



Your Legal Questions

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Q My wife has left me for another man. I have received a letter from her Solicitors asking for details of my financial circumstances. They even want to know about my pension. I have worked throughout our 15 year marriage whereas my wife has preferred to stay at home and now she is the one that wants out of the marriage. Why should I let them have this information?

A The fact that it your wife is the one that has effectively ended the marriage does not in any way affect her financial rights as part of a married couple except in the most extreme circumstances. Similarly, the fact that she has not worked throughout the marriage – which will be regarded by the Courts as a long one – does not mean that she won't share in the financial fruits of the marriage. She may be entitled to maintenance, a capital (lump) sum, property or for part of your pension pot to be transferred to her (pension sharing order), to name but a few possibilities. Her Solicitor won't be able to advise her on her possible entitlement without knowing the full details of your joint finances.

My advice is to disclose as much as you can, as soon as you can. The Court could order you to provide the information should you decline, which will only serve to increase costs in the long run, both yours and hers. An alternative would be to suggest mediation and disclose all your details via the mediation process.

Whichever way you proceed, withholding information that will inevitably have to be disclosed in the long run will only serve to prolong matters and make a fair, quick settlement less likely. You would be well advised to consult a Solicitor yourself who will be able to guide you through the process and ensure that the disclosure goes both ways. He or she can save you a lot of worry in the long term and avoid you incurring unnecessary Court costs.

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