

Paris / Les Bleus

1938 – Abolition of the doctrine of 'puissance maritale' ('marital power') which allowed husbands to manage their wives' property and enter into contracts.

1956 – Children born out of wedlock are recognised following the subsequent marriage of their parents.

1965 – Spousal equality in terms of dealing with assets. Married French women no longer need their husbands' consent to choose a profession, open a bank account or dispose of their own assets. Introduction of the 'communauté réduite aux acquets'.

1970 – The doctrine of 'paternal power' is replaced by 'parental authority', addressing the inequality between husbands and wives in terms of decision-making for their children.

1975 – Sweeping divorce law reform including the decriminalisation of adultery and introduction of divorce "par consentement mutuel" (by mutual consent).

Under Article 270 of the Civil Code, the financially weaker spouse can now claim a 'prestation compensatoire' (or compensatory maintenance) from the other spouse. Article 271 sets out the factors which the Judge must consider when calculating this payment such as the length of the marriage, the age and health of the parties, their professional qualifications and occupations, etc (similar to the list of factors in s25 of the Matrimonial Causes Act 1973).

1982 – The age of consent for same-sex sexual activity is equalised to 15 (homosexuality was decriminalised in 1791).

1985 – Full equality in marriage as fathers' sole power to administer their children's property is abolished.

In 1991 the Cour de Cassation ruled that surrogacy agreements are contrary to public policy and are therefore null and void. This prohibition is restated in a later 2021 law. While case law has recognised the parenthood of biological and non-biological parents to a child born from a foreign surrogacy agreement, the non-biological parent must still adopt their child in France.

1993 – The distinction between 'legitimate' children and 'natural' children is abolished.

In 1999 the Pacte Civil de Solidarité was introduced to same-sex and opposite-sex couples offering a legal relationship without the same status and consequences as marriage. Mind the trap! A PACS is automatically recognised as a civil partnership in England and Wales which may have unintended consequences for PACS'd couples moving to England.

2006 – The minimum legal age for women to marry is raised from 15 to 18 (it had been set at 18 for men and 15 for women since 1804).

17 May 2013 – Marriage extended to same-sex couples.

London / Team GB

1926 – The Legitimacy Act enabled children born out of wedlock to be recognised following the subsequent marriage of their parents.

1928 – The right to vote is extended to women over the age of 21.

1929 – The minimum age to marry is raised to 16.

1937 – The Matrimonial Causes Act allows divorce on the basis of cruelty, incurable insanity, two years' desertion and adultery.

1967 – Legalisation of homosexuality in private between men over the age of 21. The age of consent was lowered to 18 in 1994 and to 16 in 2001.

1969 – 'Marital breakdown' is accepted as grounds for divorce in the Divorce Reform Act.

1973 – The Matrimonial Causes Act gives the court power to make a wide range of financial orders on divorce including lump sum orders, sale or transfer of property, spousal or child maintenance and pension sharing. The court must have reference to the 'section 25 factors' which include the parties' incomes, earning capacity, property, financial resources, their financial needs, the standard of living during the marriage, their ages, the length of the marriage and so on.

1984 – Matrimonial Proceedings and Property Act places a duty on courts to try to end all financial ties between divorcing couples.

1985 – Surrogacy Arrangements Act (updated by the Human Fertilisation and Embryology Act 2008). To this day, surrogacy arrangements remain unenforceable and the surrogate (and her husband) are recognised as the legal parents at birth until the intended parents apply to the court for a Parental Order.

1987 – Family Law Reform Act removes all remaining distinctions between children born to married and unmarried parents.

2000 – The case of White v White transforms the landscape of English family law. From now on, the court's duty is to achieve a fair outcome and as such there is no discrimination between the spouses' respective roles in the marriage, and no bias in favour of the higher-earning spouse.

2005 – Introduction of civil partnerships for same-sex couples.

2010 – The House of Lords holds the parties to the terms of their prenuptial agreement in the seminal case of Radmacher v Granatino. Nuptial agreements are now highly persuasive under English law, provided that they are entered into properly. By contrast, various matrimonial property regimes exist in France and couples are able to elect their preferred regime in [a contrat de mariage](#).

2012 – Introduction of arbitration in financial cases; extended to children's law cases in 2016. It is becoming increasingly popular as a method of alternative dispute resolution whereas it is not possible to arbitrate family law matters in France.

2014 – The first same-sex marriages take place.

2019 – Introduction of civil partnerships for opposite-sex couples. Now same-sex and opposite-sex couples are able to choose whether to marry or enter into a civil partnership, and have the same rights in divorce or dissolution proceedings.



BREXIT

The UK leaves the European Union on 31 January 2020

Registration of English divorces post 1 January 2021 in France verified by the Public Prosecutor of the Republique

The courts in England & Wales consider jurisdiction battles between the two countries on the basis of forum conveniens (but being first in time may still be relevant)

1 January 2021 – Extensive reform of divorce law including mandatory legal representation and a general streamlining of the divorce process.

1 August 2022 – The Brussels II ter Regulation comes into effect on matters relating to divorce, matrimonial finance, enforcement, parental responsibility and child abduction, updating and replacing Brussels II bis, especially in terms of protecting the fundamental rights of children.

April 2022 – Introduction of 'no fault divorce' aiming to reduce conflict between separating spouses; there is one ground for divorce and no supporting evidence necessary. Parties are able to file divorce applications on a sole or joint basis via an online portal.

February 2023 – The minimum marriage age is raised to 18 years.

2023-24 – [Greater push for transparency](#) across English family courts; pilot schemes are underway in financial cases and children cases in courts across the country, allowing for increased reporting on family law hearings although the starting point is to preserve anonymity and confidentiality. By contrast, in France Family law cases are heard in private.



2024