User guide to divorce statistics

Supporting information for divorce statistics in England and Wales. Figures are based on information recorded during the divorce process.

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Release date:
14 November 2025

Next release:
To be announced

Notice

23 September 2026

A new quality and methods guide (QMG) has been produced for the Divorces and dissolutions in England and Wales statistical release. The new QMG replaces this user guide and should be used to obtain the latest information to support use of the divorce and dissolution statistics.

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1 . Introduction

A new quality and methods guide (QMG) has been produced for the Divorces and dissolutions in England and Wales statistical release. The new QMG replaces this user guide and should be used to obtain the latest information to support use of the divorce and dissolution statistics.

We produce demographic statistics on divorces taking place in England and Wales, which are published as accredited official statistics. This guarantees that these outputs have been produced to high professional standards as set out in the Code of Practice for Statistics and have been produced free from any political interference.

Divorces taking place in England and Wales are recorded by the courts onto HM Courts and Tribunals Service's (HMCTS') Core Case Data (CCD) management system and sent to us electronically for the production and analysis of statistics. Old law divorces, and annulments, are still recorded on the FamilyMan (FM) case management system and provided to us.

Figures represent both divorces and annulments that took place in England and Wales. Data from the old system include both divorces and annulments that took place in England and Wales; annulments are where the marriage was not legally valid in the first place. From 2022 onwards, only some annulments that took place in England and Wales are included within our figures. See Section 3: Information collected and derived for more information.

A marriage is dissolved following an application (or petition prior to April 2022) for divorce and the granting of a final order (or decree absolute prior to April 2022), or annulled following an application for nullity and the awarding of a nullity of marriage order (see Section 13: Glossary).

Divorce statistics do not include married couples who separate but do not divorce.

Divorces where the marriage took place abroad are included, provided the marriage was legally recognised in the UK and one of the parties had a permanent home in England and/or Wales.

Our Divorces and dissolutions in England and Wales quality and methodology information (QMI) report contains important information on:

- the strengths and limitations of the data and how they compare with related data
- uses and users of the data
- how the output was created
- the quality of the output including the accuracy of the data

From the 2014 data year onwards, the format of annual divorce publications changed. We now publish a selection of summary datasets, which provide an extensive time series for comparison. Alongside these, we also publish explorable datasets, which can be used to obtain more detailed statistics for a particular calendar year. A consultation, Understanding user requirements for marriage, divorce and civil partnership statistics given the introduction of marriage of same-sex couples, was published in October 2013. The response to this consultation (PDF, 102KB), published in April 2014, detailed these changes.

Prior to the 2014 data year, divorce statistics were published as a set of packages. More information relating to each package is available in the "metadata" tab at the front of the datasets. These packages were:

- Number of divorces, age at divorce, marital status before marriage and reason
- Age at marriage and duration of marriage and cohort analyses
- Children of divorced couples

Comparable statistics for England and Wales for earlier years are published:

- from 1995 to 2007 in Marriage, divorce and adoption statistics (series FM2)
- from 1974 to 1994 in the annual reference volume, Marriage and Divorce Statistics (series FM2)
- from 1858 (the first year during which a decree of divorce could be petitioned for and granted in a civil court within England and Wales) to 1974 in the Registrar General's Statistical Review of England and Wales
- from 1858 to 1983 in the volume, Marriage and Divorce Statistics (Series FM2 Number 16)

Annual divorce statistics for the UK and its constituent countries can be found in our Vital statistics in the UK: births, deaths and marriages dataset. The Scottish Government provides divorce statistics for Scotland. The Northern Ireland Statistics and Research Agency (NISRA) provides divorce statistics for Northern Ireland.

Divorce statistics on case progression are available from the Ministry of Justice (MoJ) in Family Court Statistics Quarterly. The MoJ analyses divorce data electronically through the HMCTS CCD management system since 2020. The FamilyMan (FM) case management system was used from 2013 to 2019. Old law cases, and annulments, still continue to be processed through the FM system.

2 . Legislation

The Matrimonial Causes Act 1857 was an Act of Parliament passed by the UK government. The Act reformed the law on divorce, moving litigation from the jurisdiction of the ecclesiastical courts to the civil courts and widening the availability of divorce.

