

ATTACHMENT RC-2

This is the attachment marked "**RC-2**" referred to in the witness statement of Rhonda Lea Cumberland dated 8 July 2015.

Action
Research
Report

Restoring Financial Safety:

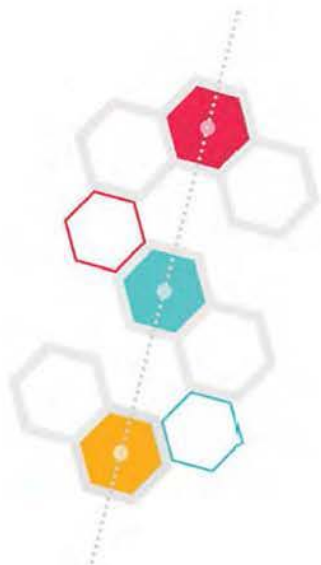
LEGAL RESPONSES
TO ECONOMIC ABUSE

Authors: **Owen Camilleri, Tanya Corrie and Shorna Moore**



Good Shepherd
Australia New Zealand

Wyndham
Legal Service Inc.



Restoring Financial Safety:

LEGAL RESPONSES TO ECONOMIC ABUSE

A joint project of
Good Shepherd Australia New Zealand
and Wyndham Legal Service

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Restoring Financial Safety: LEGAL RESPONSES TO ECONOMIC ABUSE

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Privacy note

The names used in the case studies in this report are pseudonyms and all identifying details have been changed to protect people's identities.

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The recommendations were shaped and developed through a series of consultations with legal, community and academic professionals.

These include:

- Federation of Community Legal Centres
- Women's Legal Service
- Victorian Legal Aid
- Consumer Action Law Centre
- Consumer Utilities Advocacy Centre
- WIRE Women's Information
- Footscray Legal Service

We are grateful they were able to share their time to assist us in this project.

Most importantly, we would like to thank and acknowledge the women who allowed us to share their stories.

About our organisations

Good Shepherd Australia New Zealand

Good Shepherd Australia New Zealand is a community services organisation that aims to disrupt the intergenerational cycle of disadvantage with a focus on women and girls. We achieve this through services that address social and economic exclusion.

Our specific expertise is in:

- Safety and resilience - supporting women to be resilient provides a buffer between an individual and adversity, allowing them to achieve improved outcomes in spite of difficulties
- Financial security - supporting women to ensure they have access to sufficient economic resources to meet their material needs so that they can live with dignity
- Educational pathways - assisting women and girls to overcome the obstacles in their life that hinder them from achieving their educational/vocational capacity

We provide a range of services and support to people who are experiencing disadvantage in our community. These include family violence services, family support services, educational pathways, financial counselling and microfinance.

A central part of our mission is to challenge the systems that entrench poverty, disadvantage and gender inequality. We do this through research, advocacy and social policy development.

Wyndham Legal Service

Wyndham Legal Service, formerly known as Werribee Legal Service, was established in 1986. Wyndham Legal Service is a non-profit, community-based legal service for people who live, work or study in the City of Wyndham (Werribee, Hoppers Crossing, Wyndham Vale, Little River, Tarneit, Truganina, Werribee South, Point Cook, Balliang and Williams Landing through to the greater western suburbs of Melbourne). Wyndham Legal Service advocates for equitable justice by providing free legal advice and assistance, community education, law reform and advocacy. We have extensive experience in delivering a range of legal services with a particular focus on the criminal, civil and administrative jurisdiction. Our client base includes people facing multiple sources of disadvantage such as homelessness, mental illness, disability, financial hardship, language barriers or other diversity.

We have been responsible for a range of social justice and community development programs, researching the accessibility of legal services to growth areas, improving integration with migrant and community groups and a number of projects centred on youth justice and addressing family violence. Wyndham Legal Service is one of only a few community legal services in Victoria to receive specialist funding for a family violence program.

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About the research

Economic abuse is defined as a form of family violence that negatively impacts a person financially and undermines their efforts to become economically independent. It is not just about specific behaviours, but also the intent behind these behaviours.

Economic abuse is still a difficult problem for both survivors and service providers to identify and remedy. It is not clear what legal avenues are available and how services and organisations can best respond to economic abuse.

This project sought to explore and respond to the legal challenges to restoring survivors' financial safety after their experiences of economic abuse.

The researchers examined the legal cases of 25 people who had taken out intervention orders through Wyndham Legal Service. All of the participants were women who were being abused by a man. This reflects previous research that shows that, as with other forms of family violence, women are more likely to be subject to economic abuse than men.

All of the relationships in the case studies were intimate partner relationships, and economic abuse almost always co-existed with other forms of family violence. There were also examples of the abuse extending beyond the partner relationship, with abusers' families having a key role in the abuse, and survivors' families being impacted by it.

Restoring Financial Safety: Legal responses to economic abuse aims to improve understanding of the financial issues faced by women in situations of family violence, and ultimately to provide them with better services to help them recover.

The publication outlines the research findings and makes a number of recommendations regarding prevention of economic abuse as a form of family violence and systemic support for women who have experienced it.

The recommendations were shaped and developed through a series of roundtable discussions with legal, community and academic professionals from the following organisations:

- Federation of Community Legal Centres
- Women's Legal Service
- Victorian Legal Aid
- Consumer Action Law Centre
- Consumer Utilities Advocacy Centre
- WIRE Women's Information
- Footscray Legal Service

Recommendations

Access to justice

1. The Federal Attorney-General develops a “small claims tribunal”, or other effective mechanism, for survivors of family violence to negotiate small property settlements as recommended by Women’s Legal Service in their submission to the Productivity Commission’s enquiry into access to justice.
2. Existing mechanisms within the Family Violence Protection Act are better utilised by duty lawyers and magistrates so that access to essential goods and services such as banking, energy, telecommunications and a low-value car can be resolved through interim orders rather than held over as part of a long-term property settlement.
3. The Judicial College extend its family violence training of magistrates to include economic abuse, including the identification of the range of these behaviours as outlined in this report and include this in the “Bench Book”.
4. The State Department of Justice and/or the Federal Attorney-General funds family lawyers at community legal centres to increase access to justice for survivors of economic abuse.
5. Essential Service industries should extend current self-regulatory dispute resolution pathways to include guidelines and access points designed to minimise the impact of family violence and the breakdown of family relationships.

Asset protection

6. VicRoads examines its policy and processes surrounding the transfer of car ownership between spouses and enables economic abuse and/or family violence to be used as a reason for transferral of ownership and/or to allow for the notification of payments due for registration to be made known to survivors when they are using a car in an abuser’s name to enable survivors to retain access to a registered vehicle.

Improved information

7. Information about intervention orders and family violence includes details of economic abuse so that people applying for orders unsupported can include economic abuse in their applications.
8. Government, industry and the community sector provide more community education about the credit reference system. In addition, credit reference businesses and key community agencies should provide targeted information prepared for people in family violence circumstances which sets out how their changed circumstances will impact on their credit reference.
9. The Federal Attorney-General’s office funds a broader education campaign for women about economic abuse to raise awareness of the issue.

Essential services reform

10. Service providers including financial institutions, energy, water and telecommunications companies should be encouraged to establish family violence teams, similar to financial hardship teams, to minimise the impact of economic violence and family relationship breakdown on customer access to essential services.

11. Access to essential goods and services, such as banking, utilities and telecommunications, is considered separately to the debt attached to these to enable survivors to retain access to these services until property matters are settled.
12. The regulation of utilities through the Essential Services Commission should include a requirement on service providers, upon evidence of a family violence protection order, to amend contract details for joint account holders as outlined in the Consumer Utilities Advocacy Centre's "Helping, Not Hinder" report.
13. The regulation of utilities should include a requirement that energy, water and phone companies include the evidence of family violence and economic abuse as a trigger for the application of financial hardship provisions as outlined in the Consumer Utilities Advocacy Centre's "Helping, Not Hinder" report.
14. A forum or conference is organised by the community (Consumer Action Law Centre, Consumer Utilities Advocacy Centre, Financial & Consumer Rights Council), legal (Women's Legal Service, Federation of Community Legal Centres, Victorian Legal Aid) and family violence sectors (Domestic Violence Victoria) for utilities and essential service providers (including The Energy Retailer's Association) to inform them of the implications of economic abuse and work with them to instigate policies and procedures to deal with this issue.

Banking and credit regulation, policies and procedures

15. Banking Industry Codes of Practice and the national credit legislation should be amended to allow survivors of family violence to apply for the removal of their name, the release from liability and/or the ability to sever relationship debts from contracts for unsecured debt under \$10,000 where the liability arose out of economic and/or physical abuse.
16. The Australian Banker's Association works with the community sector to develop and apply consistent policies and procedures for banks and financial institutions in understanding, identifying and dealing with situations of economic abuse.

Targeted support for refugee and migrant women

17. The Australian National Research Organisation for Women's Safety funds/conducts research into the misuse of dowry as a form of economic abuse and the ancillary visa and legal remedies that are available to women in these situations.
18. The Department of Immigration better funds settlement services to provide information for newly-arrived women of their rights if confronted by family violence and/or economic abuse in their relationship and what constitutes family violence and economic abuse in this context.
19. Greater resources are given to organisations that work with refugee and migrant women to provide support for those who are experiencing family violence and economic abuse, including support for visa issues and family violence support. Further, funding is extended to these services to enable a helpline for community and legal services to access secondary consultation and advice on these matters.

Integrated community support services

20. The Victorian Department of Justice funds the Financial & Consumer Rights Council and Domestic Violence Victoria to develop a specific qualification for family violence financial counsellors and, further, provides funding for this training to be rolled out.
21. The Federal Department of Human Services continues to review and implement policies and procedures regarding the failure to pay child support as a potential form of economic abuse and screen clients for referral to other support agencies.
22. Government-funded financial counselling programs are extended to include a family-violence specific service through embedding financial counsellors in community legal services.

Victorian Royal Commission into Family Violence

23. The Victorian Royal Commission into Family Violence includes attention to preventing, interrupting and responding to economic abuse:
 - Through best practice frameworks for restoring financial safety and holding economic abusers accountable
 - By implementing system changes to prevent and interrupt economic abuse, including within services, business and government
 - By rebuilding survivors' long-term financial security through post-crisis and secondary prevention services
 - By promoting financial norms and beliefs that reflect a culture of non-violence and gender equality.

Summary

Economic abuse is now recognised in Victorian and other states' family violence legislation¹ and is becoming a more broadly understood problem in the community. However, more still needs to be done to recognise and deal with economic abuse and the issues that survivors experience as a consequence. It is not clear what legal avenues are available for survivors or how services and organisations can best respond to economic abuse.

This project sought to gain a better understanding of the legal challenges to restoring women's financial safety after their experiences of economic abuse. To do this, the project adopted an action research approach. Case studies were collected about women who had experienced family violence and were applying for intervention orders. These case studies were analysed to understand what the financial and economic abuse issues were, and what could (or could not) be done to remedy them. Two roundtable discussions were conducted with professionals from the community and legal and academic sectors to further analyse these issues and workshop changes that needed to be made to legislation, policy, regulation and practice to better respond to the issue of economic abuse.

In total, 25 case studies were collected in the research, 21 of which involved children. All of the survivors in the case studies were women, and all of the abusers were men. There were also examples of abusers' families having a key role in the abuse and the survivors' families being impacted by it.

All of the relationships in the case studies were intimate partner relationships and economic abuse almost always co-existed with other forms of family violence.

Key findings

Economic abuse continues to be a challenge to identify

Economic abuse was a challenge for survivors, services and abusers to identify. While many of the women who used the service recognised the financial issues they were facing as a consequence of experiencing family violence, they rarely identified that these behaviours were also often a form of family violence. This is largely because, even though definitions of economic abuse are available, many people are not aware of them and/or do not apply them to their own situations. It was also a challenge for abusers to identify economic abuse because it can be a complex problem to pinpoint.

Difficulties in identifying economic abuse also extended to some service providers (such as banks and utilities) that worked with women who were experiencing family violence for similar reasons to those listed above.

On the one occasion that economic abuse was identified through the intervention order process, the abuser attempted to dismiss this behaviour as not being family violence.

¹ For example: s. 6 of *The Family Violence Prevention Act 2008 (VIC)*; s. 8(5) *Intervention Orders (Prevention of Abuse) Act 2009 (SA)*; ss.7-8 *Family Violence Act (TAS)*; s. 5 *The Domestic and Family Violence Act (NT)* (Macdonald, 2012).

Economic abuse could be experienced and perpetrated in a variety of complex ways

There were many ways that abusers used financial control to abuse their partners. Many of these were complex and had significant economic consequences.

The variety of economically abusive behaviours included:

- Harassing women at work and jeopardising their workforce participation
- Forcing their partners to be financially dependent on them by not allowing them to work
- Refusing to contribute to household costs by:
 - Taking and controlling her or the household's money; thereby, not enabling her to meet household needs
 - Using his income entirely for himself and expecting her income to meet household needs
 - Controlling the household's money and giving her an entirely insufficient "allowance" to meet household needs
- Controlling the household's finances, making women accountable for every dollar spent and punishing her for spending the money the "wrong way"
- Forcing or coercing women to take out debts and loans in her name or in joint names, and refusing to contribute to the payment of these debts
- Threatening women with disconnection from essential services
- Denying women access to phones and communications
- Restricting access to vehicles and taking control over her vehicle (this compounded isolation issues and made economic participation difficult)
- Refusing to contribute to the material needs of children, thereby punishing their partners by punishing their children

Refugee and migrant women faced specific challenges

Many women who had experienced economic abuse were not in Australia on permanent visas, which increased their anxiety in coming forward and limited their options when they did. It also meant that the women were more isolated and had less access to support through friends and family.

