

Divorce awareness week 24-28 July 2023



# DIVORCE AWARENESS

Married overseas or to a  
foreigner? Divorce a missing  
spouse. Divorcing a narcissist.  
Avoid abuse after divorce.



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# DIVORCE AWARENESS

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Introduction

# Webinar overview



- Married overseas or to a foreigner?
- I want to divorce my missing spouse.
- Divorcing a narcissist – tips on how to deal with an ex who is a narcissist. (disclaimer)
- Avoid being abused by your ex after divorce.
  - Effects of emotional abuse
  - Effects of economic abuse



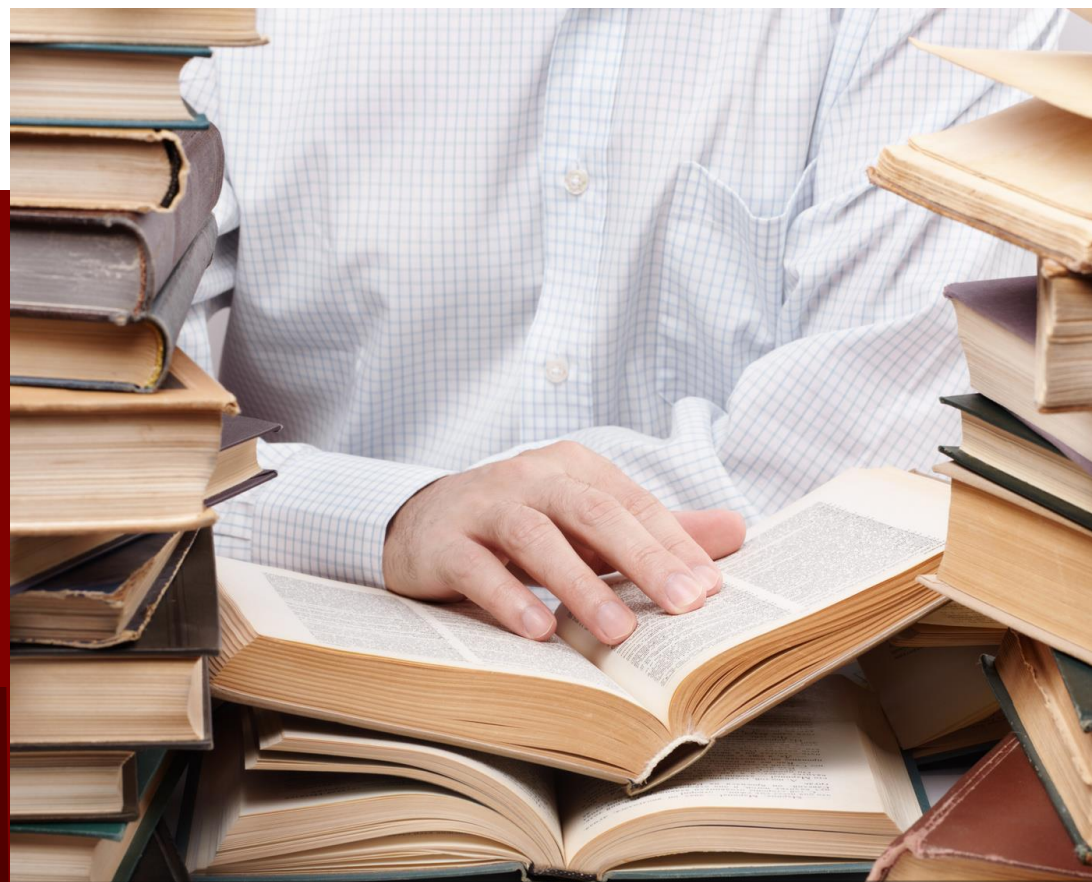
What to expect

# Structure of our Lunch and Learn webinars

Pre-reading  
material

Webinar

Resources &  
Templates



Divorce awareness week 24 – 28 July 2023

Certain aspects of divorce explained

## International divorces

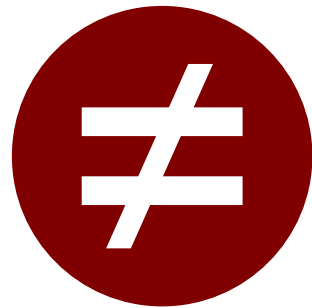


**Foreign or international divorce happens when at least one spouse is a foreign national of another country.**

- married a foreign national and they have now left South Africa, you can still institute divorce proceedings in SA
- you have left the SA but your spouse is still resident here, you can also file for divorce through the SA courts
  - one of the parties is domiciled in South Africa
- foreigners (people who are not South African citizens) and who have been living in South Africa for more than a year, may divorce through the South African courts

Certain aspects of divorce explained

# Married overseas or to a foreigner? You can divorce in South Africa



**SA law (many other countries) states that the “patrimonial consequences” of a marriage governed by the domicile of the husband = that is the laws of the place where the husband was domiciled when the marriage was concluded**

**EXAMPLE**

If for example the husband was domiciled in England at the time of the marriage and no Antenuptial contract was entered into in South Africa, the marriage will be in terms of English law. Thus in a contested divorce where the husband was domiciled in England at the time of the marriage, a SA court is obliged to apply English law in respect of the patrimonial consequences of the divorce, i.e the division of the estate. Maintenance however and the aspects surrounding the children, like maintenance, care and contact will be dealt with in terms of South African law.

Certain aspects of divorce explained

# I want to divorce my missing spouse



**D** | SIMON  
DIPPENAAR  
& ASSOCIATES  
Attorneys, Notaries and Conveyancers

Certain aspects of divorce explained

# I want to divorce my missing spouse



- find the defendant's last known address (you will have to tell the court how, when and from whom you obtained it)



- check at that address – if the people living there have no information about the defendant's whereabouts, ask the neighbours



- ask every relative, friend, former employer, and any other person you think might know where the defendant is (you will have to submit a written summary of your efforts in your affidavit to the court, listing the names, dates and results of your enquiries)



- search for the defendant online, using search engines such as Google and social networking sites such as Facebook and Twitter



- appoint a tracing agent, if all other avenues are exhausted.

