



Divorcing a difficult spouse

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The end of a marriage is one of life's most stressful events, it can create all kinds of emotions and hostilities and lead to people behaving in entirely uncharacteristic ways. It involves the things that are most important in life, your children, your finances, sometimes your relationships with family and friends and your independence. It is sadly common for one or both spouses to behave badly in the divorce process.

Increasingly, my colleagues and I are representing individuals where their former partner suffers from, or is believed to suffer from Narcissistic Personality Disorder (NPD). NPD is a recognised and diagnosable condition. An expert psychologist or psychiatrist can diagnose it and it all too often results in a very hostile, aggressive and emotional separation for all concerned.

Despite this, there is a distinct lack of case law in relation to alleged or diagnosed NPD and what there is comes predominantly from the public law arena. Unless there is a professional diagnosis (only likely if the trait has already been diagnosed or if there is a professional assessment within proceedings) the Court is seemingly unlikely, at least based on the current (reported) case law, to take such allegations into account.

Therefore, if you believe your former partner to fall somewhere on the NPD spectrum, or are simply dealing with someone who is particularly angry, hurt, or difficult, what can you do to make the process more bearable?

1 Remember that you are not alone and make sure that you get the right support. Surround yourself with understanding family and friends. Get yourself a good professional team (lawyers, financial advisors, agents).

2 If you have been the victim of domestic abuse then it is important that you get the appropriate professional help and that it is dealt with through the correct channels.

3 Stay organised. Keep records of finances, communications and agreements. Keep a diary. Ensure all of your financial records are up to date. Not only will this make the divorce process easier and more streamlined but it will be easier to refute any false allegations that are made by your former partner.

4 Try and keep direct communication to a minimum. If direct communication is necessary (for

example, because you have children together) then consider using an App such as Our Family Wizard, 2Houses or Cozi which can channel all the correspondence, important details and information (medical appointments, extra-curricular clubs and the like) into one place.

5 Expect it to be stressful and expensive. Divorce can be notoriously expensive and unfortunately this is even more so when you have a very difficult spouse. Try to put in place a framework to help you to deal with this.

6 Consider working with a counsellor or therapist who specialises in divorce and separation to get support and tools to manage the emotional aspects.

7 Remember that the children should always come first. However, for very difficult ex partners, be aware that you may need to do parallel parenting rather than co-parenting, at least until things settle down. Try not to see this as a failure but as a building block on your road to recovery as co-parents.

8 Consider obtaining the professional support of a mediator to support you in helping to resolve disputes but do not be afraid of falling back on the Court system if your ex is being entirely unreasonable and unwilling to compromise.

9 Try not to react. Remember that your former partner will know what buttons to press to unnerve you and they will press them. By mimicking this behaviour you are also engaging in bad behaviour, even if it feels like natural instinct to retaliate and to protect yourself. Not responding to bad behaviour, however hard that may be, is often the least inflammatory way of extricating yourself from the disagreement.

10 You can only feel weak or taken advantage of if you allow yourself to feel that way. Try to focus on the long term goals rather than winning insignificant battles along the way. Once decided, do not allow the behaviour of your former partner to distract you from those goals; you do not need to be aggressive to be successful in achieving them, and nor does your legal team. Focus on being calm, focussed and assertive.

11 Try not to get fixated on labelling and diagnosing your ex-spouse with NPD or other personality disorders and expecting others or the Court system to treat him or her differently because of it. Your legal team have a job to do and the job is the same whoever they are dealing with. The legal process will not punish your spouse financially or otherwise for their personality traits, save in very extreme situations (for which you will require legal advice on your own particular circumstances).

12 You know this person better than anyone else and, therefore, you have a crucial role to play in relation to how to address the resolution of your children and financial affairs. Your legal team need you as much as you need them.

13 Remember that the law is there to ensure you receive what you are legally entitled to and not just what your former partner says should happen.

14 Stay strong and focused and try not to waste time or energy on being upset or frustrated. You will be mentally and emotionally exhausted and your former partner will have achieved one of their goals, to unsettle you.

15 Don't give in and over compromise on any settlements just to get the difficult legal process over with. Remember you will need to live with the decisions that you have made for much longer than the Court proceedings. There is life beyond divorce.

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