The use of dowry in itself is not a form of economic abuse; however, there were examples in the case studies where dowry was misused in order to control partners. This typically involved insisting further dowry be paid, claiming dowry was not paid or dowry being misappropriated. This type of abuse generally co-existed with visa and migration challenges for women who were often in Australia on spousal visas and more limited in their options. More often, when dowry was a factor, members of the abusers' families were also involved in the abuse. This in turn impacted on the families of the women who were experiencing the abuse.

The issue of dowry was not specific to one culture, but was applicable to a range of cultures where the payment of dowry is common.

The impact of economic abuse was long term and occurred (and could begin) post-separation

For most of the cases, economic abuse was present during the relationship, for some the economic abuse began post-separation. Economic abuse was therefore a means for abusers to control their partners when other mechanisms were not at their disposal.

Common ways economic abuse occurred post-separation were:

- Refusing to pay child support and avoiding paying child support by hiding earnings through self-employment or family businesses
- Intentionally delaying property settlement to physically, financially and emotionally exhaust their partners and forcing them into unjust agreements
- Using property settlements as a bargaining tool, forcing women into unfair arrangements (eg getting her to withdraw an intervention order) in exchange for the return of property

Debt was a common way of abusers controlling their partners

The use of debt was a common and pervasive form of economic abuse. Abusers would often force women to take out debts in her name and retain the asset during the relationship and post-separation. This was particularly true for cars, which were regularly withheld from women to control and limit their economic and social participation.

The threat of defaulting on joint debt, by the abuser refusing to contribute to his portion, was also common. Women were very protective of their credit records and did not want them damaged as a result of failure to pay debts; therefore, they would often continue to pay for debt that was jointly accumulated and/or for which she had no benefit.

While there were some mechanisms in place to alleviate this—such as hardship provisions and cancellation of debt in severe cases—these were difficult to negotiate and were applied inconsistently across different service providers.

Essential service providers, such as utility and phone companies, have an important role to play

Abusers would threaten to cut off women's supply to essential services, forcing them to pay for jointly accumulated utility debt or debt accrued in his name, as a means of control. There was one occasion where a survivor's electricity was disconnected.

Restricting access to phones by taking them and putting her phone in his name was common. Resolving this through respective companies was a challenge and there appears to be insufficient provision within regulation and companies' policies to recover ownership of phones.

Once identified, there were too few provisions made for companies to manage issues to do with family violence. The extent to which hardship provisions were extended to survivors depended greatly on which retailer they used. To properly deal with these problems, policies and principles on working with survivors of violence need to be consistently applied, irrespective of the type of violence experienced or the service provider used.

Essential services and telecommunications companies are pivotal as these companies are often able to identify the first signs of economic abuse and have a key role, and a stake in, developing responses to these issues.

Cars are vital for survivors to recover and often withheld as a form of abuse

While some of these issues were tied up with debt over cars, part of property settlement was often to regain access to cars that were taken by abusive partners. Given the location in which survivors lived, and the need for access to cars for work and child care, this impacted greatly on survivors' lives.

Current systems—such as car transfer protocols at VicRoads—did not enable these issues to be remedied. The Family Court of Australia was too expensive an option for small claims such as these; therefore, many women simply missed out. Ordering the return of property through the Magistrates' Court was not a mechanism that was widely used.

The way forward

The recommendations in this report highlight actions that can restore the financial safety of women after they have experienced economic abuse.

The intervention order process

The current intervention order system is weighted toward documenting and dealing with physical and emotional abuse. It is understandable that physical safety is prioritised over other types of abuse as this is often the most urgent for women who are applying for orders. This means that economic abuse is rarely dealt with in intervention orders even though intervention orders are one of the primary mechanisms intimate partners have to seek safety from family violence and prevent further abuse.

It is understood that this mechanism alone is insufficient to deal with economic abuse, nor is it designed to do so. The intervention order process must deal with the immediate issues and is too time-restricted to enable more in-depth conversations to uncover the complexities of economic abuse. However, for small property matters, applicable provisions in the Family Violence Protection Act and the intervention order process were not used by magistrates.

Lack of resourcing and priority to deal with economic abuse

As well as not always being considered as high a priority, there were also too few resources in community legal services and the Magistrates' Court to fully deal with economic abuse and a lack of understanding about the implications of economic abuse for women's safety.

Even when economic abuse was identified during the intervention order application process, it was not noted (and there is little place for it to be noted) on the orders themselves. This limited the orders' use in seeking remedies for economic abuse through other systems.

There was also a lack of service responses post-intervention order to enable women to deal with economic abuse issues, such as through community legal services or financial counselling services.

The Magistrates' Court and the Family Court of Australia

While the range of consequences of economic abuse are not dealt with in the Family Violence Protection Act, and tend to be dealt with through consumer law and/or the Family Court of Australia, there are aspects of the intervention order system and Magistrates' Court that can support women who have experienced economic abuse. As an example, the return of property can be made as part of the order and the act of economic abuse as a form of family violence can be grounds for a breach of an intervention order.

There was no evidence of these mechanisms being used in the case studies. All financial and/or property matters were characterised as property issues which were left to the Family Court of Australia to deal with; however, the high cost of private representation in the court was often too prohibitive for the women in these case studies.

Responses need to be cross-sectoral

In order to appropriately address the issues identified in the report, it is imperative that all sectors with a stake in the issue work together to deal with this problem.

This includes:

- The community sector
 - Family violence support
 - Financial counselling support
 - Emergency relief services
- The legal sector
 - Community legal centres
 - Family lawyers
 - Magistrates
- Utilities and essential service providers
- Financial services
- Telecommunications companies
- Regulators and ombudsmen services
- Police

There needs to be far greater cross-sectoral collaboration and understanding about economic abuse. Family violence practitioners need to be able to identify economic abuse. Once identified, there is a role for family violence specific financial counselling services that use trauma informed case management approaches. There is also a role for community legal services, with the support of family lawyers, to support women through the Family Court of Australia to deal with larger property issues (or, alternatively, through a small claims tribunal for small property issues). Currently, this is too expensive an option.

Magistrates also need to better understand economic abuse and enable the mechanisms within their jurisdiction to be used.

Further, essential service providers and banks need to develop better policies and procedures to ensure the consistent, fair treatment for people experiencing economic abuse. Presently, responses are inconsistent and inadequate.

Industry response

Over the past 20 years Australian corporations in service industries, such as financial services, energy and telecommunications, have responded to consumer needs through the introduction of long term self-regulatory measures to provide for external dispute resolution (EDR), internal dispute resolution (IDR) and most recently financial hardship guidelines and pathways.

This report suggests that industries and corporations in these service industries need to provide similar leadership through the creation of processes and pathways to ensure access to essential services for customers faced with relationship breakdown and family violence.

Systems change

Changes need to be made to regulation, legislation and policies that impact on survivors' economic security. Where necessary, essential services need regulation to protect people experiencing economic abuse. The Federal Department of Human Services, particularly Child Support, needs to continue to look at regulation about child support. The onus needs to shift to the person who is refusing to pay and not be on victims, as appears to currently be the case.

It is clear through this research that the current remedies available to survivors fall well short of meeting their needs, further enabling the cycle of abuse and economic insecurity to continue.

1. Introduction

Restoring Financial Safety: Legal responses to economic abuse was a joint action research project of Good Shepherd Australia New Zealand and Wyndham Legal Service to explore the legal responses to economic abuse.

Economic abuse is becoming a more recognised form of family violence. This has been helped in part by the act of economic abuse being made an explicit offence in family violence legislation.² However, research has shown that even though economic abuse is recognised in law there appears to be a lack of knowledge about the legal remedies that are available to the women³ who have experienced it (Corrie & McGuire, 2013). Many women who have experienced economic abuse face barriers to restoring their financial security after they leave an abusive relationship, as current regulatory and legislative frameworks enable economic abuse to continue. Abusers will often use the legal system to continue to abuse their partners and many survivors “report that the lack of understanding among legal professionals and their ability to recognise signs of financial abuse exacerbated the problems they face” (Cameron, 2014).

This research fills an important knowledge gap in the area of economic abuse by seeking to better understand which legal recourses are (or are not) available to women who have experienced economic abuse, what the effectiveness of these legal remedies are and what legal and regulatory changes are needed to support survivors of economic abuse to restore their financial safety.

1.1 Defining economic abuse

Economic abuse is a form of family violence that negatively impacts a person financially and undermines their efforts to become economically independent (Weaver, Sander, & Campbell, 2009).

In family violence legislation, economic abuse includes:

- Unreasonable controlling behaviour without consent that denies a person financial autonomy
- Withholding financial support reasonably necessary for the maintenance of a partner
- Coercing a partner to relinquish control over assets
- Unreasonably preventing a person from taking part in decisions over household expenditure or the disposition of joint property
- Coercing a person to claim social security payments
- Preventing a person from seeking or keeping employment (Australian Law Reform Commission and New South Wales Law Reform Commission, 2010)

While there are definitions about what economic abuse is, the reality is that economic abuse is a highly complex issue to identify. Economically abusive behaviours can be a more subtle form of violence. These kinds of behaviours are also well hidden as the secrecy of money is overlaid with the secrecy of family violence (Corrie & McGuire, 2013).

² For example: s. 6 of *The Family Violence Prevention Act 2008 (VIC)*; s. 8(5) *Intervention Orders (Prevention of Abuse) Act 2009 (SA)*; ss.7-8 *Family Violence Act (TAS)*; s. 5 *The Domestic and Family Violence Act (NT)* (Macdonald, 2012).

³ As with other forms of family violence, economic abuse is a gendered problem. The majority of victims are women, and the majority of abusers are men. In this research, all of the victims were women; therefore, the report adopts gendered language.

Part of understanding what constitutes economic abuse is determining what economic abuse is not. Financial relationships occur on a continuum, from equal and healthy to controlling and unhealthy. It is the middle ground in which much of the complexity lies. Relinquishing financial control, for example, is not economic abuse if it is done with full and free consent. If there is coercion, or financial control is being used to abuse a person, then it is economic abuse.

Some practical examples of how economic abuse can manifest are outlined in Table 1. This is not an exhaustive list, but provides insight and clarity into the kinds of behaviour that constitute economic abuse. Economic abuse, however, is not just about specific behaviours but the intent behind these behaviours. It is about control and misuse of privilege that is tied up in issues surrounding gender inequity and stereotypes about gender roles.

1.2 The prevalence of economic abuse

There have been no studies published in Australia to date that measure the prevalence of economic abuse. Estimates vary, but 30 to 90 per cent of family violence cases involve incidents of economic abuse (Macdonald, 2012). A conservative estimate suggests that economic abuse occurs in approximately 50 per cent of family violence cases (Sharp, 2008). If that were true, then an estimated 1.86 million women in Australia may have experienced economic abuse (Corrie & McGuire, 2013).

There have been studies in Australia that have measured the costs of family violence more generally to the community and its impacts on women's economic security. This captures, in part, experiences of economic abuse. For example, 29 per cent of survivors who were stalked by their partners reported that part of the stalking occurred around the workplace (Access Economics, 2004).

While there is not a definitive answer as to the prevalence of economic abuse, it appears to be a prominent issue and has long-term impacts on survivors.

1.3 The impacts of economic abuse

Experiencing family violence in and of itself is shown to negatively impact on women's financial security (Braff & Barrett Meyering, 2011; Moe & Bell, 2004; Tarr, 2007). The impacts of economic abuse as a form of family violence can therefore be serious and long term (Corrie & McGuire, 2013).

Outcomes for women who have experienced economic abuse include being less likely to be in paid employment, having reduced education participation, being in rental arrears and being more reliant on social security benefits as an income source (Sharp, 2008). Absenteeism as a consequence of family violence costs survivors \$25.3 million collectively per annum and survivors lose on average 100 days of paid work because of family violence (Access Economics, 2004).

The causes of economic abuse, like other forms of family violence, are tied to the broader issues of gender inequity. It is a highly gendered problem with far more women experiencing economic abuse than men.

 Restoring Financial Safety: LEGAL RESPONSES TO ECONOMIC ABUSE

Economic abuse often negatively affects a woman's credit record (eg through defaults on loan payments), which impacts her financial security. This means survivors are not able to access credit and mainstream financial services to meet many of their basic needs, making life after violence more of a challenge (Corrie & McGuire, 2013).

Further, economic abuse keeps survivors tied to their abusers long after their physical separation as they attempt to untangle complex financial relationships. This has consequences for their mental health and physical safety (Cameron, 2014). Economic insecurity can mean women return to violent relationships (Braff & Barrett Meyering, 2011) as they make the choice between violence and poverty (Corrie, 2013).

Table 1: What is economic abuse?

