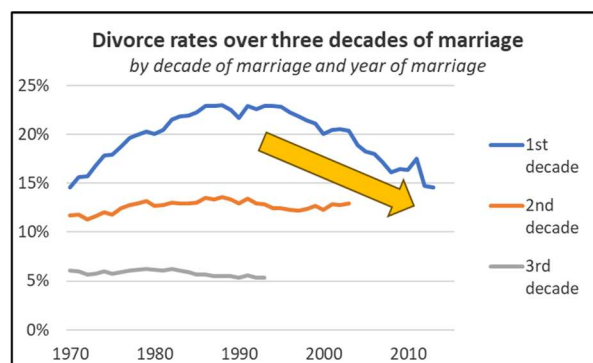




No boom in 'no fault' divorce

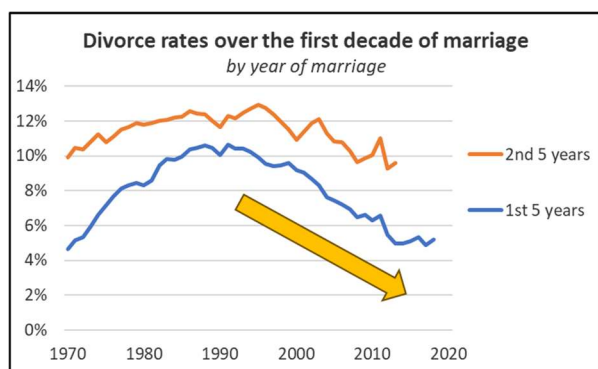
Harry Benson, 2nd July 2025

- In April 2022, divorce law in England & Wales changed. Since 1973, couples *either* had to wait a minimum of two years for an uncontested consensual divorce *or* agree to pin the blame entirely on one spouse if they wanted to speed things up. Every family lawyer in the land knew the system was dishonest in both theory and practice, largely based on fictitious allegations. Today, we have an intelligent and civilised system which encourages sensible discussion from the outset. Divorces can be completed in six months provided there are no major disputes or disagreements about children or finances.
- This new so-called 'no-fault' divorce law sparked claims that it would make divorce too easy, trivialise marriage, and ignite a divorce boom. We and every experienced legal practitioner disagreed. We sided with the academics who showed that legal barriers do not deter divorce and a more streamlined process would not encourage divorce (*Trinder et al, 2017*). We expected a short-term uptick as some of the old two-year divorces were processed more quickly. We and the Times newspaper helped campaign for this change and engage politicians in both Commons and Lords, on the grounds that it would make divorce more honest and 'kinder'. The new process is more useful in helping couples disengage without extra discord inherent in any separation.
- Today, the Office for National Statistics has reported **divorce numbers** in England & Wales for 2023, the first full calendar year under the new law. These have now returned to pre-pandemic levels and the apparent year-on-year uptick is most likely due to post-pandemic court delays in 2022. Numbers of quarterly **divorce applications**, reported by the Ministry of Justice (*see first chart below*), show some evidence of couples delaying their application from Q4/21 until Q2/22, but with no other change in trend to the end of 2024. These figures confirm that the year-on-year increase in completed divorces will not continue into 2024.
- Our immediate analysis of today's data also shows that **divorce rates** are now at the lowest they have been since 1970 (*see second chart below*). Under the old law, divorce rates swept up then swept down over five decades, with almost all this rise and fall taking place during the early years of marriages. Today's data even shows a **FALL** in divorces during the first decade of marriages.
- The latest data show no sign of any kind of surge, let alone boom, in divorce rates because of 'no fault' divorce. Today's newlyweds continue to do as well as 1970's newlyweds.





The uptick in **divorce numbers** reported by the Office for National Statistics, sees a return to pre-pandemic levels. The change year-on-year is almost certainly due to a carryover from the post-pandemic court delays of 2022 (*see third chart above*).



Our analysis of this new data also shows that **divorce rates** during the first five years of marriage have halved compared to those who married in the late 1980s and early 1990s.

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Sir Paul Coleridge, chairman of Marriage Foundation, commented on these latest figures:

"At the time of our campaign there was significant and noisy opposition from those who believed that making divorce as horrible as possible encouraged couples to grin and bear it.

For those of us who had lived for decades with a deeply flawed and dishonest system and were determined to consign the system to the scrap heap of legal history, we knew that this was a panic stricken and groundless concern.

The new non-fault-based system allows couples to avoid needless name-calling from the off and this is surely for the benefit of the children stuck in the middle.