The Divorce Reform Act 1969 came into effect in England and Wales on 1 January 1971. The Act, consolidated in the Matrimonial Causes Act 1973, made it possible for divorce to be petitioned for on the couple's separation. The Act attempted to remove the concepts of the guilty party and the matrimonial offence by introducing a single ground for divorce: the irretrievable breakdown of marriage. Such a breakdown could be established by the petitioner proving one or more of five facts. The first three facts (adultery, unreasonable behaviour and desertion) were the former matrimonial offences. Two separation criteria were introduced for the first time by the Act, allowing divorce either by mutual consent or on the application of the petitioner alone.

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 application (previously 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 been in had the marriage not broken down.

The Marriage (Same Sex Couples) Act 2013 enabled same-sex couples in England and Wales to marry from 29 March 2014. The Act also has several related provisions, including for those in a civil partnership to convert that relationship to a marriage if they choose to do so. These provisions came into force on 10 December 2014. The Act does not remove the availability of civil partnerships for same-sex couples. The first divorces recorded between same-sex couples in England and Wales were in 2015.

The Children and Families Act 2014 (13 March 2014) included provisions to streamline court processes in proceedings for a decree of divorce, nullity of marriage, or judicial separation (or, in relation to a civil partnership, for a dissolution, nullity or separation order) by removing the requirement for the court to consider whether it should exercise any of its powers under the Children Act 1989. Arrangements for children can be decided at any time through separate proceedings under the Children Act 1989.

The Divorce, Dissolution and Separation Act 2020 received Royal Assent on 25 June 2020 and came into effect on 6 April 2022. The Act revises the legal process in England and Wales for married couples to obtain a divorce or judicial separation and for civil partners to dissolve their civil partnership or obtain a separation. It therefore amends certain provisions set out in the Matrimonial Causes Act 1973 and the Civil Partnership Act 2004, which are the main statutes governing these proceedings. The important changes include:

- applicants can now make either a joint or sole application for divorce, civil partnership dissolution, or judicial separation; one or both parties (sole or joint applications) to a marriage may now apply to the court for a divorce order, which dissolves the marriage on the grounds that the marriage has broken down irretrievably

- people cannot state grounds (also known as "Facts") for divorce, civil partnership dissolution, or separation

- applicants must now wait a minimum 20-week period from the start of proceedings until applying for the conditional order

The Marriage and Civil Partnership (Minimum Age) Act 2022 received Royal Assent in April 2022 and came into effect on 27 February 2023. The Act raises the minimum age of marriage and civil partnership to 18 years in England and Wales. This brings an end to provisions allowing for those aged 16 to 17 years to marry or enter a civil partnership with parental or judicial consent.

The effect of this change on common law means that any marriages that take place overseas, or in Scotland or Northern Ireland, involving those aged under 18 years where one of the parties is domiciled in England and Wales, will not be legally recognised in England and Wales. This change in recognition also applies to civil partnerships. This does not affect the validity of any marriages or civil partnerships entered into before the Act comes into force.

The Act also makes it illegal for a person to arrange the marriage of a person aged under 18 years in England and Wales in those circumstances where that is not already illegal.

3 . Information collected and derived

For the 2020 data year onwards, divorce data have been extracted from the HM Courts and Tribunals Service's (HMCTS) Core Case Data (CCD) management system. Some cases, such as annulments and old law divorces, still continue to be extracted from the previous FamilyMan (FM) case management system. Information about age and previous marital status is no longer collected during the divorce and dissolution process so the extract excludes these variables. Datasets that presented statistics by age and previous marital status have been removed, however, the years 2007 to 2019 remain available through previous editions of the Divorces in England and Wales dataset.

From April 2022, information on grounds for divorce is no longer collected during the divorce process. Columns in datasets based on grounds for divorce have been updated from 2022 onwards, with data for 2022 and subsequent years reflecting partial data only. Data from the new system for 2022 onwards do not include annulments; all annulments continue to be recorded through the old system.

For the years 2013 to 2019, divorce data were extracted from the HMCTS FamilyMan case management system and sent to us electronically in an annual file.

