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## **Article**

### **D-day on 12<sup>th</sup> Jan expected to be a bumper day for strained relationships and marriages.**

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by **Howard Gardener, partner specialising in family law**

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‘Christmas holidays can be one of the most testing times for a rocky relationship’, says Howard Gardener, senior partner and mediator at Phillips Solicitors. ‘There are just so many opportunities for things to go badly wrong: families get thrown together, often for long periods with members of their extended family whom they may not even like, and as a result the marriage suffers. The signs are all there for more relationship break ups than ever before’, says Howard, ‘and the first Monday after children return to school in January looks like being a busy one: Divorce Day.’

Almost one in every two marriages ends in divorce, but the breakdown of any relationship is painful and traumatic for everyone involved. When you end your relationship, essentially cutting your partner from your life, the wound that is open on both sides is painful, deep and can last for years.

The reasons behind divorce are often based on money problems, property and of course children. Many couples whose marriages have reached breaking point have stuck together over the past year but it’s clear that many now have money worries that have simply pushed their relationship to breaking point. Rising unemployment and the crumbling housing market have added to the strain that couples are feeling.

‘Many couples agree to stay together for one last Christmas as a family and then start the divorce process after their children go back to school’ says Howard, ‘which means we get a lot more calls in the first part of the New Year than any other time of the year’

Howard says “There are many other couples experiencing heartaches who are not married – these are co-habitees living as a married couple and they are equally likely to separate, but their breakdowns won’t show up in the statistics. Their separation is equally complicated, especially if children or property are involved, because co-habiting couples have different rights and responsibilities.

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One of the reasons why couples may have considered, but delayed starting the process, is that they have been concerned about falling house prices which means they'll probably lose a great deal of money from what may be an inevitable sale. 'But couples don't always have to go through costly divorce proceedings in court' says Howard, 'there are cheaper, alternative ways of finding a more amicable resolution, such as mediation or collaborative law. We always encourage couples to try this first as it's cheaper, less acrimonious, and a way of finding a solution that you both agree on, enabling you both to have an ongoing relationship afterwards – essential if you have children. Most important is to obtain specialist experienced advice as to the options available to you right at the outset and before matters get out of control.'

### **Fact file**

An academic study by Essex University's Institute for Social and Economic Research has found that a 10 per cent fall in house prices produces a 5 per cent increase in separation.

ENDS

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