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**Grant Thornton**

## **Yorkshire sees increase in divorce cases involving concealed assets**



While Grant Thornton's tenth annual matrimonial survey\* showed some positive trends, such as fewer people reporting financial worries having an influence on their decision to divorce, it also revealed increasing percentages of cases involving one of the parties failing to provide full disclosure of assets.

There was evidence that the state of the economy was no longer such a major issue with almost a quarter (24%) of family lawyers surveyed in Yorkshire saying that the recession has not impacted on their clients' decision to divorce. There was also a major decrease in numbers of respondents in the region naming financial worries leading to strain on the relationship as the aspect of the recession that had had the most influence on their decision to divorce – in 2013 this fell to just 52%, down from 93% the previous year.

However, the survey also showed a growing trend in parties attempting to conceal assets with only 5% of respondents in Yorkshire reporting no cases of significant concealed assets compared to over 30% of respondents the previous year. Over half of those surveyed in Yorkshire reported significant concealed assets in 20-30% of divorce cases, compared to only one sixth of respondents reporting this level in 2012. Concealment of assets seems likely to continue, as the majority (65%) of those polled in Yorkshire did not think Scot Young's prison sentence would act as a deterrent to people considering concealing assets or failing to disclose information.



media relations and profile

Chris Clements, partner in Forensic and Investigation Services at Grant Thornton in Leeds, said: "Concealment is clearly a major issue as is illustrated by the recent public cases of *Prest v Petrodel* and the long-running *Young v Young* matter. What is clear is that concealment, particularly in corporates, will require detailed analysis of the financial records in order to confirm the true position."

People in their 40s are the most common age group to split from their spouse according to 86% of family lawyers in Yorkshire (directly in line with responses nationally) who saw the average age of their divorcing clients rising to between 40 and 49 years of age. In the region, almost a third (32%) also said they had seen an increase in the divorcing parties' ages. The number of long-term marriages failing is also on the increase, with 76% of Yorkshire respondents reporting divorces being from marriages of 11 years or more, compared to 59% in 2012. This trend was repeated nationally. For the third consecutive year both nationally and in Yorkshire, the most common reason for marital breakdown was falling out of love, with extra marital affairs running a close second.

A further issue highlighted in the report is the effect of cuts in public funding for family proceedings. Since 2008, lawyers surveyed have said the key issues facing family law have been the economic downturn and availability of assets in each year. However, this year over a quarter (26%) of Yorkshire lawyers stated their most concerning issue was the number of people representing themselves in court for family proceedings due to the lack of public funding available. This is likely to become an increasingly significant issue with further legal aid cuts, burdensome on heavily congested courts and on both of the parties involved in divorce hearings.

The issue of the rights of cohabiting couples polarised opinion this year with 30% of lawyers in Yorkshire believing that cohabiting couples should have the same legal rights as married couples, subject to certain conditions, whilst 70% thought they should not be given the same rights. Almost a third of lawyers in the region expect their job over the next ten years to change to include more advisory work such as pre- or post-marital agreements and cohabitation agreements.

Grant Thornton's tenth annual matrimonial survey polled 95 of the UK's leading family lawyers. The survey assesses trends in the matrimonial market.

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**Photo:** Chris Clements, partner in Grant Thornton's Forensic & Investigation Services practice in Yorkshire

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