



Restoring Financial Safety:

A Roadmap to Recovery

Westjustice

Westjustice acknowledges the Peoples of the Kulin Nation as the Traditional Owners of the lands and waters of our region. We acknowledge their ongoing connection to Country, and we pay our respects to Elders past and present. As we work to achieve a just and fair society, we acknowledge the fundamental role of First Peoples in the life of this region, as Custodians of the world's oldest living Culture.

Westjustice acknowledges the severe impact of family violence on individuals, families and communities. We also acknowledge the strength and resilience of people who have, and may still be, experiencing family violence. Especially we thank the people we have worked with who have generously provided feedback for this report.

This report is authored by Dacia Abela, Program Manager of the Restoring Financial Safety Project with significant contribution by Rachael Athaide, Program Manager Employment and Equality Law Service and with the support of Directors Joseph Nunweek, Jennifer Jones and Caitlin Caruana under the leadership of Westjustice CEO Melissa Hardham.

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Lastly, we thank our funders, Ecstra Foundation and the Department of Families, Fairness and Housing for their continuing support of our work. This project would not be possible without their generous financial support.



Westjustice

Westjustice is a Human Rights and Community Legal Centre (CLC) servicing the Western Suburbs community with a collective population of over a million people. Our community is one of the fastest growing areas in Australia and is highly diverse, comprising many newly arrived refugee and migrant communities, with significant representation from Asia, Africa and the Pacific Islands, a growing Aboriginal and Torres Strait Islander community, and people of many faiths and no faith. Melbourne's outer west also has significant areas of disadvantage and higher than average family violence rates, when compared with the rest of Melbourne.¹ People experiencing gender-based violence represent our biggest client caseload. We work across all Westjustice's practice areas to address the impacts of family violence. Each of these works closely alongside community-based family violence workers in homelessness and family violence services, local health spaces, and the Werribee Orange Door.

Sunshine

Level 7, 12 Clarke Street
Sunshine VIC 3020
Tel: + 61 3 9749 7720
Email: admin@westjustice.org.au

Werribee

Level 1/8 Watton Street,
Werribee VIC 3030
Tel: + 61 3 9749 7720
Fax: + 61 3 9749 8276
Email: admin@westjustice.org.au

Sunshine

Visy Cares Hub, 80B Harvester Road,
Sunshine VIC 3020
Tel: + 61 3 9091 8237
Fax: + 61 3 9091 8207
Email: sunshine@westjustice.org.au

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westjustice.org.au

Authors: Dacia Abela December 2024

ACRONYMS AND LANGUAGE USED THROUGHOUT THIS REPORT

ABS: Australian Bureau of Statistics

AFCA: Australian Financial Complaints Authority

ATO: Australian Taxation Office

BNPL: Buy Now Pay Later

CLC: Community Legal centre

CLE: Community legal education

CWES: Centre for Women's Economic Security

DFFH: Victorian Department of Families Fairness and Housing

EARG: Economic Abuse Reference Group

EDR: external dispute resolution

EIIF: Early Intervention Investment Framework

ESC: Essential Services Commission

FCFCOA: Federal Circuit and Family Court of Australia

FSV: Family Safety Victoria

FWC: Fair Work Commission

IWG: Infringements Working Group

LGA: Local Government Area

MARAM: Multi-Agency Risk Assessment and Management Framework

McAuley: McAuley Community Services for Women

MIP: Multidisciplinary integrated Partnerships

NDIS: National Disability Insurance Scheme

PTSD: Post Traumatic Stress Disorder

PUV: Person using Violence (sometimes referred to as perpetrator)

PSS: Personal Safety Survey

RFS: Restoring Financial Safety

TCA: Thriving Communities Australia

TCP Code: Telecommunications Consumer Protection Code

TOD: the Orange Door

Victim-survivor: the person who has experienced family violence

VCAT: Victorian Civil and Administrative Tribunal

VOCAT: Victims of Crime Compensation Assistance Tribunal

WWC Vic: Working Women's Centre Victoria



¹ Extracted from Crime Statistics Agency Victoria data for year ending 2024. Accessed at <https://www.crimestatistics.vic.gov.au/crime-statistics/latest-crime-data-by-area> on 30 November 2024.



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EXECUTIVE SUMMARY

1 EXECUTIVE SUMMARY

Restoring Financial Safety: A roadmap to recovery aims to provide a blueprint for government to expand the Restoring Financial Safety (RFS) program across the state and beyond its present delivery through Westjustice, The Orange Door (TOD) Western Melbourne, and McAuley Community Services for Women (McAuley).

The Restoring Financial Safety (RFS) project aims to improve financial safety, resilience, confidence, and capacity of victim-survivors to recover from economic abuse and the financial fallout from a violent relationship. Economic abuse is a form of family violence that involves a pattern of behaviour that controls a person's ability to acquire, use and maintain economic resources, in a way that threatens their economic security and potential for self-sufficiency.¹ Whilst there is no one way it presents, some common behaviours include:

- Incurring a debt under a partner's name without their knowledge or coercing them to take out a loan that is not for their benefit.
- Controlling access to money.
- Not contributing to shared bills, incurring driving fines under a partners name.

The RFS Project delivers a holistic legal and financial counselling service to people experiencing economic abuse and financial hardship resulting from family violence. The RFS project has been delivering a legal and financial counselling clinic in Melbourne's West since 2018. Since late 2022 the RFS project expanded to include a new partnership with TOD Western Melbourne. This provided Westjustice with a valuable opportunity to work with Victoria's statewide model of support for people impacted by family violence. During this 2-year period, we also enhanced our service provision to include employment law, in recognition of the crucial role employment plays in financial security.

Between late 2022 and late 2024 the RFS project assisted **265 clients to untangle themselves from \$1.5 million of financial burden**. We found that the RFS project led to a 77% increase in housing security for our clients and 100% of clients felt more financially secure and in control of their financial situation after seeing us. The RFS project has contributed to the evidence base in Australia around integrated partnerships and transformed understanding, practices, and systems responses to economic abuse. We have effected systemic change across a broad range of areas including in local government, financial services, essential services, fines, licencing and registration and employment. This emphasises the diverse areas of law and policy which can impact the outcomes for a victim-survivor.

