



Children 1st Bairnshoose Project



Sharing Stories for Change

IMPACT REPORT

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1. Introduction

Children 1st is Scotland’s national children’s charity which exists to prevent abuse and neglect, to protect children and keep them safe from harm. We help children in Scotland live in safe, loving families and build strong communities. We help survivors of abuse, trauma and other adversities to recover, and we work tirelessly to protect the rights of children in Scotland. Children 1st have been campaigning for a Barnahus for Scotland’s children and supportive families for over a decade and will strive to ensure children’s rights to care, protection and justice are realised.

Our work is underpinned by children’s rights embodied in the UN Convention on the Rights of the Child (UNCRC). Whilst all articles of the CRC have relevance, there are specific articles that are useful to guide our work: Children and young people have a right to non-discrimination (article 2), best interests of the child (article 3), a right to be heard (article 12), a right to freedom of expression and information (article 13), a right to privacy, and protection from unlawful attacks that harm their reputation (article 16), a right to be protected from violence, abuse and neglect (article 19), and a right to special support to recover their health, dignity, self-respect and social life after abuse and neglect (article 39).

Barnahus (which means Children’s House in Icelandic) is a child-friendly, interdisciplinary, and multi-agency centre for child victims and witnesses of violence. The Barnahus model is underpinned by the UN Convention on the Rights of the Child is internationally recognised as an evidence-based model for children and families who are victims and witnesses of abuse and violence. In Scotland, our experience and evidence tell us that children and supportive families’ experiences are too often traumatic, confusing, intimidating, silencing, and disempowering. We know that children rarely receive timely and appropriate therapeutic support, and neither do their families.



Figure 1: Barnahus

In 2019, Children 1st was awarded funding from the Scottish Government to ensure that children and families’ experiences of child protection and justice processes are heard. Our aim was to seek the views and experiences from children, young people and their families with a particular focus on understanding their experiences in relation to: Joint Investigative Interviews, forensic medical examinations and giving evidence in court, including the High Courts in Edinburgh and Glasgow, as well as feedback on the experience of the journey for children and families in relation to the child protection and justice processes. Our starting point is the child’s journey through these complex systems and what they and their families wanted to share about being heard, respected and supported at any stage.

This report shares our learning so far.

2. Background

Across Scotland it is difficult to know how many children and young people are victims or witnesses of violence. International research shows that many children do not disclose abuse and neglect during their childhood. There will have been many times that children were hurt, harmed, or witnessed violence that will not be reported to the police. We know that women and children experience domestic abuse in fear and silence. We know the shame and stigma for young people who have been hurt and are too afraid to tell anyone. Therefore, it is important to recognise that any views we share on the child protection and justice processes for families will simply be the tip of the iceberg.

The scale of the problem

These statistics are for the children and families that are known in the child protection and justice system for 2019-20:

- 12,934 child protection investigations were conducted in Scotland in 2019-2020.¹
- 4,978 child protection initial and pre-birth case conferences took place for children in 2019-2020.²
- 2,654 children are on a Child Protection Register in Scotland due to being at risk of significant harm.³
- 12,849 children and young people were referred to the Reporter of whom 10,823 on care and protection grounds and 2,840 on offence grounds.⁴
- It is estimated 4,900 Joint Investigative Interviews are conducted annually with children across Scotland.⁵
- At least 40% of 13,364 sexual crimes recorded by the police related to a victim under the age of 18.⁶
- Police recorded 675 sexual assaults of a child under 13 and 645 sexual assaults of a child aged 13-15.⁷
- Police recorded 599 crimes of sexually coercive conduct against a child aged 13-15 and 767 crimes of sexually coercive conduct against a child aged under 13. Police recorded 584 sexual crimes against children recorded of taking and distribution of indecent photos.⁸
- Online sexual crimes against children have increased. Three-quarters of victims are under the age of 16.⁹

The number of children who are victims and witnesses who are involved in court proceedings is not available. It is not known how many children give evidence by commission, evidence-in-chief

¹ Scottish Government (March 2021) [Children's Social Work Statistics 2019-20](#), Edinburgh: Scottish Government

² Ibid

³ Ibid

⁴ SCRA (2020) [SCRA Statistical Analysis 2019/20](#), Stirling: SCRA

⁵ Scottish Courts and Tribunal Service (2017) Evidence and Procedure Review: Child and Vulnerable Witnesses project – Joint Investigative Interviews workstream

