

Divorces in England and Wales, 2010



Coverage: **England and Wales**
Date: **08 December 2011**
Geographical Area: **Country**
Theme: **Population**

Key findings

- The number of divorces in England and Wales in 2010 was 119,589, an increase of 4.9 per cent since 2009, when there were 113,949 divorces.
- The divorce rate rose in 2010 to 11.1 divorcing people per thousand married population from 10.5 in 2009.
- 22 per cent of marriages in 1970 had ended in divorce by the 15th wedding anniversary, whereas 33 per cent of marriages in 1995 had ended after the same period of time.
- The number of divorces in 2010 was highest among men and women aged 40 to 44.

Summary

This bulletin presents annual statistics on divorces that took place in 2010 following court orders, in England and Wales. The statistics do not include divorces to couples usually resident in England and Wales which take place abroad.

A marriage may be either dissolved, following a petition for divorce and the granting of a decree absolute, or annulled, following a petition for nullity and the awarding of a decree of nullity. In this release, the term divorce includes both decrees absolute and decrees of nullity.

Divorce statistics are analysed by sex, age and marital status before marriage, duration of marriage, age at divorce, the number and age of children involved, and the grounds for divorce.

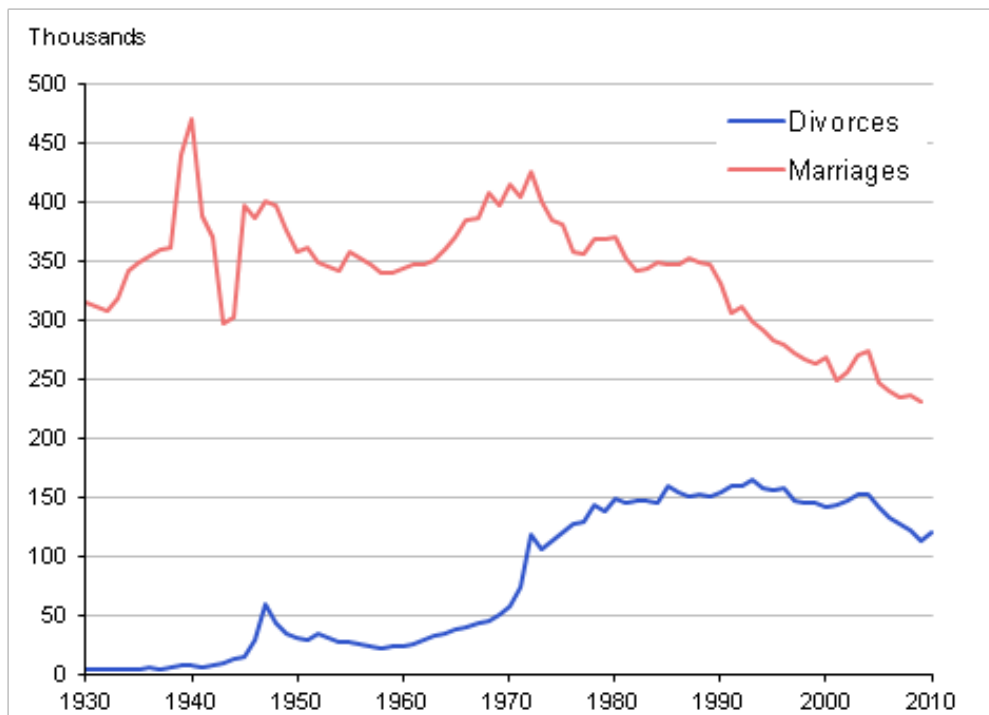
This is the first time that ONS has published annual 2010 divorce statistics for England and Wales.

Number of divorces

The number of divorces in England and Wales rose by 4.9 per cent in 2010 to 119,589 compared with 113,949 in 2009. This is the first annual increase in divorces since 2003 when there were 153,065 divorces (up from 147,735 in 2002).

Number of marriages and divorces, 1930-2010

England and Wales



Source: Office for National Statistics

Notes:

1. Marriage figures for 2009 are provisional

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(35 Kb)

The Number of marriages and divorces, 1930-2010 chart shows the changing trend in the number of divorces since 1930, as well as changes in the number of people getting married. The number of divorces generally increased between 1930 and 1990 as a result of changes in behaviour and attitudes. The large increase in the late 1940s (following the end of the Second World War) is considered to be attributable to women's increased participation in the labour force which meant couples were no longer as financially dependent on each other. The large increase observed during the 1970s was associated with the Divorce Reform Act 1969, which came into effect in England and Wales on 1 January 1971, making it easier for couples to divorce upon separation.