Westjustice's observations stem from our experience working in Melbourne's western suburbs which has higher than average family violence rates, when compared with other areas of Melbourne.²

Economic abuse is widespread and presents astronomical costs to victim-survivors, government, and society, both in terms of financial costs and safety costs. The impacts of financial abuse are estimated to have generated \$5.7 billion in direct costs borne by victim-survivors. From a societal perspective, these costs led to \$5.2 billion in broader economic costs in Australia in 2020.³

Across the TOD partnership pilot, we found that there were key benefits as well as opportunities to further refine and enhance the program for clients, service delivery, and partners. Further analysis is presented throughout this report, however in summary interdisciplinary partnerships should be flexible and adaptable to suit the method of service provision that each partner delivers. We have also learnt that with a larger partner with higher caseload volumes, fostering meaningful integration and professional development must be an active and ongoing effort which requires the careful allocation of time and resources.

Overall, there are key benefits to replicating the RFS model integrated with additional TOD locations. Above all, TOD is the model that the government is committed to across Victoria, and it is therefore key that legal and financial counselling services can be effectively engaged as a part of a victim-survivor's triaging. Ensuring people are provided with services that can assist to achieve financial security and independence means people can free themselves from the shackles of financial abuse and begin to recover from the cycle of abuse.

We recommend that the most effective model to delivering support to victim-survivors of economic abuse is via integrated partnerships across the state. In practice, this would look like localised clusters of partnerships (anchor sites) in different regions with integration at every Orange Door across the state and with specialist family violence services, including through the 'Safe at Home' model.⁴ It is complementary to have two touchpoints to access the RFS project – first via TOD at the initial and early stages of a person's help seeking journey and then again via specialist family violence services who have longer and closer engagement with victim-survivors to focus on their longer-term recovery.

To see out a successful expansion of the RFS project across the state, resourcing is required to ensure consistency and quality delivery. Therefore, the creation of a central resource centre (Restoring Financial Safety Victoria) to support this work is necessary.

KEY RECOMMENDATIONS

1. **Roll out the RFS project across the state in localised clusters in partnership with TOD and specialist family violence services alongside 'Safe at Home' programs (anchor sites).**
2. **Create a centre for excellence (Restoring Financial Safety Victoria) that is responsible for supporting a statewide roll out of the RFS project.**
3. **Fund the addition of family law practice (including child protection), administrative law practice, and migration law practice as key components of the RFS project.**

¹ Adams, A. et al, 'Development of the Scale of Economic Abuse' (2008) 14(5) Violence Against Women 563, 564.

² Crime Statistics Agency 2024 (n 1)

³ Commonwealth Bank of Australia, Deloitte Access Economics, 'The cost of Financial Abuse in Australia' (2022), accessed at [Cost of financial abuse in Australia.pdf \(commbank.com.au\)](https://www.commbank.com.au/australia.pdf)

⁴ The safe at home approach is an early intervention model that shifts the default system of helping women 'escape' violence to enabling them to stay at home, while actively disrupting the pattern of violence. See: [Safe at Home - McAuley Community Services for Women and Pilot Program Helps Victim Survivors Stay Safe At Home | Premier](#).





2 INTRODUCTION

Restoring Financial Safety: A roadmap to recovery is a practical report that aims to provide a blueprint for government to expand the RFS project across the state and beyond its present delivery through Westjustice, TOD and McAuley.

The RFS project has been evaluated and extensively documented in previous reports authored by Westjustice, see [Restoring Financial Safety: collaborating on responses to economic abuse \(2018\)](#) and [Restoring Financial Safety: The Transforming Financial Security Project \(2021\)](#).

Each of these reports outlined the reasoning behind the model, its structure, and identified systemic recommendations for government and industry in the areas of legal and financial counselling practice based on our work with clients. Rather than repeating the content of those reports, the focus of this report is forward-thinking, reflecting our hopes and aspirations for a state and national level rollout of the RFS project to support victim-survivors of financial abuse, and offering our practical insights as to what would enable such a rollout to succeed.

Recent research shows that economic abuse is widespread in Australia and has long term detrimental effects on the lives of victim-survivors. **The cost of financial abuse both in terms of health and safety and financial costs are staggering, costing victim-survivors \$5.7 billion and society \$5.2 billion each year.**¹ The ways in which a person uses economic abuse as a form of family violence is continually evolving and requires ongoing responses and reform.

Throughout this report we will present the outcomes and findings from our work on the RFS project over the past 2 years (the period in which we commenced working with TOD from late 2022 to late 2024). Notably during that period, **we were able to assist 265 people to achieve over \$1.5 million of fines and debts waived and compensation gained.** We also engaged in a large body of systemic advocacy work to transform government and industry responses to economic abuse.

¹ Commonwealth Bank of Australia, Deloitte Access Economics, 'The cost of Financial Abuse in Australia' (2022), accessed at [Cost of financial abuse in Australia.pdf \(commbank.com.au\)](#)

The cost of violence against women and their children is estimated to be \$26 billion a year or an estimated \$11,250 to the Victorian Government per person affected, plus an estimated additional \$5,750 in flow-on costs to the community and economy per person affected.² **Over the past two years, we estimate to have saved the government up to \$4.5 million or over \$8.5 million across the span of the project** since its inception in 2018, in family violence costs alone. We are likely to have saved the government close to \$9 million in avoided costs of homelessness. These figures are even higher once justice and health costs are considered.

Over this period, we have significantly refined our current program delivered through our enduring partnership with McAuley and expanded to include a second partnership, with TOD Western Melbourne. We have also expanded the project to include employment and equality law to our service offering, meaning many victim survivors were able to retain employment or access their full entitlements, contributing to longer term financial security. Whilst it was an unfunded component of the RFS project, we offered eligible clients help via our family law program to access support with their parenting, property, and child protection issues. Because of the nature of funding and resourcing this level of holistic care is rare but necessary to ensuring women and their children can remain free from violence and lead a life with independence, dignity, and security.

As we recommend throughout this report, we urge the government to invest in programs like RFS that support victim-survivors of economic abuse, both due to the costs to government and society of not responding and most importantly to stop the perversity of victim-survivors being forced to choose between poverty and violent abuse - too often resulting in death.

² KPMG, 'The Cost of Family Violence in Victoria', May 2017, accessed at [Cost-of-family-violence-in-Victoria.pdf](#)

A large, stylized red number '3' with a white outline, positioned in the center of the page. A white rectangular box with a black border is superimposed over the middle of the '3', containing the title text.

**OVERVIEW OF THE RESTORING
FINANCIAL SAFETY PROGRAM**

3 OVERVIEW OF THE RESTORING FINANCIAL SAFETY PROGRAM

What is economic abuse?

