



HOUSE OF COMMONS
LONDON SW1A 0AA

September 2018.

Dear Constituent,

A Response to the No Fault Divorce Campaign

Marriage is one of the most important institutions we have. The principles of long term commitment and responsibility which underpin it bind society together and make it stronger, and I am pleased the Government is of the same view.

The end of a marriage is an extremely painful time for any couple, and I am aware of the strength of feeling on this issue. When a relationship ends, it cannot be right for the law to introduce or exacerbate conflict between divorcing couples. Currently, couples have an incentive to blame each other for the end of marriage based on 'unreasonable behaviour', adultery or desertion unless they can wait to divorce on the basis of separation for a minimum of two years, even if the separation is mutual. If one spouse objects to the divorce, then the other spouse must wait five years before seeking a divorce.

As I am sure you are aware the Government has announced proposals which would mean that the irretrievable breakdown of a marriage would be the sole ground for divorce. At the same time the new proposals would remove the need to show evidence of the other spouse's conduct, or a period of living apart. A new notification process would be introduced to allow one, or possibly both parties, to notify the court of the intention to divorce. Finally, the proposals would remove the opportunity for the other spouse to contest the divorce, which serves no practical purpose.

Removing the archaic requirements to allege fault or show evidence of separation would promote a less acrimonious process, helping families look to the future.

Divorce is a hard decision for people to take. The current law allows a divorce to be made final six weeks and a day after the decree nisi. Any reform must give people sufficient time to consider the implications of their decision, to reconcile if that is possible, or to make appropriate arrangements for the future if divorce is inevitable.

Yours sincerely,

A handwritten signature in blue ink that reads "Alister Jack".

Alister Jack DL MP
Dumfries and Galloway constituency.