The number of divorces fell steadily between 2003 and 2009 in parallel with the decline in the number of marriages. The decrease in marriages is a likely consequence of the increasing number of couples choosing to cohabit rather than enter into marriage (Beaujouan and Bhrolcháin, 2011).

Divorce rates

In 2010 the divorce rate in England and Wales increased by 5.7 per cent to 11.1 divorcing people per thousand married population, compared with 10.5 in 2009.

Changes in the size of the adult population who are married, and therefore at risk of divorce, will affect both the number of divorces and the divorce rate. The rise in the overall divorce rate in 2010 was driven by both an increase in the number of divorces and a decrease in the size of the married adult population. This rise could simply mark the stabilisation of the divorce rate given the fall in divorce rate between 2005 and 2009.

Both the male and female divorce rates rose in 2010. The male divorce rate reached 11.0 males divorcing per thousand married males, up from 10.5 in 2009. The female divorce rate reached 11.1 females divorcing per thousand married females, up from 10.6 in 2009.

The increase in the male divorce rate has resulted solely from a rise in the number of divorces, as the total number of married men in the population has increased slightly. In contrast, the increase in the female divorce rate is a consequence of both a rise in the number of divorces and a slight fall in the total number of married women in the population. Changes in the size of the married population are determined by patterns of marriage, divorce, mortality and migration. Whilst the actual number of males and females getting married or divorced in a particular year is equal, the number of unmarried males and females in the population will differ, hence the different rates (see background note 3).

The small rise in the divorce rate and the number of divorces in 2010 could be associated with the economic climate following the 2008-09 recession. Two competing theories exist relating to the effect of an economic downturn on the number of partnerships dissolving.

One theory suggests that recession could contribute to a rise in partnership break-ups because of increased financial strain, changes in employment and related lifestyle changes. Social research in Britain has shown that unemployment and downturns in the housing market may be associated with family instability (Vaitilingam, 2011). In addition some individuals may believe they will get a more favourable divorce settlement if their income is currently low.

In contrast, an alternative theory suggests that partnerships would be less likely to dissolve in an unfavourable economic climate since couples would be less able to end the partnership for financial reasons – these may include the cost of lawyers, negative equity in housing or not being able to afford to maintain two households following divorce (see note 1). There is also the argument that family may be valued more highly than material goods during tough economic times. Any impact of the recession on divorce is likely to vary across different sectors of society.

It is too early to say whether the rise in divorces in 2010 will continue or is related to the economic climate. The figures show that divorce rates continued their downward trend during 2008 and 2009 but increased in 2010. This could be consistent with the theory that recession is associated with

an increased risk of divorce, but with a delayed impact, perhaps reflecting a couples wait for an economic recovery to lift the value of their assets (see note 2) or the time lag between separation and obtaining a decree absolute. A similar trend can be seen during the previous recession in 1990-92, where divorce rates increased more markedly in 1993 than during the recession itself.