Types of economic abuse	Associated behaviours
Control over day-to-day household finances and material wellbeing	<ul style="list-style-type: none"> • Denying someone access to any money of their own, to the family's money or to bank accounts • Making them ask/beg for money • Unilaterally setting an inadequate figure to cover household costs • Stealing • Denying access to financial information and decision-making • Making someone financially dependent and unable to meet basic needs • Subjecting them to food insecurity
Denying accumulation of personal assets or eroding those assets	<ul style="list-style-type: none"> • Exerting power and control over their salary, savings, debt, credit and employment through actions or threats • Bleeding dry their personal financial resources • Using joint funds to gamble • Destroying their possessions
Manipulating credit and debt to the abused partner's disadvantage	<ul style="list-style-type: none"> • Making them financially responsible for debt • Building up debt and affecting their credit rating • Utilities or loans being registered in their name only • Being forced to survive by accumulating debt • Being made bankrupt for their partner's debts
Blocking access to social and economic participation	<ul style="list-style-type: none"> • Sabotaging education or employment through diverse tactics • Not allowing their partner to work or undertake education • Denying access to means of transport or communication

Types of economic abuse	Associated behaviours
Financially monitoring, over-controlling and scrutinising their partner	<ul style="list-style-type: none"> • Maintaining dominance without physical contact • Exerting financial control after their partner has left
Refusing to contribute	<ul style="list-style-type: none"> • Not being accountable for their own spending • Refusing to work or claim benefits • Refusing to pay bills • Refusing to contribute to the costs of raising children • Generating economic costs
Exploiting women sexually in exchange for money	

1.4 Causes of and responses to economic abuse

The causes of economic abuse, like other forms of family violence, are tied to the broader issues of gender inequity. It is a highly gendered problem with far more women experiencing economic abuse than men. Economic abuse occurs in a context where women are already economically disadvantaged relative to men. The gendered pay gap remains an issue in Australia. As at November 2012, the gap was 17.6 per cent (Workplace Gender Equity Agency, 2013). Women also retire with less superannuation; therefore, economic inequity continues throughout their life (Australian Human Rights Commission, 2009).

Economic abuse has its roots in societal, community and individual contexts.

An “ecological model” of economic abuse recognises that individual survivors and abusers exist within:

- A societal/structural context where
 - There are few, if any, legal recourses available to survivors
 - There is a gendered pay gap which reinforces women’s financial inequality
 - There are cultural norms that feed a sense of male entitlement over money
 - There is a continuing erosion of social security and lack of access to systems within the state for self-advocacy
- A community context where
 - Money is a private, household matter which is not widely discussed
 - There is a lack of understanding that economic abuse is wrong
 - There is a lack of understanding of what economic abuse is

This means that women:

- Are more financially dependent on their partners
- Are socialised to think about money more in the context of relationships and trust than men are (Russell, 2008)
- Are less able to identify that economic abuse is a form of family violence than other types of family violence (Corrie & McGuire, 2013)

Given the multifaceted nature of this problem, responses need to be targeted at each of these levels. This includes education, policy change and service innovations (Corrie & McGuire, 2013).

Research has identified that there is a lack of appropriate policy and practice responses to the issue (Cameron, 2014; Corrie & McGuire, 2013). Financial hardship provisions, which aim to support people unable to pay energy bills or credit, are inconsistently offered to women who have experienced economic abuse and there is a general lack of understanding of its impacts on women (Consumer Utilities Advocacy Centre (CUAC), 2014). In restoring women's financial safety after violence, there are legal and regulatory barriers. This project specifically addresses the appropriate legal and legislative responses.

1.5 Research aim

The aim of the project was to combine innovations in community legal practice with action research to thoroughly explore and address the ancillary legal and/or financial problems experienced by women seeking family violence intervention orders.⁴

1.6 Methodology

Action research seeks to link practice and ideas to the service of "human flourishing" (Reason, 2008). It is a research approach that aims to build knowledge and effect social change. Action research builds knowledge through action; action in this context being support for women through legal practice.

The research used a practice-led methodology. That is, the data collection was undertaken by a legal practitioner at Wyndham Legal Service who worked with women who had experienced economic abuse. Through case work, the legal practitioner sought to find legal and other remedies to the issues that the women were presenting to the service.

Participants were asked if the information they provided could be shared with the researchers. They were provided with a plain-language information statement and signed a consent form (appendix 1).

De-identified case studies were then developed about service users who had consented to participate in the research. These case studies were analysed by the researcher using thematic analysis.

The research project was approved by Good Shepherd Australia New Zealand's Research Ethics Committee in compliance with the organisation's research policy.

⁴ A family violence intervention order protects a person from a family member who is using family violence. The person the intervention order will protect is called the affected family member or the protected person. The person the intervention order is made against is called the respondent.

Intervention orders include conditions to stop the respondent from using family violence against the protected person. If the respondent breaks the conditions of an intervention order the police can charge them with a criminal offence (Victoria Legal Aid, 2014).

1.7 Limitations

This project deals specifically with the legal and other legislative remedies that may or may not be available for women who have experienced economic abuse. As such, the case studies do not necessarily capture all of the complexities in building financial safety after violence.

The project also drew primarily from groups of women who had taken out their own intervention orders against abusers and not those for whom the police had done so. This limits the sample.

The project is also qualitative and the results cannot be quantitatively extrapolated.

1.8 Outline of this report

Section 2 provides an overview of the case studies including the types of abuse perpetrated, some of the key characteristics of the client group and the ways in which finances were used as a form of control.

Section 3 documents the key issues that victims and survivors of abuse experienced and the key problems that were faced by the community legal centre in trying to support women who had experienced economic abuse.

Section 4 discusses the model that was used by Wyndham Legal Service in supporting their clients and an evaluation of the effectiveness of that model.

Finally, **Section 5** points to the direction forward and key issues in addressing economic abuse and family violence. This section works through the remedies used to address the legal issues surrounding abuse and where the gaps are in enabling women who have experienced violence to rebuild their financial security. This section outlines key recommendations in making the system fairer for survivors of family violence and economic abuse.

2. Experiences of abuse

This section outlines the characteristics of the case studies that were collected through the research, including demographic information, the nature of the relationships and the types of economic abuse that were experienced by research participants.

While the focus of this research was on experiences of economic abuse, it is important to note that economic abuse more often co-existed with other forms of violence, including physical and emotional abuse. These were not analysed in detail as it was out of scope for this project. It is, however, important to recognise the multifaceted nature of family violence.

2.1 Characteristics of the case studies

A total of 25 case studies were collected in the research. All of the relationships were intimate partner relationships. The survivors of abuse were all women, and all of the abusers were men.

The length of the relationships ranged from three months to 20 years, with the average time together 9.5 years. All had separated from their partners, with the majority taking out intervention orders against them.

Of the 25 case studies collected, 21 of the relationships involved children.

The case studies highlighted numerous examples of behaviours from partners and ex-partners that were clearly economically abusive. This type of abuse often occurred during the relationship and tended to escalate (or at times begin) post-separation. This confirms the findings from other research (Corrie & McGuire, 2013; Braff & Barrett Meyering, 2011) that economic abuse is a particularly common strategy used to control partners post-separation and has long-term implications for survivors' economic security.

2.2 Compromising workforce participation

There were many examples of men intentionally jeopardising women's workforce participation as a form of economic abuse. Examples of this are outlined below.

Insisting women give up their paid jobs

Men often insisted their partners give up their jobs, making women entirely dependent on their partners for money. The abusive partner would then subsequently deny them access to that money.

In one case study, the woman left her paid job to work for her husband's company. All of the money being made was paid into the business account, which was in her husband's name. This meant she was unable to access any of the marital funds. Her husband also made her feel inadequate in managing money as a consequence of her not having enough to make ends meet.

Workplace harassment

Harassing or stalking a woman and her colleagues at work to jeopardise her workforce participation was a less present, but important aspect of the abuse women experienced, as outlined in case study 1.

Case study 1: Continuing the violence in the workplace

Jayne has recently left her partner, Greg. During their relationship Greg had been violent with Jayne.

Greg continued to harass Jayne after she left him. He stalked her at work with phone calls, emails and text messages. On one occasion, Greg came to her workplace and started verbally abusing her. The scene caused Jayne a lot of anxiety and embarrassment. It also jeopardised her relationships with her work colleagues as well as her position at work.

Greg “made up” for this by sending Jayne and her colleagues flowers. However, this did not stop Greg from continuing to harass Jayne. This harassment made work difficult for Jayne, not just because of the embarrassment she felt but also because of her continuing fear that Greg could turn up at any stage and create a scene again. This greatly impacted on Jayne at work and, further, in rebuilding her financial safety.

Restricting access to transport

The issue of car use and ownership is outlined more specifically in section 3.5. However, it was very common for abusers to restrict or remove access to cars in order to disable their partners from participating economically.

2.3 Refusal to contribute to household expenses

There were numerous examples of violent partners refusing to pay for important household expenses and unreasonably expecting their partners to do so. This was true both during the relationship and after the relationship ended. This control could be exercised in a variety of ways. For example, controlling all of the household finances and giving women an insufficient “allowance” with which to take care of all of the household expenses. This was Rheema’s experience, described on page 26.

Other ways of controlling money included keeping his income entirely to himself and expecting his partner to use her income to take care of the household. In one case, the woman was expected to take care of all the family’s expenses on her part-time salary as a nurse while her partner spent his full-time salary on himself, often for gambling.

In case study 23, Adnan would spend all of his Centrelink payment on himself and expect Sabah to pay for the household’s needs out of her payment.

There were also examples of men simply refusing to work, therefore women were entirely responsible for the financial security of their families. Abusers often lost jobs because of their aggression, had trouble with authority or felt a sense of entitlement about choosing to work or not. It also gave them the opportunity to make their partners feel guilty for not providing sufficiently for their family.

Not paying child support (outlined in section 3.6) was another way of refusing to contribute to costs post-separation.

Case study 2: Allowances

Rheema was married to Harjit for three months and they have been separated for nearly a year. Rheema did not know Harjit prior to their marriage, which had been arranged by their parents. Rheema has a PhD in psychology and worked as a tutor during their marriage.

From the beginning of their marriage Harjit had been controlling, suspicious and unkind to Rheema. Any money that Rheema earned as a tutor had to be put into their joint account; however, Harjit maintained his own account, had his own money and a mortgage that Rheema was not aware of. Rheema was given an “allowance” of \$550 every fortnight to live on and take care of the household expenses.

2.4 Controlling and hiding all of the household's money

This was the most common form of economic abuse during the relationships. Controlling information and money was also very common post-separation.

One of the more extreme cases was that of Milena who experienced severe forms of physical and emotional abuse in her marriage, as well as extreme economic abuse, as outlined in case study 3.

There are numerous issues highlighted in this case study. These include the fact that the household's financial situation was never made known to Milena, that she was misled in regard to financial arrangements and that Branko was able to hide a lot of this through his family and family businesses.

This case study also highlights issues to do with debt as a form of economic abuse, particularly loans being taken out with no benefit to the borrower and potential breaches of responsible lending regulation. This is dealt with more specifically in the next section.

Abusers could also give full access to money and then punish their partners for spending it the wrong way, keeping them on tenterhooks and increasing their fear and lack of control. Case study 4 highlights this form of abuse.

Type of economic abuse:

Control over day-to-day household finances and material wellbeing

Associated behaviours

- *Denying someone access to any money of their own, to the family's money or to bank accounts*
- *Making them ask/beg for money*
- *Unilaterally setting an inadequate figure to cover household costs*
- *Stealing*
- *Denying access to financial information and decision-making*
- *Making someone financially dependent and unable to meet basic needs*
- *Subjecting them to food insecurity*

Case study 3: Financial control

Branko and Milena were married just before Milena arrived in Australia at the age of 18. Branko was extremely violent toward Milena. Once, Branko physically assaulted Milena to the point that a fence collapsed on top of her and the police had to be contacted. Milena stayed with Branko out of fear and because she nowhere else to go. Milena had no family or friends in Australia and had been forbidden from making contact with her family overseas.

Branko took Milena to the bank not long after their marriage and asked her to sign some documents. Milena did not read, write or understand English. She understood the account simply to be a “family account”. Branko did all of the talking to the bank representative. The bank representative had tried to speak with Milena also, but she did not understand what they were saying and was unable to answer their questions. Milena never really knew what the account was for and had no control over it.

It turned out that she had signed a finance agreement for \$16,000 for a car. Milena had never had a license in Australia and could not drive. The finance agreement stated the loan was for “business purposes”. Milena never had use of the car, which was driven by her mother-in-law. The finance agreement contained a number of incorrect details that were clearly designed to defraud the bank and Milena by using Branko’s family’s businesses to forge income levels and stating false details on the loan application.

Continued on page 29.

Case study 3: Financial control *(continued)*

When Milena left Branko she was pursued for the debt, which was entirely in her name. Debt collectors chased Milena for repayment and threatened legal action. Milena explained to the debt collectors that her husband had asked her about opening a family account with a bank and that she did not know what she was signing, or even if she had signed that particular document at all. Branko also hid his assets, holding them in his family's name. This meant that Milena would not be eligible for any property settlement, leaving her nothing to settle the loan with.

