

B E T W E E N

RICHARD GRANT ROGAN Applicant

and

SARAH ANNABEL ROGAN Respondent

This judgment was delivered in private, but the judge has given leave for this version of the judgment to be published.

**SUPPLEMENTAL WRITTEN JUDGMENT
OF HIS HONOUR JUDGE EDWARD HESS
(Handed down by email on 17th June 2020)**

1. This judgment is intended to supplement my substantive written judgment of 9 June 2020. It concerns the financial dispute arising out of the divorce between Mr Richard Grant Rogan and Mrs Sarah Annabel Rogan.
2. In my earlier judgment I invited the parties to put together a draft order consequent upon my judgment. This has led to some disagreements which I need to resolve. In resolving these issues I have had the benefit of reading the husband's email dated 16th June 2020 and Ms Batt's submissions, also dated 16th June 2020.
3. I have the following observations on the issues arising and I annex to this supplemental judgment the form of order I propose to approve and ask the court staff to seal.
4. I do not propose to comment on the criticisms made by Ms Batt of the husband's decision to seek the assistance of Mr Mel Sims in drafting proposed amendments to the order.
5. I have deleted the reference to 8% in paragraph 3, my intention being to follow the formula in the standard family orders. I note, however, that the current rate is 8%.
6. I note that a 'gap year' was included in the child periodical payments order of 14th March 2014 (at paragraph 5). Further, I cannot recall the husband raising the 'gap year'

issue during the variation application hearing and I agree with Ms Batt that it is too late to raise a new substantive issue at the drafting stage. In any event a clause of this nature is common practice for an order of this sort: see *Re N* [2009] 1 FLR 1442. The ‘roofing allowance’ issue was raised during the hearing and an agreement reached which is included in the draft order.

7. I have made a change to paragraph 6 of the submitted draft in acknowledgement that there is some force in what the husband has said on this point.
8. I have made a change to paragraph 7 of the submitted draft to match the wording in the standard family orders.
9. I have redrafted paragraph 8 of the order to leave the contentious issues referred to therein to be dealt with by Holman J.
10. I prefer Ms Batt’s arguments in relation to the husband’s proposed extra words “*it being acknowledged ...term of this order*” and therefore have not included them in my draft.
11. I have been persuaded by the husband to align the date of paying the costs to the same date of paying the lump sum, i.e. 31st July 2020.

His Honour Judge Edward Hess
Central Family Court
17th June 2020