

# A MODERN WAY TO SEPARATE

*After years of calls for change, the law around separation for married couples and civil partners is being brought up to date*

**F**rom 6th April 2022, individuals seeking to end their marriage or civil partnership will no longer need to rely on one of five 'facts' to prove that their relationship has irretrievably broken down. The reform is long overdue, but what does it mean in practical terms?

To date, individuals wishing to end their marriage or civil partnership would need to prove an irretrievable breakdown of their relationship based on one of five facts:

1. 2 years' separation with consent
2. 5 years' separation without consent
3. Desertion
4. Adultery
5. Unreasonable behaviour

This system has long been criticised for making individuals either have to wait to legally end their relationship if their spouse or civil partner will not consent, or otherwise making them start off the process on an acrimonious footing by attributing blame to their spouse or civil partner.

From 6th April 2022, the Divorce, Dissolution and Separation Act 2020 will come into force. The main change we can expect to see is that there will no longer be a requirement to provide evidence of conduct or separation in order to legally end marriages and civil partnerships.

Another key change to the legislation is that it will no longer be possible to object to an application for a marriage

or civil partnership to be brought to an end. The changes are anticipated to both reduce the level of acrimony in divorce and dissolution proceedings, whilst also decreasing the potential level of Court involvement required.

The long-awaited reform is welcomed by family lawyers in England and Wales and our team of family law experts at KJ Smith are ready for the changes on the horizon.

Contact us today to discuss how we can help.

*Eleanor Tanner*  
*KJ Smith Solicitors*



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