On the possibility that Milena did sign the contract, she could still not be liable for the debt. Milena had no legal advice prior to signing the contract, no interpreter was made available to help her understand what she was signing, she got no benefit from the contract and it should have been clear to the company involved that Milena did not know what she was signing. It was an "unjust transaction" according to the National Credit Code (formerly the Consumer Credit Code). A complaint was made through the Credit Ombudsmen Service, which was ultimately successful. Milena could no longer be pursued for the money.

Case study 4: Keeping her guessing

Milton and Violet separated after Milton's behaviour became more and more unpredictable.

Violet wanted to go back to work and had tried to over many years, however Milton resisted her. He said Violet could stay home and look after the kids. All of the bills were under Milton's name and Milton gave Violet \$325 for food. Violet struggled financially without assistance and continued to rely on Milton.

Milton left a bank card for Violet saying "you can use it if you need to" and Violet wanted to use it to pay some bills. However, Violet was scared to use it for fear of the repercussions. Milton was unpredictable and Violet was concerned he might allege she has stolen the card or he may cancel the card or payment or punish her for spending the money "incorrectly".

2.5 The use of debt

Most abusers used debt and the threat of a bad credit rating against their partners.

This is highlighted in:

- Case study 3, where the woman was coerced into debt agreements which brought no benefit to her
- Case study 15, where the woman had to take ownership of debt that was jointly accumulated
- Case study 16, where debt was being accumulated without the woman's knowledge and was used against her

Taking out a loan with a partner or for a partner is not, in itself, necessarily economic abuse. The loan may have originally been taken out with full and free consent, and the woman may not have been coerced. However, when coercion or pressure is applied, it is a case of abuse. Further, the use of debts to continue to control partners post-separation is a form of abuse that was used regularly.

Case study 5 highlights debt as a form of abuse.

It was also common for utility debt and access to essential services to be used as a form of abuse. This could be through refusal to pay for utilities during the relationship and/or by leaving the abused partner with debt.

Often this type of abuse involved threats to disconnect partners from essential services post-separation as the utilities were in the abuser's name. There was an occasion where an abuser did actually disconnect the utilities to punish his partner for leaving.

Threats to disconnect were often used to force women to comply with particular requests. For example, case study 15, where the abuser threatened to disconnect his partner's electricity if she did not allow him to see the children.

Conversely, if women were forced to leave their homes because of the violence, and the utilities were in her name, abusers would threaten to not pay the bills and jeopardise her credit record.

Type of economic abuse:

Denying accumulation of personal assets or eroding those assets

Associated behaviours

- *Exerting power and control over their salary, savings, debt, credit and employment through actions or threats*
- *Bleeding dry their personal financial resources*
- *Using joint funds to gamble*
- *Destroying their possessions*

Case study 5: Taking over

Jennifer and Stephen were in a relationship for five years and have one child together. They have been separated for two years. Jennifer now lives in private rental, juggling work when she can with the responsibility of raising a child.

During their relationship, the couple combined their individual car loans into one joint loan to reduce their overall repayments. Once they had separated, Stephen refused to contribute to the repayments, leaving Jennifer servicing a debt of \$18,000. Stephen had no interest in paying off the loan with Jennifer; he was not working and already had a damaged credit rating. Jennifer however wanted to protect her credit rating. She continued to pay the loan for a car even though Stephen had taken it. She was not even sure whether the car was registered. The legal service unsuccessfully applied to the bank to waive the debt or remove Jennifer's name from it. Given that she did benefit from the loan initially, that there was no poor conduct by the bank and that she is not in financial hardship, she was liable for the whole debt.

Stephen's unwillingness to sign over the car to Jennifer so that she could sell it and pay off the loan, or at least hold the asset that the loan pertains to, was further evidence of Stephen's financial abuse.

2.6 Manipulating visa and immigration provisions

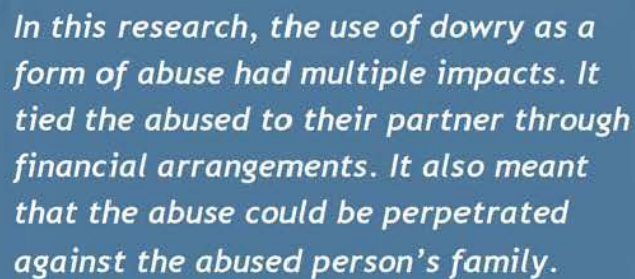
For women who were in Australia on spousal visas, economic abuse was particularly challenging as it occurred in a context where they were misled by abusers about their rights and were isolated from friends and family. There were also challenges as many of these women were unable to read, write or speak English and found the financial system difficult to navigate. This is illustrated in case study 3.

The misuse of dowry sometimes occurred within this context. While the payment of dowry is not economic abuse, and is common practice in many cultures, there were case studies in this research where dowry was misused as a way of economically abusing women. Accusing women of not providing sufficient dowry was one way in which this occurred. This type of excuse was used to withhold money from women. Constantly insisting more dowry be paid also extended the economic abuse to women's families.

The money their families spent on dowry also acted as a barrier to leaving their abusive partners.

The case study on page 34 highlights how families can misuse dowry as a way of economically abusing women.

These case studies highlight that although dowry in itself is not a form of economic abuse, there is a point when this can become abusive, as with any other financial arrangement.



In this research, the use of dowry as a form of abuse had multiple impacts. It tied the abused to their partner through financial arrangements. It also meant that the abuse could be perpetrated against the abused person's family.

Case study 6: Always asking for money

Lakshmi comes from a well-off family in India. She and her husband Ashwin were married in India, which was arranged by both families.

There were bad signs from the beginning. Following the wedding overseas, Lakshmi received a good deal of money in cash from family and friends. Lakshmi gave all of this money to her mother-in-law; however, Ashwin's family claimed this was not the case.

When Lakshmi arrived in Australia with Ashwin, he started to behave abusively. Ashwin would not give Lakshmi access to any money or bank accounts. He left cash for her behind the mirror in their bedroom. This could be as little as \$50 per week. Lakshmi was discouraged from leaving the home without her husband. Given he had a car and Lakshmi was in an isolated suburb and did not know the area, he was able to keep her socially isolated. Lakshmi was also scared to go shopping as she would be harassed if she did anything alone and this would cause trouble for her. Ashwin would ask her where she had been, how much she had spent and asked for evidence, such as receipts. Lakshmi was not able to buy food and had to eat what was made available by her husband. Lakshmi lost 12 kilograms while living with Ashwin.

Ashwin would get upset if Lakshmi was in contact with her family in India and did not allow her to have a phone. Ashwin told Lakshmi that if she wanted to continue their relationship she would not speak to her brother or parents. Lakshmi stopped talking to her family to placate her husband. Ashwin's family only spoke to Lakshmi once after she arrived in Australia. Her mother-in-law questioned Lakshmi about the dowry issue and called Lakshmi names, accusing her of being shifty or deceitful.

Continued on page 35.

Case study 6: Always asking for money *(continued)*

At first Lakshmi was scared to end the relationship because of all that her family had invested in her marriage, and the cultural shame associated with divorce. She worried that people would think the marriage breakdown was her fault. Dowry issues were a constant problem hanging over Lakshmi.

The legal service was unable to proceed with assistance in the matter due to Lakshmi's time constraints. She was waiting for her student visa and working to stay in Australia with the assistance of a migration lawyer. She was not sure whether she could afford a divorce at this time as she might not have been eligible for Centrelink given she was not yet a permanent resident.

However Lakshmi intends to file for a divorce when she is financially able to do so.

2.7 Other presenting issues

Several other issues arose in the case studies, co-existing with economic abuse.

Alcohol and other drugs

Many of the case studies highlighted the impact that alcohol and other drug use had on the escalation of violence. Most commonly cited was the use of ice, which was raised in five of the case studies.

The next prominent drug was alcohol. Alcohol consumption increased violence, and these incidents required police intervention.

Another impact was the use of marital resources to pay for drug use. For example, one woman's partner was siphoning off money for drugs that was supposed to be for their business. When she confronted him, he attempted to blame her for their financial issues and caused her great emotional distress. This created more issues for the separated couple to deal with.

Family and extended family active in abuse

In three of the case studies, women were abused by their partner's family as well as their partner. Although this is not necessarily a cultural issue, of the women who experienced violence from their husband's family, all were in Australia on spousal visas.

Milena (case study 3) was abused by her husband's family physically and economically. As outlined earlier, she inherited a debt for a car that was driven by her husband's mother.

There were examples of women's families also experiencing the abuse. For example, Nassim (case study 15) was economically abusive to his wife and stole \$150 from their son who had received the money for his birthday.

Case study 7: Ice and aggression

Jeremy was an ice user and had been abusive toward Alexandra throughout their relationship. At the beginning of their separation, Jeremy had been agreeable. For about eight months he was paying half of the mortgage for the home where Alexandra lived with their children and helping with some of the other costs for the children. As time progressed, Jeremy became more aggressive. In the interest of the children's safety, Alexandra would not allow access to the children when he demanded it. This caused Jeremy to become violent: making threats to kick her door in and have someone make Alexandra "disappear". Jeremy also threatened to blow up Alexandra's car after kicking and denting it.

Case study 8: Self-medication

Katie and Sean were married for 11 years and have three children together. Sean's behaviour had always been violent and erratic. Katie was sure that he had mental health issues and was self-medicating. Substance use increased after their separation, which included marijuana and ice. After their separation Katie needed to take out an intervention order. While she felt confident in her ability to deal with Sean when he flared up, she felt much safer knowing that there was an intervention order in place. Sean had been harassing Katie over access to the children and over the property settlement of their home. He also went to Katie's home and threatened to damage her property and kill himself in front of their children.

2.8 Family violence and economic security

As the case studies highlight, economic abuse is common in the context of family violence and there are many ways in which it can be perpetrated. In the case studies economic abuse co-existed with other forms of violence, making it more of a challenge for women to identify. The more obvious forms of violence such as physical and emotional abuse tended to be more readily recognised.

Interestingly, if economic abuse was not always part of the violence during the relationship (on the whole it was) it could begin post-separation. Economic abuse was a means of control when other methods were no longer at the abuser's disposal and kept women tied to their violent partners long after they had separated from them.

It is important to look holistically at issues women present with, work to untangle financial arrangements that keep women financially insecure and support women to gain their appropriate rights and entitlements after violence. It is also important to recognise the complexity of these issues and the seriousness of the consequences of not responding to economic abuse appropriately.

The impacts of economic abuse are many. Some, such as material hardship, are obvious, but there are many insidious impacts that mean that women do not receive what they are economically entitled to and are left financially disadvantaged in the short and long term.

3. Key legal and regulatory issues

This section highlights the issues that legal practitioners faced when attempting to support women who had experienced family violence and economic abuse, and the various regulatory and legal problems that arose in this context.

These include:

- Abusers using property settlement processes to continue to control their partners and former partners, including intentionally delaying settlement and offering unreasonable settlement amounts
- The prohibitive costs of legal representation in the Family Court of Australia to resolve economic abuse issues
- The inheritance of, and the responsibility for, the payment of joint debt with consequent threat to credit ratings
- Issues surrounding car transfer and ownership
- Bureaucratic systems such as Centrelink, the Child Support Agency and court orders that enable abusers to continue the abuse and limit options for survivors
- The use of utilities and phone contracts and companies to abuse their partners, and the difficulty in accessing systems of support within these companies for survivors
- Migration and visa issues for women who were not permanent residents

3.1 Property settlement

There was a variety of ways property settlements were used as a form of abuse. There were also many ways that the process of resolving property settlements enabled the perpetuation of economic abuse.

The amount of the property settlement being negotiated varied widely across the research participants. The amount often dictated whether or not women would pursue their rights in property settlements. If there was little at stake, women would often forego any rights to property.

In Katie's situation, property settlement would spark some of her partner Sean's violence.

There were numerous examples of abusers intentionally delaying settlement in order to "negotiate" the outcome they wanted. This is highlighted in case study 10.

Case study 9: Dangers of delayed property settlement

(continued from case study 8)

Issues to do with property settlement escalated Sean's violence. Katie wanted to buy Sean's share of the property from him and take over the mortgage so that she could stay in the home with their children. This was a real challenge given Katie's limited income and the fact that she is the primary carer for her children. Katie's brother offered to co-sign the mortgage so she could continue to live in the home. Sean also wanted this to happen, but had not sought any external advice and continued to drag out the process. Katie's lawyers needed to deal directly with Sean, which took more time and cost Katie more money.

In the meantime, Sean continued to harass Katie for money. Although Katie generally refused to give him money, he continued to harass her. The protracted nature of this property settlement caused Sean's violence against Katie to escalate.

Case study 10: Forcing an unfair settlement

When Jayne and Greg separated, Greg went out of his way to avoid any kind of property settlement, giving Jayne minimal offers of \$5,000 in an attempt to delay matters and force her into a less than fair agreement. Given that Jayne and Greg co-owned their own home and an investment property, and had a joint mortgage, \$5,000 was clearly an inadequate amount.

Jayne knew that ownership in the properties was split unevenly, with Greg owning 70 per cent and Jayne owning 30 per cent. Greg was forcing Jayne to give him her money in order to maintain the mortgage even though she was no longer living in the home. Jayne gave Greg the money to avoid the situation escalating, even though she could not afford it. She used her credit card to transfer \$3,000 to Greg. As it turns out, Greg was not using the money for the mortgage but to go out to nightclubs.

