

DOMESTIC ABUSE BEST PRACTICE GUIDE



POST SEPARATION ABUSE

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INTRODUCTION

This guide will help you to:

- learn more about post separation abuse & the law
- understand how post separation abuse can impact children & the non-abusing parent
- support someone experiencing post separation abuse

WHAT IS POST SEPARATION ABUSE?

Sometimes as a professional you can subconsciously assume that leaving a relationship will leave someone free from the abuse and the abuser; that leaving equals safety. But this often isn't the case. Post separation abuse refers to a perpetrator's patterns of behaviour continuing when the relationship has ended. All manner of tactics may be used, and it is important for professionals to recognise these tactics for what they really are – a continuation of control. Professionals shouldn't focus on the status of the relationship; we should focus on the perpetrators' behaviour. How post separation abuse unfolds depends on individual circumstances, but it can impact all aspects of a survivor's life - their relationships with their children, their employment, economic stability, and online presence and it can span many years.

[Monckton-Smith's 8 stages of homicide timeline](#) highlights that separation can be a trigger that threatens the perpetrator's control. [One study](#) highlighted that over 90% of victims/survivors experienced post-separation abuse, which interfered with both being and feeling safe. [The Femicide census](#) (2020) identified that 37% of those killed by a current/former partner were reported to have separated or taken steps to separate from the men who killed them.

POST SEPARATION ABUSE & THE LAW

On 5th April 2023, controlling or coercive behaviour that takes place after a relationship has ended became a criminal offence. Only post-separation abuse that takes place after this date can be prosecuted as controlling or coercive behaviour. Surviving Economic Abuse [have produced a briefing](#) on this law change. They have also provided [more information about where a victim / survivor may be able to access legal support](#) at low cost.

LEARNING FROM DOMESTIC HOMICIDE REVIEWS (DHRs) & SERIOUS INCIDENTS REVIEWS (SIRs)

Domestic Homicide Review X

Lucia separated from her partner 10 months prior to her suicide. The post separation abuse included harassment, threats to kill, encouraging her to kill herself, sustained discrediting and undermining her as a mother. Lucia disclosed to the police that over the course of their relationship, the perpetrator had subjected her to physical assaults and each time she had attempted to leave the relationship, he made her feel guilty and played on her mental health to prevent her leaving. This DHR highlights how post separation abuse, including this being facilitated through child contact arrangements, is very real for many victims/survivors and must be at the forefront of agency assessments and responses. You can read the full learning brief [here](#).

Serious Incident Review 6

Rosie tried to leave Adam on many occasions and approached Sheffield City Council housing services for support to flee from domestic abuse. The review identified that 10 incidents happened during periods of separation or when separation was a risk. Rosie was brutally assaulted after finally separating from the perpetrator 3 months prior, leading her to be hospitalised with life-changing injuries. In this case, agencies did not act as if separation was a risk factor to Rosie; in fact, they saw it as a protective factor for her and her young baby. There was no evidence that DA safety planning was completed by any agency to protect Rosie from the risk of DA, despite Rosie being seen by professionals on 94 occasions during the relationship, averaging one face to face contact a week. This SIR showed the extent to which post separation abuse can occur and then escalate. You can read the full learning brief [here](#).

Serious Incident Review 7

Despite safety measures being in place, the perpetrator gained access to the property, raped Adult 7 and then attacked her with a hammer resulting in a fractured skull. He also threatened to kill her and prevented her from accessing much needed medical attention for several hours. This incident happened in 2020, but the survivor reported leaving the abusive relationship in 2015 – showing that physical and sexual abuse can persist long after a relationship has ended. You can read the full learning brief [here](#).

Serious Incident Review 12

Adult 12 had multiple complex needs – she had experienced domestic abuse, had mental health difficulties and misused alcohol. All three of her children lived with her ex-husband. Her current relationship at the time of death was the focus of SIR 12, but during this time her ex-husband contacted Children’s Social Care multiple times to inform them of her behaviour. Despite being aware that this ex-husband was known as a perpetrator of domestic abuse to Adult 12, what he reported was taken at face value. Professionals did not explore the possibility that this could have been postseparation abuse.

