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Why UK divorces are getting dirtier

Break-ups have got nastier than ever, post-pandemic. Britain's top lawyers reveal the rise of the 'handbag divorce'

By Sophia Money-Coutts

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To borrow a phrase, divorce is so hot right now. As soon as the first lockdown began last year, the phrase 'divorce boom' started being bandied around – and the prediction has been borne out.

Google searches for 'divorce lawyer near me' shot up 233 per cent between December 2019 and December 2020. Kim Kardashian is at it. Cabinet ministers are at it. Bill and Melinda Gates's impending divorce – and the division of their £100 billion fortune – is expected to be the biggest settlement in history. With impeccable timing, the BBC's hit drama *The Split*, about a family of divorce lawyers, has started filming its third series.

Divorce is also the subject of my new novel, *Did You Miss Me?*, which has a divorce lawyer as its heroine. My parents went through a bitter divorce when I was eight, and I've long been fascinated by the bizarre world these professionals inhabit.

'Dried hydrangeas,' says one lawyer friend I spoke to for research. 'I know of a case where it came down to the wire over dried hydrangeas.' This seems extreme, especially as sorting out this row would have cost more than the flowers, given that lawyers bill around £600 an hour. But having now interviewed some of Britain's top divorce counsel, I've discovered that levels of pedantry and vitriol have peaked during the pandemic – and divorces have become more strained and emotionally fraught than ever.

One senior partner from a well-known law firm told me of a client discovering that her husband was sleeping with a neighbour during the first lockdown when he started taking his legally permitted one hour of exercise at the same time every evening. Another had to speak to a client who was in her airing cupboard because her husband had no idea she was initiating proceedings. Yet another described a client who argued for days with his ex over a set of silver teaspoons. The problem? There were 13 teaspoons and the warring couple couldn't agree on who would get the extra one when they split them.

'Last summer was absolutely hellish with marriages imploding,' says James*, a partner at a renowned London law firm. In the 13 years he's been practising, he says that 2020 was the busiest - and most bitter - for divorces. 'It was really bad. I was working 12-hour days because we had so many people [meeting their lovers for trysts] in the park' - resulting in splits when discovered. His workload increased by 25 per cent. He also observes that cases have become nastier, particularly when children are involved.



Rebecca Cockcroft, co-head of the family department at Payne Hicks Beach

'There has been a real increase in the children work I've done in the last 18 months, and it's been more acrimonious,' says Rebecca Cockcroft, co-head of the family department at Payne Hicks Beach, the firm where Fiona Shackleton works. (Shackleton, once called the most feared divorce lawyer in Britain, has looked after the divorces of Madonna, Sir Paul McCartney, Liam Gallagher, the Duke of York and Prince Charles.)

I hear stories of mothers taking their children to Cornwall or Scotland as soon as the first lockdown started and refusing access to ex-husbands; of fathers who haven't seen their children for over a year; of parents who live within streets of one another refusing to let each other see the children, using Covid as an excuse. 'The number of times that people have said, "You can't have the child because we're isolating," I've lost count of that,' says one partner. This is contrary to Government advice, which clarified that children of separated parents could move between them.

On the other hand, says Veryan Exelby, senior counsel at the Queen's law firm, Farrer & Co, there have been parents using their lawyers to force their former spouse to look after the children more. 'Where they were arguing before about not letting the [other] parent see the children, homeschooling and lockdown has caused the reverse,' she says, with people saying, "'You need to do more! It's unfair you only have them once a week!'"



When they're not using their children as pawns, divorcing couples have become entrenched in petty scrapes over possessions - so-called handbag divorces. Alison Fernandes, partner at Hall Brown Family Law, has seen a rise in haggling over Rolexes, Birkin bags and Louboutins. 'I'm not necessarily talking about high-net-worth individuals, I'm talking about middle-class professionals,' Fernandes says. 'It indicates that things have taken a nasty turn when you get down to these nitty-gritty bits, when they want to dig the knife in, find that weak spot in the other person.'

In one recent case, a wife fought her ex-husband over his £80,000 collection of bikes, insisting that the judge take those into consideration. He did, in the end.

This summer, family lawyers say their divorce work has calmed down again, and are instead contending with a rush of pre-nuptial agreements for weddings that had been postponed. And lockdown wasn't all bad news for unhappy couples. Peat explains, 'I have quite a few clients who had physically separated but the father moved back in to help with the children and it resurrected their relationship because, for the first time in ages, they were forced to eat meals together and focus on their family.' She pauses. 'Whether or not that lasts when the world goes back to normal is another matter. It may just be papering over the cracks.'

Maybe. Maybe not. But if it all goes wrong again, there are plenty of suits ready and waiting to help.

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