

Minutes of the second meeting of the Family Law Subcommittee of the Legislative Council (provisional translation)

On April 27, 2021, the second meeting of the Family Law Subcommittee of the Legislative Council was held at the Ministry of Justice (in person and online). As of the second meeting, there were 24 members and 13 non-voting members, and almost all members attended the meeting. The proceedings were carried out by the Chairman Prof. OMURA Atsushi.

At the first meeting, it was pointed out that it was necessary to hold a wide-ranging hearing on the problems related to child rearing due to divorce in order to understand the actual situation. Accordingly, the Subcommittee heard the opinions of some interviewees during this second meeting. To facilitate discussions, relevant ministries and agencies provided some information about the actual situation and domestic and international trends related to divorce.

The Subcommittee heard the opinions of nine interviewees. The names of the interviewees are posted on the website, but in view of the topic, the names of some of the interviewees have not been disclosed.

First of all, the members of the Subcommittee agreed that the study and deliberations should be conducted from the standpoint of children who have experienced divorce and give priority to the principle of the best interests of the child. From this perspective, the Subcommittee heard from three people who experienced divorce as minor children, and they shared their own experiences and their feelings.

Next the Subcommittee interviewed a middle-aged woman who is raising a child as the custodial parent while employed full time as a reporter.

Subsequently, parents who had a minor child and experienced divorce provided statements sharing their individual perspectives as the custodial parent and the non-custodial parent. In addition, statements were provided by one expert who was involved in the field of support for victims of domestic violence and two experts who were involved in the field of consultation and support on the problems associated with visitation and childcare expenses.

Following the statements of the interviewees, a lively question-and-answer session was held between the interviewees and the Subcommittee members. In addition, it was decided to continue hearings with persons from different positions at the next meeting.

After the above hearings, the committee members and non-voting members discussed the future course of the Subcommittee. Many members expressed their opinions on the issues, mainly about child rearing due to divorce. They discussed what should be considered, the order in which issues should be taken up, the viewpoints that should be considered when discussing the points at issue, and the basic materials necessary for the Subcommittee's study and deliberations. Based on the above, it was decided to continue the hearings as mentioned, and to conduct research and deliberations on issues arising in divorce and post-divorce parenting arrangements, mainly keeping in mind the issues of child support and visitation.

※ These minutes are the responsibility of the Secretariat of the Committee, which has provided this summary of the outcome of the meeting as a preliminary report in English.