Economic abuse is 'a deliberate pattern of control to undermine someone's agency, economic security and independence'.¹ It 'involves behaviours that control a woman's ability to acquire, use, and maintain economic resources, thus threatening her economic security and potential for self-sufficiency'.² It is a pattern of behaviour³ that can involve economic control, economic exploitation, and employment sabotage.⁴ Economic abuse is an overwhelmingly gendered issue.

It can force victim-survivors into a complex and vicious cycle of financial dependence, violence and legal problems that can lead to poverty, poor health and wellbeing and insecure housing.

Many companies and government agencies still lack an understanding of economic abuse. Often their policies and processes to help victim-survivors free themselves from family violence and build financial independence are underdeveloped and/or inadequate.⁵ In some cases, they unwittingly manifest opportunities for abuse.

The prevalence and different forms of economic abuse are discussed later in this report.

About the RFS project

The RFS project is an effective and sustainable solution to assisting victim-survivors of family violence to untangle themselves from financial abuse. The RFS project delivers a holistic legal and financial counselling service to people experiencing economic abuse and financial hardship resulting from family violence. The clinic is a multidisciplinary partnership with McAuley and TOD. The model ensures greater accessibility to these services, avoids repeated storytelling and, wherever possible, avoids people being stuck on a referral merry-go-round between different, siloed and separate services.

The RFS project has the primary aim of improving the financial safety, resilience, confidence, and the capacity of victim-survivors to recover from economic abuse or the financial fallout from a violent relationship.

The RFS project was borne out of research from 2015 onwards, having conducted consultations with people who have lived experience.⁶ This research clearly showed a need for a whole of system response and targeted initiatives to address economic abuse and financial safety. Post the recommendations made in the Royal Commission into Family Violence in Victoria, Westjustice embarked on the second phase of the project which included collaborating with industry to establish family violence processes and entry points, the establishment of the Economic Abuse Reference Group (EARG)⁷ with national advocacy partners, and the piloting of a legal and financial counselling clinic in partnership with McAuley.⁸ After a successful pilot period, the RFS project was then rolled out for a further two years with McAuley, during which time a large body of systemic advocacy work was completed.⁹

Scaling and expansion of the RFS project

Since 2022, Westjustice has enjoyed multi-year funding from Ecstra Foundation and from Family Safety Victoria (FSV), Victorian Department of Families Fairness and Housing (DFFH). During this time, we have grown and evolved the program both in terms of how we restore economic security and personal safety but also the sophistication and design of the model.

Over this period, we have:

- Significantly refined our current program delivered through our enduring partnership with McAuley.
- Expanded to include a second partnership, with TOD Western Melbourne.
- Expanded to include Employment and Equality Law to our service offering.
- Provided significant support to the design of the Safe at Home model, which has just received funding for a trial site in Greater Geelong.
- Transformed industry and government responses to economic abuse.

The key activities of the RFS project include:

- Delivering a specialist economic abuse legal and financial counselling clinic to clients of McAuley and TOD (including an expansion to include employment and equality law services).
- Developing resources and community education materials and engaging in capacity building via educational and issue-spotting training to specialist family violence workers.
- Collaborating across different sectors nationwide which operate in the family violence prevention space, including the responsibility of the Victorian Co-ordinator of the EARG.
- Pursuing a systemic reform agenda to improve awareness, policies, and practices around the identification and prevention of economic abuse across legal and financial systems, and across institutions, industry, and government.
- Developing a business case to government and other funders to expand the service to other partners (including other Orange Doors) in the state.

Figure 1: RFS Project Progression



1 Kintominas, A., 'Addressing economic abuse: can we bank on it?' (2019) 28(3) Human Rights Defender 33.

2 Adams (above n 2) 564.

3 Kintominas (above n 8) 33.

4 Singh, S., 'Economic Abuse and Family Violence Across Cultures: Gendering Money and Assets through Coercive Control' in Marilyn McMahon and Paul McGorrey. (eds), Criminalising Coercive Control (Springer, 2020) 52.

5 For a recent summary by Westjustice of these barriers, we refer to our submission to the Parliamentary Joint Committee on Corporations and Financial Services on the Financial Services Regulatory Framework in Relation to Financial Abuse of June 2024: [Submissions – Parliament of Australia \(aph.gov.au\)](#)

6 See Camilleri, O., Corrie, T. and Moore, S., 'Restoring Financial Safety: Legal Responses to Economic Abuse' (2015) accessed at [Restoring Financial Safety: Legal responses to economic abuse](#).

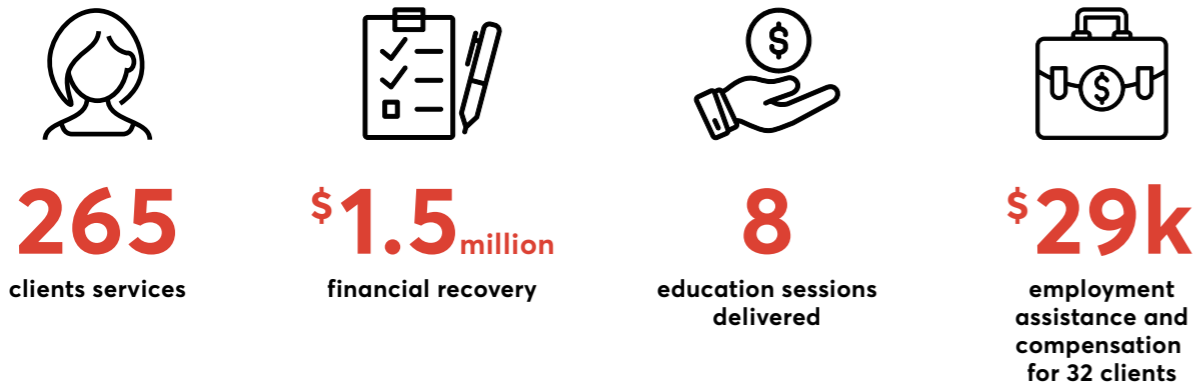
7 The EARG is an informal group of over 50 community organisations across Australia that work collectively with government and industry to reduce the financial impact of family violence. Members include domestic and family violence services, community legal services and financial counselling services.

8 See Tonkin, S., 'Restoring Financial Safety: Collaborating on Responses to Economic Abuse' (2018), accessed at [westjustice-restoring-financial-security-report.pdf](#).

9 See Abela, D. and Blustein, S., 'Restoring Financial Safety: The Transforming Financial Security Project' (2021) accessed at [westjustice_restore_fin_safety_web-version.pdf](#).

