place for contact or handover to take place.

Open discussion

The Minister invited attendees to an open discussion and the following points were raised.

Changes to practice/environment:

- Children 1st said there were more calls to Parentline about child contact centres earlier in lockdown, but less recently which may be due to the Scottish Government guidance that is now in place. However, some concerns around new processes at centres especially where they do not allow parent who brings the child to remain in the room to settle the child. What are child contact centres doing to help children and families given the change in environment?
- When PPC first reopened they didn't allow parents inside to drop off children, but have changed to have waiting areas for parents, particularly if with young child. Centres are divided into pods, which they may continue with as children respond better to the contact session with less distractions and parents are better able to manage contact.
- RS Borders made changes re waiting areas, but it is difficult given premises issues. Parents dropping children off can come inside but can't stay. They will usually stay local and return quickly if required. Need to ask courts to allow additional time if contact being re-established.
- CYPCC noted that COSLA could be contacted re access to Council premises.
- RS confirmed that a number of councils have specific committees who have considered use of premises and they've had positive experiences with use being permitted recently. In many cases services have used their own premises and adapted them for use in the meantime.

Closure and reopening of centres:

- CYPCC asked what was considered when contact centres decided to close and to reopen. For example, what were vulnerable children concerns?

- PPC said they didn't feel there was any choice about decision to close in March and lots of parents didn't want to attend. Planned to reopen in August but waited until SG guidance was in place and reopened in September, allowing time to get buildings in order.
- PPC have divided their two centres into pods (seven at one centre and three in the other). Children are interacting better with parents as there is no distraction of other children.
- RS Borders closed and reopened in line with Scottish Government advice and used online where possible.
- RS centres are now using individual areas for contact, which may continue given benefits for quality of sessions.
- The FoA noted that it would be useful for family practitioners to know the up to date availability of contact centres and what is possible re starting contact in new cases across Scotland. Generally a link to info across the board in Scotland.

Access for child welfare reporters:

- SPS asked about court reporting and access to contact centres for child welfare reporters – is this back to normal?
- SWA also asked if this is still happening during the pandemic.
- RS confirmed that reporters are still welcome to attend centres, with appropriate physical distancing in place.
- The Law Society of Scotland (LSS) said they are unaware of any issues about child welfare reporters not being able to carry out investigations/meetings.

Online contact safety concerns:

- SWA asked what is being done to mitigate safety issues around virtual contact.
- RS confirmed that there are procedures in place regarding safety for online contact and this is discussed with parents, e.g. using anonymous backgrounds on calls, also parents advised to stop the call if they have safety concerns.
- Safe Lives asked about what training is available to contact centre staff around domestic abuse and coercive control?

Action points were:

- The monthly update report from RS on which centres are open can be shared with attendees.
- Follow up on what training is available to contact centre staff.

5. Domestic Abuse Support Services

Key organisations were asked to give a brief overview of the current position as regards domestic abuse support services and the issues experienced during the pandemic.

SWA outlined the following points regarding their services:

- Across services during lockdown increased prevalence of domestic abuse. In particular concern in relation to the BAME community; those people who are shielding; and those living in remote areas.
- Difficulty for women in accessing family lawyers.
- Child contact one of the most common issues in SWA helpline.
- Strain on domestic abuse local services, including re child contact. High level of support required, double during early months of lockdown.
- There are two factors: (1) elevated risks to health and wellbeing and environment, and (2) issues accessing services and access to justice. Intensely felt in more marginalised communities.
- SWA noted that they have produced research on the impact of the covid-19 pandemic on specialist domestic abuse services in Scotland:
<https://womensaid.scot/wp-content/uploads/2020/09/SWA-COVID-Report.pdf>

ASSIST outlined the following points regarding their service:

- Services moved to working from home for staff.
- Double case load at present (usually around 750-800 cases, now around 1,300).
- Delays in court meant victims felt failed by system and that perpetrators had free reign to abuse, e.g. stalking, harassment, coercive control exerted through child contact.

The Scottish Women's Rights Centre (SWRC) outlined the following points regarding their services:

- Huge increase in demand.
- Uncertainty regarding cases that were sisted, or where solicitors furloughed, due to lack of communication.
- Regarding online contact, this can feel invasive into woman's home/safe space. They feel that abuse is being perpetrated, it can be re-traumatising.
- The guidance was for contact to happen despite any safety or privacy concerns.
- Issues with access to justice issues meant all SWRC surgeries are full and there is high demand to helpline.
- Legal aid issues – some solicitors no longer taking legal aid work.
- Issues regarding non-harassment orders (NHOs) not being enforced.