Prior to the 2013 data year, divorce statistics for England and Wales were derived from data provided on the D105 form used to record decree absolutes. These paper forms were sent to us by the courts.

From the 2015 data year, we moved to a monthly receipt of electronic divorce data for quality assurance. These data were received three months after the month end. From the 2018 data year, data are now received within 15 days after the end of the month. A series of checks are performed on the data received and any queries are addressed. The final annual dataset is received three months after the year end.

The following is a summary of the data analysed in the tables.

Supplied by applicants:

- date of marriage

Supplied by the court:

- date application (or petition) filed and date of final order (or decree absolute prior to April 2022)
- facts proven and class(es) of decree (available prior to April 2022)
- partnership type (same-sex couple or opposite-sex couple): this has been supplied since 2014 following the introduction of marriages of same-sex couples

Information derived:

- duration of marriage to final order (or decree absolute prior to April 2022), derived from date of marriage and date of final order

Since 2014, it has not been mandatory for couples divorcing to provide details of children -- a consequence of the Children and Families Act 2012. Following an assessment of data quality, statistics relating to children of divorcing couples were discontinued from 2015 onwards. Data on children have not been recorded on the divorce application since August 2017.

The Ministry of Justice (MoJ) has responsibility for policy and legislation on divorces. Demographic information collected by HMCTS is analysed and published by us. The MoJ relies on these analyses to inform policy, financial and workload decisions.

4 . Accuracy of information

The information on the divorce form is supplied by the applicant (formally petitioner) and respondent in fulfilling the legal requirements for filing a petition. Since the information is required for a legal process, it may be presumed that the quality of the data is good, especially as the applicant must swear under oath (an affidavit) that the information supplied is correct. There is no routine independent statistical verification of the data, but editing checks are carried out to detect clerical, coding and keying errors.

Throughout the year, we conduct quality assurance tasks on the dataset, in preparation for the release of annual figures. These include completeness checks, which consider whether any records may be missing, and inconsistency checks within the dataset, which ensure minimal internal errors.

During the quality assurance of the annual dataset, further checks are carried out. This includes frequency checks, comparisons with the previous year's data, checks for duplicates as well as comparisons with the number of divorces reported by the Ministry of Justice (MoJ).

The numbers of divorces, as indicated by the Office for National Statistics (ONS) and MoJ statistics, while similar, do not match exactly. From the 2013 data year, we have compiled divorce statistics from electronic extracts of divorces taken directly from the FamilyMan case management system (2013 to 2019) and Core Case Data (CCD) management system (since 2020) used by the courts.

A portion of cases, including old law divorces and annulments, continue to be received from the FamilyMan system after 2020. This has helped to minimise the difference between the two sets of statistics. However, some differences remain because we do not count precisely the same cases. For example, the ONS divorce figures (under old law) include annulments while the MoJ figures do not and since 2007, the divorce figures published by the MoJ have included dissolutions of civil partnerships. Civil partnership dissolutions data can be found separately in our Civil partnerships dissolutions dataset.

Prior to the 2013 data year, some other differences also existed from the way data were collected and processed. These include:

- differences in the number of late divorce records excluded from both 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 the ONS from courts

In June 2012, the ONS and MoJ published a joint statement on the differences between these figures that existed at the time and worked closely together to reconcile the two sets of statistics as far as possible.

Prior to the 2013 data year, when divorce records began to be received electronically, each year a certain number of divorces were not included in the published figures. This was because the decree absolute paper forms were received later than the date on which the annual dataset was taken. Table 1 shows the difference between the number of divorces stored on our database and the number included in our publications each year for 2000 to 2012. This meant that some divorces were not included in the statistics, which was a compromise that had to be made to publish timely data. The electronic receipt of data means that nearly all divorces in a year are now received in time for our annual publication.

