

# **PE2124/B: Keep private and work place pensions out of divorce**

## **Petitioner written submission, 9 December 2024**

I understand the points that have been made in the letter, but I still disagree with them.

In regards to a spouse staying at home to look after the children, I firmly believe that is the choice of that person in the relationship. There are plenty of jobs out there that would work around partners' shifts and children.

The Scottish Government are also considering allowing children from 9 months 15 hours free childcare, and during this time the main caregiver could be working and contributing to their own pension, instead of relying on their partner.

Also with the way the current climate is going a state pension is not going to exist in the near future, people are then relying on their private/work place pensions to retire. Let's say the unfortunate hits and they find themselves divorcing their spouse, and they are then losing a portion of that pension, they are then not able to retire comfortably. If their spouse has opted out of a work place pension and there is no matrimonial property, that spouse can claim 50% of their pension, which results in unfairness, especially if the spouse is in a high paying job, and claiming against the person on the low paying job.

When women choose to stay home with their kids and not bringing in any income it is then up to the man to pay for all the bills, mortgage/rent, so he is solely contributing to the house. Yes, the women are making sure the children are okay and are looked after, but they are not bringing in anything to contribute to the marital property. This is my point for removing private/workplace pensions. I understand there are prenuptial agreements in place, but not everyone thinks that their marriage will end in divorce.

I would like more data made available on this issue for the Committee to consider, such as how many –

1. men have opted to stay at home with children
2. women have gone back to work early, or while their children are still young
3. men have had to lose a portion of their pension when there are no marital assets
4. women have lost a portion of their pension when there are no marital assets