

Divorces - coverage of the statistics

National Records of Scotland (NRS) statistics cover divorces granted under the Divorce (Scotland) Act 1976 and the Family Law (Scotland) Act 2006. The figures exclude 14 cases in 1981 and 4 cases in 1982 where divorces were granted under the Divorce (Scotland) Act 1964. Further details of divorces granted under earlier legislation were given in the relevant editions of the Registrar General's Annual Report.

The Family Law (Scotland) Act 2006, which came into effect on 4 May 2006, reduced the separation periods for divorce with consent to one year (previously two years) and without consent to two years (previously five years), which resulted in a large increase in the number of divorces between 2005 and 2006.

How the data are supplied, and possible slight differences between figures

With effect from September 2010, NRS has obtained its data on divorces (and dissolutions of civil partnerships) from weekly electronic files of data records that are supplied by the Scottish Court Service (SCS), which also sends data records to Scottish Government (SG) Justice Analytical Services. The same number of records should be sent to NRS and SG, but the types of fields that are provided for each divorce vary because NRS and SG need different types of information.

There may be minor differences between the figures for a calendar year that are published by NRS and SG. There are two reasons for this. First, the two organisations may produce their statistics from data that they extract at different times, and the one that produces its figures later may have received from SCS, in the meantime, records for further divorces granted in that year. Second, NRS and SG may process their copies of the divorce data in different ways. For example, SG checks the information which it receives about the ground for divorce and about any children involved: fields which are not included in the files that SCS sends to NRS. Therefore, SG could exclude from the production of its statistics a case which appears to be invalid on the basis of what is in a field which was supplied only to SG - so SG could exclude a divorce for which there was nothing wrong in the record that was received by NRS (or vice versa).

Previous method of data supply, and revisions to the historical series

Before September 2010, courts provided information about divorces to NRS, formerly the General Register Office for Scotland (GROS), on paper, using 'DR1' forms and photocopies of the extract of the decree of the divorce. GROS keyed the information from the forms, and scanned the images of the extracts of the decrees of divorce, into its computer systems. Subsequently, they sent a copy of the keyed data for each full year to SG. Weaknesses in the procedures that were used at the time led to the statistical database containing a number of 'duplicate' records, which were not identified until a new computer system was developed to process the electronically-supplied data, and to create a new consolidated statistical database, which combines the new records with those from the old database (more information about this is available from the [Revision of the historical series](#) page of the NRS website).

Vital Events – Divorces and Dissolutions – Background Information

In NRS's statistics, divorces are now counted on the basis of the date on which each decree was granted. This is a change from the basis used for the figures which were published in 2008 and earlier years, when a small proportion of cases (broadly speaking, those for which GROS received the data more than two months after the end of the year in which the divorces were granted) were counted against the year in which GROS processed the data. The method of producing the figures was corrected, and the series revised to give the number of divorces which were granted in each year from 1985. Further information about that revision of the historical series of Divorce statistics can be found on the [‘August 2009 revision of the historical series’](#) page of the NRS website.

‘Nullities’

The ‘divorce’ statistics also include a small number of cases of ‘nullity of marriage’. These arise when it was found that the original marriage was invalid (perhaps because one party had been under-age, or a bigamist) and therefore should be annulled. From 1981 to 2008, inclusive, there was an average of only 3.8 nullities per year, with an average of only 1.1 per year over the last ten years of that period. The number reached double figures in only two years: 1982 (12 nullities) and 1993 (10 nullities).