Certain aspects of divorce explained

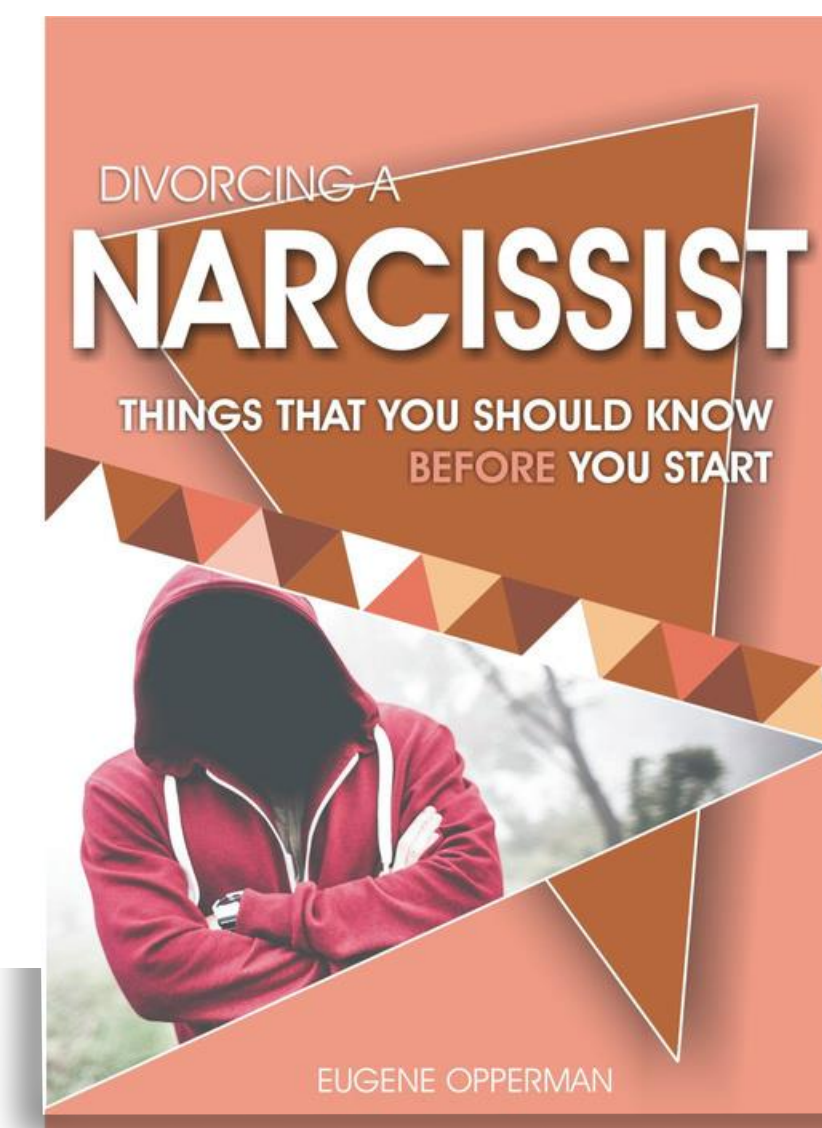
# Divorcing a narcissist – tips on how to deal with an ex who is a narcissist



**According to the DSM-5, NPD is characterized by:**

- **Grandiose behaviors:** Grandiosity refers to having an unrealistic and pervasive sense of superiority. People with NPD often believe they are special and entitled to certain privileges
- **Lack of or limited empathy:** People with NPD often struggle to connect emotionally to others. They may find other emotions burdensome.
- **Obsessive need for admiration:** NPD coincides with a strong need for external validation. Someone with NPD may seek continuous reinforcement via other people, professional achievements, or other forms of narcissistic supply

Using the label "narcissist"



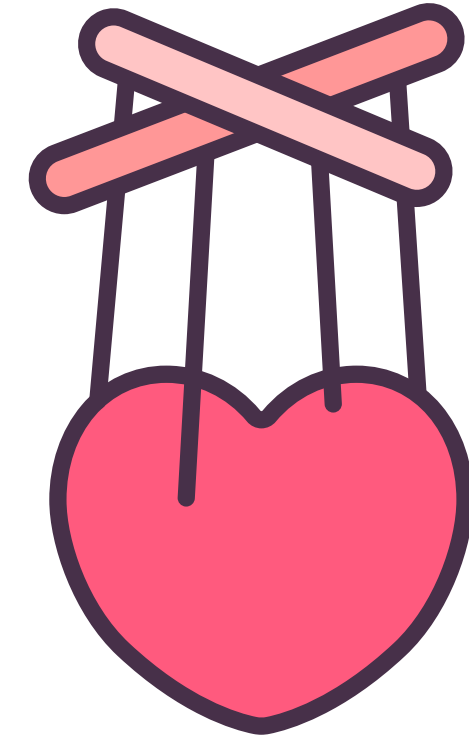
Certain aspects of divorce explained

# Divorcing a narcissist – tips on how to deal with an ex who is a narcissist



## Typical narcissistic behaviour during divorce:

- ★ Your spouse may love-bomb You
- ★ They will try to delay divorce proceedings
- ★ They may play the victim
- ★ They will blame you for the reason for divorce
- ★ They may refuse to compromise on any issues related to the divorce, such as child custody arrangements or division of assets
- ★ They will try to game the system (manipulation)
- ★ They will attempt to control every aspect of the proceedings
- ★ They may not show remorse for your feelings
- ★ They won't quit



Certain aspects of divorce explained

# Divorcing a narcissist – tips on how to deal with an ex who is a narcissist



Organize your plans before doing anything (Do not alert the narcissist of your plans)

Secure a strong and successful lawyer

Keep copies of everything

Set and implement healthy boundaries (review digital boundaries)

Aim to stay calm & cool  
Stay connected to support

Keep prioritizing self-care

Avoid badmouthing

Accept the reality of your situation

Certain aspects of divorce explained

# Divorcing a narcissist – tips on how to deal with an ex who is a narcissist



Gaslighting is a manipulation tactic commonly used by narcissists to gain power and make others question their own reality. **Stephanie Sarkis, Ph.D.** says that gaslighters often follow these tactics to wear their targets down over a period time:

- tell blatant lies
- deny they ever said or did something, even if you have proof
  - use what is near and dear to you as ammunition
  - their actions don't match their words
- after a bad act, they compliment you or use positive reinforcement—a calculated attempt to keep you off-kilter and cause you to think they aren't that bad after all
  - project their own actions or thinking onto you
- align people against you and tell you that people close to you believe you're crazy—this tactic
  - makes you feel like you don't know who to trust or turn to
    - tell you or others that you're crazy, and
  - tell you that everyone else (your friends, family, the media) is a liar.

Certain aspects of divorce explained

# Divorcing a narcissist – tips on how to deal with an ex who is a narcissist



A narcissist wants you to react. ***"If you don't take offense, you can't give any defense – and narcissists love it when you go into a defensive mode,"*** You avoid this, again, by making benign statements with phrases such as:

'I see your point.'

'You've given me a lot to think about.'