Figure 2: Key Outcomes

Snapshot of Outcomes



Client Story



Systemic Impact

- Led family violence focus group with Federal Treasury calling on stronger regulation of buy now pay later products.
- Provided evidence at Parliament Joint Committee on Corporations and Financial Services Inquiry into the financial service’s regulatory framework in relation to financial abuse.
- Secured stronger protections against family violence discrimination in the workplace.

Cost Savings



Outcomes achieved for our clients

Over the past 2 years from late 2022 to late 2024, we have been able to achieve life changing outcomes for our clients across the domains of financial safety, housing security and employment security.



SNAPSHOT OF OUTCOMES

265 clients assisted.

151 were referred to us by McAuley and **114** were referred to us by TOD.

Combined total of **1287 legal and financial matters**. On average, each person presented with 5.5 intertwined legal and financial matters ranging from debt and credit reporting issues, fines, tenancy, employment, Intervention order and family law matters.

Waived \$689,103 of debt on behalf of our clients, most of which was the result of fraud, coercion, or duress by the person using violence.

\$652,599 of infringements withdrawn, which included many avoided licences lost, and licences reinstated, giving our clients independence and freedom of movement and the ability to escape an unsafe situation.

\$250,795 of compensation for our clients. This was through negotiations with financial and other institutions, seeking reprieve under consumer and credit laws, applying for utility grants or rebates and applications for Victims of Crime Compensation (VOCAT).

Combined total of **\$1,592,498 of financial benefit** to our clients.

Tangible financial benefit (i.e. debts or fines waived/ compensation gained) were **on average \$15,612 per person**.

Specialist employment service assisted **32 clients** to gain **\$29,000 in compensation** from employers.

Delivered **eight separate practitioner based legal education sessions** at McAuley and TOD focused on upskilling practitioners in issue spotting and referrals. These sessions focussed on **financial counselling, civil law** and **employment law**.

Outcomes achieved for our clients

(continued)

Given that we have assisted 265 women and their children in abusive relationships over the past two years and over 500 women and their children since the commencement of the project, we have potentially saved the Victorian government up to \$8.5 million of avoided costs associated with family violence to date and \$9 million of avoided costs of homelessness. This figure does not factor in the additional costs savings involved due to the ameliorated impacts of;

- urgent and emergency service presentations,
- avoided interactions with child protection,
- retention of employment,
- decreased court costs, and
- decreased acute health and mental health costs.

A further breakdown of the direct and indirect costs of family violence, and how interventions like RFS can avert these, is included further into this report.

CASE STUDY:

Holistic legal and financial services helped Jane to recover from family violence

Jane* was referred to Westjustice by McAuley Community Services for Women. Jane is a young single parent and a New Zealand citizen. Jane and PUV had been in a relationship for several years and throughout that period the PUV subjected her to various forms of family violence. Jane fled from the abusive relationship and was forced into crisis accommodation. Jane's child had been removed from her care due to the risk posed by the PUV upon his birth.

Jane presented with a multitude of legal and financial issues including over \$30,000 of debt placed in her name coercively, and over \$4,000 of fines owing to her experience of family violence. To add to this Jane was dealing with intervention order proceedings and had been misidentified as the aggressor instead of the victim by Victoria Police and charged with criminal offences.

The PUV has a pattern of manipulative and coercive controlling behaviours. The PUV would regularly report Jane to the police for family violence that she did not commit as a form of further systems abuse against her. In one of the incidents, Jane called 000 after she was assaulted, but by the time the police

arrived, the PUV had forced her out of the house and spoke directly to the police. The police believed his version of events even though she was the one who called the police and later charged Jane with 13 counts of alleged assault related offences. This was despite compelling evidence, much of which was available to police at the time they responded to various call outs, suggesting that he was the primary aggressor and also had a history of abuse against previous partners.

These charges were particularly concerning for Jane as any criminal record may negatively impact her Australian citizenship application.

Westjustice advocated for Jane in this matter and ultimately we were able to have all the charges withdrawn against Jane.

In addition to this we were able to successfully argue that Jane's fines be withdrawn under the Family Violence Scheme. Our financial counsellor worked with Jane to clear her credit record and remove \$30,000 of debt placed in her name coercively.

Jane's case is an excellent example of the real impact and holistic service that the RFS Project can provide in collaboration with our other experts and partners. This was a clear case of systemic injustice that was rectified. Once Jane's criminal charges were withdrawn and financial liabilities removed, she was able to have a fresh start without the large debts. She was able to proceed with an application for citizenship and obtain a private rental property. Jane's child has been returned to her care and she is finally able to move on with her life.

*not her real name



What our clients told us

Before

In line with our monitoring and evaluation framework, Westjustice set out to anonymously survey our clients, both at the beginning and the end of our services. At first presentation, the survey results showed a lot of unaddressed legal and financial problems, lack of financial security and knowledge about how to address the problems. The results include:

65% of participants told us that they **did not feel in control of their financial situation**.

83% had not seen a financial counsellor and 52% had not seen a lawyer within the 12 months prior to seeing Westjustice.

63% of people **did not know what to do if they have been treated unfairly** by a company or had an issue with a product or service.

58% of people **did not know where to go** if they had been **treated unreasonably or unfairly at work**.

Many participants **used products to supplement their income** including 24% using a personal loan, 33% using a credit card and a whopping 55% used Buy Now Pay Later (BNPL) products.

46% of people reported having to **vacate or relocate** from where they'd been living **because of violence** and a further 20% said that they were thinking about leaving.

After

At the conclusion of our assistance, we surveyed clients and provided an open text option for people to provide to us, in their own words, any other feedback they may have.

100% of people reported that they have been able to **access information and guidance about money that meets their needs**.

100% of people **felt more financially secure and in control of their financial situation** after seeing Westjustice.

100% of people told us that as a result of our service, they were **more confident** in knowing what to do if their problem arose again.

77% of people told us that **by improving their financial situation** (e.g. freeing up money to afford rent or to pay bills), **Westjustice helped them to remain living in their home**. With the remaining 24% selecting the "not able to answer" option.

A general theme which ran through the narrative was that people felt listened to, and that their legal and financial issues were approached with empathy. In turn, they felt like their life circumstances had improved.

100% of surveyed people felt our service made them feel very welcomed and supported.

What our clients told us (continued)

In their words¹

Client feedback 1:

"Highly professional organisation went above and beyond their duty of care to help my family in a very difficult time in my family life. They all have the unique qualities of empathy they displayed which is comforting to someone like myself. They made sure to make me feel safe and secure within their service. A range of legal advice was utilized and sourced giving my family a fresh start at a better life."

