



Family History

Divorce records

Records associated with the breakdown of a marriage are ironically often those which can most fully 'flesh out' a family history and provide a human perspective to otherwise rather bare facts. Divorce files may contain marriage certificates, correspondence, and a great deal of information about the family. They may also provide access to information that would normally be inaccessible, for example information from Health Department files.

What divorce records are available?

Early Australian divorce files are usually found in the Supreme Court records or each state's archives.

Access to divorce files may be restricted. Anyone wishing to access files within the restricted period will need to apply to the Registrar of the relevant Supreme Court for permission.

After 1976 the Family Court of Australia is generally responsible for divorce records, although the date of commencement of the Family Court's responsibility varies from State to State. To obtain proof of their own divorces, individuals should apply to the Family Law Courts of Australia (<http://www.familylawcourts.gov.au/wps/wcm/connect/FLC/Home/Separation+and+Divorce>).

To search for a record of a current divorce, individuals can go to the 'Commonwealth Courts Portal' (<https://www.comcourts.gov.au/>), which provides web-based services for clients to access information about cases before the courts. Individuals need to register to access the portal.

How can I find out about divorce records?

State Library of Queensland holds some published indexes and there are a number of online sources that can assist in tracing divorce records:

Queensland

Death, obituary and divorce extracts from Bundaberg & Mount Perry & General advertiser 1885-1886, 1887-1888 / compiled by Bundaberg Genealogical Association. (Q 929.3 DEA)

Index to Divorces 1861-1894 / Queensland State Archives.

This online index covers divorces 1861-1894 for the Southern District. Registers of matrimonial writs and divorce files for the Southern District (1857-2007) and the Northern District (1879-1976) are held at Queensland State Archives.

Divorce files for cases heard in the Supreme Court, Central District (Rockhampton) are held in Rockhampton. Enquiries should be addressed to The Registrar, Supreme Court Rockhampton, GPO Box 300, Rockhampton, Q. 4700.

Prior to 1975 marriage certificates at the Queensland Registry of Births, Deaths and Marriages were annotated with the details of divorces.

New South Wales

Index to Divorce case papers, 1873-1930 / State Archives & Records New South Wales

<http://indexes.records.nsw.gov.au/searchform.aspx?id=16>

Compiled from the Supreme Court of NSW 'Family Law (Divorce) index, 1873-1976' this index currently covers the years 1873-1922. More records are being added progressively. A microfiche index for the years 1873-1974 is available in the reading rooms of State Records NSW.

Divorce Case Papers from 1873 to July 1963 and 1970 are held at the Western Sydney Records Centre.

For divorce files from July 1963-1975 (except 1970) contact the Supreme Court of NSW, GPO Box 3, SYDNEY NSW 2001.

For divorce files after 1976 contact the Family Law Court of Australia, National Enquiry Centre, GPO Box 9991, PARRAMATTA NSW 2124

For more information consult the ***NSW State Archives & Records Divorce records guide***

<https://www.records.nsw.gov.au/archives/collections-and-research/guides-and-indexes/divorce-records-guide>

South Australia

Matrimonial petitions for divorce 1859-1893 [microfiche] (MFC 346.94230166 1993)

Ancestors in Archives: a guide to family history sources in the official records of South Australia / State Records, Reference Services Branch. (PAM 016.9293 1991)

This guide includes information on divorce records held in the State Records of South Australia.

Tasmania

Index to Tasmanian Divorces 1861 -1920 / Tasmanian Archive and Heritage Office

https://librariestas.ent.sirsiidynix.net.au/client/en_AU/names/? An online list of about 450 cases heard between 1861 and 1920, arranged alphabetically by the petitioner's name. Details include the year, case number, respondent's surname and given name, name of co-respondent, and reference number.

Victoria

Divorce index, Victoria, 1861-1900 [microfiche] / Wendy Baker & Sue McBeth. (MFC 929.3945 1990)

Public Records Office Victoria holds divorce records created between 1861 and 1943. The guide, **Divorce files and cause records** (<https://www.prov.vic.gov.au/explore-collection/explore-topic/divorce-files-and-cause-books>) contains some basic information as well as an online index, which can be searched by surname then by record number.

For Victorian divorce files dated after 1943 contact the Supreme Court of Victoria (<https://www.supremecourt.vic.gov.au/forms-fees-and-services/registry-services/obtaining-copies-of-documents>) and after 1976 the Family Law Courts of Australia.

Western Australia

The State Record Office of Western Australia holds divorce records created by the Supreme Court of WA covering the period 1864-1977. There is an alphabetical index to these records in their Search Room. A 75 year restriction on access to divorce files applies. For further details see the information sheet **Divorce Records** <http://www.sro.wa.gov.au/sites/default/files/infosheet-divorce.pdf>

New Zealand

The first New Zealand law permitting divorce was passed in 1867. Whenever a divorce is granted, the original marriage certificate is marked the date and court location of the Decree Absolute. To find out if or when and where a divorce took place, you will need a copy of the marriage certificate. For application forms, fees and contact details follow the link under "Births, deaths and marriages" on the New Zealand Department of Internal Affairs website <https://www.govt.nz/organisations/births-deaths-and-marriages/>

Archives New Zealand, <http://www.archway.archives.govt.nz/>, holds divorce registers and files transferred from the Supreme/High Courts. A 60 year access restriction usually applies. For more information see their **Personal Identity Reference Guide** [http://archives.govt.nz/sites/default/files/Personal Identity- A86014.pdf](http://archives.govt.nz/sites/default/files/Personal%20Identity-A86014.pdf)

Britain

The **National Archives** holds records of Supreme Court divorce cases. For the period 1858-1937 it is possible to locate divorce records searching in the catalogue, <http://discovery.nationalarchives.gov.uk/>, using the series reference number J77 and the surname. For the time period, 1858-1915, National Archive divorce case files for England and Wales can be searched via "UK, Civil Divorce Records 1858-1915" index on **Ancestry**, available *onsite only*, at State Library. The digitised images are available.


For more information consult the research guide, "Divorce" (<http://www.nationalarchives.gov.uk/help-with-your-research/research-guides/divorce/>)

Times Digital Archive

Search for names of defendants and/or petitioners to locate reports on divorce cases in the digital edition of *The Times* (London) 1785-2012. This is available onsite at State Library and at home through the website using membership (your library card or username and password).

Need further information?

(07) 3840 7810 | <https://www.slq.qld.gov.au/plan-my-visit/services/ask-us>

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