"I don't have to explain myself to you."

**"I can't control how you feel about me."**

'Your perspective is interesting.'

'I can see where you're coming from.'

'You have a unique perspective.'

All of the above phrases don't mean you agree with a narcissist; it's just benign phrases they can't argue with easily. And if all else fails and they end up being really cruel to you, you can stop them in their tracks by saying, 'I expected you to say that.'"

Certain aspects of divorce explained

# Divorcing a narcissist – tips on how to deal with an ex who is a narcissist



## A Few Final Notes on Dealing With a Narcissist



A narcissist isn't going to accept blame or culpability for creating tension. That's just not the way they're wired. Their ego won't allow it. So, the end goal here **shouldn't be to get them to apologize or admit blame; it should be to diffuse the situation at hand.**



A narcissist is going to do everything they can to **bait you into arguing with them** – not so you can see each other's perspectives, but so they can try to manipulate you into agreeing with theirs. As hard as it can be, try not to let them suck you into talking in circles with them.



A narcissist may **fly into a narcissistic rage** from the slightest provocation if their ego gets bruised. **Inward signs** of narcissistic rage include passive aggression, resentment, entitlement, and biting sarcasm. **Outward signs** may include screaming, personal attacks, blame-shifting, and other cruel and harmful behavior such as physical abuse.

Certain aspects of divorce explained

# Avoid being abused by your ex after divorce



## What is ALSO abuse:



(Domestic Violence Amendment Act 14/2021)

