

Divorce

Background

Formal divorce, was uncommon before 1858. Most people separated from or deserted their spouse. There were two formal ways to divorce: either by Act of Parliament, which was very rare and expensive, or through the church courts.

In 1858, the administration of divorces passed to the High Court. This made divorce less expensive and more accessible. But it was still a costly and time-consuming course of action.

What records are there and how do I find them?

Before 1858

- Records of divorces obtained by Act of Parliament are held at the Parliamentary Archives.
- Church court records are held here under the reference **GDR/B4** . You can search this by name through our online catalogue.
- It may also be worth trying parish records, either for a reference to divorce, desertion or support of a deserted wife.
- There are some divorce records in other collections, such as solicitors' collections. Try searching the online catalogue by name or the key word "divorce".

1858-1937

- The records are held at the National Archives (TNA).
- The records are closed for 75 years..
- Divorce case files for 1858-1914 can be searched and viewed at www.ancestry.co.uk
- Divorce case files from 1912 to 1937 are held in the TNA collection J77. They are searchable by name on TNA's online catalogue

1937 onwards

- Only a small sample of records post-1937 has been kept.
- Records are now destroyed 20 years after the divorce.
- If the divorce is less than 20 years old, you can obtain a copy from the relevant local probate court.

For legal proof of a divorce (in England & Wales) you will need to request a copy of the decree absolute. The [GOV.UK](http://gov.uk) website tells you how to this this. If the divorce took place within the last 5 years you should apply to the court directly. This will be quicker and cheaper. If you don't know which court to ask, the [Central Family Court](http://centralfamilycourt.gov.uk) can carry out a paid search for you.

Further Reading

The National Archives Guide to Divorce Records:

<http://www.nationalarchives.gov.uk/help-with-your-research/research-guides/divorces/>