

Participation & policy: Yello! and the Children (Scotland) Act



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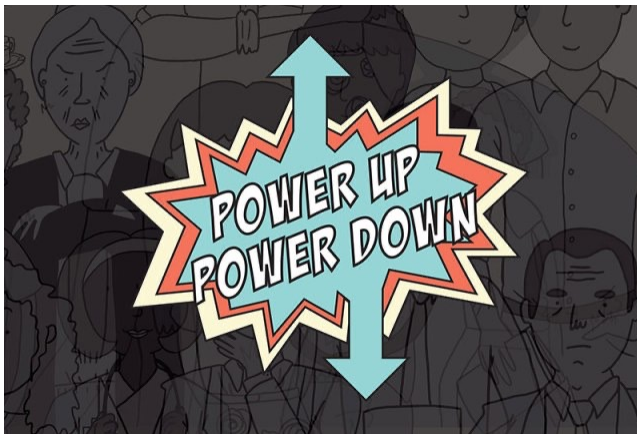
Child contact and domestic abuse in Scotland

- » At least half of cases in family courts include reports of domestic abuse (Mackay, 2013)
- » Child contact is most prevalent issue in calls to Scotland's Domestic Abuse and Forced Marriage Helpline
- » *'You escape an abusive partner and then you are abused by the system'* – survivor describing her experience with family courts and contact centres



Getting to this point

- » Previous participatory projects: Power Up/Power Down, Everyday Heroes
- » Domestic Abuse (Scotland) Act 2018
- » Review of Children (Scotland) Act 1995



Children (Scotland) Act 2020

- » Major changes to family law, aiming to:
 - Protect survivors of domestic abuse
 - Increase compliancy with UNCRC
- » The Bill was strengthened by:
 - partnership advocacy working with the CYP sector
 - participation of Yello!, young experts

"Adults always seem to be given more priority than children, even though it is all supposed to be about the child. We hope that this Bill will change that."

- Yello!, young expert group



Yello!, young expert group



Minister for
Community
Safety, Ash
Denham,
meeting with
Yello! to discuss
the Children
(Scotland) Bill
at Halloween,
2019



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Meaningful participation of CYP
=
better outcomes for CYP



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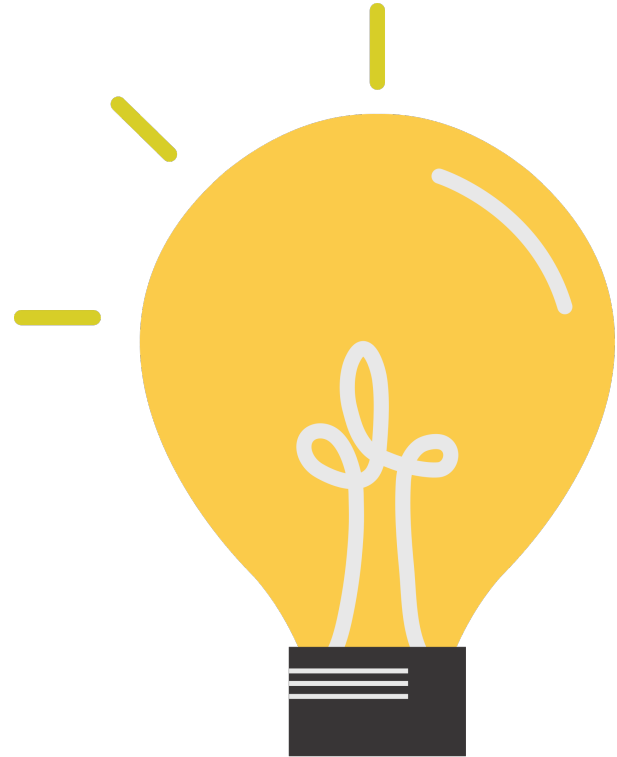
Yello!'s work on the Act

- » Discussed at length with SWA and support workers
- » Yello! met with Minister for Community Safety to discuss recommendations
- » Written evidence submitted to Justice Committee
- » SWA asked for evidence on CYP participation in Scottish Parliament
- » Yello! invited to give evidence in person at Scottish Parliament
- » Continued to advise SWA throughout Bill's journey



Yello!'s priority areas included:

- » Participation
- » Confidentiality
- » The impact on survivors
- » Support and advocacy
- » Contact centres



Strengthening of the Act

» Participation:

- **ALL** children, regardless of age, now presumed capable of giving a view
- Children must be given an opportunity to express their view in **a way that they prefer**



» Confidentiality:

- Introduction of a **duty to consider child's best interests** when sharing their personal information



Strengthening of the Act

» Impact on survivors of domestic abuse:

- Further protections for deemed **vulnerable witnesses**

» Support and advocacy:

- Provision to ensure access for CYP to **child advocacy services**

» Further work to come in secondary legislation on contact centres and child welfare reporters