Certain aspects of divorce explained

# Avoid being abused by your ex after divorce

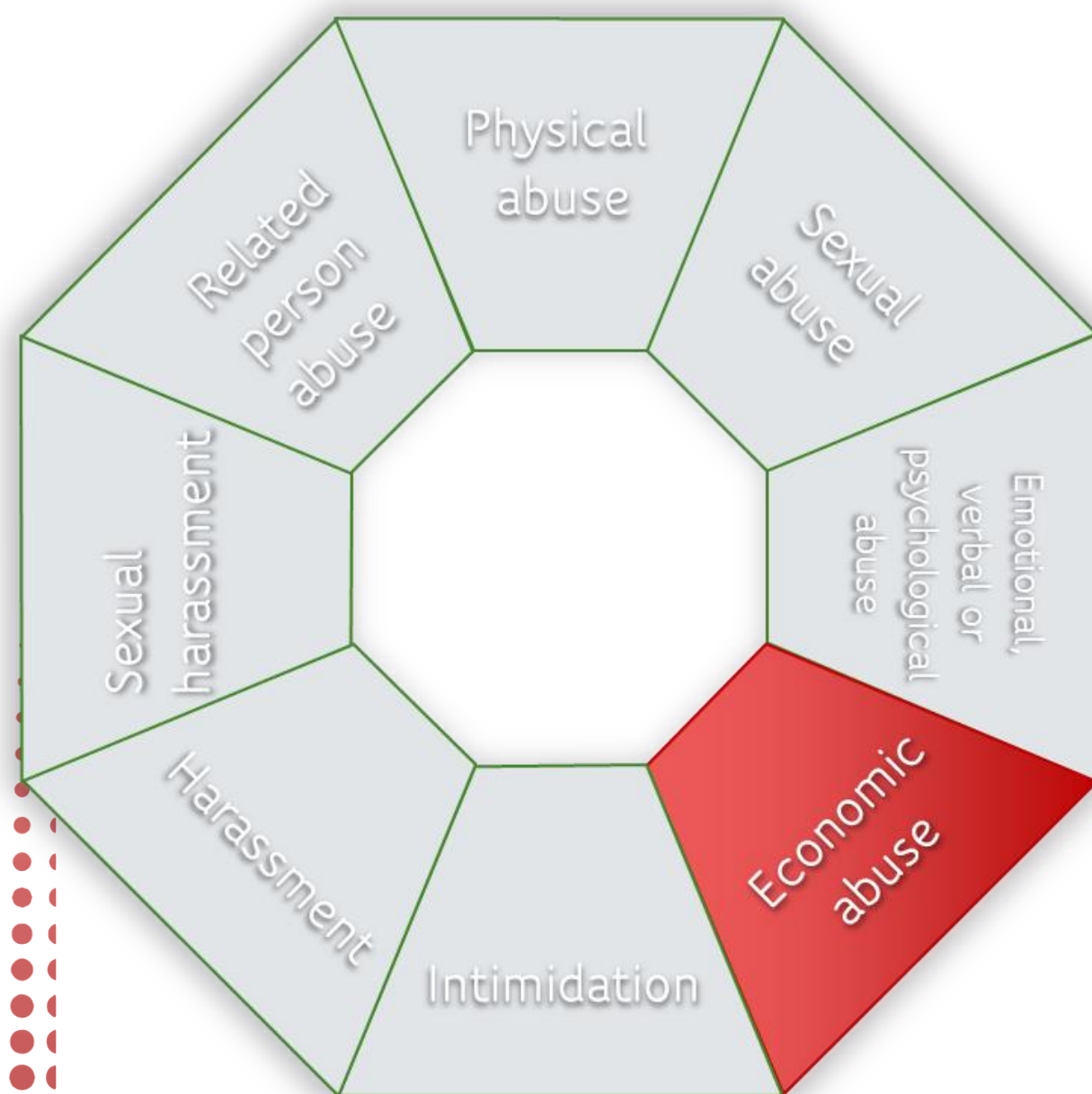


Domestic  
Violence  
defined



Certain aspects of divorce explained

# Avoid being abused by your ex after divorce



## Economic abuse =

(b) Disposal of household goods / property

**without permission**

(c) Use of financial resources of complainant without permission

(d) **Coercing the complainant to:**

**(i) give over control over assets of income, or**

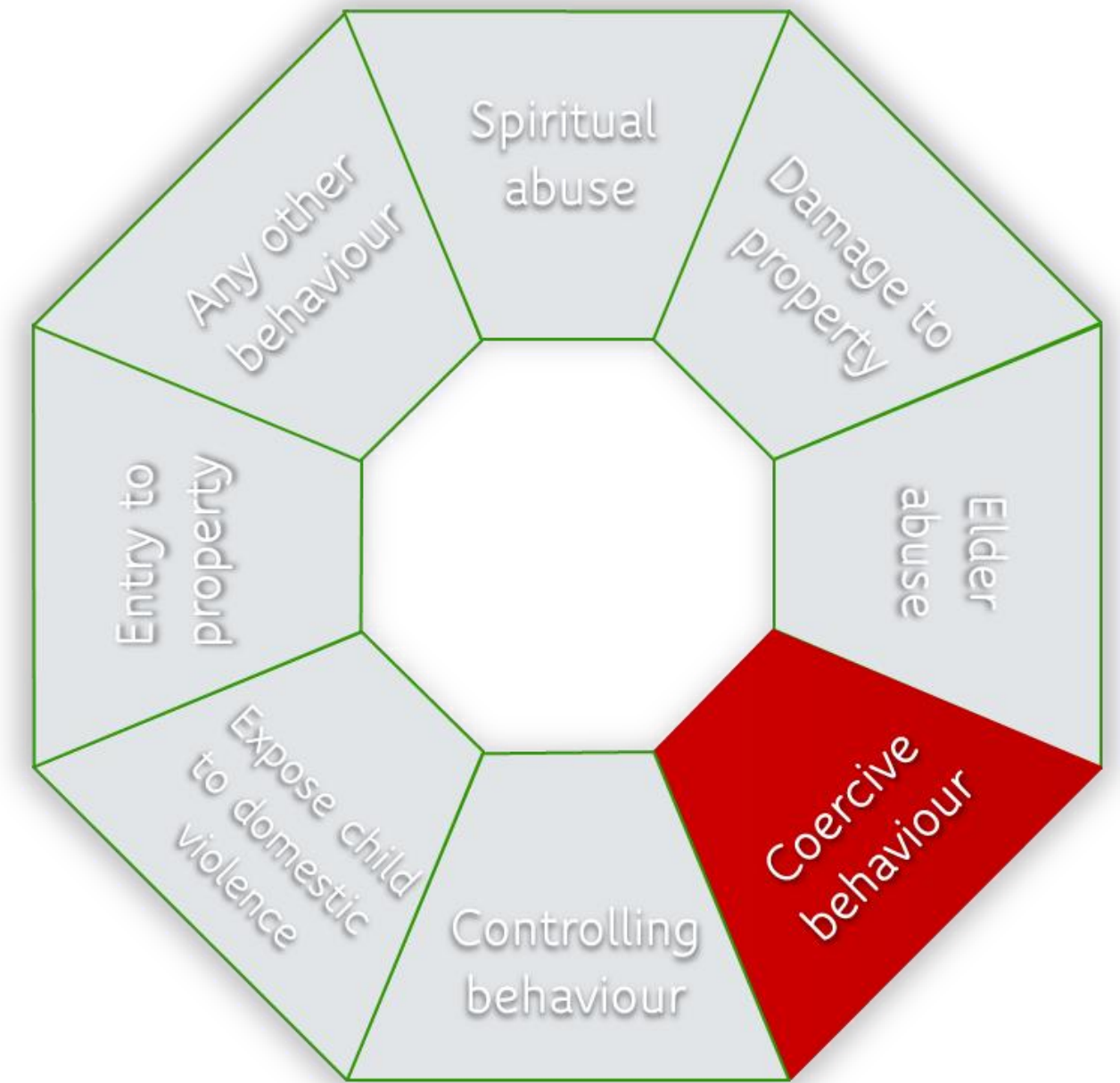
**(ii) sign a legal document that gives someone control over the affairs of the complainant**

Certain aspects of divorce explained

# Avoid being abused by your ex after divorce



**‘coercive behaviour’** means to compel or force a complainant to abstain from doing anything that they have a lawful right to do, or to do anything that they have a lawful right to abstain from doing;