⁶ Scottish Government (2021) Recorded crime in Scotland 2019-20, Edinburgh: Scottish Government (pg.25)

⁷ Ibid. pg. 87

⁸ Ibid. pg 88

⁹ Bentley, H. et al. (2019). How safe are our children? An overview of data on child abuse online, p.18. <https://learning.nspcc.org.uk/media/1747/how-safe-are-our-children-2019.pdf>

or use special measures nationally. It is evidenced that whilst use of live TV links and screens in court are used, the use of pre-recorded testimony is still rare.¹⁰ Despite some progress in protective measures for children in court proceedings, there remains a gap between the intention and the reality of what children are experiencing across Scotland,

‘Child victims and witnesses of crime continue to face additional trauma, distress and harm due to complex procedures, being required to repeat their story many times, use of victim-blaming language by professionals and a lack of appropriate safeguards when giving evidence in court. **Members report there is a gap between protective legislation and children’s experiences. They note challenges securing special measures including the use of screens, pre-recorded evidence, evidence by video link or separate entrances.**’¹¹

3. Methodology: What we did

We wanted to understand if children and their families felt heard, respected and supported in child protection and justice processes when they shared that they have been hurt, harmed or witnessed violence. We designed a range of tools and provided choices in how children and families could participate with support in place. This work alongside children and their families requires great skill and sensitivity. We were not asking for retelling of stories for *why* children and families were involved in these processes. We recognised that any views on what would have helped – however small – were vitally important.

We developed a Sharing Stories for Change activity pack that was shared with our Children 1st services, Rape Crisis Scotland, Victim Support Scotland, Scottish Women’s Aid network and 6VT service supporting witnesses of crime to seek a wide range of views and experiences. The activities were completed with a trusted adult of their choice. We also designed a young person and parent/carer survey. For those who wanted to share more in-depth views, we used an interview schedule flexibly and sensitively with creative options, such as drawings and music. We included colouring pens, fidget toys and a card to say thank you for their participation.



Figure 2: Sharing Stories for Change pack

28 children and young people (aged six to 20 years old) shared their views about whether they felt heard, respected, and supported in child protection and justice processes. Seven supportive parents and carers shared their views on their direct experiences.

¹⁰ Scottish Government (2018) [The impact of the use of pre-recorded evidence on juror decision-making: an evidence review](#), Edinburgh: Scottish Government

¹¹ Together (2020) *Children’s Rights in Scotland: Civil society report to inform the UN Committee on the Rights of the Child’s List of Issues prior to reporting by Together (Scottish Alliance of Children’s Rights)* pg.39

In March 2020, Scotland entered the first national lockdown due to the coronavirus (COVID-19) pandemic. This impacted on all aspects of our work at Children 1st and the public health implications led to national school closures and severe restrictions on any face-to-face meetings with children and parents/carers. This has required flexibility and adaption to ensure participation was ethical and feasible during these unprecedented times. We postponed the participation Changemakers group work to Autumn 2021.

4. Right to be heard



Figure 3: Me, girl aged 6

Take time to get to know us

Children and young people shared who they were in an ‘About me’ activity. When we work alongside children and young people, we want to know who they are and what matters to them. Children told us that what mattered to them were **family, friends, pets, music, hobbies, favourite colours and subjects at school**. Many children and young people shared what they liked doing, which included, gaming, dancing, tik-tok, gothic rock, Zumba, cooking, reading, shopping, barbie, bike riding, football. There were reflections about who they lived with and if they ‘felt safe’. One girl wanted to share she was gay, and it was important that we know this. Another 12-year-old boy shared that he liked ‘to game online with my friends as they keep me distracted from sad memories’. What mattered was choosing what they shared about themselves and their identity. Some children and young people drew pictures about themselves and things they liked.

The importance of building rapport with children and young people is demonstrated strongly. Children and young people are communicating who they are and do not want to be defined by the abuse or violence they have experienced. Sometimes this can be overlooked, or at worst ignored. One girl shared that police officers were chatting to her about what she had watched on Netflix and she recognised that this was to try to help her relax and show they were interested in her. Pets also were often a popular topic of discussion!

