

# No fault divorce: An end to the blame game

June 2021

Ministers announced on Monday that the [Divorce, Dissolution and Separation Act 2020](#) will come into force on 6 April 2022, allowing married couples to divorce without assigning any kind of blame.

Couples and lawyers alike have been eagerly awaiting confirmation as to when the legislation would come into force.

Previously it had been indicated that the legislation would come into force in Autumn 2021, but following Monday's [announcement](#) it has been pushed back to Spring 2022.

Although a setback in terms of timing, the announcement finally gives couples who have been waiting to get divorced, without playing the 'blame game', a degree of certainty as to when they can start proceedings and therefore start planning their future.

## Current grounds for divorce in the UK



## So, what does this new legislation mean for divorcing couples?

Many couples wish to get divorced quickly and without having to cite any form of bad conduct in their divorce petition. In some cases, no bad conduct has taken place

and the couples have simply drifted apart or fallen out of love. Therefore, no blame is to be applied. However, no fast solution has been available to date and couples have had to either wait for two years and divorce on the grounds of two years' separation with consent or cite grounds such as unreasonable behaviour on their divorce petition.

Lawyers have recognised for many years that citing a party's bad behaviour in a divorce can cause unnecessary emotional damage to couples and their children, particularly where they are hoping to co-parent together. In addition, where the parties must agree on a financial settlement and child arrangements, starting the divorce on a negative footing can hamper progress in resolving these matters amicably.

"THE COURTS DO NOT TAKE BAD CONDUCT INTO ACCOUNT WHEN DECIDING ON HOW THE ASSETS SHOULD BE DIVIDED UNLESS THE MISCONDUCT IS FINANCIAL AND IT WOULD BE INEQUITABLE TO DISREGARD TO IT."

Vandana Chitroda

It is not expected that no fault divorces will lead to an increase in divorces. It may however mean that there will be an influx of cases, when the legislation comes in in April 2022, as couples may wait until then to start their divorce.

The divorce process will not be any quicker than it currently is. There will be a six-month period before the parties can apply for the final divorce certificate (decree absolute).

If you are considering getting divorced, we would be happy to advise you as to whether it is worth waiting until April 2022. Each family situation is different and with its own challenges, and it may or may not be appropriate to wait, depending on your circumstances.

**For more information, contact family lawyer Vandana Chitroda today.**

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