

HEARING THE VOICE OF THE CHILD: FORM REDESIGN PROPOSALS

Purpose

1. To seek the Council's approval of a funding request from the Family Law Committee ("the Committee") to commission a graphic designer to redesign the new forms to replace Forms F9, CP7 and 49.8-N for hearing the voice of the child in family actions in the Scottish civil courts.

Background

2. Members will be aware that one of the Committee's priorities concerns improving the method of ascertaining the views of the child in family actions. A key aspect of this is to replace the existing Forms F9, CP7 and 49.8-N with forms that are more child-friendly.
3. Drafts of the new forms were developed by the Committee's F9 sub-group in the course of summer 2016. At its meeting on 10 October 2016, the Committee agreed to seek comments and feedback on the draft forms from children and young people. This was accomplished in the first quarter of 2017 by way of consultation sessions organised and facilitated (i) by the Children's Parliament; and (ii) jointly by Scottish Women's Aid ("SWA") and the office of the Children and Young People's Commissioner Scotland ("CYPCS"). Solicitors at Clan Childlaw also sought feedback from children.
4. The F9 sub-group met in April 2017 to consider feedback reports from the consultation sessions, along with a summary of comments submitted by Clan Childlaw. The sub-group was able to incorporate some changes suggested by children, such as simplifying the vocabulary and structure of the forms.
5. However, a central theme of the feedback was that the forms should be made more visually appealing, by including illustrations, borders, patterns, colours, and a more exciting font design, all of which the sub-group felt would require input from a graphic designer.
6. At its meeting on 08 May 2017, the Committee considered and approved the revised drafts of the forms and agreed to seek the Council's approval to engage a graphic designer to make the forms more child-friendly and visually appealing.
7. The revised Form F9 can be seen at **Paper 7.1A**. For comparison, the current Form F9 is at **Paper 7.1B**.

Funding and Procurement

8. The Council's budget for research and consultation between 6 April 2017 and 5 April 2018 is £45,000. It has not yet committed to spend any of this budget. While it is recognised that graphic design does not fall within the category of 'research and consultation', the Council is requested to allocate some of the budget to this piece of work. Court forms are normally produced by drafters in the Lord President's Private Office. However, given the unique nature of Form F9, it is considered that professional graphic design services are required to create a colourful and child-friendly document.
9. The Scottish Courts and Tribunals Service's ("SCTS") procurement policy suggests that contracts with a value of £10,000 or less should be procured by way of a "Quick Quote" process. It is estimated that the cost of redesigning the forms will be significantly below £10,000. It is therefore considered that this work could be awarded directly to a graphic designer without the need for a competitive process. The estimated cost is well within the Council's current budget.
10. While it is understood that the SCTS has a framework agreement with a graphic designer, this is primarily for the production of corporate materials. It is considered that the redesign of the forms would benefit from a graphic designer with experience of producing material that is suitable for children.
11. LPPO and the Secretariat have had informal discussions with CYPCS about the graphic designers they use, as CYPCS frequently commissions design work suitable for children. With the Council's approval, LPPO and the Secretariat will make further enquiries with CYPCS with a view to identifying and instructing a suitable graphic designer.

Timing

12. Subject to the Council's approval, it is intended to instruct the graphic designer in June or July, with a view to the redesigned forms being ready for consideration by the Committee at its next meeting on 23 October 2017.

Compatibility and Accessibility

13. LPPO and the Secretariat intend to liaise with SCTS to ensure that the redesigned forms are compatible with the new Integrated Case Management System ("ICMS").

Recommendation

18. The Council is invited to:

- **approve the Committee's funding request;**
- **authorise LPPO and the Secretariat to make enquiries and instruct a suitable graphic designer.**

Lord President's Private Office / Scottish Civil Justice Council Secretariat

May 2017