Client feedback 2:

"I have been lucky to have [lawyer's name] as my lawyer. She has high work ethics and very compassionate and always listened to my issues and tried her absolute best to support my case. Because of her support & understanding to my difficult situation it helped me a lot in order to overcome my situation. Thank you for her amazing work it really made a difference in my life."

The quality of services provided by the RFS team was also highlighted throughout the survey results.

Client feedback 3:

"The [case workers] that I worked with were truly amazing women who did so much more for me than I ever thought possible. Truly amazing service."

Client feedback 4:

"Westjustice listened, was very knowledgeable, helped with the Magistrates' Court proceedings, provided rewarding assistance, and overall 10/10 service."

Client feedback 5:

"[lawyer] and [financial counsellor] were fantastic, and I found them very helpful and they were great at explaining everything."

And lastly, we heard that our support helped our clients to recover and regain a life of independence:

Client feedback 6:

"Westjustice are like 'Angels,' on earth! They have been full of heart and clarity amid the recovery of domestic violence endured for half a lifetime. Their work is phenomenal, helping me feel safe, and hopeful for a better future again. I have been able to gradually regain my independence and strength in every aspect of my life, thanks to Westjustice! For the past 2 years, each one of them have made me feel heard and understood. The lawyers and financial counsellors are all able to communicate in a sensitive way, where I felt that the 'violence' wasn't my fault. This was such a relief. I was able to understand the many forms of violence, even 'less evident, exhibiting 'coercion and control through manipulation or fear.' Their caring and organised approach helped me climb out of the pain and negative effects of domestic violence."



CASE STUDY:

Remediating irresponsible lending helped Tahlia take her power back

Tahlia* and John attended a car yard together as John had been pressuring her to take out a loan for a vehicle that he would use. Tahlia was crying at the car yard and yelling could be heard by bystanders. John test drove a vehicle by himself, but Tahlia told the broker that she was the one who wanted to take out the loan in her name only. Tahlia told the broker that she had a big lump sum of money coming in, however, it wasn't in her account yet. Subsequently, the broker introduced Tahlia to a loan company that was known for having relaxed financial checks. Tahlia paid half the purchase cost up front and took out a large loan. Immediately, Tahlia defaulted on the loan.

Tahlia came to Westjustice wanting help surrendering the vehicle (which was in John's possession) and untangling herself from this loan. Tahlia disclosed that John forced her to take out this loan and that the loan was only for his benefit. Having this loan under her name was causing Tahlia a great deal of stress and was exacerbating her anxiety and Post Traumatic Stress Disorder (PTSD) as it was a constant trigger for the violence she had endured.

Westjustice agreed to assist Tahlia, first by negotiating with the lender and when that was not successful in taking this matter to the Australian Financial Complaints Authority (AFCA).

Ultimately, AFCA required the broker and loan company to compensate Tahlia for irresponsible lending. AFCA required the loan company to waive the remaining debt, pay back all repayments made and the purchase deposit, amounting in almost \$43,000 of compensation being paid out to Tahlia and almost \$50,000 waived. This outcome went a long way in ensuring Tahlia's ongoing financial safety amounting to nearly \$100,000 of financial disentanglement.

Tahlia told us that our assistance helped "make my life better...I felt so supported by your team I was able to push myself to find the strength to work through this highly triggering process which has allowed me to take some of my power back and feel that I can get through this and be able to do not be just a prisoner of the trauma".

*Not her real name

¹ Please note some quotes have been edited for readability.

Systemic reform highlights

An important driver of our case work at Westjustice is to use the experiences of our clients (the evidence) to influence lasting systems change across industry and government. We seek to influence industry and government to:

- Acquire greater awareness of economic abuse.
- Continually improve their policies and practices to respond effectively.
- Ensure that they are putting these policies into practice and holding themselves accountable.

We drive our systemic reform through our active participation and leadership in forums such as the EARG and other positions on consumer representative bodies which interact with regulators and industry (for example, the Essential Services Commission (ESC) of Victoria, or the Insurance Council of Australia). Simultaneously, we respond to government inquiries and continue to advocate to state and federal governments to make appropriate changes with our partners in the community legal, financial counselling and family violence prevention spaces.

Westjustice have coordinated the Victorian chapter of the EARG and have worked closely with the national co-ordinators of EARG, Redfern Legal Service which has allowed us to collaborate with the community sector across the country and engage strategically in systemic reform work.

We have effected changes across a broad range of areas emphasising the diverse areas of law and policy which can impact a victim-survivor. Some highlights across the past two years include:

Figure 3:

SYSTEMIC AREA	IMPACT ACTIONS
Local government	<ul style="list-style-type: none"> • We have engaged in a long-term advocacy campaign to improve hardship practices for rate payers, particularly for victim-survivors of economic abuse.
Financial Services	<ul style="list-style-type: none"> • We prepared a comprehensive written submission to the Parliamentary Joint Committee on Corporations and Financial Services' Inquiry into the financial service's regulatory framework in relation to financial abuse, making 40 recommendations to government.¹ We were invited to provide oral evidence as a witness at the Melbourne hearing of the Inquiry along with members of the EARG, Redfern Legal Centre and Financial Rights Legal Centre. The final report was released in December 2024 and the committee makes 61 recommendations.² We were pleased to see several of our recommendations endorsed by the committee. The recommendations span across an enormous number of areas and if enacted would go a long way to close loopholes in our laws and policies that are exploited by perpetrators of financial abuse. • Westjustice and our collaborators, Good Shepherd and Redfern Legal Centre, formed a family violence and economic abuse focus group and advocated to the Commonwealth Treasury to improve the regulation of harmful BNPL products which were being weaponised in family violence situations. • We provided a submission in response to AFCA's proposed Approach to Responsible Lending.

¹ Westjustice (above n 12).

