

# 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 Court of Australia and Federal Circuit Court of Australia (<https://www.fccoa.gov.au/hdi/prove-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 few 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.

<https://www.data.qld.gov.au/dataset/divorces-1861-to-1894>

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, 1873-1923*** / Museums of History NSW State Archives Collection  
<https://mhnsw.au/indexes/divorce/divorce-records-index/>

Compiled from the Supreme Court of NSW 'Family Law (Divorce) index, 1873-1976' this index currently covers the years 1873-1923. More records are being added progressively. A microfiche index for the years 1873-1974 is available in the reading rooms of NSW State Archives & Records.

Divorce case papers for 1873-January 1969, July 1969-1976 are held at Western Sydney Records Centre.

For divorce files for February to June 1969 contact the Supreme Court of NSW, GPO Box 3, SYDNEY NSW 2001.

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

For more information consult the Museums of History NSW State Archives Collection divorce records guide <https://mhnsw.au/guides/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 1861-1950*** / Tasmanian Archive and Heritage Office  
[https://libriestas.ent.sirsidynix.net.au/client/en\\_AU/names/](https://libriestas.ent.sirsidynix.net.au/client/en_AU/names/)

Divorces heard between 1861 and 1920 have been digitised. Divorces between 1921 and 1950 can be found in the index, but are not digitised. For more information see Tasmanian Archives guide. <https://libraries.tas.gov.au/slat/guides-to-records/divorce-records/introduction/>

## **Victoria**

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

**Public Records Office Victoria** holds Melbourne and regional divorce records created between 1861 and 1946. 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 outside of Melbourne and Ballarat or dated after 1946 contact the Supreme Court of Victoria (<https://www.supremecourt.vic.gov.au/forms-fees-and-services/registry-services/searching-court-records-and-obtaining-copies-of-documents> \*scroll down to 'Divorce Certificates) and after 1976 the Family Court 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 **Series S40 - Divorce Registers and indexes**

<https://archive.sro.wa.gov.au/index.php/divorce-registers-and-indexes-s40>

## 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**, [https://collections.archives.govt.nz/web/arena#/,](https://collections.archives.govt.nz/web/arena#/) holds divorce registers and files transferred from the Supreme/High Courts. A 60 year access restriction usually applies. For more information see their **Divorce records guide**

<https://www.archives.govt.nz/research-guidance/research-guides/identity/divorce-records-auckland>

## 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, <https://discovery.nationalarchives.gov.uk/>, using the series reference number J77 and the surname. For the period, 1858-1915, National Archive divorce case files for England and Wales can be searched via “UK, Civil Divorce Records 1858-1915” index on **ancestryLibrary edition**, available onsite at State Library. The digitised images are available.

For more information consult the research guide, “Divorce”

(<https://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) 1785-2019. This is available at State Library and at home through the website using your library membership.

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### Need further information?

(07) 3840 7810 | [slq.qld.gov.au/ask](mailto:slq.qld.gov.au/ask)

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