The delay in the property settlement was keeping Jayne tied to her former partner and was making it extremely difficult for her to remove him from her life. Jayne eventually dropped her property settlement and intervention order and decided to move to New Zealand with her brother. She was largely concerned that there wouldn't be enough equity in the houses to meet legal fees as she had received an arrears letter from the mortgagee. She also hoped Greg might transfer the car to her name so that she could sell it and clear some of her debts. He did follow through with this.

There were numerous examples of abusers intentionally delaying property settlement as part of their systematic abuse, to force partners into unfair agreements and exhaust them until they withdrew their claims.

Some of these tactics include:

- Continued pressure from violent partners to drop settlement proceedings, with threats of violent consequences for failure to do so
- Prolonging settlement of homes by disagreeing with bank valuations and insisting on further advice (case study 11)
- Withholding important information such as superannuation details to drag settlement out further (case study 11)
- Cutting women off from the family assets so that they were not able to afford arbitration (this is dealt with in section 2.2)

These mechanisms resulted in women not pursuing their claims and reinforced their doubts about their rights to property.

3.2 Cost of private representation

The cost associated with engaging private solicitors to negotiate property settlements and other family law matters was a challenge for most of the women who had no access to any of the joint money because of the abuse. It became a vicious cycle: women could not get justice for the economic abuse they suffered as it required access to the very thing that they had been denied.

Many issues in the Family Court of Australia require private solicitors or external arbitrators. While some private solicitors are able to take their fee once settlement has gone through, many do not. They also still require a retainer, which is difficult for women with no access to money.

Even when it was possible to take fees out of settlement, most of the women in these case studies did not have enough by way of assets to make this viable.

There were also areas of law, such as commercial law, that required specialist advice. Olivette's case study on page 44 is one such example.

There were also issues when the amount that could be recovered from settlement was less than the costs of pursuing it. When settlement amounts were quite small, it was not worth spending the additional money to seek justice. Costs could be further compounded by abusers intentionally delaying settlement. This meant that women were further marginalised financially. The less they had, the less they ended up with.

There were some examples of couples who had more significant assets to settle on, mostly the family home. While women more often retained custody of the children post-separation and had a stronger position in retaining the family home, they were also in a more financially vulnerable position because of their caring roles. This could also be exploited through costly legal processes and caused many women to forfeit their financial entitlements.

The costs of representation meant the only option for many of the women was to represent themselves in the proceedings which, given their lack of confidence and the difficulties in being self-represented, many choose to forego. Belle's situation (case study 13) reflects this while Brianna's story (case study 14) reflects women who are being forced to self-represent because of costs.

Case study 11: Withholding information

Paige and Seth were in a relationship for 10 years and had been separated for two years at the time of research. They have two children together.

Paige feared for her life during their relationship. Seth had weapons and would regularly go hunting, so she believed him when he said that he would “chop her up in little pieces and hide her in the bush”.

Since their separation, Seth has attempted to kidnap their children. Paige was thrown from the car when she and her neighbour tried to stop him from doing this. Seth also had erratic and violent episodes, including having smashed up Paige’s doors and furniture.

Paige continued paying mortgage and rates on their property after their separation, which she had been able to manage on a single parent payment as the repayments were relatively cheap. She wanted to maintain the mortgage and keep the house, however Seth insisted Paige sell the house if she wanted to settle the property dispute. Seth prolonged the settlement by regularly requesting valuations and refusing to reveal the details of his superannuation, forcing Paige to use property lawyers to get the details she needed at additional cost.

Case study 12: Business ties

Olivette had a business and a joint loan with her abusive ex-partner, Luc. Olivette wanted to have Luc removed from the business, which was also agreed to with the other business partners who also had issues with Luc's aggression. However, there was no publicly funded or subsidised service for these types of transactions. Olivette was already using her credit card to service their loan and did not have this avenue of legal assistance available to her.

Case study 13: “I am only a cleaner”

Belle had been married to Colin for 27 years. They have two adult children. Since their relationship broke down, Colin started to economically abuse Belle in order to try and control her. He made her leave their family home, leaving her with \$1,500 and nowhere to live.

Colin used his control to try and force Belle into a property settlement that was unfair. Given that he had cut her off from their money, and because of her concerns about a lack of equity in their property (about \$100,000), she agreed to a lower settlement amount. This can be facilitated by a “binding financial agreement”.

This was very challenging for Belle. She needed to arrange for the agreement, the change of car ownership and settlement without any access to money for advice and support. This was compounded by the fact that Colin was within his rights to restrict her access to their accounts, at least in the short term. Because Colin had all of the accounts in his name, there were few options for Belle until the matter could be heard and adjudicated by the court or by agreement.

Belle was supported by referral to Family Relationships Centre, private solicitors and Women’s Legal Service.

Belle has since moved approximately four hours away to a rural area and has engaged a family lawyer. She is unsure whether she will go through the process as it will cost her \$5,000 up front and Belle does not have enough money. Belle was offered a finance deal to pay the retainer, with interest as high as 18 per cent. Belle could only bring herself to look at the matter one month ago as she was sick of the whole situation and feels the lawyer has abandoned her as she has been unwilling to sign on to the finance agreement.

While Belle had the option of self-representing, she did not feel confident. She’d said, “I’m only a cleaner, how am I going to deal with all that legal stuff? My husband will easily afford lawyers.”

Case study 14: Self-representation

When Brianna and Oliver were married, Oliver worked full time. However, Oliver had a gambling problem and would skip work to gamble. He would spend their savings in one hit and spent all of the children's savings (of about \$1,000 each) on his gambling problem. Brianna and Oliver have since separated.

Brianna wanted to settle property out of court and attempted to engage Oliver in mediation. However, Oliver was not interested and was intent on dragging the process out, costing Brianna more money. While she has only paid a \$2,000 retainer for her lawyers to date, on completion the bill is likely to be \$15,000.

Brianna was not willing to challenge Oliver for child support for fear of his violence escalating. She was also prepared to accept a less than equitable settlement in order to have the process completed sooner.

At the time of research, Brianna had not achieved any settlement in property or child arrangements. She had to abandon private lawyers with \$6,000 owing in fees, and is now self-representing in the Federal Circuit Court.

3.3 Inheritance of joint debt

Women inheriting debts accumulated in both names, or for loans that were not for her benefit, was a large issue. Mariam's example, outlined below, highlights many of these issues. Mariam's husband, Nassim, was economically abusive to his wife throughout their marriage, misleading her into signing financial agreements and using these financial agreements to continue to control her after they had separated.

Often, the threat of a negative credit rating was used against women, forcing them to pay for joint loans. This was particularly true if the other partner already had a poor credit rating. Protecting credit ratings was very important to many of the research participants.

There were many occasions where debt was being accrued without women's knowledge. Abusers would take out loans against property without their partners knowing and accumulate credit card, utility and other debts. On separation, this caused a lot of anxiety. Women were unsure whether this would impact on their credit rating and whether they would be pursued by debt collectors.

It also caused anxiety as, ultimately, it meant that any settlement that was reached would be much lower because of their ex-partner's financial behaviour. Marie's case study highlights this issue.

Type of economic abuse:

Manipulating credit and debt to the abused partner's disadvantage

Associated behaviours

- *Making them financially responsible for debt*
- *Building up debt and affecting their credit rating*
- *Utilities or loans being registered in their name only*
- *Being forced to survive by accumulating debt*
- *Being made bankrupt for their partner's debts*

Case study 15: Debt as abuse

Mariam was married to Nassim for five years and they had a son together. They separated six months ago. Nassim was verbally, physically and economically abusive toward Mariam. He was controlling and Mariam was scared of him. Nassim was rarely in work and had problems with authority. He would always blame his work and bosses for losing his job and never took responsibility for his actions. He also did not view this as an issue, continuing to spend large amounts of money.

Mariam's mother and father gave Mariam the money to purchase a home which was in Mariam's parents' name. Mariam and Nassim just had to pay the mortgage. For less than one year Nassim made contributions to the loan but this was inconsistent and Mariam had to take over payments.

Mariam arranged for Nassim to pay the utilities given she was responsible for the mortgage. Nassim paid on and off for about two years, with the majority of payments being in arrears. Mariam ended up taking on the responsibility of paying for their utilities too. Nassim had left two electricity companies in arrears; Mariam paid off one.

Given Nassim had a bad credit rating and numerous credit cards, he would insist that Mariam take out loans so that they could have the things he wanted. Mariam borrowed \$20,000 for furniture, which she has now paid all but \$2,500. These were excessive by Mariam's standards; however, she did not feel she had a choice.

Continued on page 49.

Case study 15: Debt as abuse *(continued)*

Mariam was seeking to refinance her mortgage and purchase an investment property so the couple went to see a broker in Melbourne. The broker showed her plans and a sale contract for a property in Adelaide, which Mariam thought was impressive. Her husband flew to Adelaide to view the property and Mariam bought the property after he returned. It was later discovered that the property was significantly overvalued. The broker, as the refiner, tenant and conveyancer was able to manipulate the value. Mariam cannot resell the property and cannot obtain money for rent that could sustain the loan. Since their separation, Nassim has continually tried to claim maintenance from Mariam. He was also seeking to initiate property settlement proceedings. Mariam is concerned that Nassim is seeking to claim part of her parent's property that they lived in and that she has paid the mortgage for.

Case study 16: Without her knowledge

Marie and Con were in a relationship for 12 years and have two children together. Marie had two other children from a previous relationship. Since their separation two months ago, Con has been entering Marie's home without her permission and taking paperwork and other personal affects. He attempted to kidnap their children, physically dragging them from the home and verbally abusing Marie and the children.

Although Con and Marie both contributed to the mortgage for the property they shared, the home itself was in Con's name so they could claim the first home buyer's grant. However, as Marie discovered, Con had accumulated many credit card debts and loans without her knowledge. He had redrawn \$8,000 from their mortgage, had credit card debt of \$5,000 and two other credit cards that Marie did not know about. Con was the one in the relationship who took care of things such as paying the bills, but he had been neglecting his responsibilities. Marie discovered that they were \$700 in arrears with the electricity bills, had an impending hearing for unpaid rates and had \$20,000 in accumulated unpaid fines.

On discovering all of the financial dealings that were happening behind her back, Marie became very concerned that she, too, may be liable for some of these debts. Con had also agreed to keep contributing to the mortgage after he left, but has subsequently reneged on this agreement.

Continued on page 51.

Case study 16: Without her knowledge *(continued)*

He used this as leverage to make demands on Marie that she did not want to agree to. He threatened to disconnect her electricity if she did not allow him to see the children. Marie allowed Con to see the children even though they did not wish to see him. He was not paying child support or participating in the child support process.

On checking her credit file with the help of the community legal service, Marie could not find any unpaid debts that were in her name or that she was liable for. It appeared that the liabilities were in Con's name. However there remains a real concern that this will not stay the case. It was important for Marie to remain vigilant about taking care of any debts which she had liability for in order to protect her credit rating.

3.4 Debt with no benefit

There were examples where women had taken out loans to pay for items for which they had no benefit. While these loans were not always taken out under duress, when it came time to settle matters the women did not have access to the items to allow for sufficient recovery.

Hadiya's case study on page 53 highlights this issue and the problems in current regulation and banking policies and procedures that block attempts to support these women.

3.5 Cars

Cars were common assets withheld from survivors as a way of forcing the outcomes abusers wanted, and to further control their partners. This was present in at least eight of the case studies. It was a way of denying women assets as well as controlling their movements and restricting their economic and social participation.

This restriction was exacerbated by the lack of services in the area in which the research participants lived. It is on the outskirts of Melbourne and has limited public transport. Access to a vehicle is essential for work, shopping and to care for children.

Restricting access to vehicles could come about as retaliation to an intervention order or other action. Often both parties had been agreeable to transfer of ownership; however, this was withdrawn once other action, such as an intervention order, had taken place.

Abusers also used financial control to threaten the cancellation of registration and insurance, stopping women from using their cars when they were still in their previous partner's name. They would refuse to transfer ownership despite the fact that the car was clearly their partner's and/or refuse to pay for loans in their partner's name for cars that were in their name.

These tactics were used as a bargaining tool to force other actions against the abuser to be dropped. On other occasions it was a way of punishing survivors and keeping them isolated and controlled.

Case study 17: Not in my name

Nadeem and Hadiya had been in a relationship for six years and have two children together. They have been separated for one-and-a-half years.

Nadeem and Hadiya married overseas against Hadiya's family's wishes when Hadiya was only 17. Nadeem is many years older than Hadiya. They needed to forge documents and go to another country in order to be married. Nadeem then sponsored Hadiya to come to Australia although Hadiya was hesitant and did not really want to come.

The beatings first began just before the birth of Hadiya's first child. Nadeem would tell Hadiya that if she told anyone she would make it worse. She did not have much family in Australia and just a few friends who were also friends with Nadeem. Even now, Hadiya still does not want them to know that she is seeking support for the abuse. Nadeem had beaten Hadiya on a number of occasions and would threaten to kill her by "cutting her throat". Nadeem would come home and smash up the house and destroyed much of Hadiya's personal property. He assaulted Hadiya in front of their children. Hadiya fled the house and took a taxi to the police station on one of these occasions. However, with Nadeem's threats in the back of her mind, she was too frightened to speak to the police and instead went back home.