² Parliament of Australia, Parliamentary Joint Committee on Corporations and Financial Services, Financial abuse: an insidious form of domestic violence, December 2024, accessed at [Financial abuse: an insidious form of domestic violence – Parliament of Australia](#)

Telecommunications	<ul style="list-style-type: none"> • We met with The Honourable Michelle Rowland MP, the Minister for Communications, to express our concerns about the lack of protections afforded to consumers due to weak regulation under the Telecommunications Consumer Protection Code (TCP Code). This included expressing our significant concerns around family violence and economic abuse. In mid-2023, the Minister announced that an enforceable hardship code would be introduced for telecommunications customers which included family violence as a hardship ground.
Energy and Water/Essential Services	<ul style="list-style-type: none"> • We continued our involvement in the ESC Community Sector roundtables. • We are on the safety by design advisory committee.³ The purpose of the project is to develop a blueprint for water and energy sectors to reimagine their products and services so that customers experiencing domestic and family violence can access water and energy services in an equitable and safe manner.
Fines, Licencing and registration	<ul style="list-style-type: none"> • Westjustice and Redfern Legal Centre presented to the National Registration and Licencing Taskforce within Austroads to facilitate a national discussion on the intersections of family violence and vehicle registration. We hope to inspire further work on this issue to achieve a greater consistency across states. • We contribute our expertise on economic abuse via our participation in the Infringements Working Group (IWG). • We met with the Victorian Department of Justice and Community Safety to provide feedback on the operation of the Fines Victoria Family Violence Scheme.
Employment	<ul style="list-style-type: none"> • We submitted a comprehensive proposal to the Federal Government's Department of Employment and Workplace Relations as part of the consultation on updating the Fair Work Act to protect victim-survivors of family violence and to provide stronger protections for workers against other forms discrimination. • We played a key role in advocating for recent amendments to federal anti-discrimination laws to provide enhanced protection for victim-survivors of workplace sexual harassment and to ensure that victim-survivors do not have the threat of legal costs when they bring a claim in the federal courts. • We made a submission on the National Strategy to Achieve Gender Equality. Economic independence is crucial for victim-survivors leaving violent situations and measures to promote women's financial security and retention in employment must be supported. • We made a joint submission with JobWatch and South-East Monash Legal Service regarding providing better rights and protections for casual workers. • We made a submission to the Australian Law Reform Commission on Justice Responses to Sexual Violence.

³ The ESC has engaged Thriving Communities Australia (TCA) to deliver this project. TCA has partnered with Flequity Ventures, the Centre for Women's Economic Safety (CWES) and Safe & Equal.



**PREVALENCE AND FORMS
OF ECONOMIC ABUSE**

4 PREVALENCE AND FORMS OF ECONOMIC ABUSE

Economic abuse is a national epidemic and is often ignored or minimised as a form of family violence. The ways in which family violence and economic abuse impact a person's life are now well established. Economic abuse is most often perpetrated alongside other forms of physical and psychological family violence. Often it is not limited to the time of the relationship and can continue post-separation, having a significant impact on victim-survivors financial recovery long after the violence ends.

It is common for victim-survivors of economic abuse to experience the impacts of the economic abuse long after separation. This may sometimes be several years after a relationship has ended. For example, further debts or liabilities often arise from the period during and immediately after the relationship ends. In addition, many victim-survivors don't have the time or emotional capacity to address their financial situation when first prioritising their physical safety.

Research has found that 43 Australian women were subjected to financial abuse every hour in 2020.¹

The Australian Bureau of Statistics (ABS) has recently collected data on economic abuse for the first time, revealing that 1.6 million women and 780,000 men likely experience economic abuse in Australia.²

The Personal Safety Survey (PSS) found that women living in households with one or more cash flow problems were more likely to have experienced partner violence or abuse in the previous two years than those in households that didn't have cash flow problems. Noting that cash flow problems have become more commonplace. We expect that the statistics have worsened since then, particularly in Melbourne's west, where the fast-growing population is outstripping supply of essential services such as affordable housing and transport, and where family violence rates are already higher on average.³

There is no one way, shape or form that economic abuse presents. It can include controlling or exploitative behaviours, as well as more alarming consequences like complete and pre-mediated economic sabotage. Some of the most common examples we have observed based on our client work, participation in national working groups, and research are detailed in the table on the right.



Figure 4:

CONTROL OR EXPLOITATION OF ACCESS TO MONEY AND RESOURCES	ECONOMIC SABOTAGE
Exploiting a partner's wages or savings.	Forcing someone to incur debt in their name by signing them up to a contract when they do not receive any substantial benefit from that loan.
Restricting someone's ability to work; for example, preventing them from leaving the home to get to work, removing transport options to travel to work safely, harassing someone at work or behaving in a manner that affects their performance or safety at work.	Accruing or nominating fines in someone's name which can also interlink with loss of license and therefore freedom of movement.
Preventing access to joint finances.	Refusing to contribute to joint liabilities like a mortgage or rent where they can and should be, often with the implied or express intention of forcing a person into unstable housing or homelessness.
Controlling all the money and assets.	Damaging or disposing of a person's property, income or assets (particularly in rental properties or vehicles).
Making someone give up control over assets and income.	Negatively impacting a person's credit rating.
Coercing someone to claim social security payments.	Making a partner liable for joint debt.
Threatening disconnection of services.	Making a person insolvent or bankrupt.
Refusing to pay child support.	Fraudulently or coercively making a person a director of a business.

² Australian Bureau of Statistics, "1 in 5 Australians have experienced partner violence or abuse", 22 November 2023. Accessed at <https://www.abs.gov.au/media-centre/media-releases/1-5-australians-have-experienced-partner-violence-or-abuse>.

³ For further research on additional long-term costs of outer-suburban Melbourne households, please see SGS Economics and Planning, "Reality Check: Melbourne Homebuyers Facing Hidden Costs", 5 October 2023 <https://sgsep.com.au/publications/insights/reality-check-melbourne-homebuyers-facing-hidden-costs>.

¹ Commonwealth Bank of Australia, Deloitte Access Economics (above n 5).

Our data reveals that people do not present with a single issue, but instead come to Westjustice with multiple intertwined legal and financial problems. Notably, in the past two years there has been an upward trajectory in the total number of issues that people present with. Previously we reported that people were likely to come to us with 4 legal and financial counselling issues. However, in the past 6 months the total number of issues on average that a person presents with has risen to 6 separate legal and/or financial issues.

Whilst we cannot conclude for certain what the reasons are, we hypothesise that this in part comes down to mounting financial pressures arising from a cost-of-living crisis. As referenced earlier in this report, people are more likely to experience violence where there are cash flow problems.

Economic abuse matters can be complicated to resolve, and largely depend on the complexity of finances and the severity of the abuse. In Westjustice's experience, one victim-survivor may present with several debts which can be resolved promptly, while others may present with multi-faceted legal and financial issues that are more difficult to resolve and are long lasting.

In our experience, a matter will take a shorter time to resolve where:

- An industry or level of government has prescribed codes or standards which mandate for recognition and support to people who experience economic abuse.
- An organisation or government department is regularly compliant with relevant codes and standards.
- The victim-survivor has been assisted by wrap-around services that offer continuity, prevent re-traumatisation and ensure their continued engagement to unpack and address their situation.

