

## Success for Daniel Sokol in high profile divorce case of Joy v Joy

### Joy v Joy FD11D03744

The current instalment in the long-standing, bitterly disputed and highly publicised case of **Joy v Joy** has ended with Sir Peter Singer, sitting as a High Court judge, dismissing the husband's ("H") application to reduce drastically the £120,000 a year he was ordered to pay his ex-wife (represented by Daniel Sokol) in spousal maintenance.

H, who in May 2013 estimated the value of the New Huerto Trust (which he established in 2002) to be £70 million, claimed he had been excluded as a beneficiary of the Trust and that he did not have enough money to pay spousal maintenance. H, who is an aficionado of luxury cars and lives in a chateau in the South of France, was represented by a senior silk, a junior barrister and a partner from a specialist firm of solicitors, although he claimed he had not paid any of his lawyers for the last 2 years.

In a judgment spanning 91 paragraphs, Sir Peter Singer, who in his August 2015 judgment referred to H's '*blatant dishonesty in relation to these proceedings*' and to the case presented by H and the Trustee of the New Huerto Trust as a '*rotten edifice founded on concealment and misrepresentation [...] a sham, a charade, bogus, spurious and contrived*', remained unpersuaded that H '*faces the current and seemingly continuing dilemma he depicts*'.

Sir Peter Singer commented on H's '*propensity to close his eyes to the consequences of his actions, and sometimes of his evidence, and to remain deaf to adverse findings by the court*' and the '*total lack of H's transparency in relation to the genesis of the SCo arrangements [i.e., H's current employment arrangements]*'. The judge repeated his view that '*H's apparent difficulties will be resolved at some point*'.

In a complex case in which each party has incurred eye-wateringly high legal costs, the hearing was notable in the Court's decision to hold an abbreviated hearing for H's variation application, with each party granted a half day for oral submissions to supplement written submissions.

Reviewing several key cases, Sir Peter Singer adopted the concept of a 'magnetic factor' – a factor which in a particular case has decisive influence – from financial remedy cases and applied it to variation applications.

H's application was dismissed.

For the published judgment, please see [here](#).