These reflections may seem simple – but our message is to never underestimate how important getting to know children and young people can be. These opening conversations with new people created some trust and rapport for later discussing often painful events.

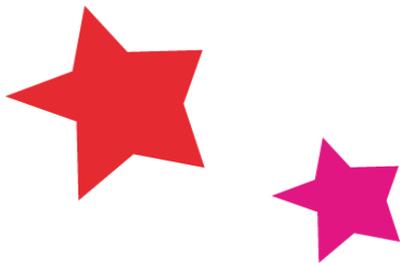


Figure 4: Me and my cats, girl aged 6

Listen to my Song

One ten-year-old girl loved music and wanted to share her views through creating a song about her experience. She wrote poignant lyrics as she shared what happened at the age of eight being interviewed due to domestic abuse in the family home. In the song, she is going to a Vulnerable Witness Suite to give evidence for court. She feels alone as her mother cannot be with her due to having to give evidence at court on the same day.

Working with a young local musician, Jordan Stewart, provided the melody and vocals for a beautiful song. This song was shared with their permission to the Delivering the Vision National Governance group to establish the first Barnabus for Scotland.



My Song

Verse One

Alone, waiting for my story to be told
Wall to wall, foot to floor that's unknown
If I scream will you listen?
I didn't come to lie
Open your mind

Chorus

Help me and listen to me
Trust me and make sure I'm okay
Cause I'm not another number on your page
I am strong and I am brave

Verse Two

Strangers and silent halls
Need to get my feelings out in a place that
feels like home
I don't want to be alone just want to paint
the pictures on the wall
When I scream do you listen?
I didn't come to lie
Open your mind

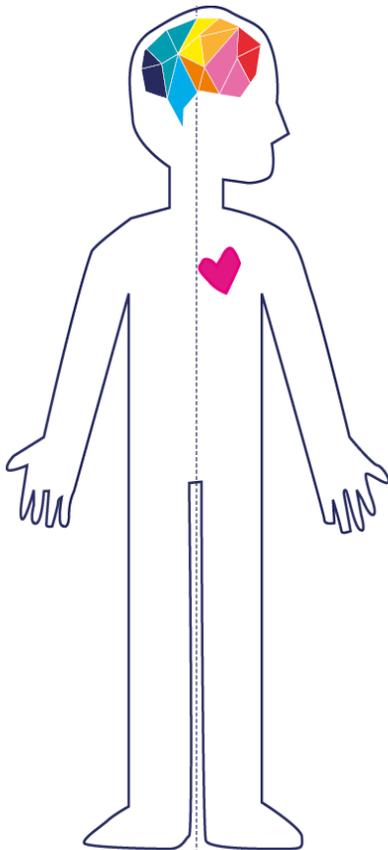
The Right People to Listen

Just because we're children, doesn't mean we don't have strong feelings and don't understand things.

Girl, aged 8

There was a common theme of the qualities of the people who should be listening to children and young people. Nearly all children were able to give an example of one person who they had met who had listened and they gave positive examples of police officers, social workers, support workers and teachers. However, there were often many different people involved and this could be confusing. There were more mixed views on the experience of doctors and nurses (although a smaller number of children and young people had forensic medical examinations and were able to share their views on this experience). There were more difficult views shared about judges and lawyers.

In one activity, we asked children and young people what makes a person excellent or rubbish at listening when children had been hurt, harmed or witnessed violence. The communication skills and body language of a listener was viewed as critical.



Excellent listeners

- **Connect with you** – show an interest, are comfortable with the conversation, give you their full attention, doesn't talk over you, actually engages in the conversation, really listening when talking about feelings and upset, they should understand.
- **Body language** – Use eye contact, don't turn their backs on you, don't fidget, stay still, have polite body language, don't drink, sit beside me.
- **Take time** – listens to everything you have to say, lets you go at your own pace and doesn't rush you, takes time to understand, repeats back what I've said to make sure I'm okay, not interrupting
- **Age appropriate** – "Don't treat me like I'm four and speak down to me."

Rubbish listeners

- **Not interested** in what you have to say, don't believe me, say I'm lying, talk over me
- **Distracted** - Play with phones, walk away when you are talking, fidget, not paying attention
- **Talk to other adults, rather than me**
- **Not kind and don't answer your questions**

Children and young people are very perceptive. They often described the situations where they felt listened to and were supported to talk because of the way the person listening behaved. They spoke about the different people who they spoke to across many different settings. The number of people often involved is notable – different police officers, social workers, teachers, support workers, paediatricians, nurses, forensic doctors (at adult sexual health services), court officials, lawyers and judges.