Hadiya had purchased three cars for Nadeem, even though she herself did not have a licence. Two of these cars, which were purchased outright by Hadiya, were smashed. The most recent vehicle was purchased under finance in Hadiya's name, of which \$17,200 is still owing. Although the loan is in Hadiya's name, the car's registration is in Nadeem's name as he is the only one who can drive it. She did not want to take out the loan and instead wanted to wait until she had her licence so she could drive the car. However, during discussions with the salesperson, Nadeem did all of the talking and Hadiya paid for the car from her account. She did not know where the car was held after they separated.

Continued on page 54.

Case study 17: Not in my name *(continued)*

Hadiya did not want to risk a bad credit rating. She had been able to maintain the payments on her loan; however, there were few options for Hadiya in relation to her car loan. Any action taken against the dealership was unlikely to be successful as, on the face of it, Hadiya appeared to understand what she was doing and Nadeem was not with her when she signed the loan.

The only potentially workable remedy was to seek a waiver for the debt on the basis that Hadiya obtained no benefit from the loan and that she experienced family violence and economic abuse.

A waiver was sought on this basis. The claim listed all details of economic abuse and many details of physical abuse. However, the bank was not considering any possibility of a waiver, severance of the debt or the application of hardship provisions on the account. Given Hadiya was up-to-date in paying the debt they would not agree to any sort of alteration of the loan, despite it being an enforcement of a debt against a person who has no benefit. This issue is still being negotiated.

Case study 18: Controlling mobility

Laura and Wendell were in an on-and-off relationship for the past four years. They have a child together.

Since their separation three months ago Wendell has been demanding the reconciliation of their relationship. Laura has no interest in doing so. Wendell has been texting and calling Laura constantly. He has threatened and abused Laura, and attempted to run Laura off the road while she was driving in order to talk to her. Wendell stalks Laura and has sat in his car in front of Laura's house.

When Laura and Wendell got together, Laura placed her car in storage and she drove Wendell's car as the family car. When they separated, Wendell (who is a tow-truck driver) towed the car away and is refusing her access to her old car. Given the car is not particularly valuable, Laura does not see the point in going through the Family Court of Australia. She hopes to be able to go through Wendell's brother-in-law to get her car as he understands Wendell's personality.

3.6 Centrelink and child support

Many abusers used the Centrelink and child support systems to mistreat their partners. They did this by refusing to pay child support, having Centrelink payments made to their own account and avoiding/leaving work in order to avoid paying child support.

Cassandra's case study on page 57 is an example of an abuser's sense of entitlement over income support payments.

This was a very common occurrence post-separation and was often used to force women into agreements that were not just. Often women did not bother to pursue child support from their ex-partners as this could increase violence behaviour. Many women were also exhausted from the leaving process and prioritised their safety and moving on with their lives over gaining access to child support money. There are multiple barriers for survivors of violence in navigating the social security system. Fear, shame and embarrassment are major problems and, while there is an increasing recognition of family violence, the issue of economic abuse is less well understood (Good Shepherd Youth & Family Service; McAuley Services for Women; Kildonan UnitingCare, 2011).

Men also used children's access as a way of further abusing their ex-partners. Jennifer's example on page 58 highlights how visitation with children is used against women.

Further, working for cash was a way in which abusers could hide money from the Child Support Agency and avoid paying child support.

Case study 19: What's yours is mine

When Jackson and Cassandra started seeing one another, Jackson was working. However, he stopped working about two years ago on the basis that he would re-skill and study. Jackson dropped out of study soon after.

Jackson would demand a great deal from Cassandra's Centrelink income because, as a non-citizen, he was not entitled to any payments. This did not stop Jackson from mocking Cassandra for "bludging" and "ripping off the government" for being on a Centrelink income. He relied on Cassandra, and his mother, for money. Any money he received from his mother, however, would always be spent on himself.

Case study 20: Children as weapons

Continued from case study 5: Taking over

Stephen uses their child as a means of abusing Jennifer. He refuses to pay child support as he is no longer working. He has been violent toward Jennifer when she has had to pick up or drop off their child, damaging her property, verbally abusing her and threatening her in front of their son. Stephen has failed to give their son back in the past after his visitation and Jennifer does not want this to happen again. Jennifer is now anxious whenever contact with Stephen is likely.

The costs of remedying these issues have added to Jennifer's financial stress. She is currently sorting out child arrangements through the Family Court of Australia. The first court hearing will cost Jennifer \$2,500. She expects more hearings and costs. There is unlikely to be any kind of property settlement as the costs of pursuing it outweigh any benefit she may obtain.

Given Jennifer's application to obtain a waiver/release from liability for her debt was unsuccessful, her other option could be to pursue a family law property settlement. Jennifer was referred to Women's Legal Service. She could also await advice from the child support agency as they may recover money or seize property from Stephen in future for his failure to make support payments. This may include the car. It is hard to know if this process will achieve anything.

Case study 21: Cash in hand

Terry had been controlling and using money to control Bronwyn. Terry spied on Bronwyn, was aggressive and was verbally abusive toward her in front of their child. The police were called to an incident that occurred at the property but when they arrived nothing was done as Terry acted like the victim. The incident included Terry grabbing the child from Bronwyn's hands and shouting abuse at Bronwyn. Terry and Bronwyn's case was one where economic abuse was included in her intervention order.

Terry has engaged solicitors who alleged no financial abuse as Terry contributed to their joint account so Bronwyn could continue paying bills. However, Terry has access to the joint account from which the mortgage, car loan, child care and utility bills are paid. Bronwyn's income went straight into this joint account and was not enough to meet these expenses, so Terry would have to top up the account to meet the bills. All of Bronwyn's income was used to meet the family expenses and the amount Terry was depositing was minimal.

Bronwyn was working full time, paying five days of child care and studying part time. Terry was not contributing at all. Earning money cash-in-hand meant the Child Support Agency could not see any of his earnings for him to make child support payments.

3.7 Utilities, phones and essential services

Disconnecting, or threatening to disconnect, utilities was common among abusers. Remedies for women, such as debt waivers, were often unsuccessful. Experiences of family violence did not necessarily qualify women for hardship programs and transfer of ownership was a problem. In Hadiya's case (case study 17: Not in my name), she had to go to the Energy and Water Ombudsman Victoria to gain a waiver for the utility debts accrued as a consequence of economic abuse. Negotiations with the retailers directly were time intensive and ultimately offered no resolution.

This was also true for mobile phones. Restricting access to communications was a common form of abuse. Often, mobile phones were in abusers' names and women were unable to retain their phones without their ex-partners being able to monitor where they were. In case study 2, Harjit was able to stalk Rheema because of his access to her mobile phone information.

In case study 10, Greg continued to control Jayne through her mobile phone. He had convinced her to bundle her plan with his. In retrospect, Jayne believes that Greg did this to monitor her. Now that they have separated, he has cancelled the contract and Jayne is no longer able to use her old number, disconnecting her from friends and family. This is a catch 22 for Jayne. She may be able to have the former contract reinstated if it can be proven that she was coerced into changing the contract. In the long run, it is possibly better (and simpler) for her not to go down that path.

Accumulating debts in her name and refusing to pay them was also a common issue, as highlighted in Cassandra's case study on page 61.

Case study 22: Racking up debts

Cassandra had wanted Jackson to leave for some time, but felt a sense of guilt and obligation toward him. In order to get Jackson out of her home, and in an attempt to be conciliatory, Cassandra opened up an internet and home phone account for Jackson.

Jackson has since threatened to “rack up bills” on the account by going over the allowed limit by calling his home country as much as he can. As the relationship has broken down significantly since Cassandra made this arrangement, she is very scared that Jackson will do this.

Cassandra sought to have Jackson change the name on the account but Jackson refused to do so. Cassandra may request a waiver from the telecommunications company for the contract. This may be made on the basis that the contract was entered into due to family violence and economic abuse. There may also be grounds to rescind the contract if it can be shown that it was entered into under duress.

While Cassandra is scared of Jackson, she knows that she has to get rid of these accounts as he has been taking advantage of her for many years. If she does not, she will never cut her ties with him and be able to move on with her life.

3.8 Visa and migration issues

There were five case studies where visa and migration issues were present. One was where the abuser married the survivor in order to gain his own citizenship. More common, however, was women being married overseas and brought to Australia under spousal visas. This gave their husbands, and their husband's family, a considerable amount of control over them. Case studies 2, 3, 5 and 11 all highlight this as an issue as does Sabah's case study on page 63.

These case studies highlight the ways in which visa issues can be a tool for abusers; however, the threat of being sent back to their country of origin could be empty if family violence is present. The experience of family violence can allow those on a spousal visa (and prospective spousal visas) to apply for permanent residency (Department of Immigration and Border Protection, 2014). This does not appear to be well-known and the application of this was unclear.

3.9 Multiple and complex needs

It is clear when looking through the various legal and regulatory challenges faced by survivors of economic abuse that the needs of these women are complex. Rarely was there one presenting issue. There were always multiple issues and multiple remedies that needed to be pursued. This was time consuming and exhausting for these women who had just made the difficult and often dangerous decision to leave their violent partners. Economic abuse and family violence have lasting and prolonged impacts on women's lives and changes to structures and practice are needed to enable women who have experienced family violence and economic abuse to rebuild their financial security. A variety of mechanisms were used, or attempted to be used, with varying degrees of success. Because of the complexity of economic abuse, a more comprehensive and integrated model of support is required. These mechanisms and the model that sits behind this support are outlined in the next section.

Case study 23: Only 16...

Sabah married Adnan overseas when she was 16 years old. Their marriage involved constant physical, emotional, verbal and economic abuse. The level of control was extreme and the physical abuse amounted to torture. Sabah does not want details of this abuse repeated or explained as she is ashamed of what she has been through.

Sabah made the decision to leave when the violence continued to escalate and there was a threat that the Department of Human Services would remove the children from her care if the relationship continued as it was. She tried several times to make a break from Adnan, until finally she was able to move in with her parent.

His abuse continued after their separation despite there being an intervention order against him. This included him arriving at their children's school and assaulting her in her vehicle. Sabah stated that she "didn't know life could be different" and that now she feels "lost without the control and abuse".

When they were in a relationship, Adnan and Sabah both received Centrelink payments. Adnan's Centrelink income was kept separate and paid into his own account, whereas Sabah was expected to (and did) use her payment to take care of all bills, groceries and schooling fees for herself and her children. Adnan had control of Sabah's account and Sabah had to justify any payments she made, needing to provide Adnan with copies of receipts. Sabah would always ask permission to go anywhere, including shopping.

Continued on page 64.

Case study 23: Only 16... (continued)

Sabah's name is still on all of the accounts since they separated. Now that she has left the property to live with her parents she is still paying a few accounts that her husband is using. She needed support to remove her name from accounts that Adnan was still using, such as power and phone.

Sabah's Victims of Crime application was afoot. She had a \$50,000 personal loan debt for which she bought a car and paid rent and debts that Adnan accumulated on her credit card.

Her car was damaged by Adnan in an incident during child pickup and Sabah was again out of pocket to repair the car. Her insurance will not cover the damage to the car as they claim she did not disclose that the car was hail damaged, even though Sabah did not know the car was hail damaged.

4. A model of support

Given the complexity of the cases, many mechanisms were needed to assist survivors of economic abuse to rebuild their financial safety. Some were successful, while others were not. Some mechanisms appeared to be underutilised.

What was clear was that in the absence of specialised post-crisis financial support it was a challenge for women to seek remedies for their financial issues. The nature of the intervention order process, limited resources within the court system and a focus on physical and emotional safety meant that financial issues were often neglected. The crisis nature of this intervention made it a challenge to begin to deal with financial problems. The intervention order process is not designed to deal with all of the issues that arise as a result of economic abuse, and nor should it necessarily.

It is difficult to know whether the women in the case studies would have sought support at a later stage outside of the court's processes (such as through financial counselling, emergency relief agencies, etc) and whether this would have been sufficient. What this investigation has raised is that making use of existing provisions in the Family Violence Protection Act for small property matters is necessary in addition to more integrated, specialist, economic abuse support.

In order to investigate the legal responses to economic abuse in this project, Wyndham Legal Service created a position for a dedicated economic abuse lawyer. The lawyer worked with the courts, other service providers and the police to identify women who were going through the intervention order process and needed additional support for their economic abuse issues.

This meant communicating clearly as to the role of the economic abuse lawyer, developing referral pathways both to and from the economic abuse lawyer, and the economic abuse lawyer exploring and documenting the supports that were available to survivors.

This involved:

- Developing referral sources and intake procedures
- Conducting case work and referrals to other services
- Closing out the cases and following up

This process is outlined in figure 1 on page 66.

The remainder of this chapter details the methods that were used in working with survivors of economic abuse and what was learned from using this approach.

4.1 Intake and referral sources

Referrals to the economic abuse lawyer needed to come from a variety of sources.

