



### Welcome to the first ever edition of Police Family, Divorce4Police's quarterly newsletter providing police personnel with updates in the area of family law.

Russell Jones & Walker is now home to the only nationwide team of family lawyers with over 12 solid year's experience of dealing with complex police divorce cases involving pensions and all the surrounding issues.

Divorce4Police is our bespoke police family law service, offering a specialist service and price to all police personnel and their families.

To find information on your force's representative please visit [www.divorce4police.co.uk](http://www.divorce4police.co.uk) or call us on 0808 175 7710.

### Latest News

Lords approve further media access to family proceedings.

In April the House of Lords agreed to part 2 of the Children, Schools and Families Bill paving the way for the Bill to become legislation and allow further media access in family proceedings. Once the Bill comes into force the press will be able to see court documents and to name expert witnesses in family proceedings.

### Actuaries - A Threat to Police Pensions

The disgruntled ex-spouse of a police officer visits their divorce lawyer's office. The advice is, 'Go for the pension!' However, most high street solicitors do not understand the police pension and therefore, they try and persuade their client to pay for 'expert' advice, from an Actuary.

However, this type of approach does not assist either party in reaching a speedy conclusion to their case with the minimum amount of cost, as Actuary's file long, complicated reports that all have similar flaws:

- They assume the officer will retire at 30 years service, but increasingly, officers stay on beyond their 30 years.

- They assume the officer will actually reach 30 years service, but no-one has a crystal-ball.
- Reports often fail to take into account the spouse's future pension prospects.
- The law states the correct figure for a pension in divorce value is its CETV. Actuaries do not accept the figure calculated by the police pension trustees as accurate and proceed to over-inflate the figure, but who are they to question the law?
- Try to tell the Court how to decide a case.

In view of the above, it is important for a police officer facing divorce to ensure that they have an expert on their side. RJW Family Solicitors has been challenging Actuaries' reports for many years and are skilled at persuading Judges not to accept their findings.

### Cheryl has to 'fight, fight, fight' for a bit more without a pre-nup!

The latest headlines reports that Cheryl Cole is to separate from Ashley after a three and a half year marriage and the battle over the division of their £22 million worth of assets will commence. It's reported that neither of them felt it appropriate to have a pre nuptial agreement and therefore it's likely that this was a rather expensive mistake as Lawyers will now have to be instructed to divide the matrimonial pot including the Ferraris, Aston Martins and properties abroad.

As the law currently stands in this country pre-nuptial agreements are not legally binding however following a recent decision in the Court of Appeal in July last year, in a case involving a German heiress, Miss Radmacher estimated to be worth £100m, the Court found that the agreement carried a lot of weight, hence providing a strong indication that agreements in the future will be treated as binding.

Certain elements need to be met before a pre-nuptial agreement can be considered binding

- Provision must be made for any children born in the relationship
- Both parties need independent legal advice
- The agreement must be fair

- Full financial disclosure must have been made
- The agreement must be entered into at least three weeks prior to the marriage.

Until the Law Commission prepares its report on the legislation surrounding pre-nups which is due in 2012; any decent lawyer should strongly advise their wealthy client to enter in to such an agreement prior to the wedding. With the press recently reporting high profile separations, reports of settlements involving millions and Premier footballers earning an estimated £100,000 per week, it's important to get expert legal advice in order to protect not only your assets but also your income.

### Top 10 celebrity divorce pay outs

1. Michael and Jaunita Jordan £135m
2. Neil Diamond and Marcia Murphey £75m
3. Stephen Spielberg and Amy Irving £70m
4. Harrison Ford and Melissa Matheson £50m
5. Kevin Costner and Cindy Silva £40m
6. James Cameron and Linda Hamilton £35m
7. Paul McCartney and Heather Mills £23.4m
8. Michael and Diandra Douglas £22.5m
9. Ted Danson and Casey Coates £15m
10. Mick Jagger and Jerry Hall £12.5m



### Contact us

If you need advice on divorce or family matters call **0808 175 7710** or visit our website [www.divorce4police.co.uk](http://www.divorce4police.co.uk)