



Divorce post 1858

Information from Archives L3

The crucial information needed for a search in the archives

The National Archives holds records which might contain the information you require and we can:

- either search for it on payment of a fee and supply you with the information (if found)
- or enable you to search for the information in other ways.

Please send as much information as you can. The following details are particularly important:

- The full name of the husband*.....
- The full name of the wife*.....
- The approximate date of the divorce*

If you have all of the information marked with an asterisk*, the standard charges for our searches will apply and these are shown on this leaflet. *To make payment on a secure link, choose the search you require and please click on the link to our website:[insert link].* If you do not have this information, the standard charges will not apply, as the search time will increase by a large amount, and therefore the search will require a very high fee to be paid. Please contact us if you still want to proceed at: enquiry@nationalarchives.gsi.gov.uk

1. Divorce Case Files

Standard charge: £30

Catalogue references: J 77 and J 132

The record series J 77 contains the divorce and matrimonial cause files. The series J 132 contains a sample of divorce cases between 1938-1973 in which the official solicitor represented an infant or a person of unsound mind.

Information that this source should reveal:

Files in J 77 normally contain items such as

- the petition
- copies of any relevant certificate (e.g. marriage certificate)
- details of whether the plaintiff is applying as a poor person (after 1878 women who could not afford divorce were able to apply for a separation and maintenance order in some circumstances)
- affidavits
- decree nisi
- decree absolute
- cross references to any earlier or later petition

Most files have been stripped of any other material.

Files in J 132 normally contain:

- correspondence with solicitors, medical and welfare authorities and other interested parties
- copies of various court documents including petitions, answers, affidavits and orders

For cases after 1938, you can check whether the file for a case survives in J 77 and J 132 by searching for the names of the parties in The National Archives' online catalogue.

Factors affecting success of a search:

Names of divorcing couple and approximate date of divorce are essential.

1858 – 1927: Almost all files from this period survive.

1928 – 1937: The National Archives holds files only from the Central Registry in London for these years (i.e. divorces started in the main London court). The files for the 20% of divorces that were started in local registries no longer survive. Many divorce cases started in London were actually heard locally. Therefore you have an 80% chance of finding a divorce file.

1938 onwards: You are very unlikely to find anything: almost all divorce files for this period have been destroyed. From 1938 a few specimens of the files (for each year) in J77 have been selected in order to illustrate the changing nature of divorce. The National Archives has a 2% random sample of files in J 132.

2. Certified copies of the Decree Absolute

These records are in the custody of the Principal Registry of the Family Division. They can be contacted at:

Principal Registry of the Family Division

Decree Absolute Section
First Avenue House
42-49 High Holborn
London WC1V 6NP
Tel: +44 (0)20 7947 7015

For a fee, they will send you a certified copy of the decree absolute.

If the divorce took place within the last 5 years, you can contact the county court where the divorce took place for a cheaper copy of the decree.



the national archives

Searching for information: your options

Our Search Service

This brand new service is being introduced in advance of the Freedom of Information (FOI) search service to be launched next January. We are beginning with a selection of popular subjects, and will gradually be extending the range. From January 2005 we shall offer paid searches in all The National Archives records, under the Freedom of Information Act.

The searches will be done in a prompt and professional manner and will reflect the expertise of The National Archives in the field of historical records. If you wish us to do the search we shall provide the information within ten working days of receipt of payment.

Our charge is £15 per 15 minutes.

There are also many independent researchers whom you can hire to carry out searches for you. Lists of those known to The National Archives are on our web site at www.nationalarchives.gov.uk/irlist/ Alternatively, you are welcome to visit us - we can help you to do the search yourself and admission is free.

Independent researchers

There are many independent researchers whom you can hire to carry out research for you. These researchers may charge significantly less than our 'full cost recovery' service. I enclose a list of some who undertake research in your area of interest. These lists are also available at our web site (www.nationalarchives.gov.uk/irlist/)

Our on-site service

You are welcome to visit us - we can help you to do the search yourself, and admission is free.

If you visit us, you will need to register as a researcher. To do this, please bring with you some proof of identity. If you are a citizen of the United Kingdom or the Republic of Ireland, please bring either a driving licence, a banker's card or a passport. If you are a citizen of any other country, please bring your passport or national identity card. If you do not have this identification, please ring us on 020 8392 5200 before you visit. Please allow time at the beginning of your visit for familiarisation with our procedures. You can register in advance as a reader at www.nationalarchives.gov.uk/registration/

You can carry out some initial research by accessing the research guides and on-line catalogue on our web site (www.nationalarchives.gov.uk).