

No-fault divorce moves forward

On 9 April government published its [response to the 2018 consultation](#) and [announced new legislation](#) to overhaul divorce law and reduce family conflict. Nigel Shepherd and Margaret Heathcote [commented](#) on behalf of Resolution. This announcement follows [our Chair's speech](#) at National Conference, which asked government not to let Brexit delay this reform.

This announcement achieved widespread national coverage, including in [the Guardian](#), and members across the country spoke to their local radio stations.

Many thanks to all who have supported this campaign over the years and keep an eye out for briefing materials on the relevant bill in due course. We know that many of you have been in touch and developed relationships with MPs on this issue – we will need your help to get this legislation over the line.

The Nuffield Foundation [Finding Fault](#) research has been supplemented by further studies on international trends and non-standard divorce cases and implications for law reform. Chair of our Family Law Reform Group Jo Edwards discussed the experiences from other jurisdictions in reforming the ground for divorce with the [New Law Journal](#)

Cohabitation

NatCen [published findings](#) from the British Social Attitudes survey showing 46% of the public still mistakenly believe common law marriage protects cohabitants.

Lord Mark's Cohabitation Rights Bill has had [its second reading](#). We will be liaising with Lord Marks about laying the bill again in the next parliamentary session.

Tim Loughton's bill to extend civil partnerships to opposite-sex couples has now been given [royal assent](#). This extension is not the answer for many cohabiting couples, e.g. for those who already think they have rights from "common law marriage". [The Times](#) has picked up this angle, quoting our Cohabitation Committee Chair Graeme Fraser.

The Cohabitation Committee has worked with experienced Resolution barristers to update and launch the second edition of the [Cohabitation Claims book](#). The Cohabitation Agreements on our drafting platform are also being updated and will be launched shortly.

Brexit

At the time of writing there has been a Brexit extension for only as long as necessary and until no later than 31 October 2019 to allow for ratification of the withdrawal agreement (which would almost certainly include a transition period during which EU laws will continue to apply). The UK would leave the EU on 1 June with no deal should the UK fail to hold the elections to the European Parliament in May.

Resolution's International Committee and Brexit Working Party will continue to monitor developments and engage with the government and partners on the implications of Brexit for family law and keep members informed.

You can access our [Brexit roundtable](#) and all the guidance and briefings prepared to date on Learn.Resolution with your password or use the temporary password **brexit**.

More information is available in [Resolution's Brexit briefings and joint guidance notes](#), which includes two sets of joint [guidance in case of no deal](#) with The Law Society for family practitioners and joint [guidance for children practitioners](#) with the Association of Lawyers for Children. The government has also issued [guidance for the legal professionals](#) and for [the public](#).

Court modernisation

Your feedback in our [first 2019 Court Survey](#), informed our written evidence to the Justice Select Committee's Court and Tribunal Reforms inquiry (this will be shared once published by the Committee). Results indicate the programme has yet to improve access to justice, provide a more accessible service, offer quicker availability of hearings or make efficiencies on the ground.

Thank you for supporting this work, which we hope provides a baseline against which to measure impact going forward. We will re-run the survey throughout the year. If you'd like to share your views going forward, please [let us know](#).

You can view the [HMCTS online event on family reform on 2 April 2019](#) and sign up for [HMCTS monthly updates](#) about their reform programme.

Other news:

- The government has published its [post-implementation review of LASPO](#) and has set out a new approach in its [Legal Support Action Plan](#). Resolution has [cautiously welcomed](#) parts of the review.
- The President of the Family Division Sir Andrew McFarlane gave the [keynote speech](#) at Resolution's National Conference 2019. He will address the YRes National Conference later this year on 3 October. Resolution will be responding to the interim reports of the President's Working Groups on Private Law Children and Public Law Children cases in due course, and further to input already provided by members of our Children and Regional Liaison Committees.
- Resolution is also participating in the President's Working Group to investigate the shortage of medical experts in children cases. Please [share your experiences](#) by 10 May.
- Ahead of the scheduled second reading in the House of Commons of the private member Divorce (Financial Provision) Bill, Resolution [briefed MPs](#), however, the second reading did not take place. We will continue to monitor this bill which we believe will be laid again by Baroness Deech in the next parliamentary session.
- The [Pensions Advisory Group](#) formed in order to create a Good Practice Guide about issues relating to pensions on divorce. Since inception it has [produced two draft reports for consultation](#), held focus groups with family lawyers and pension experts, conducted an on-line survey, and given presentations at numerous events around England and Wales. The group is now finalising its combined, professional guide to pensions on divorce with detailed appendices, aiming to publish it on 30 June 2019.
- The government has made [announcements on domestic abuse and published a draft Domestic Abuse Bill](#). The bill contains provision for the family court in certain circumstances to prohibit cross examination of a victim by their abuser and for legal representation around that. National Committee member Elspeth Thomson will be giving evidence later this month to the parliamentary Committee on the Draft Domestic Abuse Bill. Domestic Abuse and Children Committee members have provided comments to the Family Justice Council WG developing best practice guidance in family cases involving allegations of domestic abuse.
- Resolution is now participating in the Ministry of Justice Settlement Conference Advisory Group to assist in developing a government consultation on the future role of settlement conferences, working jointly with the President. Members may be interested in [research on settlement conferences](#) commissioned by the Association of Lawyers for Children.

New resources:

- Audio recordings and slides from our 31st National Conference are now [available free to all members](#).
- Our International committee have launched a wealth of [resources on a no deal Brexit](#).
- Resolution's updated [Cohabitation Claims book](#) is now available for pre-order.
- A [companion podcast](#) is now available for our Guidance note on First Directions Appointments.
- Have you considered attending our first-ever [Conference on Financial Planning on Divorce and Separation](#) on 6 June?
- Resources for working with LiPs have been integrated into Resolution's public-facing website pages and information for practitioners is available on [our LiPs page](#).

Get involved

Can you improve our understanding of the lack of medical experts in children cases? [Please share your experiences](#) by 10 May.

On 1 May Resolution will launch a **membership survey** to paint a realistic picture of our membership and understand where priorities lie. Your views are crucial to ensure Resolution continues to be an organisation run by members for members. Please do consider getting involved and look out for information on how to complete the survey.