



## **Statement on the Government's response to the Law Commission report "Cohabitation: The Financial Consequences of Relationship Breakdown"**

"We have received the Written Ministerial Statement responding to the recommendations set out in our report "Cohabitation: The Financial Consequences of Relationship Breakdown".

We were asked by the Government in 2005 to look at the law that currently applies to cohabitants when they separate. The Law Commission recommended in 2007 in the light of consultation that reform is necessary. The existing law is uncertain and expensive to apply and, because it was not designed for cohabitants, often gives rise to results that are unjust.

We concluded that cohabitants should not be given the same rights as married couples and civil partners in the event of their separation and instead recommended a new scheme of financial remedies. Only those couples who had a child together or who lived together for a minimum period (to be set by Parliament within a suggested range of two to five years) would be eligible to apply. Awards would be based solely on contributions made to the relationship. Couples who wished to do so could opt out of the scheme. Government commended the thoroughness and quality of the report.

We note the Government's cautious response to our recommendations, and that reform will not be implemented during the current Parliament. We hope that implementation will not be delayed beyond the early days of the next Parliament, in view of the hardship and injustice caused by the current law. The prevalence of cohabitation, and of the birth of children to couples who live together, means that the need for reform of the law can only become more pressing over time."

**Professor Elizabeth Cooke**  
**Law Commissioner**

**6 September 2011**