Rona Mackay, MSP – Stage 3
Debate, Children (Scotland) Bill



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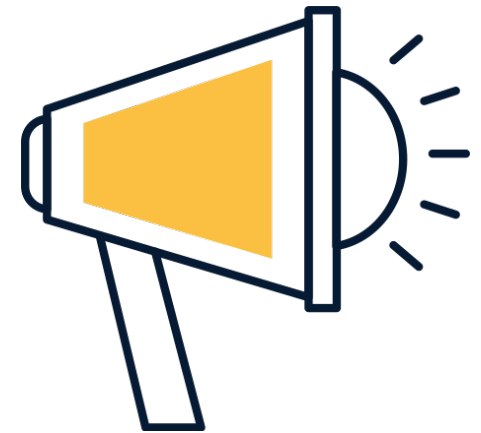
Yello!'s impact beyond the Act

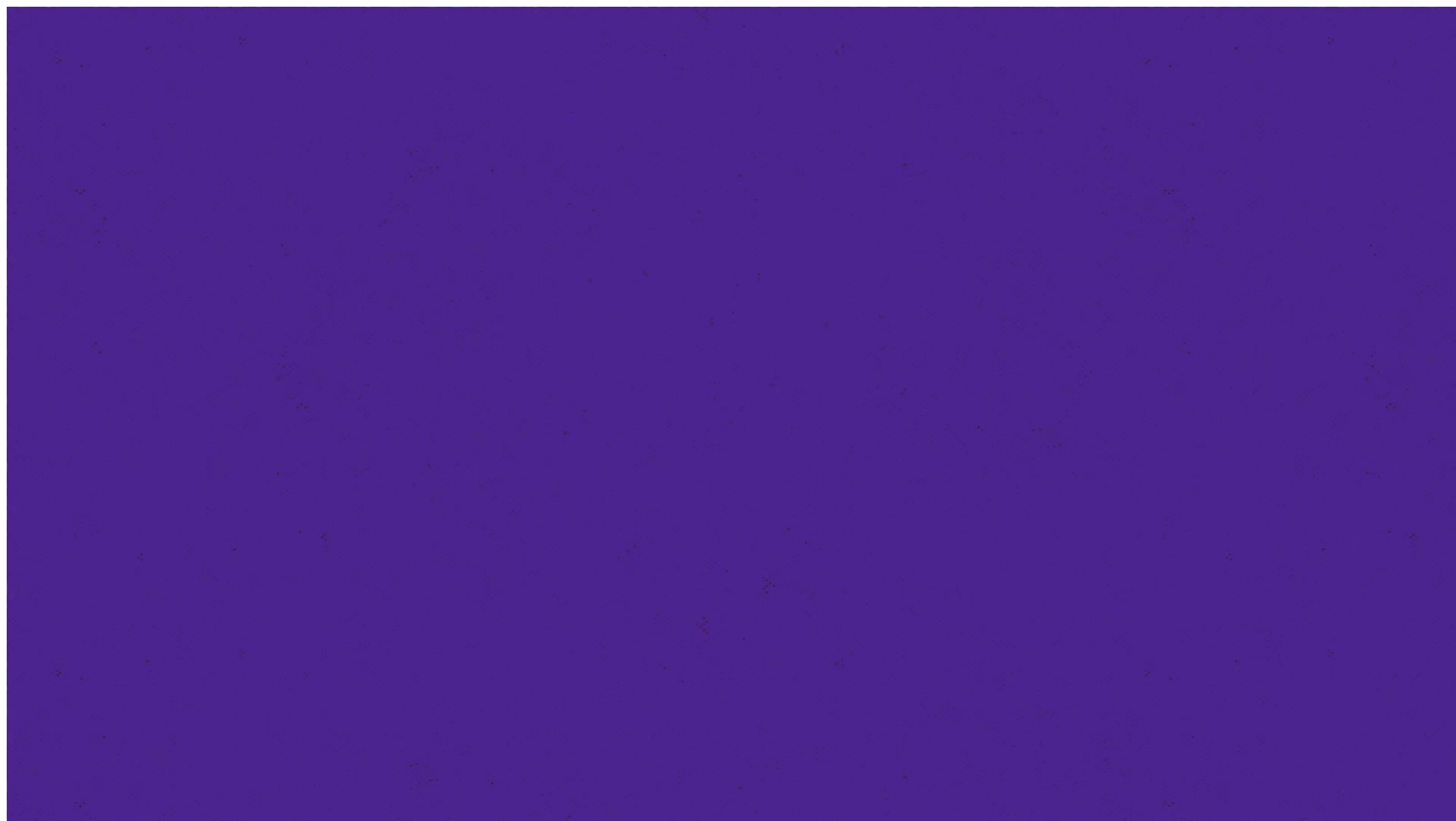
Informing SWA's ongoing work

Demonstration of the importance of CYP speaking directly to power

Reaching out to other young people

Consultants for other projects





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Thank you!



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