What must we learn from these Sheffield cases?

The DHR and SIRs show us that post separation abuse can take many forms. Professionals need to explore even the smallest of signs with victims/survivors, identify the harm it’s causing, label it with the victim/survivor, and risk assess appropriately. Validating the victims/survivors experience means you can partner together to create a safety plan.

HOW POST SEPERATION ABUSE CAN IMPACT CHILDREN & THE NON-ABUSING PARENT

The impact on children

The Domestic Abuse Act 2021 recognises children as victims of domestic abuse in their own right. Professionals should recognise the traumatic impact for a child living in a household where one parent is abusing another, as they too will be subjected to the behaviours of the perpetrator. Domestic abuse is a parenting choice – it makes children’s lives frightening and unpredictable, impacts their daily lives and the family’s ability to function as a whole. In [Dr Emma Katz’s research](#), she points out that to maintain coercive control and punish ex-partners post-separation, perpetrators/fathers often manipulate both children and professionals. We must recognise that the abusers' actions are directly harming the child’s world, their experience of life, and what they can and cannot do each day.

Abuse experienced by separated mothers

Formal and informal childcare arrangements can allow abusers to access the victim, providing opportunities for continued abuse. The [Duluth Post-Separation Power and Control Wheel](#) helps to articulate abuse that may be experienced by separated mothers - discrediting her, undermining her as a parent, withholding

financial support and coercing children to ally with him. The Wheel was developed by the [Domestic Abuse Intervention Project](#) in America and can be viewed [here](#).

Parental Conflict

Domestic abuse is distinct from parental conflict. Parental conflict is about how disagreements manifest – their frequency, intensity, how they are resolved and how they can negatively affect children. Domestic abuse is about one partner exerting power and control over another. The Domestic Abuse Commissioner for England and Wales [specifically cautions against an understanding of parental conflict as something that could escalate into domestic abuse](#). To understand abuse in this context risks victim blaming – that somehow the conflict became ‘too much’, and one parent lashes out at another. **Survivors of domestic abuse should not be inappropriately involved in parental conflict interventions.**

Family Courts

In 2020, the Ministry of Justice report [Assessing Risk of Harm to Children and Parents in Private Law Children Cases](#) presented evidence that perpetrators can use family court proceedings as a means of continuing their abuse. The Family Court can promote the idea of ‘co-parenting’ - an expectation that both parents will work together – but this isn’t appropriate for domestic abuse cases. It can ignore, dismiss and systematically minimise domestic abuse and the risk of post separation abuse. Survivors have disclosed many examples of how child contact arrangements provide further avenues for abuse, such as the parents’ ‘communication book’ being used by the abuser to make allegations and send abusive messages. Perpetrators can sometimes claim that the non-abusing parent has alienated them from their children, but this is often part of their pattern of abuse and practitioners need to partner with survivors and listen to children's wishes and feelings.

ENGAGING WITH PERPETRATORS AND HOLDING THEM ACCOUNTABLE

Staff can use every opportunity (within the context of their job role) to engage with perpetrators and hold them to account for their actions. If an individual has a detailed understanding and knowledge of their ex-partner and children's locations and whereabouts, then this is something to be aware of. [Cranstoun](#), an organisation working to challenge and change abusive behaviours have suggested common statements that could be seen as an indication that someone is using abusive behaviours to control:

- Directly to the non-abusive parent: *“You’re a crap parent that lets them get away with anything.”*
- Assuming responsibility for parenting and discipline: *“I have to tell them no all the time because you won’t.”*
- Directly to the child: *“Don’t listen to your mother, she doesn’t know what she’s on about.”*
- Persuading the child to keep secrets: *“This is just between us, it’s your special treat that no one needs to know about.”*

Keep perpetrators visible in your work and documentation and continue to gather evidence of patterns of behaviour to support the victim/survivor and/or child. **Consider making a referral to Inspire to Change if you are working with a perpetrator who is abusing post separation.** [Inspire to Change](#) (provided by [Cranstoun](#)) is a support service for perpetrators in Sheffield which provides an assessment, allocates a one-to-one support worker and the programme combines learning and support tailored to an individual’s need. It is free for those who are motivated to make a change in their behaviour and work to improve their relationships. You can refer to Inspire to Change online or email CITC@cranstoun.org.uk.

