Domestic Abuse and Money Education:

Guidance for Professionals Supporting Survivors with Financial Issues







Funded by:



Domestic Abuse and Money Education: Guidance for Professionals Supporting Survivors with Financial Issues is published jointly by Women's Aid Federation of England (Women's Aid) and money advice plus services (MAPS)

© Women's Aid Federation of England 2012.

ISBN: 978 9078 17 57 4

Women's Aid is the national charity working to end violence against women.

PO Box 391, Bristol, BS99 7WS Telephone: 0117 944 4411 Email: info@womensaid.org.uk

Websites: www.womensaid.org.uk www.thehideout.org.uk

0808 2000 247: National Domestic Violence Helpline (run in partnership between Women's Aid and Refuge)

Women's Aid Federation of England is a registered charity and company limited by guarantee. Registered Charity No: 1054154; Company No: 3171880

money advice plus services is a registered charity based in Eastbourne, Sussex providing money and debt advice by phone nationwide.

2nd Floor, 182-184 Terminus Road, Eastbourne, East Sussex, BN21 3BB

Telephone: 01323 635999

Email: info@moneyadviceplus.com Website: www.moneyadviceplus.com

money advice plus services is a registered charity and company limited by guarantee.

Registered Charity No: 1059127; Company No: 3258421

Author: Dr Jackie Barron, Women's Aid

Contributions to content from:

Sue Pattendon, MAPS – Chapters 5 and 6 Ruth Tweedale, Rights of Women – Chapters 7 and 8 Edward Graham, Child Poverty Action Group – Chapter 9

Editor: Nicki Norman, Women's Aid

Design: Lamb Design

Domestic Abuse and Money Education:Guidance for Professionals Supporting
Survivors with Financial Issues

Contents

Foreword and acknowledgements	07	4.5 Summary	30
Chapter I: Introduction to the DAME Guidance	е		
I.I. How this Guidance came about I.2. The aims of the DAME Guidance I.3. Who is this Guidance is for? I.4. How to use the DAME Guidance I.5. When, and where to go for additional help I.6. Summary	08 08 09 10 10	Chapter 5: Budgeting and money management 5.1. Introduction 5.2. Preparing the way to develop a budget 5.3. Calculating the budget 5.4. What should be included in the budget? 5.5. Money management 5.6. Potential underlying problems	31 32 33 34 35
Don't Is Domostic Abuse and Manay		5.7. Banking arrangements	35
Part I: Domestic Abuse and Money Education: Developing effective respo	5.8. Using existing bank accounts	36	
	11303	5.9. Setting up a new bank account	36
Chapter 2: Domestic abuse and financial abuse: An overview		5.10. Summary	38
2.1. Introduction	15	Chapter 6: Dealing with debts	
2.2. What is domestic abuse	15	6.1. Introduction	40
2.3. The impact of domestic abuse	16	6.2. Assessing the need for support	40
2.4. The relationship between domestic abuse	.0	6.3. Priority and non priority debts	41
and financial issues	18	6.4. Liability for debts	43
2.5. What is financial abuse?	19	6.5. Documentation	43
2.6. The long term impact of abuse on		6.6. Options for dealing with debt	44
financial well-being	20	6.7. Strategies for debt repayment	44
2.7. Additional considerations for some groups		6.8. Options for debt relief	48
of survivors	21	6.9. When action is taken by creditors	49
2.8. Summary	22	6.10.Time limits on enforcement of debt 6.11. Summary	50 51
Chapter 3: Supporting survivors with financial is	ssues:	,	
The approach		Part 2: Domestic Abuse and Money	
3.1. Introduction	23	Education: Resources and information	to
3.2. Safety issues	23	support effective practice	
3.3. Taking a non-judgmental approach	24		
3.4. Understanding the kinds of finance issues		Chapter 7: Financial arrangements on	
that the survivor will need support with	26	relationship breakdown 7.1. Introduction	55
3.5. Summary	27		33
		A: Financial relief on marriage	
Chapter 4: Supporting survivors with financial i	7.2. Financial relief on marriage breakdown –		
Practical considerations	20	introduction to the issues	55
4.1. Introduction	28	7.3. What orders can the court make?	56
4.2. Planning to leave: important	20	7.4. Matrimonial home rights	56
considerations and risks	28	7.5. Maintenance	56
4.3. Finding somewhere to stay 4.4. After the abuse: financial issues	29	7.6. How does the court decide how to divide	[7
	20	matrimonial property?	57
involved in starting again	29	7.7. Behaviour and domestic violence	57