Writing and not looking up from phone; not looking at you; not asking the right question; finishes what you are saying.

Girl, aged 11

When people just nod at you, they aren't really listening. They did this in my interview. When they lift their hand and ask you to stop talking and then speak to their co-workers. This happened with the police officer that took me to the clinic. The clinic [person] kept sitting on her phone and didn't talk to me.

Girl, aged 14

Generally, there was a lack of information and understanding of what was happening; one girl explained when being interviewed by police and social work, that it would have helped if they had had shown her the room and greeted her, so she felt more prepared. It should be acknowledged that children and young people were rarely aware of the process (for example, when talking it was in a Joint Investigative Interview or a medical or vulnerable witness suite), it was another place where they were being asked questions by adults and were trying to answer. Some young people shared the view that being asked so many questions made them feel they weren't being believed or were lying; for example, one 14-year-old girl described how "it felt like they didn't believe me, they said 'are you sure?' five times". One young woman explained that it was very hard to describe a sexual assault to a male police officer and she didn't understand "why are you making me say it?" Parents also shared views on the importance of the skills of the person interviewing their child to build the rapport so that they were able to "open up".

The police officers were having such a good wee laugh with her and the rapport was amazing actually.

Mum

I just think it should be a child friendly space like not a pure empty clinical workspace or things like that. I think you need to be somebody who can actually get on a child's level. Somebody who is aware that not every child is exactly the same. They don't open up the exact same, not every child likes the exact same things and somebody who is like versatile and can see the bigger picture eh, a child rather than viewing it as, this is all we I'm here to do, like a job, like filing paperwork. They need to be open enough to have patience to get down to that child's level cause if you don't click with them, they're not going to tell you anything.

Mum

One Mum shared her view that the language of the Joint Investigative Interview was confusing to understand for her child who has autism. She said the interview wasn't able to go ahead as she couldn't understand the opening questions and or that she was able to say, "I don't know". Therefore, this mum felt that there needed to be more focus on how the interviews can work for children with additional communication needs.

5. The Right Place

Current experiences of children and young people

Children and young people shared lots of views on the places that they had been interviewed, medically examined, and given evidence for court processes. The place in which 'talking' takes place was very important to them and had a significant impact on whether they were able to talk. There was often a detailed description of where to talk about something upsetting because these children and young people had talked in lots of different places. From their own experience, they could share what could have helped them. They did share some positive examples of places that they felt comfortable and relaxed to be able to talk; for example, some meetings with social workers and support workers in spaces that they felt were for families. One mum said how much she appreciated the thought that had gone into a family room to make it "inviting". Sometimes it was surprising how the basic needs of families were overlooked: for example, not having anything to eat or drink, being cold and uncomfortable.

There were toys in the family room but to be honest they were more for younger children. We were there a couple of hours and were not offered any snacks or drinks. We were able to go to the bathroom whenever needed.

Mum

Being interviewed at police stations were one of the most difficult places for children and young people. For some, they felt they had done something wrong, even though they were the victim of a crime. The first impressions of a building were often described, and police stations were often seen as "horrible", "scary" with a "big, massive fence" and "gates and buzzers". One girl described feeling scared and cold as she waited on a wooden bench in the police waiting room before being interviewed after a sexual assault; "uncomfortable to sit on, freezing because of the automatic

doors, just very cold and yeah, scary. Very scary, very, very, scary". The experience of police officers could be very positive; they were described as "sympathetic", "listening", "comforting but spoke to Mum more". The size of police officers who were male was highlighted by a few children and young people as being intimidating; as one young person explained in having to describe a sexual assault to a male police officer: "I'd just turned 17. I was still a wee girl. This was like a grown man, and a big grown man in a police uniform and I was like, I can't say these words to him". One 12-year-old boy explained that although the police station was scary, he did feel safe there. When witness statements were required by the police about domestic abuse, children described feeling upset as they could not have their mum or somebody they trusted with them.

When I had to talk to the police about my dad, I was taken away to a police station away from home and had to talk to two people in a small room with a camera. I wasn't allowed my mum or anyone I trusted. I felt really scared.

