

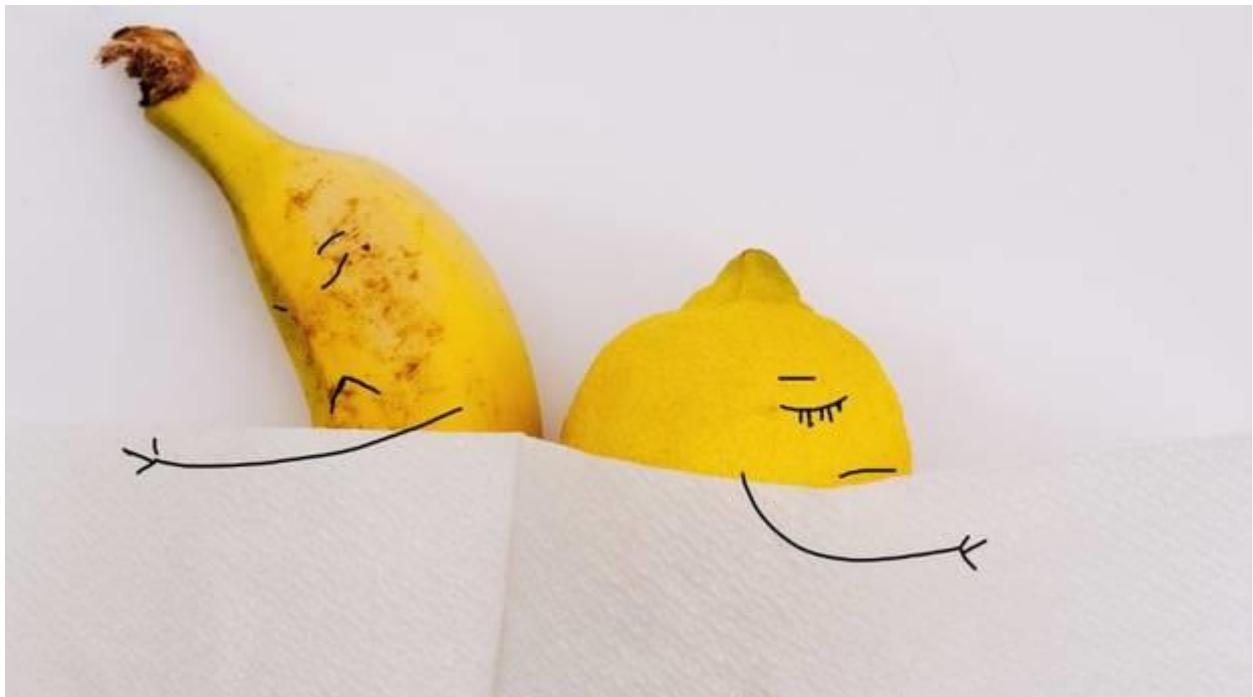
Comments by **Simon Beccle, Family law specialist and partner at Payne Hicks Beach**, first published in The NZ Herald on 26 July 2018 and reproduced with kind permission https://www.nzherald.co.nz/lifestyle/news/article.cfm?c_id=6&objectid=12095551



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Woman forced to stay in 'loveless marriage' as court denies divorce

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Despite his wife having had an affair and the couple now living in separate houses, he says she is just "bored" and insists they still have a "few years" to enjoy life together. Photo / Getty Images

Daily Mail

The wife of a British mushroom farmer who says she is trapped in a loveless marriage has lost her long-running legal battle to divorce her husband.

Tini Owens, 68, wants to end her 40-year marriage to 80-year-old Hugh Owens, insisting their relationship has broken down.

But - in a case which has led to calls for Britain's divorce laws to be changed - Mr Owens refuses to agree to the split.

Despite his wife having had an affair and the couple now living in separate houses, he says she is just "bored" and insists they still have a "few years" to enjoy life together.

Five Supreme Court judges today waved away Mrs Owens' pleas to let her end the union and ruled she must stay married.

Top judges backed previous court rulings that Mrs Owens has failed to establish that her marriage had irretrievably broken down, as required by law.

A number of justices expressed their reluctance to make the ruling, but said they were bound by the law.

Speaking after the judgment was delivered, Mrs Owens' solicitor, Simon Beccle, said many people would find the Supreme Court decision "hard to understand".

He said she had hoped judges would make a decision which would be 'forward-thinking and fit with the current social mores'.

"Mrs Owens is devastated by this decision, which means that she cannot move forward with her life and obtain her independence from Mr Owens," her lawyer added.

In New Zealand you must be separated from your spouse for two years before you are able to file for divorce. Once you apply to divorce, your spouse may defend the application.

This will mean appearing before a Family Court judge where, after hearing both party's cases, the judge will decide if there are grounds to proceed and make a dissolution order.