



# /guide



## Your questions answered

## COMPUTERS, SOCIAL MEDIA AND DOCUMENTS

This Stowe guide is to provide guidelines on how to protect yourself both on and offline during your divorce.

### Computers and other electronic devices

If you share a computer with your spouse or partner, we recommend you:

- Open a new secure email account;
- Update all passwords and security questions;
- Delete any sensitive browsing history and any temporary files;
- Password protect any mobile or other electronic devices such as tablets which you use to access emails and personal or financial documentation.

You should not remove nor hack into any computer (or computer account) or other electronic device belonging to your spouse or partner.

Neither should you open any post addressed to your spouse or partner or install any listening or tracking device. Should you do so, you may be liable to civil action, criminal charges and financial penalties.

### The internet and social media

If you are a member of any social network we recommend you:

- Increase your security settings; and
- Take care not to post anything which might harm your case.

Be aware of your "footprint" online. For example, if you are mentioned on any website for a family business or other concern, be aware that this may be used in evidence.

We recommend that you think carefully about future postings, particularly those which concern business prospects because these may well be read and used by the other party or his or her legal team.

## Documents and confidentiality

If you are in possession of any original documents belonging to your spouse or partner, these should be returned.

Should you keep a copy of any document:

- We are required to disclose where a copy is held;
- There may be an issue as to whether we are able to read that copy document;
- There may be a dispute as to whether that copy document may be used in the proceedings.

If you have read — but NOT taken a copy of — any documents belonging to your spouse or partner, you may tell us what you recall.

You may also pass to us any note you may have prepared regarding the content of any document(s) you have seen.

## The duty of disclosure and requirement of honesty

Each party is under a duty to provide the other with full, frank and clear disclosure of their financial and other relevant circumstances.

This obligation continues until the case is concluded. It means you need to keep all payslips as well as bank and credit card statements for production as necessary.

You will be aware that various transactions may be identifiable from bank and credit card statements. It may be prudent, for this reason, to pay in cash for certain purchases to avoid leaving a paper trail.

Honesty is essential. A failure to provide “full, frank and clear disclosure” is serious and may result in all or any of the following sanctions:

- The Financial Order being set aside
- Costs penalties
- Proceedings for contempt of court and potential imprisonment
- Charges under the Fraud Act 2006.

If you are in any doubt whether a fact or matter is relevant and ought to be disclosed, please speak to your solicitor.

The documents we will receive from the other party or his or her solicitor in any Court proceedings may not be copied or shown by you to any third party including the Child Maintenance Service or any family member.

It is important you keep this paperwork (and the information it contains) confidential unless we have advised you that disclosure is permitted.

## Need more information?

Call our Client Care Team on **0330 838 7456** to speak with one of our specialist family lawyers or visit [www.stowfamilylaw.co.uk](http://www.stowfamilylaw.co.uk)



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