

Wodehouse v Wodehouse

Court of Appeal (Civil Division)

29 November 2018

Case Analysis

Where Reported

[2018] 11 WLUK 492;

Case Digest

Subject: Family law **Other related subjects:** Administration of justice

Keywords: Discretionary trusts; Family Court; Financial remedies; Lump sum orders; Non-parties

Summary: The Court of Appeal allowed an appeal against an order in financial remedy proceedings directing a discretionary trust, of which the husband was a potential beneficiary, to make a lump sum payment to the wife. The judge had had no power under the [Matrimonial Causes Act 1973 s.23\(1\)](#) to make such an order against a third party. A pension sharing order was left undisturbed. The case exemplified the need for a financial remedies court that had only judges experienced to deal with such remedies.

Held: Appeal allowed in part.

Judge: Sir Andrew McFarlane PFD; King LJ; Coulson LJ

Counsel: For the appellant: Phillip Blatchly (Pro bono). For the respondent: Nicholas Barnes (Pro bono).

Solicitor: For the appellant: Stevens & Bolton.

Significant Legislation Cited

[Matrimonial Causes Act 1973 \(c.18\) s.23\(1\)](#)

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