Girl, aged 12

Cameras were discussed by several children as a source of anxiety. It is notable that children and young people remembered 'the camera' and if they had a choice, they didn't want cameras in the room when being interviewed. Although this wouldn't be a possibility, there should be consideration of the discreet use of cameras and recording equipment to minimize anxiety.¹² Also the provision of information about why cameras are needed to record interviews. When asked what should be in a place for talking, loud noises were frequently mentioned, as well as noises that could irritate, such as clicking pens and banging doors. There was also a common view that there should not be too many people; for example, one eight-year-old girl said, "too many people asking questions at the same time". Bright colours and bright lights should also not be in space for talking, and "not too clinical". As one 14-year-old explained: "I just think it should be better and less depressing".

A small number of children and young people had a forensic medical examination and shared whether they felt heard, respected, and supported. One 14-year-old girl was examined at a sexual health clinic, where she described "one doctor was excellent and smiled at me through her visor. And one was rubbish when I said it hurt (during medical examination) they didn't stop and told me to breathe". There were some incredibly difficult experiences during lockdown as medical staff were in full PPE (Personal Protective Equipment) and this was especially scary for children and young people. One young person was not allowed to have her mum with her following a sexual assault and found the forensic medical examination distressing. One young person described how uncomfortable the procedures were and how hard it was to not be able to shower, wash her hair or feel clean after the assault for two days.

The nurse was really nice, and she had to hold me so she kinda held me and I was crying and eh, I don't know I just wanted my mum, I wanted my mum.

Girl, aged 17

¹² This may relate to mobile recording kits that are not discreet. This can be standard procedure in interview rooms in Barnahus with high technical recording equipment that is also discreet and unobtrusive in a furnished room.

There were also the upsetting experiences of having to return to the clinic for HIV tests. There were no views shared on forensic medical examinations carried out at children's hospitals.

For those children who had been to court or a Vulnerable Witness Suite, there were difficult views shared. One eight-year-old girl explained, "I just want the court people to listen to me" with the reflection that she didn't feel they had listened to her views. Court was often described as a frightening experience. One young person who had been sexually assaulted had to give evidence at High Court and shared her experience of being cross examined. It was highly traumatic, as well as having to see the man in court, and have her name called over a tannoy system as "a witness". She also was unprepared for hearing his name on the tannoy and this caused anxiety and flashbacks. She was accused by the defence agent of being promiscuous and asked, "why didn't you scream and run out of the house?" Afterwards she reflected on being made to feel that she was guilty and questioned at what stage was she allowed to be the victim, not the witness.

I lost my temper and started screaming and crying... everything to the wind, and the judge asked me to leave the room and calm down.

Young woman, aged 19 (sexually assaulted aged 17)

One mum shared how challenging the circumstances were in the court room for her young daughter giving evidence. They were not kept separate from the father's family and could hear their comments and laughing. The girl had to give evidence via a screen but was still in the same room and could hear her dad when he was angry and screaming and this was very upsetting.

Like they could dae it fae another room like they put the weans in another room, you don't have to actually be in the court room. I think they should get a different way to deal with it but everybody is different, some people want to face the person that's done this to them and be that strong person so each to their own but I think they should have a more versatile way of doing it.

Mum

Another mum spoke about how her ten-year-old daughter had to give evidence from a video link:

It was terrible, absolutely terrible, and knowing that I'm leaving her there to give evidence even via video link. Her dad would see her and I wouldn't. And people in the court cross examining her when she's ten and vulnerable, fair enough it's from a video link but she's given her evidence. To be fair, in my opinion, the fact that she's given her evidence, I think that should be enough rather than cross-examining a wee ten-year-old.

Mum

Sharing what would help children and young people to talk

When asked where would be a 'perfect place to talk', children drew pictures of houses with gardens. Comfortable, quiet and "like a home" were examples given of where they could talk. The detail was provided for what was inside the house and this included comforting furnishings (pillows, cushions, blankets, beanbag), something to drink and eat, as well as toys and drawing materials. One ten-year-old girl said it would have helped her to talk if she had her teddy with her and her Mum; "teddies make me feel safe". She had an idea that there should be lots of teddies for children in the house.

