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NO-FAULT DIVORCE REFORMS OFF THE TABLE FOR 2021

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Lawyers have expressed dismay at ministers' decision to delay divorce reforms for six months while it grapples with issues regarding technology, legal, and court procedures.

Justice minister Chris Philp confirmed by way of a parliamentary question this week that implementation of no-fault divorce reforms under the Divorce, Dissolution and Separation Act 2020 will now take place on 6 April 2022. According to Philp, the Family Procedure Rule Committee is still finalising rule changes, and ministry officials are working on amendments to court forms and the online digital divorce service.

'Following detailed design work, it is now clear that these amendments, along with the full and rigorous testing of the new system ahead of implementation, will not conclude before the end of the year,' he said.

[Neil Russell](#), partner at Seddons, described the delay as 'hugely disappointing.

'Bearing in mind that the last set of [Office for National Statistics] divorce statistics revealed that unreasonable behaviour remains the most common reason for divorce, cited by 49% of wives and 35% of husbands, the blame game needs to end sooner rather than later'.

[Emily Foy](#), senior associate at Payne Hicks Beach, said: 'HM Courts and Tribunal Service has been working on the online platform for some time, which is already up and running for the current divorce process.

'It is frustrating that the modifications to the system have not been expedited for this reform. I am aware of a number of couples who have agreed to wait until the autumn to formalise their separation, allowing them to divorce consensually, whose plans have now been thwarted.'

[Roopa Ahluwalia](#), partner at BDB Pitmans, said the delay was disappointing but not surprising: 'The court system that manages the logistics of all divorces has been underfunded for a number of years and the impact of the pandemic with remote working and hearings has seen it truly creaking.'