

From: [Alison Edmondson](#)
To: [SLC info; Gillian Black \(gillian.black@ed.ac.uk\)](#)
Subject: Eleventh Programme of Law Reform
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Dear Gillian

When I last saw you we discussed the current SLC consultation on the next programme of law reform. You encouraged me to email you if I had any suggestions and I am taking you at your word. If the informality of this email is a problem please do let me know and I shall dig out the comments form. I'm copying in the SLC info box in the hopes that this will be included in a submission.

There is one area of family practice which is, in my view, in urgent need of potentially quite technical reform, namely intra UK family law jurisdiction. This applies in relation to litigation and to recognition and enforcement of court orders and agreements.

The law in this area is fragmented to an extraordinary degree (found in multiple Acts of both the UK and Scottish Parliaments and statutory instruments, again, Scottish and UK). The level of complexity is such that many specialists in this area balk at tendering advice (although those practising geographically at the border are a notable exception). It would not be possible for a lay person to find the law far less understand it. Some bases of jurisdiction flowed from European instruments which had to be replaced at speed giving no opportunity for a more comprehensive review of the area. The approach taken in Scotland to replacing the relevant European law differs from that taken in England.

This is obviously a matter of considerable importance for families who often live on both sides of the border (or indeed live on one side but are domiciled, in Scots terms, on the other). It is relevant to enforcement of financial orders/agreements and to children issues. The real world impact of this rather technical issue is significant.

We would be happy to discuss further with you if that would be useful.

Kind regards
Alison

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