Notes for Divorce rates

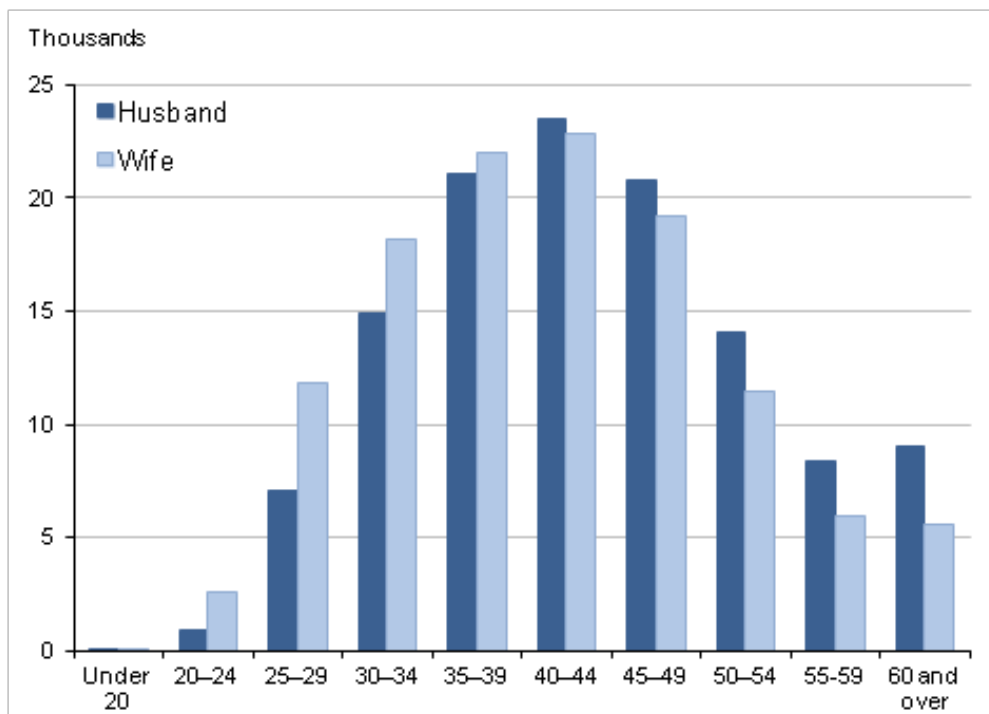
1. Lee, A. (2011) 'Recession Divorce Rates: Marital Unions Unraveling As Economy Bounces Back?' Huffington Post [online] 11 February. Available at the [Huffington Post website](#) [Accessed; 1 December 2011]
2. Winckworth Sherwood (2010) 'Recession prompts couples to delay divorce', [online article] 5 January 2010. Available at the [Winckworth Sherwood website](#) [Accessed; 1 December 2011]

Age at divorce

The Number of divorces by age at divorce, 2010 chart shows the age at divorce for men and women in 2010. At younger ages there were more women than men divorcing; however, at older ages more men than women divorced. This pattern reflects the differences seen in age at marriage of men and women (the provisional mean age for men marrying in 2009 was 36.3 years compared with 33.7 for women). In 2010, the number of divorces was highest among men and women aged 40 to 44.

Number of divorces by age at divorce, 2010

England and Wales



Source: Office for National Statistics

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(26 Kb)

Compared with 2009, divorce rates in England and Wales rose across all age groups in 2010 for women, while for men the rates rose for all age groups 25 years and above. The divorce rate for men aged under 20 remained stable in 2010 while for men aged 20 to 24 it decreased. (See tables 3a and 3b – [Number of divorces, age at divorce and marital status before marriage \(289.3 Kb ZIP\)](#)).

Women in their late twenties had the highest divorce rates of all female age groups, with 25.9 females divorcing per thousand married women aged 25 to 29 in 2010. This continues the general pattern seen over the last two decades, despite women aged 20 to 24 having the highest divorce rate in 1995.

In contrast, men in their early thirties had the highest divorce rate in 2010 at 22.5 males divorcing per thousand married men aged 30 to 34. This marks a change in recent trends. Between 2006 and 2008, men aged 25 to 29 had the highest divorce rate, while in 2009 rates for men aged 25 to 29 and 30 to 34 were equal highest. Over the last two decades, the divorce rate for men has been highest for those aged either 25 to 29 or 30 to 34.

