

Pre-Nups; To Have and To Uphold

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A recent decision made by the Supreme Court has gone some way to giving prenuptial agreements legal weight in England and Wales.

A prenuptial agreement is a contract entered into prior to marriage which looks to predetermine the division of marital assets in the event of a divorce. The recent case of *Radmacher* has finally confirmed what most divorce lawyers believed would happen in that the Supreme Court recognised the existence of the pre-nuptial agreement and gave weight to what it had to say.

Sukh Saini, a Partner with Pictons and Head of their Matrimonial Team in Luton comments “ There has been a significant increase in interest relating to pre-nups and this will now only become even more so following the decision in *Radmacher*. That said my advice to clients will remain the same in that they must think very carefully before looking to enter into a pre-nup arrangement as such contracts do not benefit all cases and whether someone should look to go down this route must be determined on the individual circumstances of their case. In addition, good legal advice is imperative. ”

If you would like to obtain some further advice on this issue please feel free to email Sukh at sukhdeep.saini@pictons.co.uk