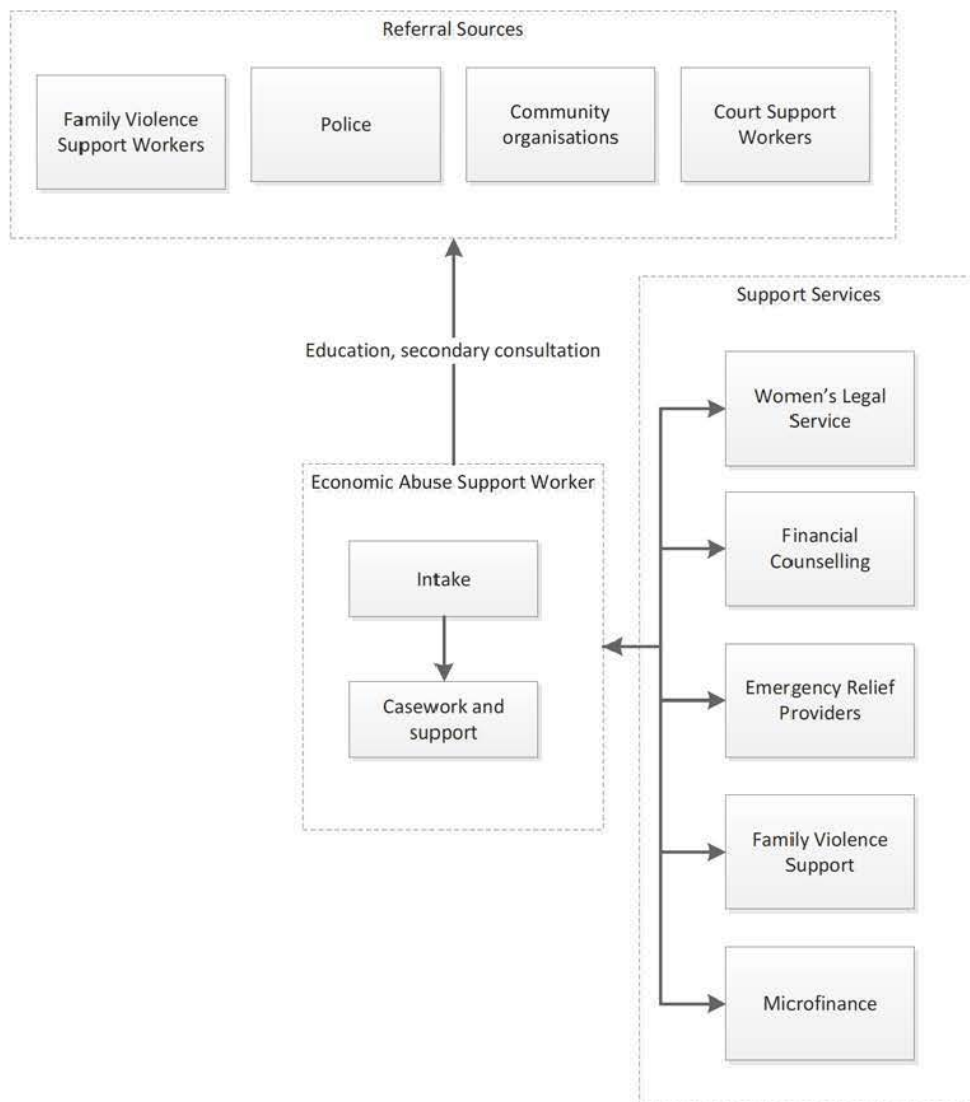
These included:

- Family violence support workers, including women's health workers
- Magistrates' Court support staff
- Police
- Community organisations

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The economic abuse lawyer being present at the Magistrates' Court on the days family violence cases were being heard worked well in encouraging referrals from court staff, men's and women's health workers and duty lawyers. It also increased awareness of economic abuse as an issue to be identified during the intervention order process and encouraged workers to refer clients to Wyndham Legal Service to address economic abuse.

Figure 1: Economic abuse support process



The economic abuse lawyer also undertook outreach work. Being present at the court allowed for walk-in or on-the-spot referrals. When an on-the-spot referral was not possible, or not feasible, survivors were given the option to follow up at a later stage with the economic abuse lawyer after they had gone through the intervention order process.

In the context of this project, most referrals were from court support workers and were followed up by the economic abuse lawyer after the intervention order had been taken out. This was because other needs, such as physical safety, were given a higher priority at this point in the intervention order process by survivors and court staff.

However, the economic abuse lawyer's presence at the court was important for building relationships and increasing awareness of economic abuse and the project.

One of the limitations of the approach was that it neglected women whose intervention orders were being taken out by police. This is an important consideration for future service responses and police need to remain a focus as a source of referrals.

4.2 Case work

Once identified, women would see the economic abuse lawyer at Wyndham Legal Service. From there, various remedies to their issues could be explored and discussed.

These included, but were not limited to:

- Support for self-advocacy
- Direct advocacy on their behalf
- Application for debt waivers
- Dealing with ombudsmen and dispute resolution services
- Attempting negotiation with abusive partners

Many women were also referred to other services for support, the most common being Women's Legal Service which can offer a limited amount of family law support.

Because of the multiple jurisdictions involved in dealing with these issues legal support was important.

However, it is possible that some of the issues that survivors of economic abuse presented with could be managed by financial counselling services, particularly debt and utility issues.

This could be a challenge given the limited capacity and high demand for financial counselling services, and because some of the remedies available to survivors are through the court system and not financial counselling. However, there is a clear cross-over and it is worth considering how community legal services can work with financial counselling services to deal with economic abuse. Further, it is important to ensure financial counsellors who work with survivors of economic abuse are sensitive to the challenges faced by women who have experienced violence. The work currently undertaken by the Financial & Consumer Rights Council to include a module on family violence in financial counsellors' training supports this.

4.3 Case closure

There was no set time limit on the support offered to the women who presented to the service. Many of the issues required long-term follow up and support. This meant that often the case would "sit", awaiting resolution from different places. It also meant that the women who were attempting to rebuild their financial safety needed to continue to provide paperwork and information. Often this was not available to them because of the family violence situation, further delaying the process.

It is important that time limits are not set for support given the complexity of the issues and remedies for economic abuse.

It was not always possible to resolve the issues that survivors presented with, as evidenced in the case studies in previous sections. Therefore, other strategies need to be adopted to assist these women.

These include:

- Resilience building
- Financial capability building
- Training and education for employment
- Housing support
- Other types of support

There was limited capacity in this project, and limited places to refer women, for this type of post-legal support.

As a matter of course, and where possible, women were followed up by the economic abuse lawyer in the one to two months following legal support to understand what had happened and to enable an understanding of the outcomes experienced by these women.

4.4 Other issues to consider

In order for case work for survivors of economic abuse to be most effective there is a range of other service interactions that are required as well as the realisation of the recommendations in this report.

Some examples:

- It was identified through case work that even when economic abuse was recognised and disclosed by the duty lawyer or the survivor and noted on the intervention order application, it was not always addressed during the hearing. Work needs to be done with court registrars to ensure that economic abuse is noted on the order to give practitioners working with survivors an increased capacity to deal with its legal implications.
- Working purely through the court system and with duty lawyers and court staff neglects those women who are not taking out intervention orders on their own behalf. It is important to also work with police.
- Working only with women going through the intervention order process neglects survivors who are not accessing legal support, but need it nonetheless. A more comprehensive approach should include working with family violence services, community services, health services, schools and community centres to broaden the number of people that can be identified and supported.
- There is a lack of family law support for people with limited resources which means the costs of pursuing the small number of assets often outweighs any benefits

4.5 Proposed model of support

The approach used by Wyndham Legal Service had many advantages. The ideal approach would be to have a specific worker to identify and deal with economic abuse issues, develop referral pathways and negotiate the complex issues that survivors of economic abuse experience. The person in this position would also have an awareness and understanding of how to work with people who have experienced family violence and use trauma-informed practice. It is also important that such a service does not offer time-limited support and recognises the long-term nature of many of these issues.

An ideal model would also work beyond court processes and provide assistance to people who are not necessarily applying for intervention orders.

Ideally, this type of service would be funded to provide specific support to survivors of family violence and work with the community, courts, family violence and financial counselling sectors to improve understanding and offer a holistic service proposition.

Holistic support in community legal settings would:

- *Address economic abuse and other financial aspects of family violence*
- *Be available over extended time-periods*
- *Include, but not be limited to, court processes*

5. Conclusion: Paving the way

A summary of the key findings and the way forward is outlined in this section. Through the collective experience of legal practitioners and survivors, the key legal and regulatory channels that need addressing in order to deal with the issue of economic abuse are highlighted, as well as the negative economic impacts of family violence on survivors.

The case studies and the service model highlight that there are many sectors with a stake in dealing with economic abuse and that a coordinated and integrated response is necessary to deal with this problem.

Family violence sector

Clearly, the family violence sector has a large role in dealing with economic abuse.

Economic abuse generally occurs with other forms of family violence and, at this stage, is primarily the way it is identified. Women who are seeking support through family violence services often have financial issues that also need to be addressed and it is important that the family violence sector is equipped to deal with these issues.

The legal community

As this report outlines, there are many parts of the legal community that need to be more able to deal with economic abuse. This project primarily focused on the intervention order process. In this context, it was clear that there is limited capacity for court support staff to address economic abuse. However it is important that, at the very least, economic abuse can be identified by lawyers, court personnel and magistrates, and survivors can be referred for further support. It is also important that there are appropriate structures and systems in place to enable this. This includes the Family Court of Australia, which at this stage is usually too expensive and cumbersome for people who only have smaller claims to make.

Financial services

Financial services have a key role in preventing and responding to economic abuse. By applying the appropriate screening protocols, they may be able to identify economic abuse when individuals and couples take out loans. Although responsible lending laws do prescribe that there needs to be benefit of the funds to the borrower, and there needs to be a demonstrable ability to pay, these provisions could go further for survivors of economic abuse.

Once economic abuse has occurred there needs to be consistent application of hardship provisions and support for these individuals, either through regulatory reform or through agreement with the financial services sector.

Utilities and phone companies

As with financial institutions, utilities and phone companies have a pivotal role in preventing and dealing with economic abuse. They too need to apply appropriate mechanisms to support individuals, make it easier for survivors and/or their advocates to navigate the system and ensure fewer people who experience economic abuse can be threatened with disconnection in the cycle of abuse.

Financial counselling

Financial counsellors have the skills and capacity to deal with many of the financial issues that people who have experienced economic abuse present with. To effectively assist people, financial counsellors also need to be aware of this specific form of abuse and receive training on the issue.

It is important that all of these sectors work together to create a holistic and comprehensive service response.

This complexity is reflected in the recommendations in this report, which cross these multiple sectors.

5.1 Lack of access to justice

The research has shown that survivors of economic abuse often have very limited access to the justice system to deal with their financial issues.

There were limitations in both the Magistrates' Court and the Family Court of Australia.

This is because of:

- The crisis-driven nature of intervention orders and Magistrates' Court processes
- The underutilisation of existing mechanisms in the Magistrates' Court
- The expense involved in private representation in the Family Court of Australia
- The relatively low value of property being negotiated in these cases

These limitations prevented women rebuilding financial safety after violence and also enabled abusers to continue to be economically abusive to their former partners, such as through intentionally delaying property settlements and withholding property.

As this and other research has shown, economic abuse is a serious and pervasive problem in our community. It is a serious form of family violence that cannot be neglected. It is a form of control that inflicts long-lasting damage. Addressing the financial needs of people who have experienced violence assists them with recovery, reduces the risk that they will return to violence and enables them to lead more independent lives.

The Magistrates' Court and Family Court of Australia are limited in their capacity to deal with economic abuse (Cameron, 2014), even when it was included in the complaints. For example, passing matters on to the Family Court of Australia when it is within the scope of the Magistrates' Court was common. This is highlighted in case study 24.

Case study 24: Violence can be non-physical

Continued from case study 21: Cash in hand

Bronwyn's complaint against Terry was specifically for economic abuse and was the only case study where this was included in the order.

Bronwyn obtained her intervention order with assistance from Wyndham Legal Service. She was harassed by Terry and his lawyer who continued to argue that she did not have a claim. Given the violence was non-physical she was concerned that it would not be taken seriously. She remembers calling the police and having to explain that her husband was abusing her only to be asked "are you in physical danger?" and was therefore nervous about pursuing an intervention order.

However, the intervention order was granted on economic and emotional grounds. As soon as the intervention order was granted by the court Terry, who had been making contributions to Bronwyn's account to prove he was supportive, cut off the payments.

During the hearing Bronwyn wanted to obtain data - including pictures, bank records and birth certificates - that was stored in Terry's "cloud". Terry had taken it all down and Bronwyn wanted it back. This was dismissed as a property settlement dispute, even though economic abuse was included in the intervention order and the claim could have potentially been handled by the magistrate.

In the absence of economic abuse at least being recognised as part of the intervention order process, abusers will continue to be able to abuse their partners. This keeps people tied to their abusive partners and increases their vulnerability and risk of violence against them.

It is imperative that court support workers, police and magistrates note and deal with economic abuse as an issue through the intervention order process and use the mechanisms at their disposal. These include the return of property and the act of economic abuse being a contravention of the intervention order.

Further, the costs associated with trying to access justice are often prohibitively high for many people (Women's Legal Service, 2013) - 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.

“Survivors of economic abuse often have very limited access to the justice system to deal with their financial issues...”

Addressing the financial needs of people who have experienced violence assists them with recovery, reduces the risk that they will return to violence and enables them to lead more independent lives.”