- 1. Use the Duluth Post Separation wheel in your practice with survivors to help identify and point out behaviours being experienced by them.** Doing this, helps a victim/survivor to have a greater understanding of the tactics the abuser is using to continue their abuse. Ensure you / the police are looking for coercive control and economic abuse given these are now criminal offences.
- 2. Use a trauma informed approach, create a [safety plan](#) and be professionally curious.** Trauma can be displayed via many emotions. Survivors will need tools and confidence to build a free and independent life away from the control of the perpetrator. Help the survivor to seek support for their individual needs according to the professional role that you are playing in their journey. Create a safety plan and [offer a referral into the domestic abuse support service IDAS](#). You could contact the helpline - 0808 808 2241 - while they are with you. If the survivor declines support, try to unpick this and offer again, and give them the IDAS helpline telephone number to call.
- 3. Help the non-abusing parent to navigate complex post separation legal processes. Organisations have produced helpful guides that can be accessed on the internet. For example:**
 - [Rights of Women](#) is a charity that provides free confidential legal advice and information to women on the law in England and Wales. They have guides on when parents separate, the Family Court Process, Domestic violence and practice protection, child maintenance and many others. [You can access them here.](#)
 - IDAS is the largest specialist charity in Yorkshire supporting people affected by domestic abuse and sexual violence. They have created a website to help people understand how the Family Court works and what can be done to keep people and their children safe. [You can access the website here.](#)
- 4. Carefully consider the impact on any children.**

Some parents may want their children to have a relationship with the abuser or child contact may be mandated by the Family Court. This doesn't mean people should continue to experience abuse. As a professional think about - is the contact with the child being used to further abuse? What support, if any, has been provided to assist in facilitating safe child contact between the perpetrator and their child, and to manage risks of post separation abuse? Post separation abuse is domestic abuse and therefore presents a risk to children. Any concerns about children and safeguarding should be raised in line with your agencies appropriate process.
- 5. Complete the DASH risk assessment with the victim/survivor and refer to MARAC where the risk to the victim/survivor is high.** Training on completing a DASH risk assessment [is free and available to all Sheffield workers.](#)
- 6. Consider your duties under the Care Act 2014 and make a safeguarding adult's referral if needed.** Further guidance from Sheffield Adult Safeguarding Partnership can be found [here](#).

If you need professional domestic abuse support and advice contact Sheffield Domestic Abuse Helpline 0808 808 2241 www.idas.org.uk

MARAC CASES WHERE POST SEPARATION ABUSE IS HAPPENING

Where cases are referred to MARAC with post separation abuse professionals should:

- Ensure the victim/survivor has safety planning in place bespoke to their circumstances
- Ensure the victim/survivor has been made aware of all support options including safe accommodation, and legal orders if necessary
- Continue to risk assess the situation in relation to signs of escalation
- Work in a multiagency way before and after MARAC e.g. use professionals' meetings
- Be careful not to victim blame and use respectful challenge where this is evident
- Ensure risks to children are fully considered

MORE INFORMATION

To learn more about Post separation abuse and the law, you can read more on the [Surviving Economic Abuse website](#).

Attend a training session on domestic abuse by IDAS. Go to <https://courses.idas.org.uk/> for dates or enquire about a group session for your team.

To find out more about the links between domestic homicide and separation please find out more about Jane Monckton-Smith's Domestic Homicide Timeline. You can find out more [here](#).

[DAC Family-Court-Report- 2023 Digital.pdf \(domesticabusecommissioner.uk\)](#)