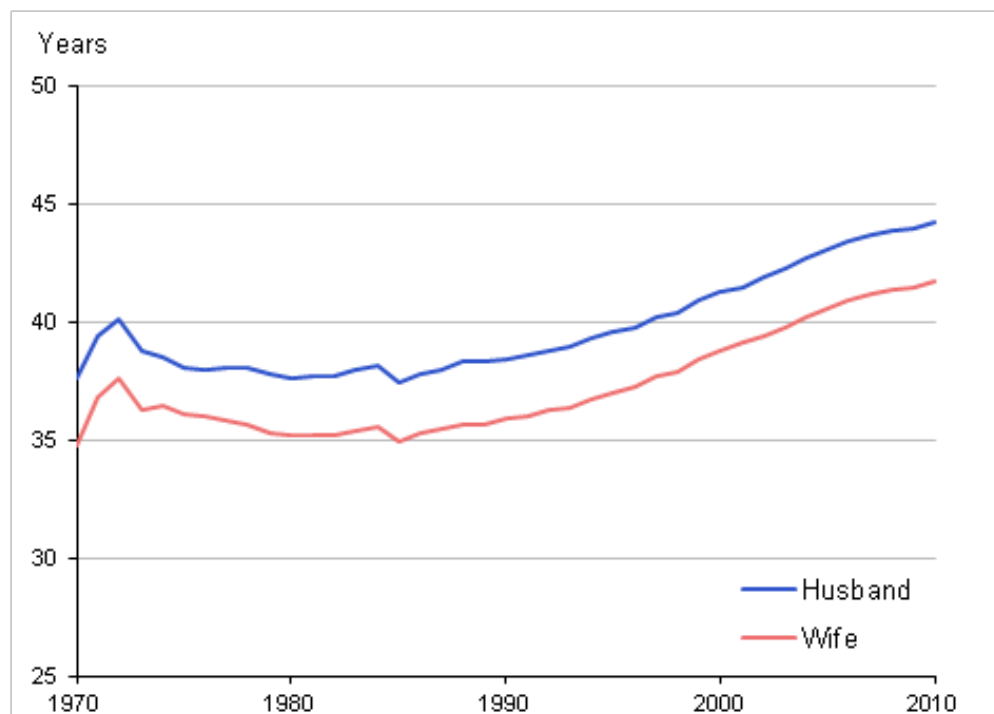
The average (mean) age at divorce increased slightly for both men and women in 2010 (see the Mean age at divorce of husband and wife, 1970-2010 chart and tables 2a and 2b – [Number of divorces, age at divorce and marital status before marriage \(289.3 Kb ZIP\)](#)). The mean age for men divorcing was 44.2 years in 2010, an increase from 44.0 years in 2009. For women this increased from 41.5 years in 2009 to 41.7 years in 2010.

Following an initial rise between 1970 and 1972 the mean age at divorce generally declined for both males and females during the mid to late 1970's and generally remained stable in the early 1980s. Since 1985 the mean ages at divorce for men and women have increased, both rising by 6.8 years, from 37.4 years for men and 34.9 years for women.

The difference between the mean age of husband and wife at divorce has remained relatively unchanged over the period 1970 to 2010, with a difference of around 2.5 years except for the years 1974 to 1976 when it was 2.0 years.

Mean age at divorce of husband and wife, 1970-2010

England and Wales



Source: Office for National Statistics

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(33 Kb)

Duration of marriage

The median duration of marriage (the median is the mid point of the distribution – see background note 6) for divorces granted in 2010 was 11.4 years, unchanged from 2009, but an increase from 10.7 years in 2000 (see table 4 – [Age at marriage, duration of marriage and cohort analyses \(289.3 Kb ZIP\)](#)).

The Matrimonial and Family Proceedings Act 1984 came into effect in England and Wales on 12 October 1984. The Act replaced the discretionary time bar (minimum time interval between the date of marriage and being able to file a petition for divorce) of three years by an absolute time bar of one year. No petition can now be filed within the first year of marriage. The median duration of marriage for divorces granted in 1984 was 10.1 years. Following the change in legislation the median duration of marriage fell to 8.9 years for divorces granted in 1985. Since this change, the median duration between marriage and divorce increased steadily up to 2005 but has remained relatively stable since.

Marital status before marriage

In 2010, 20 per cent of men and 19 per cent of women divorcing had their previous marriage end in divorce. These proportions have doubled since 1980 when the comparable figures were 10 per cent (see table 7 – [Number of divorces, age at divorce and marital status before marriage \(289.3 Kb ZIP\)](#)).

In 2010, 70 per cent of divorces were to couples where both parties were in their first marriage, while the remaining 30 per cent were to couples where at least one of the parties had been divorced or widowed.

The percentage of couples divorcing where the marriage was the first for both parties has generally declined from the early 1970s to 2010. Over the same period however, the percentage of divorces where one or both parties were previously divorced has gradually increased.

Fact proven at divorce

In 2010 of all decrees granted to one partner (rather than jointly to both), 66 per cent were granted to the wife (see table 1 – [Number of divorces, age at divorce and marital status before divorce \(289.3 Kb ZIP\)](#)). In over half (55 per cent) of the cases where the divorce was granted to the wife, the husband's behaviour was the fact proven (see background note 7). Of the divorces granted to the husband, the most common facts proven were the wife's behaviour (36 per cent of cases) and two years' separation with consent (32 per cent of cases). Very few decrees (0.1 per cent) were granted jointly to husband and wife.