7.8. The pre-court process	57	Chapter 9: State welfare benefits and tax credits	
7.9. Application to court	58	9.1. Introduction	69
7.10. Dissolving Civil Partnerships	58	9.2. An overview of the state benefits system	69
B. Parties who are not married or in a		9.3. Claiming benefits	69
Civil Partnership		9.4. What welfare benefits are currently available	70
7.11. Division of property on relationship breakdow	Mη	9.5.Tax Credits	74
where parties are not married	58	9.6. Appealing a decision	75
7.12. Owning a property in joint names	58	9.7. Getting help and advice	76
7.13. Property in the sole name of one of	30	9.8. Proposed changes under the	
the partners	59	Welfare Reform Bill 2011-12	76
·	J ,	9.9. Summary	78
C. Financial support for children	4.0		
7.14. Child maintenance	60	Chapter 10: Housing issues	
7.15. Seeking maintenance through	4.0	10.1.Introduction	79
Schedule I of the Children Act	60	10.2. Making the decision to leave or	
D. Legal Aid		stay in the home	79
7.16. Eligibility for legal aid: the current situation	61	10.3. Homelessness and associated rights	80
7.17. Legal aid for domestic violence injunctions	61	10.4. Housing and Council Tax benefits	81
7.18.The statutory charge	62	10.5. Claiming double rents	82
7.19. The proposals for reform of legal aid charge	62	10.6. Future re-housing	82
E. Family mediation information and assessment		10.7. Summary	83
meetings and mediation			
7.20. Mediation	62	Chapter 11: Supporting survivors with no recou	rse
7.21. Summary	63	to public funds	
7,21, 331111141 /	05	II.I.Introduction	84
Chapter 8: Using the law for protection and mak	11.2. Who is affected by this?	84	
safe arrangements for children	0	11.3. Concessions for women experiencing	
8.1. Introduction	64	domestic violence	85
8.2. Domestic violence injunctions	64	11.4. Asylum seekers	86
8.3. Non-molestation orders	65	11.5. Other reasons for insecure immigration	
8.4. Occupation orders	65	status and no recourse	87
8.5. Restraining orders under PHA 1997	66	11.6. Organisations giving specialist advice	88
8.6. Making arrangements for children: residence		11.7. Summary	88
and contact	66		
8.7. Contact orders	66	Chapter 12: Other sources of support	
8.8. Residence orders	67	and information	89
8.9. Who can apply for contact and residence?	67		
8.10. Factors the court considers when deciding		Bibliography	96
contact and residence	67		
8.11. Domestic violence and contact	68		
8.12. Child abduction	68		
8.13. Summary	68		

Foreword

The Nationwide Foundation is committed to funding work which addresses financially excluded groups in the UK. Financial exclusion is often a feature of domestic abuse and so we are very pleased to have supported the Domestic Abuse and Money Education (DAME) project and the development of this Guidance.

We hope that this Guidance will lead to support and advice for survivors of domestic abuse that better addresses their specific needs, enabling more to successfully move on from an abusive relationship.

Lisa Suchet

Chief Executive
The Nationwide Foundation
(registered charity no. 1065552)

Acknowledgements

Women's Aid and MAPS would like to thank the following for their contribution to the development of this Guidance:

- The survivors who have used the DAME service and given their time to provide valuable feedback on the service;
- The DAME advisors, Jo Downing and Jeanette Hope for sharing their developing knowledge and expertise;
- Women's Aid staff for their input to the production of this Guidance;
- The Nationwide Foundation for the generous funding of the DAME project and support with its delivery.