



Simon Beccle wins in the Court of Appeal for his client, Hayat Alireza

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Simon Beccle, partner and specialist family lawyer and his team, including Charlotte Skea-Strachan in the leading Family Department at Payne Hicks Beach led their client, Hayat Alireza to victory at the Court of Appeal on 12 October 2017.

The Court of Appeal ruled that a previous High Court decision left Ms Alireza in 'a straightjacket'. Mr Radwan and Ms Alireza divorced after 14 years of marriage in 2013 and Mr Radwan was ordered to pay his wife £2 million for maintenance and give her use of a flat. The money was only expected to last 14 years and, if it ran out before her father died, she would be left with nothing and she would have to move out of the flat. The 'straightjacket' settlement denied Ms Alireza any recognition in the form of a capital settlement to reflect her contribution to the marriage. The Court of Appeal Judges said it was 'hard to see' how it could be fair to deny Ms Alireza enough money to buy a home of her own. She had 'no earning capacity and three children to care for' and the least she deserved was enough money to buy a home of her own. Although Ms Alireza is certain to inherit a fifth of her father's estate the Judges stated: 'English law alone applies and Ms Alireza's father has no duty under English law to support his daughter'. Ms Alireza's father was not under 'some moral duty either to relieve or to share the husband's obligations to support his wife and the mother of his children'. The Court of Appeal allowed the appeal, remitting the case for rehearing as to the appropriate housing lump sum Ms Alireza should receive from Mr Radwan.

The case has been widely reported across the media. Click the PDF below to read the The Times Law Report in full (<https://www.thetimes.co.uk/article/a-prospective-inheritance-can-be-a-financial-resource-j2bjbhk89>).

For further information please contact by email Simon Beccle or telephone on 020 7465 4300