Table 1: Divorce decrees made absolute not included in the published data, 2000 to 2012, England and Wales

Year of decree absolute	Database[1]	Published tables	Differences
2000	141,223	141,135	88
2001	143,854	143,818	36
2002	147,791	147,735	56
2003	153,073	153,065	8
2004	152,926	152,923	3
2005	141,326	141,322	4
2006	132,147	132,140	7
2007	128,138	128,131	7
2008	121,720	121,708	12
2009	114,149	113,949	200[2]
2010	119,669	119,589	80
2011	117,575	117,558	17
2012	118,320	118,140	180

Source: User guide to divorce statistics from the Office for National Statistics

Notes

1. Counts taken on 26 April 2017.
2. 194 decree absolute forms for 2009 were received in April 2011 after the publication of our 2009 divorce statistics on 17 February 2011. Our divorce statistics for 2009 have not been revised to incorporate these late divorce forms since the number is relatively small (less than 0.2% of all decree absolutes for 2009) and the impact on statistics is negligible.
3. We have made a minor change to the number of decree absolutes not included in published data for 2009. This figure should read 200[2] and not 2002 as previously published. This was because of an error caused by our tabulation software when reading the figure.

5 . Missing information and corrections

Prior to the 2014 data year, in cases where one or more of the items of information collected was found to be missing, the procedure adopted was:

- age at marriage was imputed using a series of look-up tables, depending on whether the age of one or both parties was missing
- bridegrooms were assumed to be men who had never been married and brides were assumed to be women who had never been married
- in rare cases where date of marriage was missing and age at divorce could not be derived, this was recorded as "not stated" in published tables

The level of imputation, or replacement of missing data with substitutes, for age at marriage and marital status at marriage increased between 2003 and 2013. During the divorce process, these fields are taken from the marriage certificate supplied by the petitioner (now applicant). Some marriage certificates relating to marriages that took place outside of England and Wales do not contain these variables. Marital status and age at marriage were also not mandatory fields in the divorce process; therefore, they are not always collected by the courts.

For the 2014 data onwards, the data are no longer imputed. Not stated categories have been added to published tables instead. From the 2014 data year, we have also seen increases in the proportion of records where the age at marriage of one or both members of a divorcing couple is not available; this information is required for calculating age at divorce. Consequently, any calculations and analysis based on age at divorce exclude these records. From the 2020 data year onwards, information about age and previous marital status is not available as it is no longer collected during the divorce and dissolution process. From April 2022, information on grounds for divorce is no longer collected during the divorce process.

Table 2: Level of imputation required for certain variables, 2001 to 2013, England and Wales

	Percentage of records requiring imputation		
Year of decree absolute	**Age of husband and/or wife**	**Marital status of husband**	**Marital status of wife**
2001	3.4	4.2	4.1
2002	3.6	4.2	4.0
2003	4.0	4.4	4.0
2004	4.2	4.6	4.2
2005	4.0	5.1	4.4
2006	4.0	5.3	4.7
2007	4.3	5.7	5.1
2008	5.1	6.6	5.9
2009	5.7	7.1	6.3
2010	6.2	8.0	7.2
2011	7.8	10.3	9.3
2012	8.4	12.4	11.3
2013	8.1	13.0	11.8

Source: User guide to divorce statistics from the Office for National Statistics

In the 2023 data year, there was an increase in the number of cases where the sex of the applicant (also known as petitioner prior to April 2022), respondent, or both was missing. Where only one party's sex was missing, it was possible to manually assign the missing information using the recorded marriage type and the known sex of the other party. However, in cases where both sexes were missing, or where the marriage type did not align with the listed sexes, these records were classified as "Unspecified" in published datasets.

6 . Base populations

The population figures used to calculate rates are from our Population estimates by marital status and living arrangements, England and Wales bulletin.

Following a consultation on population estimates by marital status in summer 2014, changes were made to the methodology used to produce the estimates for England and Wales for the year 2002 onwards. The method now uses the marital status distribution from the Labour Force Survey (LFS) and applies this to published population estimates (by five-year age group and sex) for England and Wales. Annex B in the consultation response document (DOC, 320KB) provides more information on the methodology.

Population estimates by marital status for the years 2002 to 2010 were subsequently revised and published in July 2015 alongside new population estimates by marital status for the years 2011 to 2014. Because of the change in the methodology, revised divorce rates for England and Wales for 2002 to 2012 were published in November 2015. The differences resulting from the change in methodology are explained in our Population estimates by marital status and living arrangements, England and Wales: 2002 to 2014 bulletin and within the associated tables.

Population estimates by marital status for the years 2012 to 2017 were further revised in September 2019 following the re-weighting of the LFS in 2018.