Children of divorced couples

Half of couples divorcing in 2010 had at least one child aged under 16 living in the family (see table 1 – [Children of divorced couples \(289.3 Kb ZIP\)](#)). There were 104,364 children aged under 16 who were in families where the parents divorced in 2010, a decrease of 27 per cent from 2000 when there were 142,457 children. Over a fifth (21 per cent) of the children in 2010 were under five and 64 per cent were under 11. In 2010 there was an average of 1.76 children aged under 16 per divorcing couple with children under 16. This compares with 1.86 in 2000. These changes may reflect the increasing proportion of children born to cohabiting, rather than married, couples.

Proportion of marriages ending in divorce

The percentage of marriages ending in divorce has generally increased for those marrying between the 1970s and the early 1990s. For example, 22 per cent of marriages in 1970 had ended in divorce by the 15th wedding anniversary, whereas 33 per cent of marriages in 1995 had ended after the same period of time (see table 2 and additional commentary to aid interpretation – [Age at marriage, duration of marriage and cohort analyses \(289.3 Kb ZIP\)](#)). However, there is some evidence that the proportion of marriages ending in divorce had stopped increasing for couples married in the most recent years.

Divorces in the UK

The number of divorces in the UK rose by 4.5 per cent in 2010 to 132,223 compared with 126,496 in 2009.

The number of divorces in Scotland fell by 3.2 per cent, from 10,371 in 2009 to 10,034 in 2010.

The number of divorces in Northern Ireland increased. In 2010, there were 2,600 divorces, 20 per cent more than in 2009 when there were 2,176. However, this is still lower than the record high in 2007 of 2,913 divorces.

Annual divorce figures for the UK and constituent countries can be found in the [Population and Health Reference tables](#) (see 'Annual Time Series' table).

Civil Partnership dissolutions

Alongside the rise in divorces, Civil Partnership dissolutions also increased in 2010. However this is part of an upward trend given that this type of partnership is relatively new and therefore the numbers of those in civil partnerships is increasing.

Comparisons between civil partnership dissolutions and divorce statistics can be found in the article: [Civil Partnerships five years on](#), which was published in Population Trends (Autumn 2011).

Further statistics on [civil partnership dissolutions](#) can be found on the ONS website.

Users and uses of divorce statistics

ONS uses divorce statistics to:

- produce population estimates by marital status for England and Wales,
- produce population projections by marital status for England and Wales,
- report on social and demographic trends,
- perform further analyses, for example comparing trends in divorce with civil partnership dissolutions.

The Ministry of Justice (MoJ) is one of the key users of divorce statistics and has responsibility for policy and legislation on divorces. Demographic information collected by MoJ is analysed and published by ONS and MoJ relies on this analysis to inform policy decisions.

Other government departments, for example the Department for Work and Pensions (DWP) and the Department for Education (DfE), also use divorce statistics. The demography unit at DWP uses the detailed divorce statistics to feed into statistical models for pensions and benefits. DfE have an interest in divorce statistics since family breakdown can impact on a child's well-being.

Organisations such as Eurostat and those in the voluntary sector use ONS divorce statistics for comparison purposes and also to support campaigns. These organisations often pass on ONS's divorce statistics to their own users.

Lawyers, solicitors and those involved in family law, as well as academics and researchers in demography and social sciences, are often interested in divorce figures.

Queries on divorces by area are frequent, although ONS does not produce divorces by area of residence. This is because divorce data contain no information on the area of residence of the parties. As courts are not evenly spread around England and Wales and the two parties may choose the court they wish to use, the location of the court is not necessarily a good indicator of where the parties lived either before or after separation.

Further information

More data on [divorces in England and Wales](#) in 2010 are available on the Office for National Statistics (ONS) website.

[ONS divorces metadata](#) provides further information on data quality, legislation and procedures relating to divorces.

The [ONS divorces quality report \(164.8 Kb Pdf\)](#) provides overview notes which pull together key qualitative information on the various dimensions of quality as well as providing a summary of methods used to compile the output.

Annual divorce figures for the UK and constituent countries can be found in the [Population and Health Reference tables](#).

[National Records of Scotland](#) provide divorce statistics for Scotland.

