

Everyone needs to support couples at Christmas

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Family Christmases are often followed by the news of unhappy couples calling it quits in January, leading to so-called "Divorce Day", as family lawyers receive numerous enquiries when they reopen after the Christmas break.

As the holiday season gets into full swing, there are calls from those on the front line of family breakdowns for greater awareness on the part of employers of the difficulties faced by couples going through separation.

Although the introduction of no-fault divorce has simplified the process, the negotiations over finances and children and the impact on mental wellbeing pose an increased challenge.

Traditionally, more people petition for divorce in January than at any other time of the year, which is attributed to the pressure of the family Christmas get-together.

This season, there are concerns that many more relationships will struggle to survive because of troubles brought about by the cost-of-living crisis.

According to the latest [Office for National Statistics \(ONS\) figures](#), divorce rates climbed by almost 10% in 2021. The courts granted 113,505 divorces in England and Wales; a 9.6% increase compared with 2020.

The emotional and financial stress of divorce may lead to anxiety, depression and more, according to a survey by the [Positive Parenting Alliance](#), which found that 95% of respondents reported their mental health suffered during their divorce.

Even in a no-fault breakup, the legal process can take a long time and be expensive as couples negotiate how to divide their assets and work out maintenance payments, child custody and contact arrangements.

"Traditionally, the workplace was for work, and employers expected everyone to leave their domestic lives at the door. However, those attitudes have shifted. The impact of divorce is not just a personal problem anymore. It is very likely to spill over into how a person approaches their work, and even their mental wellbeing," explains family solicitor [Pippa Marshall](#).

"In those circumstances, it is likely to impact productivity; someone may become emotional in their interactions with others or take a lot of sick leave to manage the stress of divorce.

But for an employer, it's essential to recognise an employee may need protection and compassion rather than a performance review."

Under the [Equality Act 2010](#), serious ill health arising from stress could be a disability.

Pippa added:

"Ending a marriage can be a tough process, and what's needed is a well-informed, collaborative approach. Anyone supporting or advising a couple should focus on achieving a constructive outcome through positive negotiation. And, ideally, that approach should be reflected in any support the parties receive in their working environment."

For advice on divorce or any family-related matter, contact family solicitor [Pippa Marshall](#) today.

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To find out how you can support your staff or if you feel your employer has not supported you, contact employment solicitor [Karen Cole](#) today.

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