The population estimates used are the most up-to-date when rates are published and are detailed alongside the published tables. Our Population estimates by marital status and living arrangements quality and methods guide, England and Wales provides more detail on the methodology. Any revisions to divorce rates resulting from revisions to the population estimates by marital status are detailed in the notes on affected tables.

Rates for 2012 to 2021 (for divorces Tables 3a and 3b and dissolutions Table 3) have been recalculated using the rebased population estimates, which take into account the results of Census 2021, so the rates published in February 2024 will differ to those previously published.

7 . Analyses by area

We are unable to produce divorce statistics by area of residence because the divorce data provided to us by the courts do not contain information on the area of residence of the parties.

Since 2018, Family Court Statistics Quarterly, published by the Ministry of Justice (MoJ), has included a CSV file containing the applicant's (formerly petitioner's) area of usual residence. Information on the location of the court is also available from Family Court Statistics Quarterly. However, court location does not accurately reflect where parties lived either before or after separation; divorce courts were also centralised in 2015 to 11 main divorce centres throughout England and Wales.

8 . Rates

Divorce and dissolution rates are calculated using the most up-to-date estimates of the population by marital status available at the time of publication. Tables that include rates provide information on the specific denominators used to calculate each rate.

The following rates are provided in our divorces and dissolutions statistics tables.

Denominators used in calculating rates

Rate

Males divorcing per 1,000 married male population.

Corresponding denominator

Married males (aged 16 years and over).

Rate

Females divorcing per 1,000 married female population.

Corresponding denominator

Married females (aged 16 years and over).

Rate

Males divorcing per 1,000 married males, by age group (available up to 2019).

Corresponding denominator

Married males, by age group.

Rate

Females divorcing per 1,000 married females, by age group (available up to 2019).

Corresponding denominator

Married females, by age group.

Divorce rates can be used to look at trends in divorce for same-sex or opposite-sex couples over time. However, as total married population estimates are used as denominators, they should not be used to compare the rates of divorce for same-sex and opposite-sex couples. As opposite-sex couples account for a much greater proportion of the married population than same-sex couples, divorce rates for same-sex couples will be very small in comparison with opposite-sex couples. This also means that trends in divorce rates for same-sex couples will be difficult to determine over time.

We plan to review the way in which we calculate divorce rates in the future.

9 . Cohort analyses

Most divorce statistics are presented based on the calendar year in which the divorce was granted. An alternative approach is to present divorce statistics based on the year of marriage or the year of birth. In this case, a cohort is a group of people either married in the same year or born in the same year. Such tables can provide estimates of the proportion of people married or born in a particular year who divorce by a particular anniversary or age.

Analysis by birth cohort

Historical Tables 9a and 9b: Proportions of men and women who had ever divorced by age and birth cohort (latest data available 2019).

From the 2020 data year onwards, information about the age and previous marital status of those divorcing is not available as it is no longer collected during the divorce and dissolution process. Datasets that presented statistics by age and previous marital status have been removed, however, the years 2007 to 2019 remain available through previous editions of the divorces dataset.

Using males (Historical Table 9a) as an example, the number of divorces each year to men of each age are combined with mid-year population estimates for males by age, to estimate the proportion of men born in each year who have ever divorced by each birthday. A standard life table methodology is used to calculate probabilities of divorce, which are then applied to a hypothetical stationary population. This method enables the proportion ever divorced by each exact birthday to be estimated. By accounting for the latest population estimates rather than simply the number of men born in a particular year, it also takes into account changes in the sizes of cohorts since birth, caused by death and migration.

Tables 9a and 9b were formerly Tables 3a and 3b of the Age at and duration of marriage and cohort analyses divorce package. From our 2015 divorces publication onwards, figures are based on both divorces of opposite-sex and same-sex couples. It has not been possible to update these tables for the 2020 data year onwards as information about age is no longer collected during the divorce and dissolution process.

Analysis by marriage cohort

Table 6a: Cumulative percentage of marriages ending in divorce by year of marriage and by anniversary

To produce Table 6a, the number of marriages in a given year is used as the denominator for our calculations. For each subsequent year, the cumulative number of those marriages that have ended in divorce are used as the numerators. Duration of marriage is estimated by differencing the year and month of marriage, and the year and month of divorce, as this gives a more precise measure of duration than just differencing the years.

