

MARRIAGE AND DIVORCE PROPOSALS FOR CHANGE

Sir Peter Bottomley MP
Worthing Herald Article
11th April 2019

The Times leading article, headed Putting Asunder, argues that no-fault divorce is a sensible, humane and overdue legislative move. This would change the 1973 Matrimonial Causes Act that included three fault grounds: adultery, desertion and unreasonable behaviour.

Sometimes those who are married to an MP might class us as less athletic than James Cracknell though as dedicated to public and political service as he has been to endurance tests. Last week I received a message from home asking why I was late: I resisted the temptation to suggest watching the Parliament Channel: it could show I was not out on the town; it could also be a sedative?

We can agree marriage is one of our important institutions. Long term commitment and responsibility are good. Lifelong partnership can be great. My worry is that the pleasures, the joys and the support should not disrespect those who do not or who cannot marry or to ignore those who suffer or cause insuperable barriers to a marriage continuing.

When I am with constituents, I do not need to or want to judge them by their status, whether single, widowed, divorced or separated, once married or multiple married. I do consider how I can help with any family responsibilities for the young or ill or old; I do join in celebrations.

Parliament can balance the task of strengthening the fulfilment of family responsibilities with a non-judgmental approach to the many situations in which people find themselves. I shall be grateful for advice and comment from individuals, couples and faith groups.

Government now proposes to remove the option or incentive to blame the other person in a marriage. Irretrievable breakdown of a marriage will remain the sole ground for divorce. The new proposals remove the need to show evidence of the other spouse's conduct or proof of living apart for a period. One spouse or the two together notify the court of the intention to divorce.

I shall try to ensure that 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. When a relationship ends, it cannot be right for the law to introduce or to increase conflict between divorcing couples.

One person has written to me about her experience, after years of significant unreasonable behaviours. 'I did not leave until suddenly any love I still had for him had disappeared. Then I was free and nothing he could do or say could touch me. Once I had gone, he rang to say he could not live without me. I suggested he sought professional support that he would not get from me. I neither know nor care whether coercive control came into it.'

Incidentally, I know of a divorced woman who discovered that her former husband had applied for an annulment on the ground that she did not know what she was doing; he wanted to marry another person. She explained that she knew well. He then switched successfully to saying that he did not. I would like to know from the Roman Catholic church whether the children are still considered legitimate.

We can together find the wisdom of streetwise experienced teachers, ministers and grandmothers, encouraging what works and being realistic and helpful when there is failure. I have been lucky in family life. My wife once said we are still married because we have separate houses: she is in the Lords while I am in the Commons.