



## BAR COUNCIL NEWS UPDATE – FRIDAY 14 DECEMBER 2018

### Divorce

[The Times](#), [Law Society Gazette](#) – The Times and Gazette report that the Bar Council has said vulnerable spouses and children will be put at risk if the government proceeds with plans to ditch the ability to contest divorces.

The Ministry of Justice has made a raft of proposed reforms to divorce law in England and Wales, with the main recommendation being that the obligation for one party to accept fault for the breakdown of a marriage should be removed, reports The Times.

In its response to the ministry's consultation on the reforms, [the Bar Council said](#) that it agreed with the recommendation that fault should be removed from the divorce process. However, the Bar Council disagreed with ministers over the proposal that the ability to contest divorces should be removed as a general rule.

Bar leaders said they were “mindful of the sensitivities within some communities of divorce and the stigma it may bring, more often to the ex-wife than the ex-husband”, reports The Times.

### Court staff

[Bolton News](#), [ThisIsLancashire](#) – The north west local media report that court staff are set to be handed judicial powers under new laws, leading Labour to warn the Government is eroding the rule of law.

The reforms will give court staff power to carry out routine judicial functions such as changing the start time of a hearing in the Crown Court, thus freeing up judges' time. Ministers pledged the changes would make justice "quicker and easier" but Labour warned the reforms could see unqualified staff taking important judicial decisions.

The press report that: Imran Hussain, in the shadow justice team, said Labour did not oppose reform in principle, but added: "We cannot support the changes in this Bill without the protections that we, the **Bar Council** and the Law Society amongst other organisations and legal professionals have called for. Unfortunately, on these matters we feel we have been ignored and therefore we will be opposing the Bill.

Justice Minister Lucy Frazer said the Bill made "small and technical" changes that would make "access to justice quicker and easier for all".

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