



/guide

Your questions answered

POST-SEPARATION ABUSE

This guide will examine what post-separation abuse is, how it can manifest and what methods there are to cope with it if you are a victim of this kind of abuse.

Our specialist adoption team supports clients with legal advice to ensure they have the information they need to make key decisions, and that the necessary documentation is in place, and legal formalities complied with. We can also advise on cases where people want to adopt a child within the family, such as stepchildren.

What is post-separation abuse?

Post-separation abuse is defined as patterns of intentional abuse that continue after a relationship has ended. It can occur if there has previously been abusive behaviour presented within the relationship, or it can begin upon separation.

Post-separation abuse is classed as a criminal offence, with offenders receiving up to five years in prison or a fine, or both.

Being in a relationship with an abusive partner is traumatic. If this abuse continues after the couple has separated, the stress and anxiety as well as other serious mental and physical health problems are prolonged, potentially indefinitely.

Post-separation abuse may manifest in a multitude of ways and may change over time. This can make it difficult for the victim to know whether they are being abused, or how to manage the situation if it is constantly changing and they are being bombarded with different forms of abuse.

Post-separation abuse can look like (but is not limited to):

- Being isolated from family and friends, struggling to gain access to a support network
- Outbursts of anger against the victim
- Suffering technology-facilitated abuse
- Lies being circulated about you, particularly to the children
- Being coercively controlled

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- Parenting being undermined, parental decisions being made without proper communication
- Finances being withheld, including child maintenance
- Blame being shifted onto the victim e.g. being blamed for the relationship breakdown, any issues with child care, financial problems etc.
- Privacy being invaded, for example physically through harassment or stalking, technologically or emotionally
- Causing the victim-parent anxiety by abusing the child/ren
- Not adhering to court dates or orders
- Money being demanded from you
- Being forced into court proceedings

Individual circumstances will vary but the long-lasting impact of post-separation abuse is common to all survivors.

This specific type of abuse usually follows a distinct pattern. It has a cyclical nature which often means that during lulls, victims can feel like they have overreacted to the abusive behaviour exhibited by their ex-partner.

The cycle has four parts: tension building, abuse, reconciliation and calm.

What are my legal rights if I am a victim of post-separation abuse?

Post-separation abuse is a crime, under the Serious Offences Act (2015) which made coercive and controlling behaviour illegal.

If you are a victim of abuse, you have legal rights. Abuse is dealt with under both civil law and criminal law.

Under civil law, a survivor can apply to either a Family Court or County Court for an injunction (a civil court order). This order can prevent the perpetrator from abusing you by denying them access to your physical environment. This can work for people experiencing domestic abuse, and for victims of post-separation abuse it can prevent behaviours such as stalking or harassment.

Applying for an injunction is usually done through a solicitor. Stowe Family Law lawyers can assist with applications for injunctions from the Family Court.

Criminal Law around abuse is aimed at punishing the abuser. The process is initiated by the police and the Crown Prosecution Service (CPS). Depending on the seriousness of the charge, offenders of post-separation abuse can face up to five years in jail or a fine, sometimes both.

Legal advice should be sought from professional bodies. Rights of Women provide legal advice to women, and Domestic Violence Assist is a registered UK charity that arranges non-molestation orders, prohibited steps orders and occupation orders (you can call 0800 195 8699 or email support@dvassist.or.uk).

If you are in immediate physical danger, call 999.

What can I do to stop/mitigate post-separation abuse?

Sadly, post-separation abuse can continue indefinitely. However, there are actions that survivors can take to lessen the impact on them and allow themselves to move forward with their life.

Seeking legal advice is very important as family lawyers can provide expert information on how to practically deal with an abusive ex-partner and give advice on what you may be entitled to legally as a victim of post-separation abuse.

Some practical guidance is listed here:

- Minimise the ways your ex-partner can contact you: change your email address, change your number if possible etc.
- Seek professional support from financial advisors, family lawyers, divorce coaches, support groups and domestic abuse charities
- Don't spend anymore time than absolutely necessary with your ex-partner
- Focus on the things you can control and get help on learning to let go of things you cannot control
- Set boundaries for yourself and implement them
- Put your mental health first, even if it means conceding on certain elements
- Surround yourself with a trusted support network – whether this be friends, family, counsellors or a divorce coach.

Free financial advice can be sought from StepChange and PayPlan UK.

Empower yourself by learning your rights and your boundaries.

Can I co-parent with an abusive ex-parent?

The short answer is no. Unfortunately, the abuser will constantly want power and control and there will be little to regard of how this behaviour affects the children.

Parallel parenting is the only real way to parent your child when you have an abusive ex-partner, and you are a victim of post-separation abuse.

Parallel parenting is a technique which enables you to parent how you want to and leave your ex to parent how they want to.

This can be very frustrating, particularly if your ex insists on the 'small wins' like not adhering to a bedtime, or letting the children eat junk food, or letting them not do their homework.

It is important that you do not let your ex-partner see how this affects you and that you continue to exhibit positive behaviours to your children through exhibiting kindness, consistency and being the buffer for the abusive behaviour.

Practically, limiting the ways that you communicate with the other parent is central. Apps such as OurFamilyWizard are recommended by lawyers at Stowe Family Law as a way of keeping all the information about the children in one place and being the only method of communication.

Need more information?

Call our Client Care Team on **0330 838 7456** to speak with one of our specialist family lawyers or visit **www.stowefamilylaw.co.uk**

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