

**QUESTIONNAIRE - CHILD WELFARE HEARINGS**

**FAO Civil Depute/Civil Department,**

As part of the review regarding effective case management of family and civil partnership actions undertaken by the Scottish Civil Justice Council, LIT are seeking feedback on the process courts currently take to protect parties at child welfare hearings where there is a background of alleged or proven domestic abuse.

This includes feedback in relation to parties with special bail conditions limiting or prohibiting contact.

The survey should take no longer than 15 minutes to complete and we would welcome comments/suggestions on the questions should you wish to elaborate.

Please send the completed questionnaire to our generic email inbox at [litenquiries@scotcourts.gov.uk](mailto:litenquiries@scotcourts.gov.uk) by **26<sup>th</sup> January 2018**.

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1. If there are allegations of domestic abuse or where parties are subject to special bail conditions prohibiting contact, are they kept separate before the calling of the CWH?

- Yes
- No
- Unsure

2. As a clerk of court/court officer how would you expect this situation to be brought to your attention?

3. Do you receive formal motions to excuse parties' attendance at the CWH where there is an allegation of domestic abuse or if special bail conditions prohibit contact between parties?

- Yes
- No
- Unsure

4. Where no written motion is lodged does the court receive a motion at the bar/letter from agent requesting excusal from the CWH?

- Yes
- No
- Unsure

5. Do requests for excusal occur more often when there are bail conditions in place?

- Yes
- No
- Unsure

6. Do you ever receive motions under section [32A.1](#) of the Ordinary Cause Rules (use of live television link) to allow the CWH to proceed without parties being in the same room?

- Yes
- No
- Unsure

## COURTS

### **Grampian Highland and Islands**

Aberdeen  
Fort William  
Wick

### **Tayside Central and Fife**

Dundee  
Kirkcaldy  
Stirling

### **North Strathclyde**

Campbeltown  
Kilmarnock  
Oban

### **South Strathclyde, Dumfries and Galloway**

Dumfries  
Hamilton  
Stranraer

### **Lothian and Borders**

Edinburgh  
Jedburgh  
Livingston

### **Glasgow and Strathkelvin**

Glasgow