

Call for 'shared parenting' after separation as ministers launch family law review

SEPARATING parents should start with the assumption they will split care of their children 50-50, according to a charity, which claims the approach will avoid the character attacks and “winner takes all” approach of the current system.

Families Need Fathers said settling issues of contact and residence in the courts was often harmful to children.

The claims came as the Scottish **Government** called for the public to take part in a review of family law.

Legal Affairs Minister Annabelle Ewing said family justice would be modernised to prioritise children’s when their parents separate.

The Scottish Government consulting the public over issues including how courts can obtain the views of children, ensuring children can stay in touch with key adults in their lives and alternatives to court such as family mediation. Ministers said they were also looking to protect victims of domestic abuse during family court disputes.

The consultation will also look at how the Children’s Hearing’s system works to protect vulnerable children and young people

Ms Ewing said: “We know that family breakdown can be very upsetting for children and it is our responsibility to ensure that the family justice system is supportive and does not contribute to their distress. Feedback from this consultation will help us to identify where changes are needed.

The review has been designed to allow children themselves to get involved, she said. “I am particularly keen to hear the views and first-hand experiences of children and young people and we have produced child-friendly questions to encourage them to get involved,” she added.

Ian Maxwell, Scottish head of the charity Families Need Fathers said the time had come for an overhaul of family law and said starting from an expectation that parenting would be shared would help put the interests of children first. “ There are too many incentives in the ‘winner takes all’ approach of the current system that promote character attacks on each parent by the other which damage relationships long after their court case is over and the sheriff has gone home,” he added.

Debbie Reekie, a family lawyer at **Glasgow’s** BTO solicitors said collaborative law and other approaches could help separating couples avoid an expensive and lengthy court process. “