Both the Times and Marriage Foundation, as well as the family lawyers association Resolution, are entitled to at least a soft pat on the back for persevering and bringing about a significant reform which perhaps counter intuitively is very good for promoting marriage amongst the current marriage-shy generation".

Data

Divorces, England & Wales		Divorce applications, Ministry of Justice data			Divorce rates, ONS data, analysis by MF			
Source ONS		Year	Quarter	Divorce applications	Year of marriage	1st decade	2nd decade	3rd decade
1963	32,052	2011	Q1	34,655	1970	14.6%	11.7%	6.1%
1964	34,868		Q2	29,483	1971	15.6%	11.8%	6.0%
1965	37,785		Q3	34,516	1972	15.7%	11.3%	5.6%
1966	39,067		Q4	30,604	1973	16.8%	11.6%	5.7%
1967	43,093	2012	Q1	33,688	1974	17.9%	12.1%	6.0%
1968	45,794		Q2	30,495	1975	17.9%	11.8%	5.8%
1969	51,310		Q3	31,049	1976	18.8%	12.5%	5.9%
			Q4	29,163	1977	19.6%	12.7%	6.1%
1970	58,239	2013	Q1	30,890	1978	19.9%	12.9%	6.1%
1971	74,437		Q2	32,022	1979	20.3%	13.2%	6.2%
1972	119,025		Q3	28,429	1980	20.1%	12.7%	6.2%
1973	106,003		Q4	26,141	1981	20.5%	12.8%	6.1%
1974	113,500	2014	Q1	28,532	1982	21.5%	13.0%	6.2%
1975	120,522		Q2	27,595	1983	21.9%	12.9%	6.0%
1976	126,694		Q3	29,131	1984	22.0%	12.9%	5.9%
1977	129,053		Q4	27,301	1985	22.2%	13.1%	5.7%
1978	143,667	2015	Q1	28,589	1986	22.9%	13.5%	5.6%
1979	138,706		Q2	28,080	1987	22.9%	13.3%	5.5%
			Q3	28,357	1988	23.0%	13.6%	5.5%
			Q4	29,478	1989	22.5%	13.4%	5.5%
1980	148,301	2016	Q1	29,019	1990	21.7%	13.0%	5.3%
1981	145,713		Q2	30,282	1991	22.9%	13.5%	5.6%
1982	146,698		Q3	27,529	1992	22.5%	13.0%	5.3%
1983	147,479		Q4	27,209	1993	22.9%	12.8%	5.3%
1984	144,501	2017	Q1	28,518	1994	22.9%	12.5%	
1985	160,300		Q2	27,094	1995	22.9%	12.4%	
1986	153,903		Q3	27,874	1996	22.3%	12.3%	
1987	151,007		Q4	25,781	1997	21.8%	12.2%	
1988	152,633	2018	Q1	27,406	1998	21.4%	12.3%	
1989	150,872		Q2	32,205	1999	21.1%	12.7%	
			Q3	30,343	2000	20.1%	12.2%	
			Q4	28,395	2001	20.5%	12.9%	
1990	153,386	2019	Q1	30,345	2002	20.6%	12.8%	
1991	158,745		Q2	28,374	2003	20.4%	12.9%	
1992	160,385		Q3	30,514	2004	18.9%		
1993	165,018		Q4	27,328	2005	18.3%		
1994	158,175	2020	Q1	29,613	2006	18.0%		
1995	155,500		Q2	24,010	2007	17.2%		
1996	157,107		Q3	28,736	2008	16.1%		
1997	146,689		Q4	30,449	2009	16.5%		
1998	145,214	2021	Q1	30,842	2010	16.4%		
1999	144,556		Q2	27,579	2011	17.5%		
			Q3	26,798	2012	14.8%		
			Q4	23,091	2013	14.6%		
2000	141,135	2022	Q1	30,245				
2001	143,818		Q2	35,374				
2002	147,735		Q3	30,940				
2003	153,065		Q4	25,669				
2004	152,923	2023	Q1	31,399				
2005	141,322		Q2	28,153				
2006	132,140		Q3	28,688				
2007	128,131		Q4	24,585				
2008	121,708	2024	Q1	29,667				
2009	113,949		Q2	27,171				
			Q3	27,648				
			Q4	24,171				
2010	119,516							
2011	117,497							
2012	118,091							
2013	114,711							
2014	111,167							
2015	101,052							
2016	106,958							
2017	101,667							
2018	90,871							
2019	107,599							
2020	102,438							
2021	111,934							
2022	78,759							
2023	100,787							