Safe Lives outlined the following points regarding their service:

- Court delays meant lack of safe contact options for women. Supervised contact stopped.
- Children being pressurised into having Zoom contact but child may not want this.
- Lack of respite for resident parent sometimes leads them to agree to arrangements they wouldn't normally.
- Services not getting safe/private access to talk to children alone – leading to lack of quality support – impact on children's wellbeing.
- Rise of contact issues involving extended family.
- Need for more safe spaces for contact and better access to justice/legal protection.
- Directed to briefings summarising what their services and survivors have said:

<https://safelives.org.uk/sites/default/files/resources/SAHS%20Survivor%20Consultation.pdf>
<https://safelives.org.uk/sites/default/files/resources/SAHS%20Briefing%205.pdf>

Open discussion

The Minister invited attendees to an open discussion and the following points were raised:

- Pandemic has exacerbated the legal aid funding issue, where many firms have stopped taking these cases as it is not economically viable.
- Court ordered Zoom contact issues – can't expect young children to sit in front of screen for length of time. Expect parents to discuss this and to be realistic. Contact centres would adjust the time stated in order if needed in a particular case.
- Usually parents expected to attend child welfare hearing. This isn't happening and needs to be looked at.
- SWA have seen similar reports to the SWRC in regards to breaches of NHOs not being acted on - also cases where NHOs are granted but with the condition that it doesn't apply in child contact handovers, showing a lack of understanding of domestic abuse and the risks involved for adult and child survivors.

Actions:

- Minister outlined review of legal aid work. A panel is being convened on this issue, will look at whole structure – may lead to restructure in future.

6. Family Solicitors

Key organisations were asked to give a brief overview of the current position as regards family solicitors and the issues experienced during the pandemic.

The FLA outlined the following points:

- Most solicitors' firms are working, but many offices aren't yet open following Scottish Government advice.
- Where possible clients are being met online or at other locations outside.
- Most solicitors firms have been able to bring staff back from furlough, so there shouldn't generally be difficulties in providing services.
- However, the ongoing issues with Legal Aid provision have been made worse by the pandemic, which has already been covered.

The LSS outlined the following points:

- Solicitor services were impacted at the start of lockdown, but SCTS prioritised family cases and now services are at a good level.
- However, there is a distinction between availability of services for private clients and legal aid clients across Scotland and across practice areas.
- Prior to lockdown the legal aid issue was seen more in financial provision cases, but since lockdown also happening in child contact and protective order cases.

The FoA outlined the following points:

- They are more remote from the front line and from the sheriff court, which sees most child contact cases.
- FoA services operate through a clerk system, which was able to keep going through the pandemic.
- Family law advocates very busy – lot of pressures which can impact on service provision.
- Some face-to-face meetings are taking place, but these are few and far between given use of online platforms.
- The Court of Session quickly started dealing with family cases remotely, e.g. video proofs. It is a bigger issue in sheriff courts, but now Webex being rolled out for hearings. However, a long term impact inevitable. Some cases won't be conducive to Webex.
- Written submissions take time so service can be slower, this would include domestic abuse protective orders.
- As noted, for child contact cases it would be good to have details of contact centre availability in terms of what can be agreed in cases.

The Scottish Legal Aid Board (SLAB) outlined the following points:

- SLAB are seeing a steady increase in applications since September, which seems to reflect the release from furlough of solicitors.
- 14% less applications than this time last year.
- SLAB have issued guidance regarding costs for written submissions.

Open discussion

The Minister invited attendees to an open discussion and the following points were raised:

Self-representing parties

- SPS asked if there were now more parties representing themselves due to the pandemic?
- Scottish Government isn't sure if there is data on the number of self-represented parties, but will look into this.

Solicitor services/legal aid solicitors

- LSS asked if there were statistics from SLAB on applications and on the geographical spread. For example, LSS are aware of issues regarding access to legal aid solicitors in Inverness with people having to look as far-afield as Glasgow. This could be an issue with Covid travel restrictions.
- Feedback from SWRC is that there is increasing demand for their surgeries in north of Scotland generally.
- SPS are also seeing lack of solicitors, particularly legal aid solicitors. Aberdeen seems particularly short of legal aid for family cases.
- CYPCS have also received many calls during lockdown around concerns about being unable to access legal advice, representation and advocacy for children, parents and carers and welcome the work being done to address these difficulties.

- Clan Childlaw noted that their phone line receives regular enquiries about child contact and what is allowed under the restrictions.

The key actions were:

- Scottish Government will follow up on what data is available on self-representing parties, including with SCTS and SLAB.
- SLAB to provide a link to guidance on legal aid coverage for additional written submission work.
- SLAB will follow up on the geographical question regarding legal aid solicitors.
- A link to the update-to-date position on contact centre service availability will be provided. Scottish Government to take this forward, working with providers of child contact centre services.

