



Marriage Is Not A Meal Ticket- Landmark Court Case Shock Ruling

The concept of generous [spousal maintenance](#) in divorce cases was turned on its head when Appeal Court Judge Lord Justice Pitchford ruled in favour of a millionaire race horse surgeon, Ian Malcolm Wright, who won his case against giving his ex wife Tracey maintenance for life.

Since their divorce 11 years ago, Mrs Wright had received a generous £75,000 a year maintenance to support her and the couple's two children. Mrs Wright also got a very generous settlement when the couple divorced and she lives with their children in a mortgage free £450,000 house which is in her name.

Lord Justice Pitchford's remark that Mrs Wright should get back to work to support herself divided opinion and while it caused outrage in some circles, it was thought that many of the bread winners in a divorce or separation situation breathed a huge sigh of relief that they would no longer have to fund the lifestyle of their exes in perpetuity.

[Danielle Messenger](#), a Family Law specialist at leading regional law firm Pictons says "This case offers real clarity on the issue of ongoing spousal maintenance. Life time maintenance orders are becoming a thing of the past and only to be seen in exceptional circumstances.

"The Court has to consider the income and earning capacities of both parties and this is extended to what a party might reasonably have in the foreseeable future. In this case the Judge was clear that whilst the wife did not have an income of her own, she clearly had an earning capacity that she had chosen not to exploit. This should not be at a cost to the husband.

"Husbands or the main bread winning spouses will welcome this Judgement and lawyers will be grateful for the clarity it offers. The Court will expect mothers to return to work when children are 7, albeit this may be on a part time basis. It also reconfirms the position that we need to work towards a clean break, even if that is not immediately at the actual time of the divorce, there needs to be an end in sight. While I hope this will not create any hardship for the many women, and in some cases men, who have given up their careers to bring up their children I do think this is a just ruling and means that both parties can move on after a divorce."

If you find yourself going through any of the issues highlighted above or need help regarding Family Law please contact Danielle Messenger on 0845 263 7505* or email info@pictons.co.uk

*local rates apply, mobiles may be higher