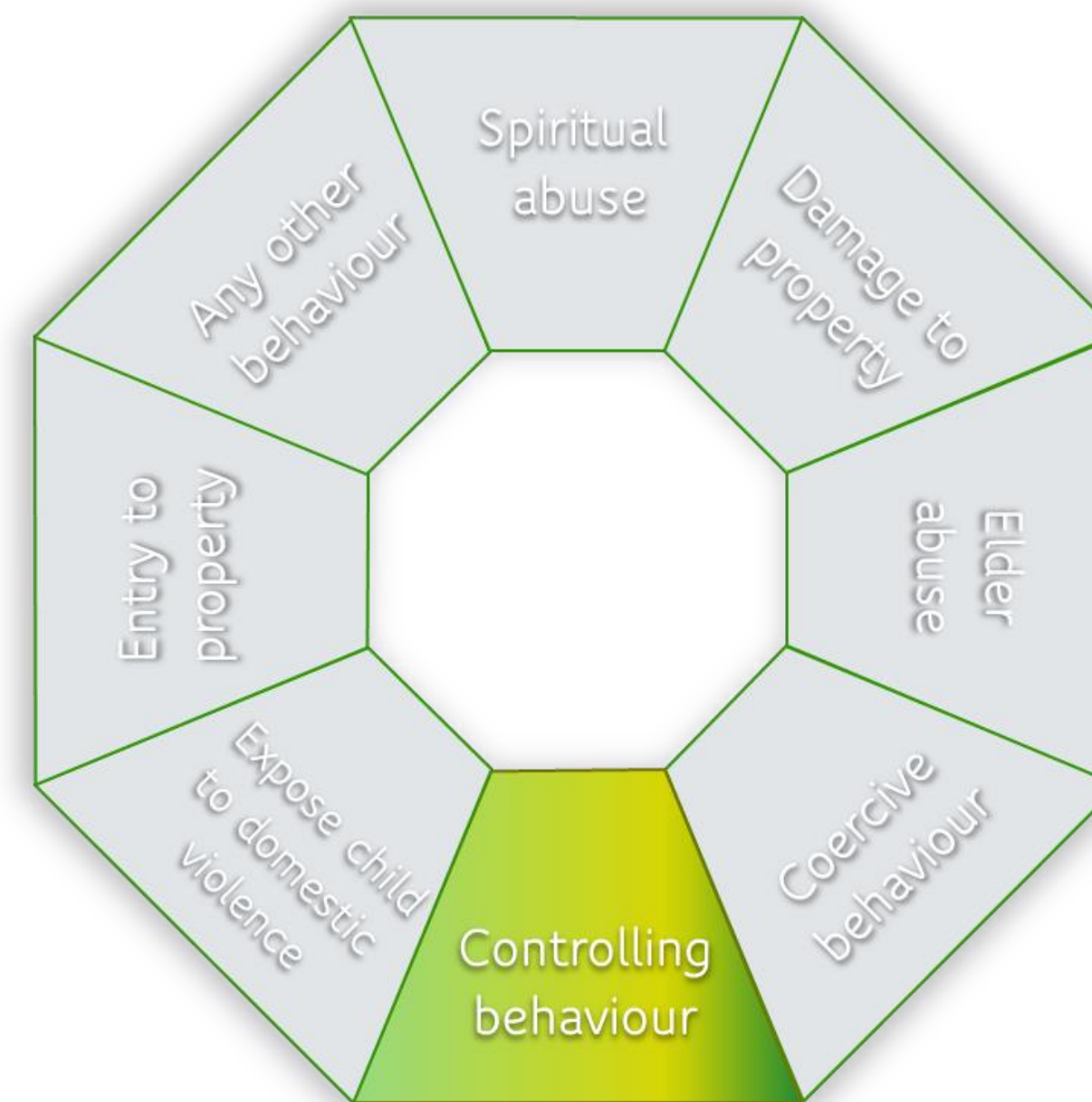
Certain aspects of divorce explained

# Avoid being abused by your ex after divorce



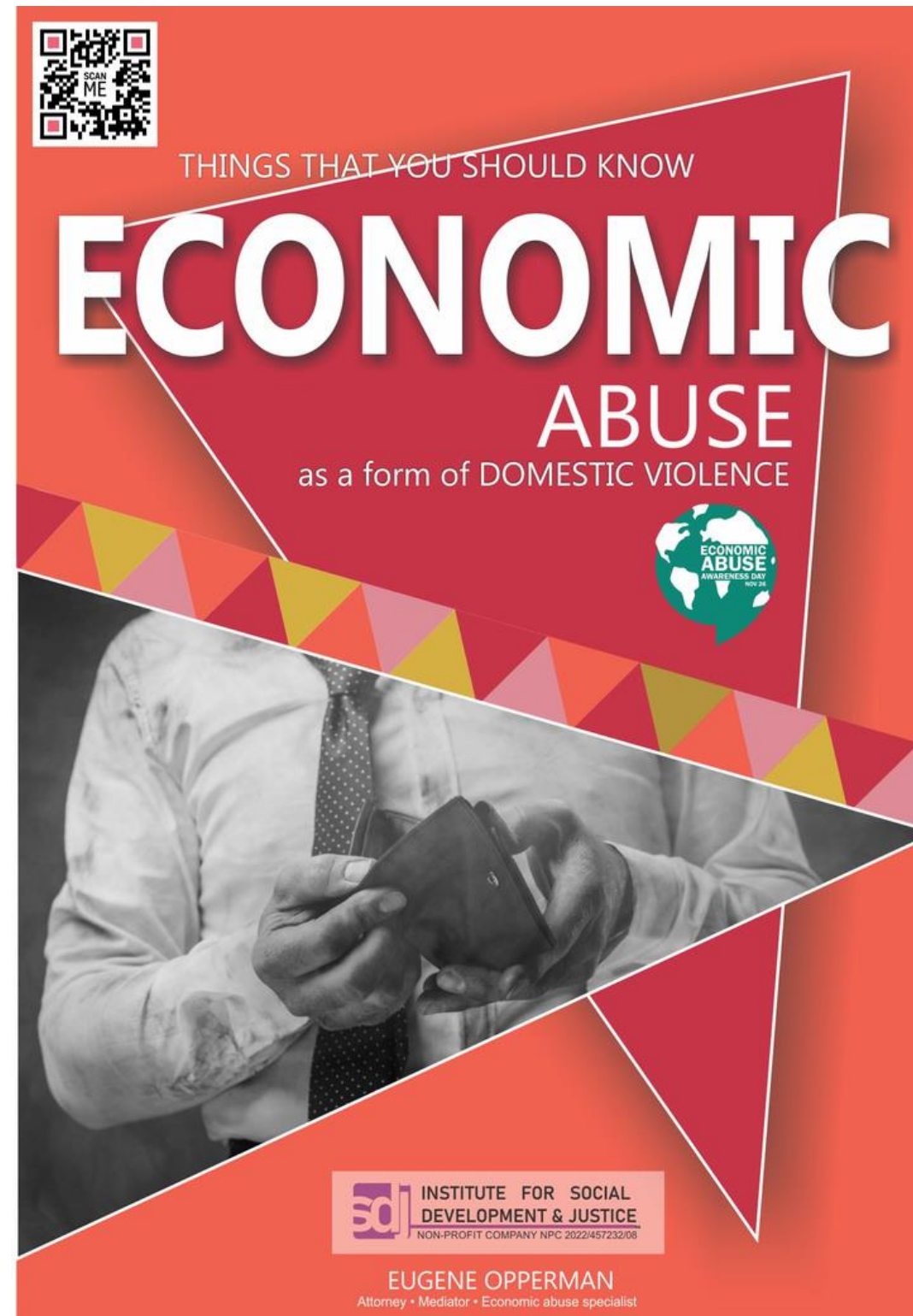
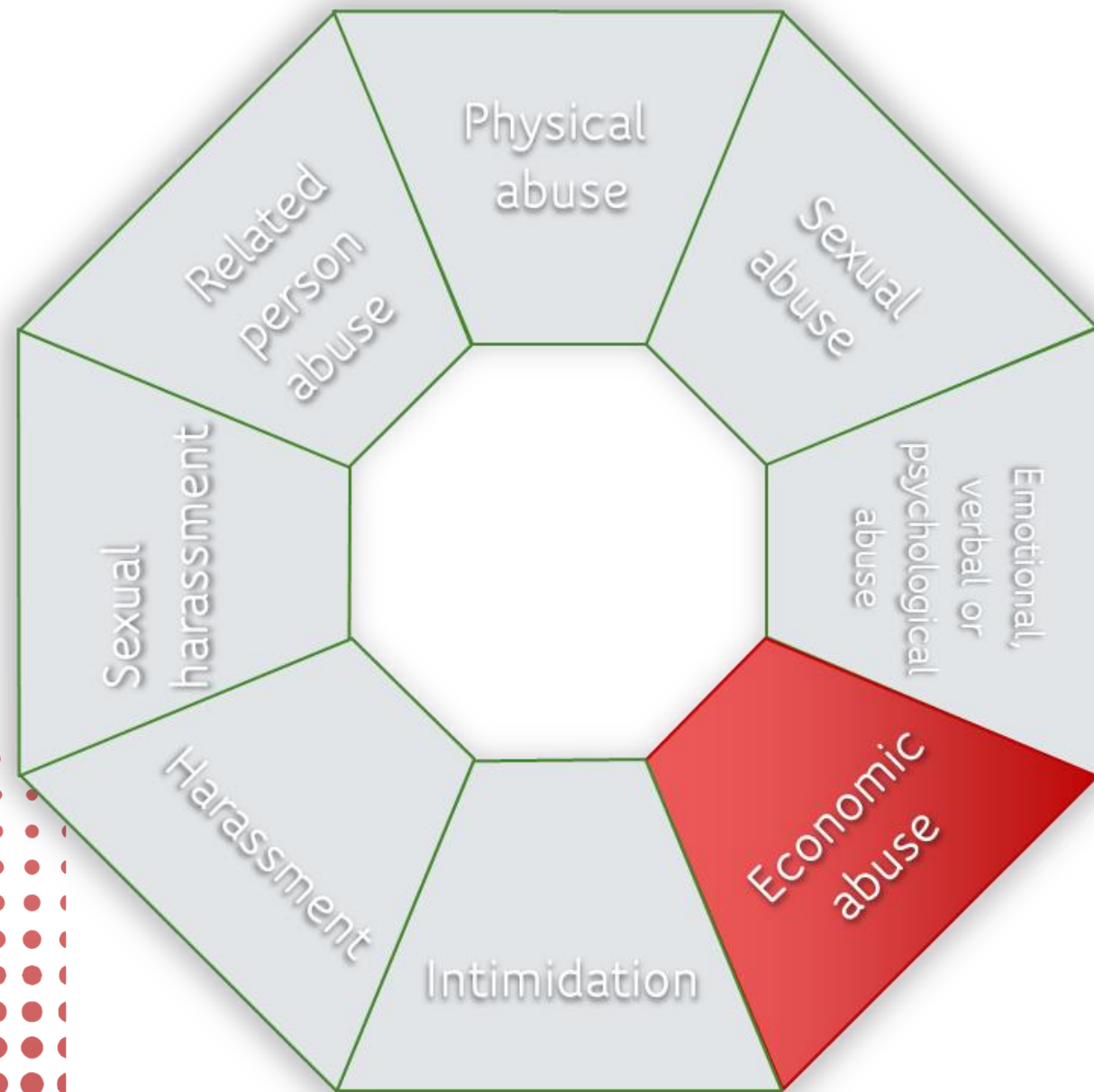
‘**controlling behaviour**’ means behaviour towards a complainant that has the effect of making the complainant **dependent on**, or **subservient** to, the respondent and includes—

