

Shared Parenting Scotland submission of 17 March 2023

PE1981/D: Ensure perpetrators of domestic abuse, who have been excluded from the matrimonial home, cannot force the sale of the property

Shared Parenting Scotland takes domestic abuse seriously and recognises that both mothers and fathers who have suffered from domestic abuse require protection to prevent further abuse.

The circumstances described by the petitioner indicate that she found it difficult to establish whether the sale of property could be forced, or whether communications of this type were covered by the exclusion order. The Committee could call for better public information on this and other related matters to be provided by Scottish Government

According to her second submission, the petitioner has established that communications by a third party relating to issues raised by her ex-partner cannot be stopped. If an interdict is in place it should still prevent the third party making threats or abusive statements within the messages, even if it doesn't stop the sending of communications.

Our experience in this area relates to communications about child contact arrangements made in similar situations. Unless contact with children has been stopped by the court, we consider that such third-party communication is likely to be in the interests of the children, as long as the person or agency sending the communication is doing it in a professional manner that is not threatening.

Communication about housing arrangements including sale of property may also be necessary if arrangements need to be made in order for children to be able to stay overnight with both parents. Any such communication should be civil and restricted to the matter at hand.

Shared Parenting Scotland has just started to offer the [New Ways For Families® training and coaching programme](#) to separated parents in Scotland. This course covers communication between ex-partners and teaches them to use the BIFF technique (Brief, Informative, Friendly and Firm). The course is intended for high-conflict separations and helps these separated parents to communicate and reach agreement.

ABOUT SHARED PARENTING SCOTLAND

Shared Parenting Scotland had just over 1,000 active enquiries during 2022. We staff a daily telephone helpline for individual enquiries. We run monthly support group meetings in Edinburgh, Glasgow, Stirling, Dundee and Aberdeen. We run one online meeting a month for people who are still uncomfortable with in person gatherings. All our meetings now have a family law solicitor in attendance on a pro bono basis for general advice about the law and legal procedures.

We publish several free 'user guides' to help inform individuals about rights and responsibilities of parents in relation to maintaining and nurturing a meaningful relationship with their children after divorce or separation. [Downloadable guides and publications from Shared Parenting Scotland - Shared Parenting Scotland](#)