

Cross Party Group in the Scottish Parliament on Shared Parenting

Approved minutes of meeting of Thursday 18th June 2020

Meeting held via Zoom

Present: Fulton MacGregor MSP (Convener), Jeremy Balfour MSP, Alex Collop (Circle), Cheryl Brown (Midlothian Sure Start), Ann Wilson (Children's Health Scotland), Eileen Brownlie (Relationships Scotland), Kenny Spence (Men in Childcare), Nicola Crombie-Dawson (Men in Childcare), Megan Farr (CYPCS), John Forsyth (Shared Parenting Scotland), Ian Maxwell (Shared Parenting Scotland), Alastair Williamson (Shared Parenting Scotland), June Loudon (Grandparents Apart), Hannah Frodsham (Scottish Government), Judge Marie France Carlier.

Apologies: Douglas Guest (Home Start Scotland), Revati Campbell (Scottish Youth Parliament), Eoin Keane, Peter Cloke (Circle)

Welcome and introductions

Fulton welcomed everyone to our first meeting by Zoom. The meeting has been deliberately organised to give members a chance to make observations ahead of the Stage 2 Debate on the Children (Scotland) Bill, scheduled for next Tuesday, 23rd June. The Debate will be livestreamed by Scottish Parliament TV.

New members and membership changes

The group has been joined by Anne Wilson from Children's Health Scotland.

Minutes of January 2020 AGM and matters arising

The Minutes of the January 2020 AGM had been circulated. They were approved without amendment.

CHILDREN (SCOTLAND) BILL – grandparents

This item was taken first because June of Grandparents Apart had to leave early. Jeremy Balfour spoke to the amendments he intended to table during the Stage 2 Debate. These were important issues within many families where the breakdown of relationship between parents leads to one set of grandparents being excluded from a child's life though the Scottish Government has been opposed to incorporating them into the Bill.

Experience of Shared Parenting Law in Belgium. Judge Marie-France CARLIER

Marie-France Carlier is a Judge at Namur Family Court (division of Namur and Dinant) in Belgium where the law changed in 2006 to require judges to consider equal 'joint physical custody' if proposed by one parent. She is also one of the founders of the Interdisciplinary Family-Youth Commission, which meets monthly to build bridges between family-related stakeholders and to continually improve the Consensus model through suggestions relayed by the Bar or by other

members of the Commission. One of the amendments proposed by Liam McArthur (Lib Dem), effectively inserts the wording of the Belgian law into the Children (Scotland) Bill. Judge Carlier spoke to the paper (attached) that she had circulated ahead of the meeting and took questions afterwards.

The Children (Scotland) Bill. Round table discussion

The group discussed the arguments for – and the likely prospects of success – of a number of amendments that are down for the Stage 2 debate:

A right for one parent to have a motion for ‘approximately’ equal shared parenting considered in court. This would not pre-empt a judge’s decision which would still be based on the best interests of the child;

Removing the labels “residence” and “contact” from court orders;

More emphasis on mediation and alternative methods of dispute resolution to avoid adversarial court hearings;

Regulation of Contact Centres;

Standards for Child Welfare Reporters – should the lawyer monopoly be broken;

Appointment of specialist Family Sheriffs throughout Scotland

Date of next meeting.

To be confirmed.

Any other Business

There was no further business. The meeting was concluded at 1545.