- (a) **isolating** them from sources of support;
- (b) **exploiting** their resources or capacities for personal gain;
- (c) **depriving** them of the means needed for independence, resistance or escape; or
- (d) **regulating** their everyday behaviour;



Certain aspects of divorce explained

# Avoid being abused by your ex after divorce

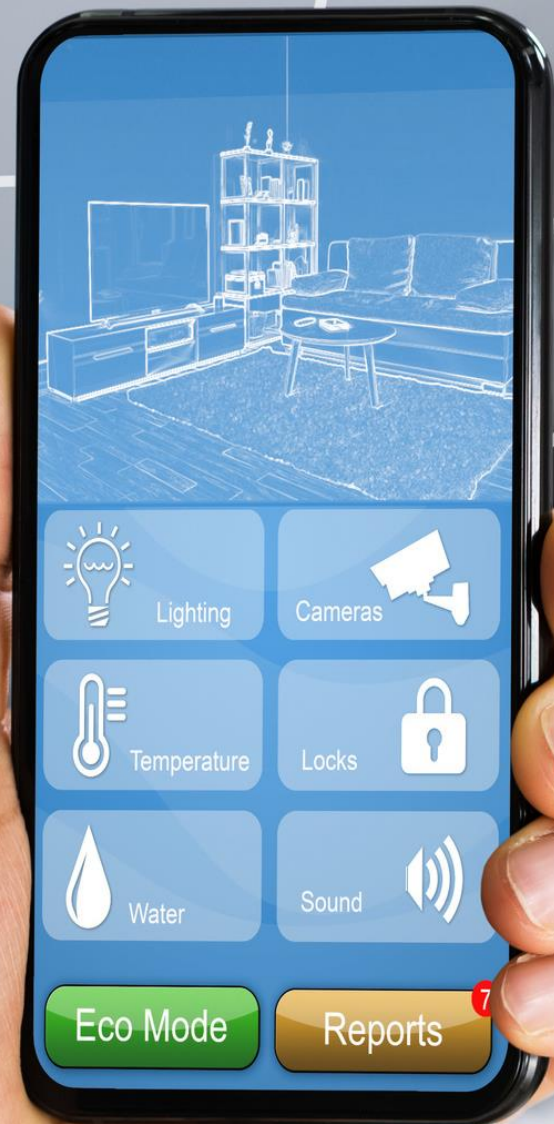


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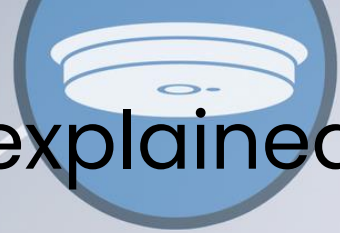