[Northern Ireland Statistics and Research Agency](#) provide divorce statistics for Northern Ireland

[Annual](#) and [quarterly](#) divorce statistics are also available from the Ministry of Justice.

Further statistics on [marriages, civil partnership and civil partnership dissolutions](#) are available on the ONS website. As are data on [families and households](#), including [cohabitation estimates](#).

[Population estimates by marital status](#) provide the estimated resident population by single year of age, sex and marital status (single, married, divorced, and widowed) for England and Wales. Estimates show that the proportion of the adult population who are married has continued to decline to mid-2010 continuing the long-term trends seen since mid-1971. In contrast, the proportion of the population who are divorced continues to rise.

References

Beaujouan, E. and Bhrolcháin, M. (2011) 'Cohabitation and marriage in Britain since the 1970s' [Population Trends 145](#), 35-59.

Vaitilingham, R. (2011) 'Recession Britain' [pdf] Economic and Social Research Council (ESRC) Available at [Economic and Social Research Council website](#) [Accessed 23 November 2011]

Background notes

1. ONS divorce statistics are collated from D105 forms used to record decree absolutes. These paper forms are supplied to ONS for processing by the courts. The Ministry of Justice (MoJ) also publishes a summary of divorce figures as part of their Judicial and Court Statistics. MoJ receives divorce data electronically from HM Court Service (HMCS) through the FamilyMan system.
2. The number of divorces as indicated by ONS and MoJ statistics, while similar, do not match exactly. For example, in 2010 the total ONS divorce figure was 119,589 compared with the MoJ figure of 121,265, a difference of 1,676 (1.4 per cent). The two sets of figures do not count precisely the same cases. For example:
 - ONS divorce figures include annulments while MoJ figures do not. The number of annulments in 2010 published by MoJ was 156.
 - Since 2007 divorce figures published by MoJ have included dissolutions of civil partnerships. These are not included in ONS figures. The number of civil partnership dissolutions in 2010 published by ONS was 472. Further information [civil partnerships and civil partnership dissolutions](#) can be found on the ONS website.

There are some other differences arising from the way the data are collected and processed. These include:

- differences in the number of late divorce records excluded from ONS and MoJ annual datasets,
- differences in the process to remove duplicate records,
- differences between the number of records entered onto the FamilyMan system and the number of paper records received by ONS from courts.

ONS, MoJ and HMCS are working together to reconcile these figures as closely as possible.

3. The male divorce rate is calculated by dividing the number of males divorcing in a particular year by the estimated number of married males aged 16 and over in that same year (taken from mid-year population estimates by marital status). Likewise, the female divorce rate is calculated by dividing the number of females divorcing in a particular year by the estimated number of married females aged 16 and over in that same year.
4. The statistics do not take into account married couples who separate, but do not divorce.
5. The mean ages presented in this release have not been standardised for age and therefore do not take account of the changing age structure of the population.
6. The median duration of marriage at divorce in this release is represented by the middle value when the data are arranged in increasing order. The median is used, rather than the mean, because the duration of marriage for divorces is not symmetrically distributed, therefore the median provides a more accurate reflection of this distribution. The mean would be affected by

the relatively small number of divorces which take place when duration of marriage exceeds 15 years.

7. Fact proven at divorce; A petitioner must prove one or more of five facts (adultery, unreasonable behaviour, desertion, and separation, either with or without consent of the respondent), in order to establish the irretrievable breakdown of the marriage.
8. The Divorce Reform Act 1969 came into effect in England and Wales on 1 January 1971. The Act, subsequently consolidated in the Matrimonial Causes Act 1973, made it possible for the first time for divorce to be petitioned for on the couple's separation.
9. The Matrimonial and Family Proceedings Act 1984 came into effect in England and Wales on 12 October 1984. The Act made two changes. The first replaced the discretionary time bar (minimum time interval between the date of marriage and being able to file a petition for divorce) of three years by an absolute time bar of one year. No petition can now be filed within the first year of marriage. The second change meant the Act no longer required courts to try to place the divorced spouses in the financial position they would have enjoyed had the marriage not broken down.
10. Special extracts and tabulations of divorce data for England and Wales are available to order for a charge (subject to legal frameworks, disclosure control, resources and agreement of costs, where appropriate). Enquiries should be made to:

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