I imagine it to be like Tracey Beaker's home - a house that feels homely and feels safe. Somewhere you don't feel judged, but you feel cared for and loved. People can relax, fairy lights, sensory things like teddy bears and maybe a therapy dog.

Young women, aged 20

I think I'd make it more like relaxing, as much as it's you're not going to be relaxed, even if it's something small, you're not going to be relaxed. And I think making that room more, as comfortable as you can make it, or so comfortable, as comfortable as you can make it for people so that they don't feel as like cold.

Young woman, aged 19

The presence of a dog in the house was mentioned by a few young people. One ten-year-old boy said that it really would have helped him if he had his dog with him, "one of my dogs would have helped me feel calmer".

A small number of children and young people felt that school could be a good place to talk about something upsetting. However, there were also the opposite views shared about school with one young person explaining she wouldn't want it to be a place she went to everyday.

Having somewhere outside to go was important to some children and young people. Hearing the birds was described as soothing for one girl; another said hearing water would relax her and "I would feel safe because of the sounds of nature". For others, the garden was a place to play and relax. There was a suggestion of swinging chairs and another young person suggested that having music she could chose to listen to would help.



Figure 5: Design a place to talk about something upsetting, girl aged 10

My perfect place to talk

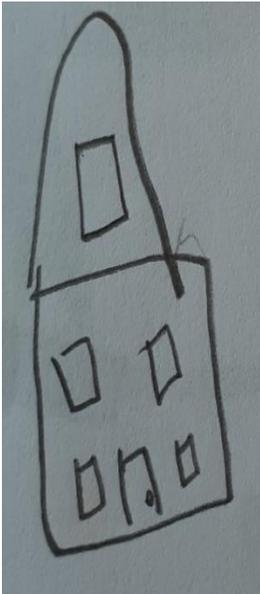


Figure 6: Drawings of the perfect place to talk

6. The Right Support

Children and young people shared what support had helped them. For many children, their family was a very important source of support for them. This included mum, dad, brothers and sisters, aunties, gran and cousins. Many children and young people described their mum as a big support and that they found it stressful when their mum could not be with them in interviews and meetings. This wasn't the case for all children and young people. For some children, support from within a family was more difficult. Examples were given where children did not feel believed or that they did not feel they could talk to their family.

Friends were often valued by children and young people; sometimes, playing with friends in person or online was described as fun and helped to not worry as much about what had happened. For some young people, friendship could be more difficult as there was a view that their friends "wouldn't understand" and they were worried that what had happened might be told to other people.

There were mixed views shared about Child and Adolescent Mental Health Services (CAMHS). One 12-year-old boy was positive; "my psychologist and Women's Aid always give me time to speak, and I know they listen because they speak to me about it". One young woman described that she struggled with being supported only via a telephone call, and really needed face-to-face support to build a relationship.

Individual teachers were often mentioned as a source of support for children and often appeared to have built a trusting relationship. One guidance teacher was described as "amazing" and another child named two teachers who, "listen properly, don't just go on the computer". Some experiences were less positive, and several young people were no longer able to attend school. For one young person, the experience of school was incredibly negative after a sexual assault. She felt that the school did not understand and did not give her the support she needed. This impacted on her academic studies and being able to go to university.

I think all the teachers, instead of jumping to conclusions, they should actually ask me what's wrong and if I'm okay. All the teachers have posters saying mental health matters but when people are struggling, they just shout and tell you to put in more effort. The guidance teacher that knows wasn't helpful when I had a panic attack it just felt like they tried to give me a speech and get me back to class.

Girl, aged 14

Many children and young people spoke or wrote about the support provided from the voluntary sector. For some young people who had witnessed a crime, the emotional and practical support was described as very helpful. One 17-year-old valued her youth worker attending meetings with her and "chased up lots of information the court failed to provide me with". There was a particular value on fun activities and opportunities provided by voluntary services, as one girl explained "it helped to build my confidence back up" after what had happened.

For many children and young people supported by Children 1st workers and Women's Aid workers, they described the kindness and emotional support provided as being very important for their recovery. Feeling safe, being listened to and feeling in control were especially valued amongst children and young people in support services. The 'being there' whenever this was needed by families was especially important. There were key milestones for families when a child or young person had been hurt, harmed or witnessed a crime and support was required: for example, at the start of the very complex process, when decisions were made by police and COPFS, when people may have been arrested and bailed, when court proceedings were underway, when verdicts were reached. However, in learning from children and families there could be many different events that required additional support– for example, returning to school, any community knowledge about what has happened, moving home, changing family relationships and friendships. It was emphasized that for many families, having someone they trust who they can turn to at any stage was critical. Also, it was often this trusted person who connected the family to any other services they may need.