Conversely, matters take longer to resolve where:

- Industry practice or understanding of economic abuse is poor and there is a lack of best practice.
- Economic abuse is heavily tied up in the outcome of a protracted and expensive legal proceeding (i.e., in the Family Court over property or parenting) and this defers resolution of other matters a person is facing.
- Delays and experiences with financial services, courts, tribunals, external dispute resolution (EDR) schemes or support services inadvertently lead to a person's disengagement, meaning that the situation worsens.

CASE STUDY:

Resolution of Hilary's matters delayed due to poor practice and understanding

Hilary* was referred to Westjustice by TOD. She presented with a total of 14 legal and financial issues including utilities, government debts, housing, insurance, victims of crime compensation, BNPL debts, and employment issues.

Westjustice has been assisting Hilary for over 20 months and counting. The length of our assistance period has been extensive owing to: client capacity (trauma, health, language barriers), on/off engagement (health, technological literacy, poverty), cyclic unemployment and debt accrual, and delayed resolution by creditors, particular government bodies.

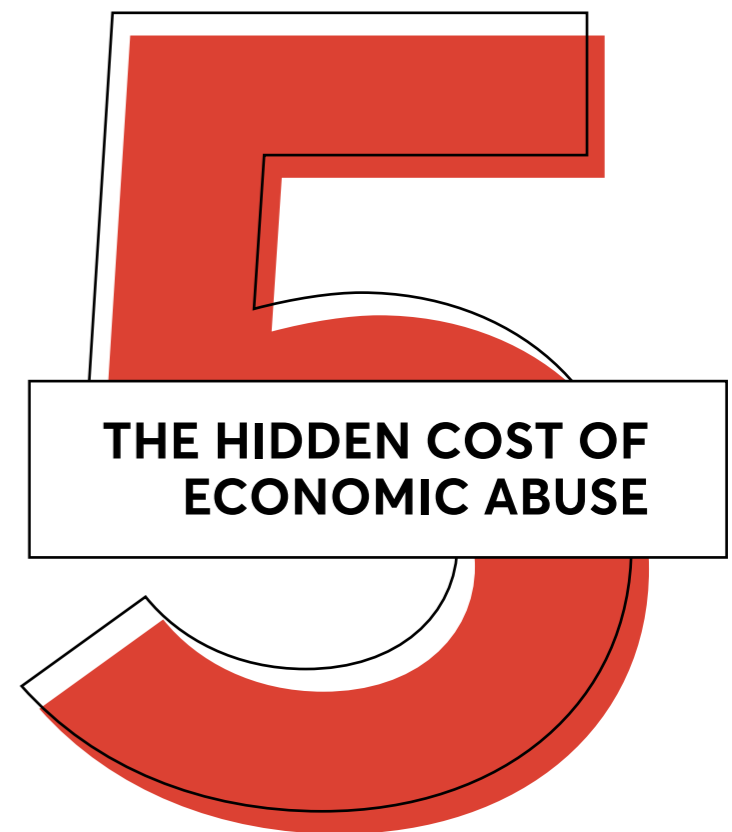
In the time Westjustice has been assisting Hilary, social workers have come and gone owing to the short-term assistance they can provide which simply cannot not address the aftermath of family violence and endemic poverty. Hilary has been unable to access health assistance (general practitioner, dentist and psychologist) owing to financial barriers which has undoubtedly stymied her recovery and ability to engage with legal and financial matters. Hilary has been taken to hospital by ambulance on at least 5 occasions in our period of engagement and has been too ill to attend appointments on various occasions.

The matters which involve debts owed to government have been particularly difficult to resolve owing to:

- Poor accessibility and resources available to understand how government debts were accrued and options.
- Understaffing of frontline workers resulting in slow or inconsistent communication.
- A clear lack of understanding of family violence and its long-term consequences, namely financial hardship in government policy and decision-making.
- Underdeveloped regulation, guidelines, policy and transparency in government decision-making.
- Unsustainable resolutions, including limited options of deferral or long-term payment arrangement.

*Not her real name





5 THE HIDDEN COST OF ECONOMIC ABUSE

Health and safety costs

Unresolved issues stemming from economic abuse come at a colossal cost to a person's health and safety. Economic abuse is a huge contributor to family violence risk, because financial dependence limits a victim-survivors' ability to escape an abusive relationship. Financial dependence is cited as the main reason a victim-survivor remains in, or returns to, a violent relationship.¹ Dr Anne Summers points out in her report *The Choice: Violence or Poverty*, women are often forced to choose between staying in a violent relationship or risking poverty for them and their children, which unsurprisingly means most women chose to stay in violent relationships.²

Among the key findings in Dr Summer's report were the alarming statistics she was able to distil from the ABS, including that:

- 275,000 Australian women had suffered physical and/or sexual violence from a current partner and while 90,000 of them wanted to leave, they felt unable to do so, with a quarter of the group who felt unable to leave saying the main reason was lack of money or financial support.
- A further 82,000 temporarily separated but returned, 15 per cent of whom said they needed to do so because they had no money or nowhere to go.
- 15 per cent (or 17,200 women) took time off from work in the 12 months after a family violence incident.
- The data shows many women experiencing family violence, or who had physically separated from a violent relationship, could not pay their bills or heat their houses or register their cars. More than 17,000 women went without meals.³

Family violence is also a major cause of homelessness among Victoria's growing population of homeless women.⁴ Between 2011–12 and 2018–19, family violence as a reason for homelessness rose by 81.5% in Victoria.⁵

As of 2023, family violence remained the most common reason for seeking homelessness assistance, and a total of 38% of all presentations to specialist homeless services were by individuals who had experienced family violence.⁶ Women and children are usually forced to leave their homes to find safety from family violence. Once they leave, compounding adverse consequences follow, including homelessness, poverty, loss of job, loss of social connections to family, friends and neighbours, and disruption of children's education.

In addition, psychological distress and depression often arise from the victim-survivor's anxiety about material or financial issues.⁷ This effect is apparent in the heightened propensity of economic abuse victim-survivors to attempt suicide.⁸

Children of victim-survivors of economic abuse can suffer a 'failure to thrive', sometimes leading to their removal from home by child protection authorities.⁹ Family violence often results in children missing significant periods of school whilst being housed in emergency accommodation or couch surfing with their mothers.