For example, the proportion of marriages in 1990 ending in divorce up to the fifth anniversary is calculated as the number of couples divorcing in England and Wales between 1990 and 1995 who married in 1990 and who had not reached their fifth anniversary before they divorced, divided by the total number of couples marrying in England and Wales during 1990.

Table 6a is based on several assumptions that should be considered when using the figures.

Assumption one

Couples marry in the country in which they are resident (for example, there are no marriages abroad or in Scotland or Northern Ireland by couples resident in England and Wales and no marriages in England and Wales to non-residents).

In practice, the estimated number of marriages abroad or in the rest of the UK by couples resident in England and Wales has exceeded the estimated number of marriages to non-residents over the past decade. Marriages occurring abroad are taken into account in population estimates by marital status (which provides estimates of the number of people resident in England and Wales who are married) but not in this cohort table, as the number of marriages to residents of England and Wales that take place elsewhere are not available. This could lead to over-estimation of the proportion of marriages ending in divorce, as couples marrying outside of England and Wales would be included in the divorce figures if they divorce in England and Wales but would not be included in the marriage figures.

Assumption two

Zero migration to and from England and Wales, for example, those resident in England and Wales have not emigrated since marrying, and no married couples migrate to England and Wales and then divorce in England and Wales.

From 2014 onwards, figures are based on both marriages and divorces of opposite- and same-sex couples. We continue to monitor the number of marriages of same-sex couples that end in divorce to assess whether we are able to produce separate tables showing the percentage of marriages that end in divorce for opposite- and same-sex couples.

Table 6a was formerly Table 2 of the Age at and duration of marriage and cohort analyses divorce package and formerly Table 8a in historical divorce datasets.

10 . Cumulative percentage of marriages ending in divorce or the death of a partner

The cumulative percentage of marriages ending in divorce or death by anniversary is a table that we were able to produce periodically but this is no longer possible because of changes in data availability. The table uses mortality and divorce rates for a single calendar year to produce a single figure for the percentage of marriages ending in divorce. The most recent version of the table (Table 2a) was published in our Divorces in England and Wales, 2011 (Age at and duration of marriage and cohort analyses). The table was produced using 2010 mortality and divorce rates. A similar table using 2005 rates is available.

This period table takes divorce rates at all years of marriage from a calendar year of divorces data and provides a single figure summarising the proportion of marriages ending in divorce for that calendar year. The table differs from cohort Table 8 published annually, which uses all years of marriage and divorce data available and provides the proportion of marriages ending in divorce by year of marriage.

A complex method was used to calculate the period table showing the cumulative percentage of marriages ending in divorce. Further information on this method can be found in Section 7.6 of the Divorces metadata file from the health and life events guidance, and metadata archives.

11 . Useful links and articles

Further statistics on marriages, civil partnership formations and dissolutions, and families and households are available. Population estimates by marital status and living arrangements provide the estimated population by age group, sex and marital status (never married or in a civil partnership, married, civil partnered, divorced and widowed) for England and Wales.

Other related articles include:

- Office for National Statistics (2017), Marriage and divorce on the rise at 65 and over
- Office for National Statistics (2013), The number of people age 60 and over getting divorced has risen since the 1990s
- Office for National Statistics (2013), What percentage of marriages end in divorce?
- Wilson B, Smallwood S (2008), Age differences at marriage and divorce, Population trends 132, Summer 2008
- Wilson B, Smallwood S (2008), The proportion of marriages ending in divorce, Population trends 131, Spring 2008

International publications of interest include the United Nations' Demographic Yearbook and the Institut National d'Etudes Démographiques' Population, which is issued four times a year.

12 . Further information

Special extracts and tabulations of divorces data for England and Wales are available to order (subject to legal frameworks, disclosure control, resources and the Office for National Statistics (ONS) charging policy, where appropriate).

Enquiries should be made to Demography via email to pop.info@ons.gov.uk or by telephone to +44 1329 444661. User-requested data will be made publicly available.

