



We've recently separated and my ex wants to see bank statements

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Scenario:

Barney and Betty were married for eight years. At the beginning of 2013 they separated on very acrimonious terms. Now they can barely speak to each other without a verbal argument ensuing. Neither Barney nor Betty have yet retained a [family law](#) lawyer in relation to [matrimonial property settlement](#), but both intend on doing so.

Betty currently has a bank account which holds \$150,000.00 which she has saved during the period of the marriage. Recently, Barney has been emailing Betty stating that he demands to see copies of her bank statements as he has every right to know what is in her bank accounts for the purposes of the matrimonial/family law property settlement.

To finalise the Family Law property settlement, does Betty have to provide copies of her bank statements to Barney?

Answer:

Parties to a family law property settlement have a duty of disclosure. The process of providing financial documentation to your spouse for the purpose of matrimonial property settlement is called "disclosure".

Disclosure requires both of the parties to provide all relevant financial documentation to the other party pertaining to wages and other income, property, liabilities and other financial resources. What is considered "relevant" financial documentation will change depending on each individual case.

In family law property settlements, both parties have the legal obligation to make "full and frank" disclosure to one another. Full and frank disclosure means the unreserved and honest exchange of financial documentation, in which each party cannot deliberately lie or mislead the other party as to their financial situation. If one party is found by the court to have lied about their financial situation or not disclosed their full financial particulars, serious penalties may apply including costs being made against the offending party, a fine or a period of imprisonment.

In this scenario, it is advised that Betty seek the legal advice of a experienced Family Law solicitor prior to disclosing any financial documentation to Barney. A qualified Family Law solicitor will have the legal knowledge required to ensure that the parties are exchanging relevant financial documentation and information. It is important that Betty has advice so that all relevant financial documents from Barney are received and considered.

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