

## **Collaborative Solutions: Divorce Reform – it cannot come soon enough**

The current divorce law in the United Kingdom is out of date and unhelpful. It can result in an increase in acrimony and parental conflict. The United Kingdom is lagging behind many of its European neighbours in not having a “no fault” divorce.

In England and Wales the only ground for divorce is that a marriage has broken down irretrievably. This can be established in a number of different ways, some of which apportion blame for the end of the marriage. A couple need to have been separated for at least two years if they wish to avoid a situation whereby one or other is apportioning blame.

If a couple want to move forward and resolve financial consequences with legal certainty then alleging fault is the only way to do this without putting their lives on hold for two years.

As matters stand, most divorces in England and Wales are presently granted on the basis of either adultery or unreasonable behaviour.

A civilised society should have access to a civilised divorce process. Collaborative clients seek a dignified end to their marriage keeping open the possibility of rebuilding a separated family life quickly and smoothly in the best interests of themselves and their children.

Around the collaborative table we work very hard to engender a co-operative approach to the problems the current legislation presents. We ensure a joint explanation of the pitfalls of the present divorce law and we work hard around the table to reach a decision upon the best way forward, creating very carefully crafted divorce petitions in the spirit of co-operation and transparency. We cannot take away the pitfalls of the present divorce law, but we can take steps to manage the situation sensitively and carefully.

We eagerly and impatiently await divorce law reform, but in the interim we have to work within the process we have. Collaboratively, we have confidence that we are doing the best we can for those families who wish to move forward with a legal separation at this time.

Our collaborative training body, Resolution, is campaigning hard for the introduction of a “no fault” divorce in this country. Divorce reform cannot come soon enough.