



Women and Equalities Committee

Lord Bellamy KC
Parliamentary Under Secretary of State, Ministry of Justice
By email

14 June 2023

Dear Lord Bellamy,

The Rights of cohabiting partners

I am writing to follow up on the Government's response to our Committee's August 2022 report on the Rights of cohabiting partners. In that report we called on the Government to improve protections for cohabitants in the event of relationship breakdown or the death of a partner.

In its response, the Government argued that it could not consider a new cohabitation regime until it had (a) reviewed the law for financial provision on divorce and (b) considered the Law Commission's July 2022 report on weddings law reform.

We note that the Law Commission has just begun preliminary work on its review of financial remedies on divorce and will produce a scoping paper in September 2024 ahead of a full review. Clearly, any agreed changes could take many years to come into effect. If the Government was to then conduct further consultation on reforming cohabitation law, as suggested in its response, cohabitants would have to wait even longer before seeing any meaningful change.

On changes to weddings law, the Law Commission itself – in its recommendations to the Government - observed that cohabitation law reform is still necessary even if there are changes to the legal formalities of getting married.

We see no reason why reviewing divorce and weddings law should prevent the Government from pursuing a separate, bespoke regime for cohabitants now. We ask the Government to reconsider its response and to provide basic legal protections for millions of people, many of whom face financial hardship if their relationship breaks down or their partner passes away.

I would also be grateful if you could respond to the following points:



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- When the Government will review the information currently available to the public on the legal rights afforded to spouses, civil partners, and cohabiting couples following relationship breakdown and death of a partner.
- What further action the Government will take to raise awareness of the common law marriage myth that people who cohabit have equal rights to those who are married.
- What the timelines are for (a) responding to the Law Commission's weddings law recommendations, published in July 2022 and (b) implementing the proposed changes to the law?

Yours sincerely,

Rt Hon Caroline Nokes MP
Chair, Women and Equalities Committee