



# Divorce Rates and Statistics in Canada

By Jodi Wyman

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From the lawyer's perspective, family law continues to be a very busy field of law with a seemingly endless stream of new clients going through separations and divorces.

But, is the Canadian divorce rate actually increasing? Do more than half of marriages end in divorce?

The statistics show that in fact neither is true. The divorce rate remains well below 50% of marriages in Canada, and the number has been more or less decreasing for the last twenty years.

Anne-Marie Lambert of the Vanier Institute of the Family released a paper called *Divorce: Facts, Causes and Consequences* in 2009. She studied some of the recent marriage and divorce statistics.

In fact, in 2004 there were 37.9 divorces for every 100 marriages, or a divorce rate of 37.9 %.

The number of divorces in Canada for every 100,000

people has decreased from a high of 362.3 in 1987 to 220.7 in 2005.

One effect on divorce statistics is certainly the number of couples who may be cohabiting in a conjugal relationship. The number of cohabiting couples increases each year, and if they separate, there is no need for a divorce. This effect could be artificially lowering Canada's divorce rate.

This theory seems clear when Ms. Lambert points out that Quebec has Canada's highest divorce rate. And in Quebec, 65% of couples living together in that province are married compared to 87% in the rest of Canada. Fewer married couples mean fewer divorces.

The divorce rate for first marriages is lower than the divorce rate for all marriage. According to the statistics, first marriages have a 67% chance of lasting. The rate of divorce for second or third marriages is about 10% higher than for first marriages.

Ms. Lambert speculates that remarriages are less stable as they involve people who have already accepted divorce as a solution. They will involve bringing children and ex-spouses and ex-in-laws, and there may be less of a willingness to compromise the second time around.

In 2005 the average length of marriages ending in divorce was 14.5 years, which is 1.7 years longer than a decade ago. Correspondingly, the average age of the spouses at divorce was 44 years for men and 41.4 for women.

The paper also highlights some of the risk factors for divorce, most of which any family law lawyer will be very familiar. Statistics show that the younger people are at marriage, the more likely they are to divorce. Also, the experience of parental divorce corresponds with higher divorce rates among children when they become adults.

Poverty is a further risk factor because of the stress finances can have on a marriage. On the

other hand, a couple experiencing very rapid upward social mobility will also have a risk of divorce, perhaps because it reflects a focus on material possessions at the cost of the personal relationship.

And what about the children? In Canada children are predominantly in the primary care of their mother after separation. Shared custody, where the children spend about equal time with each parent, represents less than 10% of divorce custody orders, although this percentage is increasing slowly. The statistics show that only about 10% of children live primarily with their father, which as Ms. Lambert notes is a percentage which has not changed much over the years.