

# QC's ex-wife loses fight for more money

Frances Gibb Legal Editor

The ex-wife of a multimillionaire QC who tried to increase her financial settlement has been told that she cannot use the English courts for "divorce tourism".

Catherine De Renee, 38, an Australian artist, claims that after her split from Jason Galbraith-Marten, 49, she is being forced to live on benefits. She alleges that, while she struggles to raise their daughter, her ex-husband lives in a £1.6 million home in Fulham with his new wife and earns a fortune.

She was originally handed £72,500 of the marital assets in divorce proceedings carried out in her native Australia when the two-and-a-half year marriage ended in 2009.

Mr Galbraith-Marten, a specialist in equality, discrimination and employment law, also originally paid Ms De Renee about £45,000 in maintenance, the sum he earned from one tribunal case. Those payments stopped in 2012, however, and Ms De Renee argued that she and their eight-year-old daughter were "in a predicament of real need".

Mr Galbraith-Marten still pays £9,600-a-year in child support, but Ms De Renee says she is forced to get by on state handouts and is more than £50,000 in debt.

Her hopes were dashed yesterday when Lady Justice Black, sitting in the Court of Appeal, ruled that the QC had met his side of the bargain in full and should not be made to pay a penny more.

"There was nothing to show that the settlement was unfair. This was a short marriage, though there was of course a child born," she said. "This court is not here to provide a top-up for every foreign divorce."

Earlier Nicholas Yates, for Ms De Renee, contrasted the artist's position with that of Mr Galbraith-Marten's gilded life as an employment law specialist. He claimed that Ms De Renee was "under very great pressure" when she signed up to the divorce settlement in Australia in 2009.

Ms De Renee specialises in "sensual" female portraits which she says create a "mood filled with drama, intensity and lingering eroticism". Her ex-husband



Catherine De Renee and Jason Galbraith-Marten lived in this £1.6 million house in Fulham



ed for her because she could not afford the fees. The agreement should not leave one party in a predicament of real need."

Lady Justice Black concluded: "The wife was legally advised when she reached the Australian agreements. She could have sought help there if she thought they were not fair and did not provide for her needs. Even in the English courts, considerable weight would have been given to the agreements reached. The fact that the wife has more need now would, even in this country, not be reason to re-open an agreement reached by consent."

represented the BBC in the heavily publicised ageism row with Miriam O'Reilly, a presenter who said she was dropped because of her age. The BBC later came in for criticism after it emerged that it paid Mr Galbraith-Marten £45,000 for the 12-day employment tribunal hearing.

Mr Yates told the court that Ms De Renee was in a "precarious" financial position and had been forced to take her daughter out of private school.

Asking for the judge to give her a fresh chance of getting a "fair" deal from her ex he said: "The wife is a full-time mother to the parties' daughter.

"She resides in rented accommodation and derives her income from two sources, namely state benefits and child support. She also has debts of over £50,000. The husband is a barrister, specialising in employment law in chambers in London. He resides in the former matrimonial home in Fulham. The wife believes this property to be worth in the region of £1.6 million."

"There was in this case no independent assessment of whether the settlement was fair. Ms De Renee and her daughter were evicted from their rental property and her daughter was removed from the school she had select-