

THE TIMES

Reprinted from

Thursday July 9 2009

Lawyer of the week Ayesha Vardag

Ayesha Vardag, the founder of Ayesha Vardag Solicitors, acts for Katrin Radmacher, the German heiress who has won a landmark Court of Appeal case, where the judges ruled that prenuptial agreements should be taken into account by the courts in England and Wales when dividing assets in a divorce.

What were the main challenges in this case, and the possible implications? We faced a whole bank of expectations and preconceived ideas about what was going to happen. We wanted to approach this not as “how it always is” but “how it could and should be”, looking rigorously at the law and exploring its possibilities in the light of social change and common sense.

The major implication of this case is that the 160-year ban on prenups as void on public policy grounds is over, and the capacity of responsible



adults to agree their own affairs has been recognised. The green light is on for prenuptial agreements.

What was your worst day as a lawyer? Running around on my own at 3am in Linklaters' offices in Moscow, seven months pregnant with a toddler at home, trying to stop a

deal derailing by coming up with structures to get around a World Bank negative pledge on a diamond mine financing. High adrenalin but not good for your health!

What was your most memorable experience as a lawyer? Winning this case when the odds seemed to be against us, and getting justice for my absolutely lovely client.

Who has been the most influential person in your life and why? My mother made sacrifices and pushed me to study and to fulfil my potential, and told me I could achieve absolutely anything I put my mind to. That counts. My dear ex-husband gave me mantras such as “never turn work away”, which influenced me too. Professionally, Nicholas Mostyn, QC, who was lead counsel on my divorce years ago, and Richard Todd, QC, on this case.

Why did you become a lawyer? I liked acting and performance, as well as being rather academic and logically argumentative. Most of my paternal family are lawyers. The Bar was an obvious choice. In fact, my divorce lawyer hired me away from the Bar when my case was done.

What would your advice be to anyone wanting a career in law? Do it for the right reasons. Don't just follow the money — as a lawyer you can save the whale in Antarctica, lobby for political prisoners or deal with the compelling drama of people's personal lives.

Where do you see yourself in ten years' time? I want to have the firm that is indisputably recognised as the best matrimonial practice in England.

Linda Tsang
l_tsang@hotmail.com