

**ITEM 2.3A: FAMILY LAW COMMITTEE: ACTIVITY REPORT****Purpose**

1. To update the Council on activities undertaken by the Family Law Committee (FLC) since the Council's last meeting and to give an indication of potential future business.

**Background**

2. The FLC last met on 4 November 2013.

**Discussion**

3. The following items of business have been considered by the FLC since the last update to the Council:

*3.1 Intimation of applications for Child Protection Orders*

The FLC has been informed that Renfrewshire Council (one of the local authorities involved in the case of *NJ and EH*) had produced guidance to address administratively the issues identified in that case.

The FLC has decided not to proceed with amendments to the Act of Sederunt (Child Care and Maintenance Rules) 1997 at this time. It has agreed that it would be prepared to reconsider this matter in the future if invited to do so by the Scottish Government, in light of local authorities' experience of operating the Renfrewshire Council guidance and any statistical information gathered by the Scottish Government.

*3.2 Simplified divorce – extension of simplified divorce procedure to cases where there are children under the age of 16*

The FLC has considered further a paper from the Scottish Government proposing that simplified divorce be extended to cases where there are children under the age of 16, but there is no dispute as to the arrangements for their welfare. After discussion as to the procedure to be followed in such simplified divorce cases the FLC instructed the Deputy Legal Secretary to prepare draft rules for consideration at its next meeting.

4. The potential future business noted in the last FLC Activity Report remains extant. There is no additional potential future business to report.

**Scottish Civil Justice Council Secretariat**

**November 2013**