

Cohabitants' claims - the case for reform

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Statistics published in October 2012 by the Office of National Statistics reveal that the number of couples who choose to live together without marrying has doubled in the last 15 years. The number of cohabiting couples has increased from 1.5 million to 3 million couples. This figure is set to continue to rise and a new report for the centre for social justice predicts that married couples will be in the minority by 2050.

In 2007 the Law Commission described the current law for cohabiting couples as 'unsatisfactory, complex, uncertain, expensive to rely on, and ... often gives rise to outcomes that are unjust.' If cohabiting couples represent the 'new marriage' shouldn't those in them be entitled to legislative protection if their relationship breaks down? Or, is the decision not to marry an expression of the right to opt out of the paternalistic structures of the state?


[In my article for the Huffington Post](#), I consider some of the differing views in this controversial area, concluding that whatever position taken, it is time for the Government to look again at the legal rules that govern the breakdown of cohabiting relationships.

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