Recommendations: Access to justice

1. The Federal Attorney-General develops a “small claims tribunal”, or other effective mechanism, for survivors of family violence to negotiate small property settlements as recommended by Women’s Legal Service in their submission to the Productivity Commission’s enquiry into access to justice.⁵
2. Existing mechanisms within the Family Violence Protection Act are better utilised by duty lawyers and magistrates so that access to essential goods and services such as banking, energy, telecommunications and a low-value car can be resolved through interim orders rather than held over as part of a long-term property settlement.
3. The Judicial College extend its family violence training of magistrates to include economic abuse, including the identification of the range of these behaviours as outlined in this report and include this in the “Bench Book”.
4. The State Department of Justice and/or the Federal Attorney-General funds family lawyers at community legal centres to increase access to justice for survivors of economic abuse.
5. Essential Service industries should extend current self-regulatory dispute resolution pathways to include guidelines and access points designed to minimise the impact of family violence and the breakdown of family relationships.

Recommendation: Asset protection

6. VicRoads examines its policy and processes surrounding the transfer of car ownership between spouses and enables economic abuse and/or family violence to be used as a reason for transferral of ownership and/or to allow for the notification of payments due for registration to be made known to survivors when they are using a car in an abuser’s name to enable survivors to retain access to a registered vehicle.

5.2 Economic abuse is complex and often unidentified

Although there has been an increase in understanding of economic abuse, few survivors identify as having experienced this problem. In the general community, there is still a lack of knowledge about what economic abuse is. This means that survivors who are applying for intervention orders unsupported, or police who file intervention orders, do not include situations of economic abuse on the applications.

Another important gap in knowledge is people’s understanding of the credit reference system. The use of debt to tie survivors to abusers was common with many survivors assuming responsibility for joint debts fearing the impact failure to pay would have on their credit records.

⁵ The recommendation from the submission: “We recommend that in order meet legal need and facilitate access to justice, a family law tribunal is established to hear and determine small property claims. In Victoria, certain disputes can be heard by the Victorian Civil and Administrative Tribunal. VCAT was established to provide an alternative, more cost-effective and accessible avenue in tenancy, consumer law, planning and mental health/guardianship. A similar structure to VCAT could be adopted for any future family law tribunal.”

Recommendations: Improved information

7. Information about intervention orders and family violence includes details of economic abuse so that people applying for orders unsupported can include economic abuse in their applications.
8. Government, industry and the community sector provide more community education about the credit reference system. In addition, credit reference businesses and key community agencies should provide targeted information prepared for people in family violence circumstances which sets out how their changed circumstances will impact on their credit reference.
9. The Federal Attorney-General's office funds a broader education campaign for women about economic abuse to raise awareness of the issue.

5.3 Current supports are inconsistently applied

There were some solutions to rebuilding financial safety after economic abuse. For example, the application of hardship provisions or waivers of debt were used in cases where there was bank or utility debt.

However, these were inconsistently applied and were dependent on the organisations where the debt was held. Unless there was a clear breach in the Consumer Credit Code, for example, solutions relied on the goodwill of the companies that the people were negotiating with. This clearly, is an issue.

Some of the solutions were temporary, but were at least available as the case study on page 76 illustrates.

“Commonly survivors who are applying for intervention orders unsupported, or police who file intervention orders, do not include situations of economic abuse on the applications.”

“The use of debt to tie survivors to abusers was common with many survivors assuming responsibility for joint debts fearing the impact failure to pay would have on their credit records.”

Case study 25: For a time

Since separating, Diana remained in the family home paying full mortgage herself. Jakob was not contributing at all to any of the household expenses even though she was taking care of their children. While Diana did not want living expenses from him, as he was living independently, she needed help paying for school fees and childcare fees of \$150 per week. Jakob had a full-time job and a Diana part-time one so she could care for their children. Diana had negotiated a three-month mortgage holiday with her bank which was about to run out. It will be impossible, after that point, for her to pay the mortgage on her own.

Diana is relying on the property settlement in order to stay in her home. Diana and Jakob are currently negotiating this. They have both engaged family lawyers, with Diana's parents paying a retainer of \$2,000 for Diana's lawyers. They will likely be able to assist her further with the costs of legal representation. Part of the property settlement pertains to cars. Diana is currently driving a car that is in Jakob's name, and Jakob is driving a car that is in Diana's name. The issue is that the car in Jakob's name still has finance attached to it and can be repossessed for non-payment of the loan. This means Diana will lose access to her vehicle. Given his statement that he would not contribute "a cent" to her bills, this is a real threat.

Ideally, issues pertaining to the car will be sorted out in the settlement process but as Jakob is not making payments on the loan Diana may well lose the car. This would mean she could not get to the shops, transport her children or get to work. From Jakob's perspective, the risk is entirely Diana's. However he runs the risk of a bad credit rating if Diana does not keep up the payments.

Diana is also concerned that given Jakob is not contributing to the mortgage he will still receive equal benefit through the settlement.

Given that the car repayments were ahead, Diana was able to negotiate a temporary interest-only loan with the bank until these issues are settled. If the issues are not settled in time, Diana may need to seek further legal advice.

It has been found in other research that utility companies have an important role to play in dealing with family violence (Consumer Utilities Advocacy Centre (CUAC), 2014), and the findings from this report highlight that this is particularly so when economic abuse is part of the pattern of violence.

Recommendations: Essential services reform

10. Service providers including financial institutions, energy, water and telecommunications companies should be encouraged to establish family violence teams, similar to financial hardship teams, to minimise the impact of economic violence and family relationship breakdown on customer access to essential services.
11. Access to essential goods and services, such as banking, utilities and telecommunications, is considered separately to the debt attached to these to enable survivors to retain access to these services until property matters are settled.
12. The regulation of utilities through the Essential Services Commission should include a requirement on service providers, upon evidence of a family violence protection order, to amend contract details for joint account holders as outlined in the Consumer Utilities Advocacy Centre's "Helping, Not Hindering" report.
13. The regulation of utilities should include a requirement that energy, water and phone companies include the evidence of family violence and economic abuse as a trigger for the application of financial hardship provisions as outlined in the Consumer Utilities Advocacy Centre's "Helping, Not Hindering" report.
14. A forum or conference is organised by the community (Consumer Action Law Centre, Consumer Utilities Advocacy Centre, Financial & Consumer Rights Council), legal (Women's Legal Service, Federation of Community Legal Centres, Victorian Legal Aid) and family violence sectors (Domestic Violence Victoria) for utilities and essential service providers (including The Energy Retailer's Association) to inform them of the implications of economic abuse and work with them to instigate policies and procedures to deal with this issue.

Recommendations: Banking and credit regulation, policies and procedures

15. Banking Industry Codes of Practice and the national credit legislation should be amended to allow survivors of family violence to apply for the removal of their name, the release from liability and/or the ability to sever relationship debts from contracts for unsecured debt under \$10,000 where the liability arose out of economic and/or physical abuse.
16. The Australian Banker's Association works with the community sector to develop and apply consistent policies and procedures for banks and financial institutions in understanding, identifying and dealing with situations of economic abuse.

5.4 Refugee and migrant women face specific challenges

There were multiple challenges for refugee and migrant women experiencing economic abuse. They were more limited in their options because of their visa status, were generally more isolated because of distance from family and often could not seek support from their family because of a sense of shame. Although there are (some) protections for migrant and refugee women experiencing family violence, these appeared not to be understood by survivors or services. The misuse of dowry as a form of abuse was also present in some of these cases.

This provided further challenges for community legal services working with these women, as they often do not have the expertise to provide women with the advice requested. Programs that support these women only receive limited funding, restricting their availability to survivors and in their ability to provide secondary consultation.

Recommendations: Targeted support for refugee and migrant women

17. The Australian National Research Organisation for Women's Safety funds/conducts research into the misuse of dowry as a form of economic abuse and the ancillary visa and legal remedies that are available to women in these situations.
18. The Department of Immigration better funds settlement services to provide information for newly-arrived women of their rights if confronted by family violence and/or economic abuse in their relationship and what constitutes family violence and economic abuse in this context.
19. Greater resources are given to organisations that work with refugee and migrant women to provide support for those who are experiencing family violence and economic abuse, including support for visa issues and family violence support. Further, funding is extended to these services to enable a helpline for community and legal services to access secondary consultation and advice on these matters.

5.5 Limited integrated supports

While many services such as financial counselling services 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, family violence services do not have the funding or capacity to deal with economic abuse issues. Both sectors need greater resourcing to provide support for people who have experienced economic abuse.

Other supports, such as the Federal Department of Human Services, play a pivotal role in the identification of economic abuse, particularly in relation to the failure to pay child support.

Recommendations: Integrated community support services

20. The Victorian Department of Justice funds the Financial & Consumer Rights Council and Domestic Violence Victoria to develop a specific qualification for family violence financial counsellors and, further, provides funding for this training to be rolled out.
21. The Federal Department of Human Services continues to review and implement policies and procedures regarding the failure to pay child support as a potential form of economic abuse and screen clients for referral to other support agencies.
22. Government-funded financial counselling programs are extended to include a family-violence specific service through embedding financial counsellors in community legal services.

5.6 There is the need for deep, systemic change

Economic abuse is a gender inequity issue. This requires deep cultural and systemic change.

While women are still economically disadvantaged - due to lower pay, more time taken out of work for caring and lower retirement savings - family violence and economic abuse will remain a problem in our community. Women's systemic inequality leaves them financially disadvantaged and less able to gain independence from an abuser. We must adopt a systems-thinking and comprehensive approach to deal with this problem. The Victorian Royal Commission into Family Violence is an essential platform to do this.

Recommendation: Victorian Royal Commission into Family Violence

23. The Victorian Royal Commission into Family Violence includes attention to preventing, interrupting and responding to economic abuse:
- Through best practice frameworks for restoring financial safety and holding economic abusers accountable
 - By implementing system changes to prevent and interrupt economic abuse, including within services, business and government
 - By rebuilding survivors' long-term financial security through post-crisis and secondary prevention services
 - By promoting financial norms and beliefs that reflect a culture of non-violence and gender equality

It is important to change the stereotypes of women as poor money managers or of men as the "breadwinner" and therefore more entitled to making financial decisions. We need to educate young women of their rights and about their capacity to manage money as well as young men and boys of the same.

It is also important that the broader community is aware that economic abuse is a form of violence and that it is unacceptable and a prosecutable crime.

Credit legislation also needs to reflect the needs of this group and financial services and utility companies must apply consistent and fair provisions for people who have experienced economic abuse.

The court processes and system also need serious review. There are far too many barriers for women on low income with few assets to seek justice and rebuild their financial safety after experiencing family violence.

These changes are not a matter of good will, but a matter of human rights.

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Appendix 1: Plain language information statement and consent form

“Restoring Financial Safety” Research Project Participant Information Sheet

The project

Wyndham Legal Service is providing additional legal assistance to women applying for intervention orders. If you have any additional legal or financial issues that need to be addressed, we may be able to help you with this as part of the ‘Restoring Financial Safety’ research project. The research is being done by Wyndham Legal Service and Good Shepherd Youth & Family Service.

The purpose of the research is to improve our understanding of the financial issues faced by women in situations of family violence, and provide them with better services. As part of this project, we will produce educational materials for lawyers as well as a research report.

We are inviting you to take part in this research project. If you choose to take part, your information will be collected by Wyndham Legal Service’s financial safety lawyer, Owen Camilleri. A different lawyer will deal with your intervention order. If you decide not to take part in the research, we will still help you with your intervention order, as well as any additional legal or financial issues that you are facing.

Your participation:

- You are invited to take part in this project on a voluntary basis
- The information we gather while helping you will be used in the education materials and research report
- All of your details will be kept confidential. The educational materials and research report will not refer to your name or any details that may identify you.
- You can request a referral to a support worker for any issues that may arise as a result of your participation. If we can’t help, we will refer you to somewhere that can help.
- The report will be available to you when it is completed
- You can withdraw from the research at any time
- If you do not want to take part in the research, you can still get legal help from Wyndham Legal Service

If you are willing to have your information used for the research, please now read and sign the Participant Consent Form. Keep this Participant Information Sheet in case you want to follow anything up later.

For further information, questions or complaints:

If you would like more information about the project, please contact Shorna Moore (details below).

If you have any complaints or concerns, please contact Kathy Landvogt (details below).

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“Restoring Financial Safety” Research Project

Participant Consent Form

Please read and fill out this form.

I have read and understood the information sheet explaining the purpose of the research.

YES NO

I agree that information gathered by the Financial Safety Lawyer can be used for this project’s research.

YES NO

I understand that my participation is voluntary and I can withdraw at any time, without it affecting my right to get assistance from Wyndham Legal Service.

YES NO

I understand that my name will not be used in any report and my personal information is confidential.

YES NO

I understand that Good Shepherd will keep the personal information gathered for the research in a secure locked cabinet according to the accepted research standards.

YES NO

I understand that I can request a referral to a suitable support professional for any issues that may arise as a result of taking part in the project.

YES NO

I understand that I can contact the Wyndham Legal Service Public Interest Lawyer or the Manager of the Social Policy & Research Unit at any time.

YES NO

NAME:

EMAIL ADDRESS:

SIGNATURE: DATE:

I would like a copy of the final report to be emailed to me at the above address.

YES NO

