



## **Eunice Halliday**

*Contact Enforcement and Facilitation*

Paper for the 2001 World Congress on Family Law and the Rights of Children and Youth by Eunice Halliday – National Association of Child Contact Centres.

Session: Contact Enforcement and Facilitation

**Title: Child Contact Centres' Role in Contact Facilitation**

The debate over contact facilitation and enforcement should centre on the needs of the child involved and the likelihood of such needs being met in the particular family situation in which they find themselves and whether access to external support, services or compulsion relating to contact will ameliorate the child's short or long term prospects of happiness.

It is sometimes easy to forget that disputes over parenting may start when a woman finds she is pregnant. All parent disagree over some aspect of parenting even if they are in an "intact" family. Whilst separation usually heightens the disagreements – due to parental vulnerability – parents may then feel freer to relate individually to their children. It must not be forgotten that the majority of children have satisfactory relationships with both parents whether the parents have separated or not.

In research conducted by NCH "Teenage mothers speak for themselves"<sup>1</sup> it was found that "The young women believed strongly that fathers should be more actively involved in the upbringing of their children and should be encouraged to accept and share the responsibility, even if their relationship had ended."

However for many reasons a large number of non-resident parents have no contact with their children and it was the effect on her husband of not knowing his own father which led Mary Lower, a magistrate in Nottingham to establish a neutral meeting place in a Church Hall for estranged parents and children. It quickly became apparent that Child Contact Centres could not operate as "drop-in centres" - the issue was not just the "where and when" of contact but also the need to control the power battles that become part of the process. Hence the need for (appropriate) referrals by another agency by way of fully completed referral forms, aware, informed and impartial personnel, and a plan for each family which might involve keeping parents apart at the centre.

When the steering group setting up the National Association of Child Contact Centres (NACCC) in 1990 started to write the Code of Practice all were agreed that the first and most important point was that contact must be child-centred and that any work with parents must be aimed at making contact less stressful for the child. The National Association of Child Contact Centres has 290 member centres in England, Wales, Northern Ireland, the Channel Islands and the Isle of Man providing a range of contact services from very high vigilance (supervised or assessed contact) to low vigilance (supported contact).

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<sup>1</sup> Mullins and McCluskey. NCH

The priority for the centres is to provide a relaxed, non-judgmental environment to enable the relationship between contact parent and child to develop whilst at the same time reassuring the resident parent. Most of the families will be involved in private law proceedings. In recent years the demand for supervised contact in these cases has increased due to greater awareness of the effects of domestic violence on children either directly, or indirectly through the effect on the resident parent. Currently through an awareness campaign and protocols NACCC is seeking to ensure that families are referred to the appropriate level of service and also encouraging the development of more supervised Child Contact Centres. The NACCC Protocol for Judges and Magistrates involved in the referral of a family is attached herewith.

There are now Child Contact Centres in many countries but most are staffed almost entirely by paid social workers and psychologists. Whilst this is the case in the UK in the supervised centres, the majority of referrals here are for supported contact which is undertaken by teams of volunteers.

The Child Contact Centres provide the space for facilitation of contact which is a three stage process as confirmed in the Consultation Paper “Making Contact Work”<sup>2</sup> which states that Orders or parental agreements on contact need

1. to be achieved,
2. made to work
3. be sustained over time.

1. Many families are referred to a Centre before court proceedings are contemplated and it is through contact being established at the centre that parental agreement to on-going outside contact is achieved. Others are referred at the Directions stage, which is the first hearing, at the same time as the Children and Family Reporter is requested to investigate the family and report to the Court.

2. A court order or parental agreement may be made to work by providing the where and when of contact in a supportive non-judgmental atmosphere. This enables the parents to have time to come to terms with the reality of post-separation parenting.

3. Only in rare cases is a centre a permanent venue and whilst there are difficulties in obtaining information about families once they leave a centre, most studies so far have shown that the majority of the children do continue to have contact with the non-resident parent. Child Contact Centres need to work closely with other agencies where children or parents are identified who need/would be receptive to additional help such as parenting skills education, mediation or counselling. Whilst some centres do provide such services on-site or have close links with other agencies there are gaps in provision which need to be filled.

It is not the role of the Child Contact Centre to ensure the parents communicate but to enable them to acknowledge that their children have views and feelings. Thus the children may engage week after week in interactive play with a non-resident parent

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<sup>2</sup> Making Contact Work – The facilitation of arrangements for contact between children and their non-resident parents; and the enforcement of Court Orders for Contact – A consultation Paper issued by the Children Act Sub-Committee of the Lord Chancellor’s Advisory Board on Family Law chaired by The Hon Mr Justice Wall.

despite the resident parent's assertions that they will not do so. Likewise children who, for whatever reason, are hesitant about contact are allowed to progress at their own pace – so that the first meeting may only last 5 minutes. Where the child makes it clear they do not want any contact that will be respected. Research at Leeds University found “One of the most striking aspects of children's own discourse about their family lives, is that they speak in terms of an ethic of care. This is not merely a one way process, focusing on the care they receive. They also try to work within this ethic in a way that is supportive of their parents”<sup>3</sup>

Children should have the chance to give love to and receive love from their parents. The existence of impartial help has encouraged parents who felt like giving up, tested the commitment of others to contact which is not on their terms, and provided a safe, child-orientated place for thousands of children to have contact in situations in which it otherwise would not take place at all or be fraught with difficulty and stress for all concerned.

In order to develop the service, provide training, standards and support it is essential for there to be a central co-ordinating national body. The National Association of Child Contact Centres is the most developed network compared to other countries and we have learnt a lot from sharing experiences and good practice with other similar national bodies through the Internet, e-mail and Conferences.

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<sup>3</sup> “I just get on with it” Children's Experiences of family Life following Parental Separation or Divorce. Neale et al Working paper 1 Centre for Research on Family, Kinship and Childhood, University of Leeds. 1998