Conclusion

The Minister confirmed that a note of the roundtable and the action points will be circulated and there will be feedback on the actions and the steps being taken.

A note will also be provided to the Scottish Parliament's Justice Committee.

A table outlining the action points from the roundtable is included at **Annex A**.

Scottish Government
March 2021

ANNEX A

Roundtable on family courts and ancillary services – key action points

Number	Topic	Action	Action for	Action taken
1	Family courts	The issue of variations across the courts in terms of parties' attendance at remote hearings and how written submissions are dealt with to be fed back to the Courts.	Scottish Courts and Tribunals Service	
2	Family courts	The courts should consider separating administrative procedures from substantive procedures. Administrative procedures could be standardised across sheriffdoms. This to be fed back to the courts.	Scottish Courts and Tribunals Service	
3	Family courts	Courts to consider whether the streamlined process for written submission could be continued into the future.	Scottish Courts and Tribunals Service	
4	Family courts	Justice Analytical Services to contact Shared Parenting Scotland regarding the research on the impact of coronavirus on child contact.	Scottish Government/ Justice Analytical Services	Discussion was held on 3 February 2021 covering sources of information on male experience of domestic abuse and SPS user survey results on COVID issues, including involvement with children during the lockdown, reduction in contact due to COVID, understanding of SG guidance on continuing existing contact arrangements and inclusion of

				both parents in school arrangements during closures.
5	Family courts	Justice Analytical Services to look at publishing the three rapid reviews that have been done in this area.	Scottish Government/ Justice Analytical Services	Published on 18 December 2020 ²
6	Family courts	More research and data is needed on what is happening in the courts. Including better understanding of children's experiences	Scottish Government/ SCTS/SLAB	
7	Family courts	More research is needed on the participation of children and young people's in civil court system and Children Hearings, including virtual hearings. Also on how many children and young people speak to child welfare reporters.	Scottish Government/SCTS	
8	Child contact centre services/Family solicitors	The monthly update report from Relationships Scotland on which child contact centres are open ³ should be shared with attendees	Scottish Government/ Relationships Scotland/child contact centre providers	RS have provided a link to a page on their website ⁴ which provides information on the child contact services being provided by RS member services during the pandemic. There is also a

² [Practice and Learning from Australia and New Zealand](#); [Expert Legal Testimony: Summary of EHRC Seminar](#); and [Remote Mock Jury Trials in England and Wales: evaluation summary](#).

³ Impacted by the regulations, which came into force on 16 January, requiring child contact centres to close at Level 4, other than for handovers.

⁴ <https://www.relationships-scotland.org.uk/find-a-local-service>

		and with family practitioners more generally.		link to a list of all of their member services ⁵ , which provides information to those looking for a contact centre in their local area.
9	Child contact centre services	Clarification required on what training is available to contact centre staff.	Scottish Government/ Child contact centre providers	RS have provided information on contact centre staff training. This is set out below*.
10	Domestic abuse support services	Provide details on outcomes of the panel that will be reviewing the legal aid system, given access to justice issues.	Scottish Government	
11	Family solicitors	Confirm what data is available on the number of self-representing parties during the pandemic.	Scottish Government/SCTS/SLAB	
12	Family solicitors	Guidance required on whether legal aid covers the additional work necessary in providing written submissions to the court.	Scottish Legal Aid Board	SLAB provided a link to guidance ⁶ to be shared with attendees.
13	Family solicitors	Information on the geographical spread of legal aid applications, given issues around availability of legal aid solicitors. The geographical location of the applicant compared to the location of the solicitor would be helpful.	Scottish Legal Aid Board	

⁵ <https://www.relationships-scotland.org.uk/find-a-local-service/child-contact-centre-services>

⁶ [Covid-19: Guidance note - where accounts include charges for preparation of Written Representations which replace the need for any oral hearing - Scottish Legal Aid Board \(slab.org.uk\)](#)

***Information from Relationships Scotland on child contact centre staff training**

All Relationships Scotland Child Contact Centres operate under OSCR regulations and undergo an internal quality assurance audit every 3 years. They adhere to the Relationships Scotland Quality Assurance Framework, National Policies, and the Standards and Practice Procedures for Child Contact Centres.

The national policies that all Relationships Scotland Child Contact Centres operate under include the following: Domestic Abuse; Child Protection, Adult Support & Protection; Confidentiality and Disclosure; Equality & Diversity; Equal Opportunities & Harassment Policy; Working with Suicidal Clients; Health & Safety Policy and Management System; Anti-Harassment and Violence. All Relationships Scotland Child Contact Centre staff and volunteers undertake training specifically for this work. This training covers the important policy and practice procedures outlined above. All staff and volunteers are cleared by a PVG disclosure check before working in a CCC.