They should have more services like GVT as I think it is a great place, as you can feel safe and welcomed. The people there are lovely. For witnesses of crime, it would be good to come along and tell their story as they are great at listening and making sure everyone is okay. Staff support young people through court so they are never alone.

Young woman, aged 19

There were clear messages from children and young people of what the best support is:

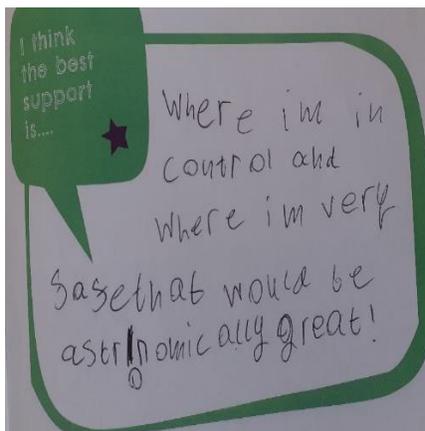


Figure 7: The best support, girl aged 9

Giving the right advice and saying the right thing and listening properly (Girl, aged 8)

Getting listened to (Girl, aged 10)

Probably talking (Girl, aged 10)

Being happy and less worried (Girl, aged 6)

Just someone I can talk to about my nightmares and suggestions from them on how it can be controlled (Boy, aged 12)

7. Sharing ideas for change

There were many ideas shared for what could have improved in the experience for children and their families following being hurt, harmed, or witnessing a crime. We asked everybody involved in the project to share their ideas on what needs to change. This could be something small or something big. Here are their ideas:

When first interviewing children and young people

- They could probably comfort us a little bit more (girl, aged 10)
- The way the police interview children needs to change (Mum, children interviewed following domestic abuse)
- Having a choice of a male or female police officer (girl, aged 12)
- The feeling of a second interview - Do they really, really need to make a child feel so inadequate about what they've already told when it's already hard enough to tell the truth as it is? (Mum)
- Make the system take a bit more time to actually process some of the things that they you're going through cause I think sometimes when you initially first tell someone something that's happened to you, you don't go whole in and tell the whole story. You tell fractions of that story (Mum)
- [What if your evidence was used from your first interview?] That would probably make it way easier because I wouldn't have to go {to court}, feel stressed out, feel put under pressure and on the spot, I guess (girl, aged ten).
- No one was beside her in the interview in the police station. It all defeats the purpose of staying away from strangers, when she had to spend the whole time explaining herself to strangers. I think that's wrong in my opinion (Mum)
- But just between the police and then going to court, there was nothing. It was just Women and Children 1st (Mum)

When providing support

- One young person thought it would be helpful for parents to have a group to support them.
- Group work with other children and young people, which could include a drop in space.
- Importance of whole family support – "I think that would have calmed nerves because everyone, everyone forgot about my cousin who's the same age as me 'cause she was a witness. She was freaking out every day, she was stressed out her head, erm, she was probably, hopefully, never have to be in court again, but it was going to be her first time, first time dealing with the police" (Girl, aged 19)
- School was highlighted as a very difficult place for some young people – especially when the person who sexually assaulted them attended the same school or college.

In court

- Not having a two-way conversation for the child (being questioned by a Defence agent), they should question her without her being in the courtroom (Mum)

- The judges and the Procurator Fiscal who are going up to defend you really need to take into account how vulnerable you really are, and they don't (Mum who described the impact of her ten-year-old daughter being cross-examined by defence agents)
- They could at least give you some information about what's going to happen, because you don't, you just get a letter through the post and a time (Mum)
- They could have, when they told me that it doesn't happen like that anymore, that doesn't happen anymore, that they made sure it didn't happen anymore. (Young person who had her sexual history shared at court)
- I'd probably get like a lounge area [for court]. And maybe some electronics so like maybe iPads and a laptop or something so that. Yeah... with pillows and blankets....and pink and glitter (Girl, aged 10)
- "Try to be brave... I would like more protecting" (Girl, aged 10).
- If someone came to court with Mum who was supportive: [So how would they make it easier?] They might sit me down and tell me stuff that wouldn't get me worked up and stuff like that (Girl, aged 10).

