

**ATTACHMENT DN-5**

This is the attachment marked "**DN-5**" referred to in the witness statement of Denis John Nelthorpe dated 7 July 2015.

**Project objectives (please list no more than three)**

1. Work with industry and government agencies (i.e. banks, telecommunications and utility companies) to establish entry points and pathways for victims of economic abuse.
2. Creation of a holistic casework clinic involving a lawyer and financial counsellor to assist women identified as having legal and/or financial problems arising out of economic abuse.
3. Develop and deliver a training program for legal aid, legal services and financial counselling services regarding industry and government pathways and entry points for the resolution of cases involving economic abuse.

**Project Description (Please provide an overview of the project, including why there is a need for this project and how it fits within the Foundation's grant making principles of increasing life opportunities and/or promoting social inclusion and cohesion). (200 words)**

Findings from our initial study, funded by an Exploration Grant in 2013, shows that economic-abuse almost always co-existed with other forms of family-violence. The research shows that it is not clear what avenues are available and how services/organisations can best respond to economic-abuse. Our final publication 'Restoring Financial Safety' makes a number of recommendations including industry reform. In particular, service providers including financial institutions, energy, water and telecommunications companies should establish family-violence teams, similar to financial-hardship teams, to minimise the impact of economic-abuse on customer access to essential services. This project aims to prevent women from falling into homelessness by restoring women's financial safety/independence after their experiences of economic-abuse. This project will work with industry to establish pathways/entry points for victims of economic-abuse in order to restore their financial independence and increase life opportunities. This will include organising a national industry roundtable. We will provide holistic casework clinics involving lawyers and financial counsellors to assist women identified as having legal/financial problems arising out of economic-abuse. This clinic will allow us to test the process/entry points established by this project. Finally, the project will deliver a training program for the legal and financial sector regarding the resolution of cases involving economic-abuse.

**How does the project align with your organisation's mission and purpose? (100 words)**

Our research has shown that survivors of economic-abuse often have very limited access to the justice-system and are at a high risk of falling into homelessness. This is because of the expense involved in private representation in the Family Courts as well as the difficulty for both survivors and services to identify and remedy. This project aligns squarely with our mission in that it aims to assist vulnerable community members who would otherwise be unable to access justice. The project works towards a fair, just and equitable legal system by seeking to establish new resolution pathways for victims of family-violence.

**Please describe how and why the project is an example of social innovation (a new idea that meets an unmet need) (200 words)**

Current dispute resolution processes are adversarial and court based and usually requires the involvement of the ex-partner. For example, a credit card dispute will require a property dispute

application to be lodged in the Federal Family Court of Australia, a timely and expensive process. Further, the costs associated with trying to access justice for such matters are often prohibitively high for many people – particularly when restricting access to money and finances is part of the abuse. When the value of property settlement being negotiated is relatively small, many survivors simply forgo their entitlements.

Most reform proposals focus on an extension of current court based jurisdictions or the establishment of new tribunals which require state and or federal legislation and significant government expenditure. However, the establishment of specific processes and entry points within industry and government to deal with family-violence will create new and effective pathways to resolve issues involving economic abuse without the requirement for legislative reform, government expenditure or involvement of the ex-partner.

**How will this funding help your organisation to solve a problem or address a current challenge in the community? (150 words)**

Most abusers use debt and the threat of a bad credit-rating against their partners to control them post-separation. It is also common for utility debt and access to essential services to be used as a form of abuse, by leaving the abused partner with the debt.

As discussed in Q32, the process for property settlement in Australia is expensive and often inaccessible. If there is little at stake (i.e. debts), women often forego any rights to a property settlement, especially in order to avoid any contact with their ex-partner. There is a variety of ways property settlements are used as a form of abuse and also many ways that the process of resolving property settlements enables the perpetuation of economic-abuse.

The funding will enable the establishment of a non-legislative form of alternative dispute resolution which can be implemented without government legislation, expenditure or involvement of the ex-partner.

**Who will benefit, and how will they benefit? (The specific target population that will ultimately participate in and/or benefit from this support – including number of people, age, gender, region and other demographics) (150 words)**

The project will directly benefit women over the age of 18, living in Wyndham and the greater western suburbs of Melbourne, who are experiencing family-violence by addressing their legal and/or financial problems arising out of economic-abuse. Many of the women will have presented at the Family Violence Intervention Order List of the Werribee Magistrates' Court.

We estimate that the project will provide assistance to an average of 250 women (4-6 women each week for 12 months) through the creation of the holistic casework clinic.

