

# Facebook the new fast track to divorce courts

Louisa Hearn

January 27, 2011



*Illustration: Cathy Wilcox*

It has put us back in touch with distant relatives, friends from a bygone era, and the sizzling high-school crush that was never quite forgotten.

But while Facebook's social network has undoubtedly changed lives and opened doors, married couples are discovering that these can lead directly into the offices of private detectives and divorce lawyers.

Paul Ross, a partner at law firm Holding Redlich, said he had taken on a lot of new cases since Christmas as the temptations offered by Facebook proved irresistible to many locked in long-term relationships.

“We have had a flood of work recently - in the last two weeks alone we have gained 11 new clients which is more than this time last year,” he said.

He said he believed social platforms like Facebook encouraged people to flirt with one another - often inadvertently - but sometimes leading to more serious attachments.

“It's not just Gen Y. The baby boomers and grey nomads are also getting in on the act . . . it's also quite a regular occurrence these days that the client will have found out about an affair through Facebook,” he said.

## **Smartphone secrecy**

Allan Watt, head of forensics at computer forensics specialist e.law, said smartphones and tablets were providing even great secrecy for those conducting affairs “without their wife or husband looking over their shoulder on the family computer”.

A group called “Facebook ruined my marriage” is littered with stories of cheating, lies and broken hearts.

Leslie Ann from the US writes that her relationship ended after she caught her husband involved in “some very inappropriate 'chatting' involving explicit content with some Facebook friends”.

“What gets me is, when I confronted him, he was actually furious and screamed, 'It's not cheating! It's just typing words!'”

Debbie from Michigan wrote: “Just found out my husband has been having an affair with an old classmate that he has reconnected with on facebook... just up and left and didn't even have the BALLS to tell me himself”.

“There are a lot of cases these days that come through with the door with Facebook and social media being a factor,” said Peter Magee, head of the family law division at Armstrong Legal.

“Those that have done it once will have the propensity to repeat it, moving from one relationship to another on their social network.”

Joel Curtis, principal psychologist at Life Resolutions in Miranda, said he had witnessed first-hand the problems social media caused for many couples, with more clients seeking counselling services than in previous years.

“People with problems in a marriage turn to social media to help address what they may be missing at home. They fool themselves into thinking that because it is not a face-to-face relationship that no emotional attachment will be formed.

“Due to the ease and faceless nature it is simple to make friends with old flames online. What starts out as a simple friend request online can turn out to become more and has led to marriage breakups,” he said.

## **Facebook jealousy**



A 2009 study of 304 graduate students conducted by Guelph University in Canada found that Facebook actually created jealousy and suspicion owing to the ease at which participants could monitor a partner's activities.

It said that the simplicity of making new connections on Facebook also created an opportunity for

contact with past romantic partners, raising the potential for jealousy in current relationships.

“Facebook also assists in maintaining relationships that may otherwise be only ephemeral, and it may in fact connect people who would not otherwise communicate.

"Jealousy leads to increased surveillance of a partner's Facebook page, which results in further exposure to jealousy-provoking information," the researchers said.

Disclosures on Facebook can have even more serious consequences. In 2009, a 26-year-old mother-of-four was murdered by her angry partner after she changed her Facebook status from "married" to "single".

Private detectives say that Facebook carries a wealth of information for those looking for evidence of infidelity by their partner.

Warren Mallard, managing director of Lyonswood Investigations and Forensic Group, described it as a “very dangerous minefield that everybody is walking into backwards”.

“People hang a lot of information on Facebook that perhaps they ought not. A client may say: 'I know my husband [is] talking to this woman on Facebook – and at least 20 per cent of our matrimonial work relates to communications on electronic media.’”

### **Detectives on the case**

Tiffany Bond, a specialist in fidelity investigations at the Detection Group, said she had seen a significant rise in investigations related to infidelity in relationships.

She said many suspicious partners were also conducting their own investigations online, and then coming to her with evidence.

"A wife has even found photos of her husband with another woman on a friend's Facebook account," she said.

It may be the cause of domestic problems for some, but Facebook is also helping to solve a few for the legal community.

“Twice prior to Christmas we got approval from the court to serve documents on Facebook where the father couldn't be located," said Armstong Legal's Magee.

Jeff Marhinin, a family law specialist with Watts McCray, said: “We are certainly seeing Facebook being used as an evidentiary tool in family law matters more and more. There are people sharing views and opinions on their former spouse more readily there than any other place.

“We are also using the opportunity to use Facebook for locating people who may have exited a relationship and decided not to maintain contact,” he said.