I think if it was to be child friendly, the sort of officers that interviewed [my daughter] would be in abundance. When they made that initial statement, they would use that in the courtroom rather than the child. I don't think it's fair to put a child in that situation. I think they should have a voice, but I don't think anyone should tear them to shreds. I think whether we like to believe it or not, a lawyer is a lawyer. Whether you're a ten-year-old child or a forty-year-old man, if they want to prove that you're lying, they will use any means possible, won't they? It's not fair. **So, a child-friendly would be that when you make that statement, that's the end of it for you. You would have support as well.** I don't think anybody has the right especially not children who have already been in some way systemically abused and told that they are lying to then be told I'm not too sure if you are telling the truth as it takes such a lot of courage to tell your story.

Mum

8. Conclusion and key learning

The stories for change from children, young people and their families have demonstrated the impact of the current care, protection and justice system. It often involved retelling their story many times, to different professionals and in different places. We advocate for transformational change to ensure children and their families can be respected and supported at all stages and that their rights are upheld, and they can recover from hurt and harm with dignity and respect.

What is remarkable is that children, young people and families' own experiences and ideas for change in the current system are now being echoed in key national agendas, which include full and direct incorporation of UNCRC, the work of The Promise in transforming care for children and young people in Scotland, improving forensic medical examinations and reforms for vulnerable witnesses. Whilst Children 1st has welcomed the incremental improvements in the way the justice system treats vulnerable witnesses, it remains a system that is designed for adults. The Scottish Courts and Tribunal Service Evidence and Procedure Review published in 2015 found,

*“The best way to secure reliable evidence from a child or other vulnerable witness, in a manner that minimises any further harm to them, is to **remove them as far as possible from the traditional styles of questioning and cross-examination. It is not merely a case of adapting the system we have, but of constructing a new approach, based on the wealth of scientific and experiential evidence available.** In that context, there is a compelling case that the approach taken in Norway provides the most appropriate environment and procedures for taking the evidence of young or vulnerable witness. **In terms of the environment, not only is the Barnahus a custom designed facility, away from the Court building, with high quality facilities in every aspect, it is also a one-stop shop for the child’s needs in the longer term, with immediate access to medical, child protection and welfare services.** As for the procedures, most child witnesses will undergo just one forensic interview, with a fully trained interviewer, no more than a few weeks after the incident has been reported, and often within a fortnight.”¹³*

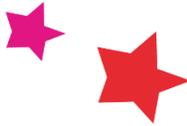
Children 1st strongly advocates for the establishment of the Barnahus model for all children who need it across Scotland. The views and experiences of children and families who share stories for change are essential in developing a national Barnahus model and already the importance of feeling heard, respected and support by professionals ‘under one roof’ has been demonstrated.

They could ask her that without her even being in the court. They could ask her that in a wee room, by herself, where she’s comfortable playing with toys and where she’s drawing a picture or anything. They could make it so much easier for them. But they don’t, they dae it that way and then it’s that way where obviously their way has worked for years but it doesnae work in this day and age. Mum

¹³ SCTS (2015) [Evidence and Procedure Review Report](#), pg.37

Key learning points

1. Children have a right to be heard when they have been a victim or witness of violence. The right place, the right people and the right support are all needed to create the space for children to communicate what has happened.
2. Children should be interviewed in a safe, warm, and comfortable place where high quality evidence can be taken by highly trained and skilled interviewers.
3. The new Scottish Child Interview Model should be an essential part of Barnahus. There should be particular attention to the communication needs of disabled children and young people and younger children.
4. Children should not have to give evidence at court. Pre-recorded evidence for court proceedings should be taken via forensic interviews to allow children to recover from hurt and harm.
5. Children have a right to recover from their experiences. They should have timely, trauma informed and relationship-based support. Support should not be delayed due to court processes. This support should involve the family (as appropriate).
6. There is an urgent need to ensure families are supported throughout the care and justice process. It is a highly complicated system for families to try and navigate that can be very traumatic. There is a need for much greater coordination and consideration of the child's best interests.
7. Children and families should have opportunities to participate in the design and development of services when they have been the victim or witness of violence.



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