The project will also indirectly benefit victims of economic-abuse by improving the practice responses of lawyers, financial counsellors, industry and service providers in relation to customers experiencing economic-abuse. By establishing pathways and entry points into industry as well as a training program for the legal and financial sector, the project will directly benefit all victims of economic-abuse presenting at legal and financial counselling services across Australia.

Will this be a collaborative partnership? If yes, please provide details. (150 words)

The project will be done in collaboration with Good Shepherd Australia New Zealand (GS) as a financial counselling body and family violence service.

While many services such as financial counselling deal with financial issues, few have a specific focus on these issues in the context of family-violence and often these generic services are not accessed by survivors of family-violence. Similarly, community legal centres (CLCs) do not have the expertise to deal with economic-abuse issues. Both sectors need greater resourcing to understand and provide support for people who have experienced economic-abuse.

WLS and GS will work together to develop and deliver holistic casework clinics for victims of economic-abuse as well as a training program. The establishment of industry pathways and entry points will rely on the expertise, existing networks and joint research of legal services (including CLCs and legal aid) and financial counselling and family-violence services.

What are the expected outcomes? (What do you want to achieve with the funding – what are the measures of success and long-term outcomes, particularly in regard to the participants/beneficiaries etc). (150 words)

1. Establish industry pathways (i.e. a set of criteria and requirements to get assistance) and entry points (i.e. a focused point of assistance) for victims of family-violence and economic-abuse. The long-term outcome of establishing such specific processes and entry points will create new and effective pathways for all victims of family-violence to resolve issues involving economic-abuse.

2. Establish a 12-month holistic clinic involving lawyers and financial counsellors, to assist victims of family-violence who have legal/financial problems arising out of economic-abuse. We expect in the long-term this model will be adopted by other agencies.

3. Develop a training program regarding industry pathways and entry points for the resolution of cases involving economic-abuse, including details of criteria and contact points. The training program will be delivered across legal and financial sector and will benefit their current and future clients.

Further long-term outcomes include improved understanding of family-violence across multiple corporate, community and government organisations.

How will you know if these outcomes have been achieved? (How will you measure the outcomes? What method will you use?). (150 words)

1. OUTCOME: industry processes and entry points established for victims of economic-abuse.

INDICATORS OF SUCCESS: A set of criteria/requirements established within at least 3 industry bodies including a financial institution, energy and telecommunications provider. At least 1 National Industry Roundtable will be run (Melbourne or Sydney) accompanied by a final report with recommendations.

2. OUTCOME: provision of legal and financial advice and casework services. INDICATORS OF

SUCCESS: Weekly holistic casework clinic set up for 12 months. Each clinic will see on average 4-6 clients per week (approximately 250 clients), engaged at the Werribee and Sunshine Magistrates''

Courts. Number of recurring legal/financial issues, referrals and outcomes identified and documented.

3.OUTCOME: Develop and deliver training programs regarding industry pathways/entry points for resolution of economic abuse cases. INDICATORS OF SUCCESS: Training program delivered over a period of 6 months to at least 3 forums including community legal sector, Victoria Legal Aid and financial counselling participants.

Please provide a summary of the project leader and team's capabilities to undertake the project (i.e. experience with similar projects, achievements in this area including research, service design etc). (200 words)

The overseer of the project will be Denis Nelthorpe, the Manager of the WLS and Footscray Community Legal Centre, who has been practising as a community lawyer for over 30 years. Denis has represented consumers on numerous state and Federal government, industry and regulatory committees including:

- Advisory Committees to Federal and State Ministers for Consumer Affairs;
- Board member of Insurance Ombudsman Service and Energy and Water Ombudsman Victoria;
- Code Compliance Committees for general insurance and LPG industry Codes of Practice;
- Regulatory working parties on consumer, energy and financial services;
- Standards Australia Committees on building contracts, complaint handling and dispute resolution.

Denis is also the project leader for the National Bulk Debt Project which has negotiated waiver or closure of debts worth approximately \$7.5 million with creditors such as major banks, insurance companies, credit providers, debt collectors and utility service providers.

Tanya Corrie, [title] of Good Shepherd Australia New Zealand, will be the overseer...

As a part of the Foundation's partnership with the Australian Women Donors Network we are interested in how programs are designed to cater for women and girls and men and boys. Have you considered the impact of your project or program on women and girls and/or men and boys?. (150 words)

Yes, this project is specifically designed to assist women who are victims of family-violence, in particular economic abuse.