Certain aspects of divorce explained

# Avoid being abused by your ex after divorce

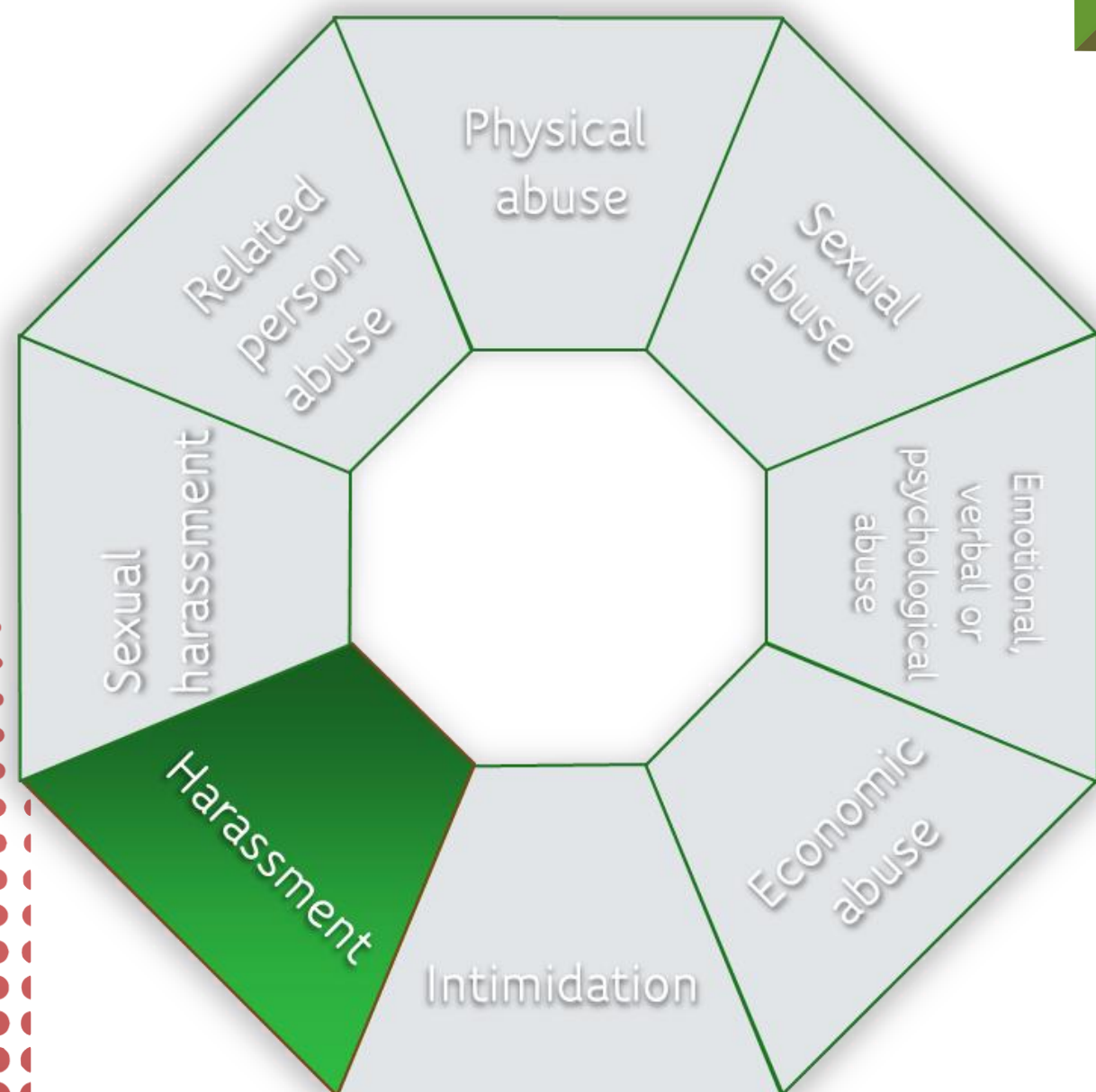


Technology abuse / technology facilitated abuse is a form of **controlling behaviour** that involves the use of technology as a means to coerce, stalk, harass or control another person.



Certain aspects of divorce explained

# Avoid being abused by your ex after divorce



(c) the **repeated** sending or delivering of packages, communications given to or brought to the attention of the complainant;

(d) the **unauthorised access** to a complainant's communication or **electronic communication**;

(e) **the monitoring or tracking of the complainant's movements, activities without consent, including, for example, by using technology**;

(f) to **enter** any part of the **joint residence** that is **exclusively used** by the complainant or other property of the complainant, without permission;

(g) to **unreasonably interfere** with any property that is exclusively used by or in the possession of the complainant;

Certain aspects of divorce explained

# Avoid being abused by your ex after divorce



- Smartphones
- PC's
- Laptops
- Tablets
- Phones
- Home automation
- Apps, location tracking
- **Online abuse**



Certain aspects of divorce explained

# Avoid being abused by your ex after divorce



## Emotional abuse

- Cyberstalking
- Hijacking of your profiles
- Impersonation
- Monitoring your everyday whereabouts
- Recordings

## Sexual abuse

- Exploitation
- Image based sexual abuse ("revenge porn")
- Made to watch porn
- Made to have sex on camera, live stream etc.

Certain aspects of divorce explained

# Avoid being abused by your ex after divorce



## Economic abuse

- Locking out of bank accounts
- Banking apps
- Using your account to order items
- Apps used to track spending

## Coercive & controlling

- Manipulation
- Controlling everyday behaviour
- Gaslighting
- Spying on, monitoring or cyberstalking

Certain aspects of divorce explained

# Stages of abuse affected by technology



## Physical control

**Living with an abuser that physically controls and monitors technology use**

Survivor uses privacy & security practices to hide technology use, but due to circumstances has limited online privacy from the abuser

## Escape

**Trying to leave the abuser**

Survivor uses privacy & security practices to:

Hide digital escape plans & activities under physical control

Sever digital ties with abuser apart from physical control

## Life Apart

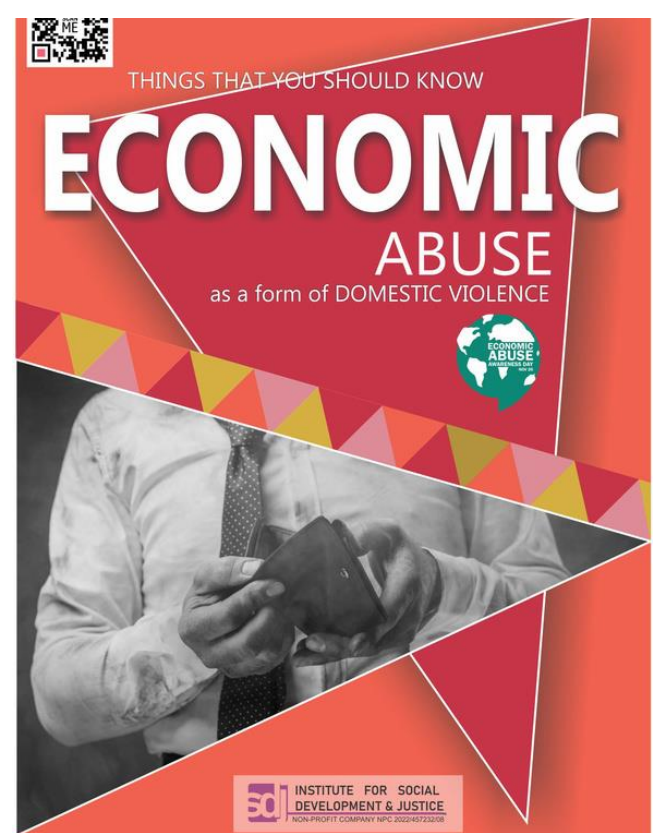
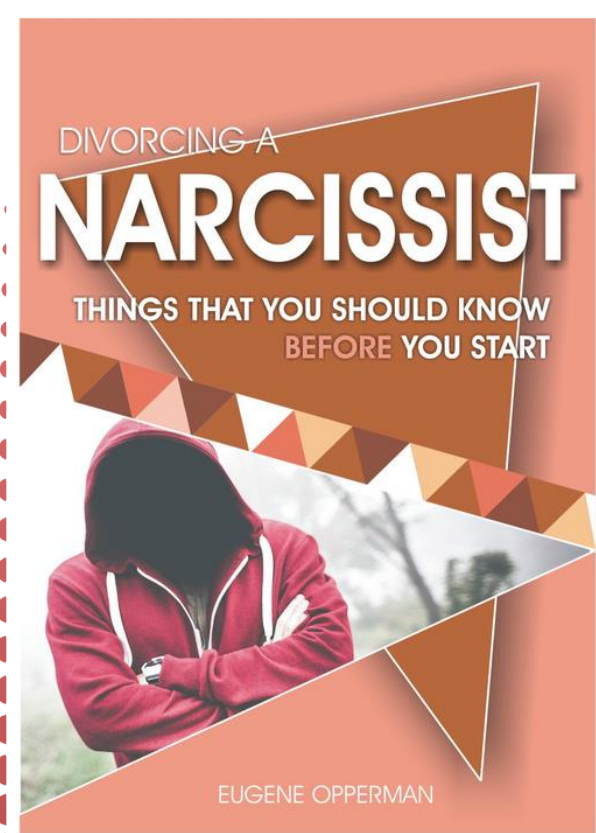
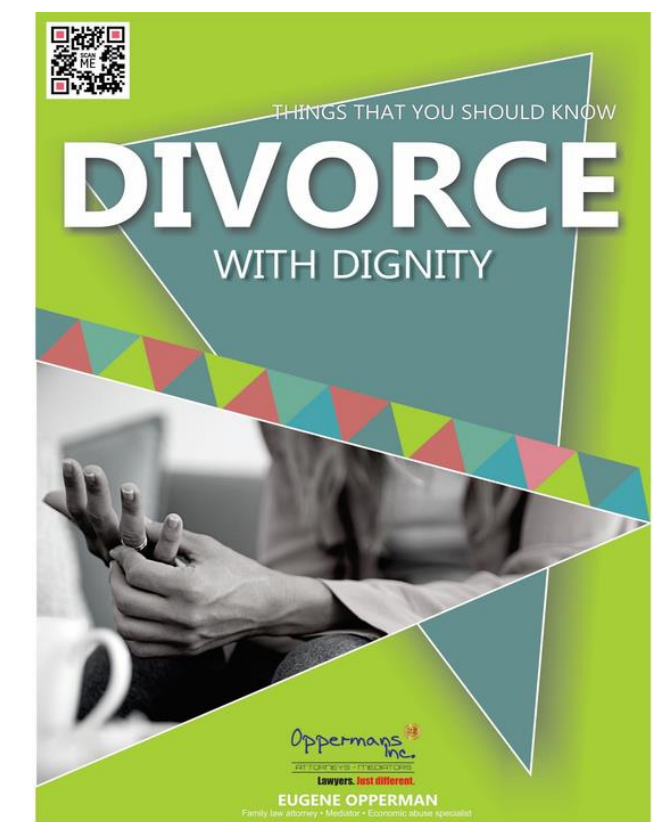
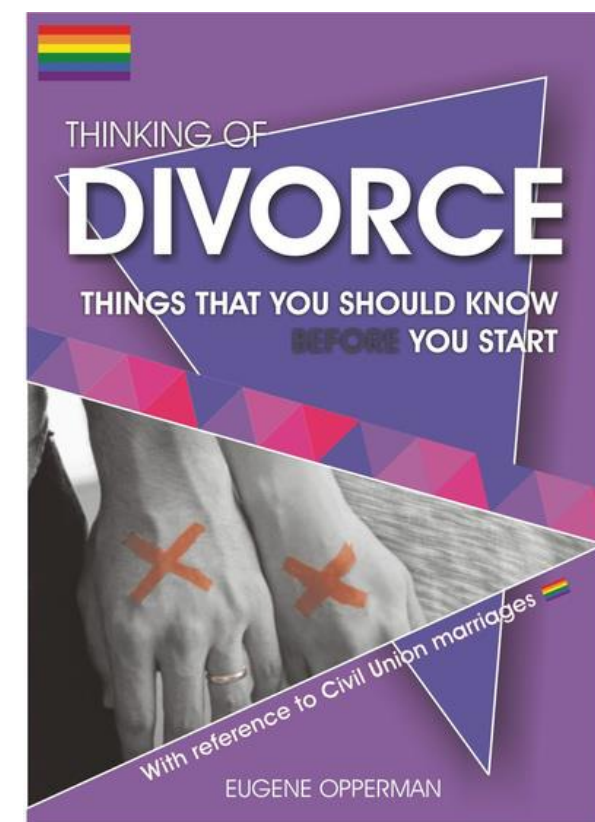
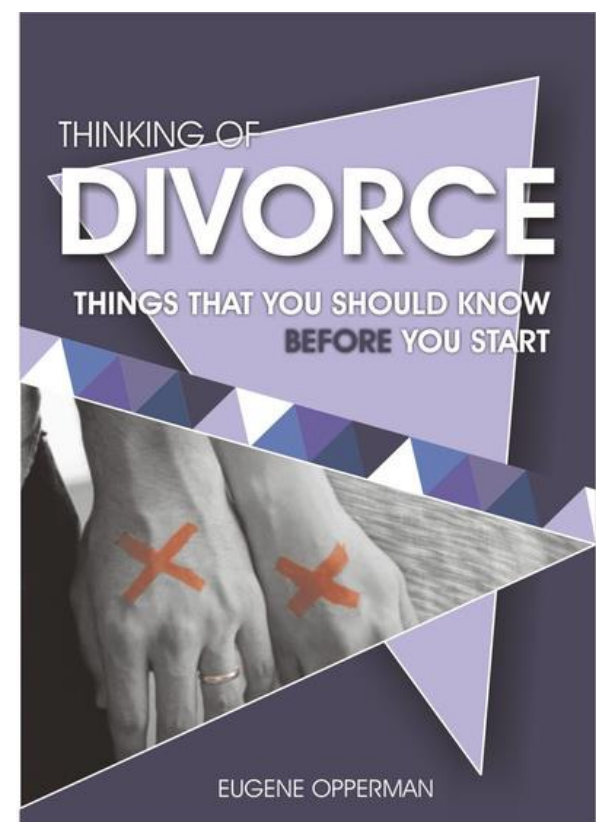
**Building & maintaining new life apart from abuser online & offline**

Survivor seeks to hide contact info & location in part by using privacy & security practices

**Acute risk**

Certain aspects of divorce explained

# Free downloadable ebooks



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Thanks to our host & co-presenter(s):

Eugene Opperman (Director, attorney & mediator from Oppermans Inc Attorneys)

Erin O'Neale (Candidate attorney from Oppermans Inc - compiling the handout)

Simon Dippenaar (Director from Simon Dippenaar & Associates)

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