We welcome your feedback on the content, format and relevance of this release. Please send feedback via email to pop.info@ons.gov.uk.

Users can also provide feedback using links in our datasets.

13 . Glossary

Applicant

The person or persons seeking a divorce, dissolution or annulment. Previously referred to as a petitioner.

Annulment

An annulment of marriage or civil partnership occurs following a successful petition for nullity. It declares that the marriage or civil partnership itself is void (that no valid marriage or civil partnership ever existed) or voidable (was legal at time of registration but is no longer legal). Previously referred to as "decree of nullity" and now known as "nullity order".

Conditional order

For divorce applications issued by the court from 6 April 2022, a conditional order is the document that confirms that the court does not see any reason why a couple cannot divorce or separate. For divorce and dissolution applications prior to 6 April 2022, a decree nisi is granted.

Decree absolute

If the court issued a divorce application prior to 6 April 2022, granted upon a dissolution of marriage, following a petition for divorce, a decree absolute ends a valid marriage. See Dissolution. For divorce and dissolution applications issued from 6 April 2022, a final order is granted.

Decree nisi

If the court issued a divorce application prior to 6 April 2022, following the grounds for divorce being proven, the district judge grants a decree nisi as a provisional measure. Then, six weeks later, the petitioner (now applicant) can apply for a decree absolute. For divorce and dissolution applications issued from 6 April 2022, a conditional order is granted.

Dissolution

A dissolution of marriage occurs following a successful application for divorce and ends a valid marriage. Dissolution of marriage covers annulments and decree absolutes (or final orders).

Facts proven

The Divorce, Dissolution and Separation Act 2020, came into effect on 6 April 2022. Before this, a petitioner had to prove one or more Facts (including unreasonable behaviour, desertion, separation, either with or without consent of the respondent and adultery) to establish the irretrievable breakdown of the legal partnership.

Final order

For divorce applications issued by the court from 6 April 2022, a final order is the document issued by the court that ends a valid marriage. For divorce applications prior to 6 April 2022, a decree absolute is granted.

HM Courts and Tribunals Service (HMCTS)

The HM Courts and Tribunals Service (HMCTS) is an executive agency of the Ministry of Justice (MoJ) and is responsible for the running of most of the courts and tribunals in England and Wales. HMCTS supplies information on divorces and dissolutions to the Office for National Statistics (ONS).

Judicial separation

This is an alternative to divorce or dissolution and does not dissolve the legal partnership but absolves the parties from the obligation to live together. This procedure might, for example, be used if religious beliefs forbid or discourage divorce or dissolution.

Ministry of Justice (MoJ)

Following constitutional reforms, the MoJ was created on 9 May 2007. It is responsible, among other things, for the administration of the court system in England and Wales through HM Courts Service.

Nullity order

As of April 2022, granted upon an annulment of marriage or civil partnership following an application for nullity, a nullity order declares that the marriage or civil partnership itself is void and that no valid legal partnership ever existed. See Annulment.

Petitioner

The person seeking a dissolution or annulment prior to April 2022.

Respondent

The person who is served an application for divorce

14 . Related links

15 . Cite this methodology article

Office for National Statistics (ONS), released 14 November 2025, ONS website, methodology article, User guide to divorce statistics

Appendix B Form used by the courts to record a divorce decree absolute (Form 105)

FORM 105 DECREE ABSOLUTE

8 OPCS CODE: | OPCS NUMBER

Court Name 11

Surname of Marriage 35

Forename(s) of Spouse obtaining Decree 59

Forename(s) of other Spouse 89

Number of Matter 119

Date Petition Filed (insert full date: DD/MM/YY) 126

Date of Decree Absolute (insert full date: DD/MM/YY) DD | MM | YY 131

Class(es) of Decree (insert A,B,C,D,E or combinations as appropriate if nullity enter "N")
Husband 136 | Wife 140

Please enter Y (for Yes) or N (for No) as appropriate, for each question
On Answer 144 | Cross Decrees 145 | Section 3 Proceedings 146

Date of Marriage (insert full date: DD/MM/YY) 147

Age at Marriage in years
Husband 152
Wife 154

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Wife's occupation

OPCS USE (H)

OPCS USE (W)

SPECIMEN