Financial costs

Research by Deloitte exposes the staggering financial cost of economic abuse in Australia, with both direct costs to victim-survivors and broader economic costs. The impacts of financial abuse are estimated to have generated \$5.7 billion in direct costs to victim-survivors. From a societal perspective, these costs led to \$5.2 billion in broader economic costs in Australia in 2020.¹⁰

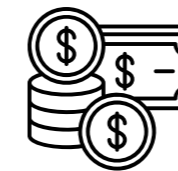
Costs to victim-survivors



\$5.7 billion
Cost to the victim

The highest cost was attributed to behaviours of withholding or controlling income (\$3.2 billion, or 57 per cent), followed by a refusal to contribute to shared household expenses (\$1.2 billion, or 21 per cent).¹¹ Refusal to contribute to the material needs of children cost \$0.6 billion (10 per cent). Lastly, making a partner liable for a joint debt carried a cost of \$0.7 billion to victim-survivors (11 per cent).¹² This translates to an average cost of approximately \$9,110 per victim of financial abuse.¹³

Costs to the economy



\$5.2 billion
Cost to the economy

The costs of economic abuse to society are equally disturbing. Deloitte found that productivity losses represented the highest economic costs, totalling \$4.6 billion in 2020.¹⁴ The expense to the health system cost \$150 million.¹⁵ There were deadweight losses (expenditure on governments payments and services, compensation, and forgone tax revenue resulting from family violence impacts) amounting to \$456 million.¹⁶ On average the broader economic costs are \$8,300 per victim.¹⁷

Productivity and employment costs

In 2020-21 it was estimated that lost productivity related to family violence cost the Australian economy \$609 million, with \$235 million borne by employers.¹⁸ A recent report conducted by Monash University also examined the impacts of domestic and family violence across Australian workplaces.¹⁹ The study found that:

- 1 in 2 victim-survivors reported that domestic and family violence impacted their career progression and opportunities.
- 1 in 4 victim-survivors surveyed reported that domestic and family violence significantly impacted their ability to undertake their job.
- 1 in 3 victim-survivors reported that domestic and family violence negatively impacted their employment status.
- 3 in 4 victim-survivors surveyed either did not know whether their workplace offered family violence supports or believed that it did not.

1 Australian Institute of Health and Welfare, Parliament of Australia, Specialist Homeless Services 2011–12 (Report No HOU 267, 2012).

2 Summers, A. (2022). *The Choice: Violence or Poverty*. University of Technology Sydney. Accessed at <https://doi.org/10.26195/3s1r-4977>.

3 Ibid.

4 Ibid.

5 Legal and Social Issues Committee, Parliament of Victoria, Inquiry into Homelessness in Victoria (Final Report, March 2021) 67. <https://www.parliament.vic.gov.au/49373d/contentassets/0c6d61c7d86d4971bf50c2573cb534b2/inquiry-into-homelessness-in-victoria---final-report.pdf>

6 Australian Institute of Health and Welfare (AIHW), Specialist Homelessness Services Annual Report 2022-23, 13 February 2024. Accessed at <https://www.aihw.gov.au/reports/homelessness-services/specialist-homelessness-services-annual-report/content/clients-services-and-outcomes>.

7 See: Kutin, J., Russell, R., Reid, J. 'Economic abuse between intimate partners in Australia: prevalence, health status, disability and financial stress' (2017) 41(3) *Aust N Z J Public Health* 269-274; Antai, D., Oke, A., Braithwaite, P., Lopez, G., 'The Effect of Economic, Physical, and Psychological Abuse on Mental Health: A Population-Based Study of Women in the Philippines' (Research Article No 852317, *International Journal of Family Medicine*, 27 November 2014).

8 Anitha, S., 'Understanding Economic Abuse Through an Intersectional Lens: Financial Abuse, Control, and Exploitation of Women's Productive and Reproductive Labor' (2019) 25(15) *Violence Against Women* 1854, 1856

9 Australian Law Reform Commission, Family Violence — A National Legal Response (Report No 114, October 2010) 215.

10 Commonwealth Bank of Australia, Deloitte Access Economics (n 3)

11 Ibid

12 Ibid

13 Ibid

14 Ibid

15 Ibid

16 Ibid

17 Ibid

18 Fitz-Gibbon, K., Pfitzner, N., McNicol, E., "Domestic and family violence leave across Australian workplaces: Examining victim-survivor experiences of workplace supports and the importance of cultural change" (2023) 56(2-3) *Journal of Criminology* 295

19 McNicol, E., Fitz-Gibbon, K., and Brewer, S. (2022) From workplace sabotage to embedded supports: examining the impact of domestic and family violence across Australian workplaces. Monash University, Victoria, Australia. Accessed at https://bridges.monash.edu/articles/report/From_workplace_sabotage_to_embedded_supports_examining_the_impact_of_domestic_and_family_violence_across_Australian_workplaces/21268686?file=37846161

Cost savings to government by investing in programs that support victim-survivors

The above statistics are a sobering reminder that economic abuse not only presents unacceptable costs to a victim-survivor, but that there are also significant societal costs. Economic abuse is everyone's problem, and it is incumbent on government to be part of the solution.

Beyond the obvious moral and ethical reasons, it makes economic sense for government to invest in programs that support victim-survivors of economic abuse as there are significant cost savings to government and society in doing so.

Drawing on the Victorian Government's Early Intervention Investment Framework (EIIF), we have shown that the RFS project presents cost savings to government by ameliorating the longitudinal economic impact of family violence. We believe the savings are as follows:

- **Housing security:** By supporting victim-survivors and their children in a stable form of housing to resolve civil, financial and family law problems it is more likely they will remain in that housing. This will avert entry into the homelessness system (costed at approximately \$25,615 per person per year) and, for children who are able to remain in continuity of schooling and study, avert the costs associated with early school leaving that does not proceed to work and education (approximately \$8,290 per early school leaver).
- **Financial Security:** By supporting victim-survivors in employment to remain in employment through the timely intervention of employment law and financial counselling services, there will be significant welfare cost savings to both federal and state government.
- **Social Inclusion:** By supporting victim-survivors who are misidentified and criminalised through the fines system, including inheriting serious driving offences carried out by perpetrators in their name, there will be significant criminal justice system savings.

We demonstrate these costs savings in the below client case study which takes a close look at Rachel's story.

CASE STUDY:

Rachel was assisted to remain safe at home

Rachel* has experienced financial insecurity because of family violence perpetrated by her former partner. Rachel has three children, all living under her care. They are all protected by an Intervention Order (IVO) that prohibits contact with the person using violence. Despite the IVO, the person using violence continued to breach its conditions, including breaking into her house and assaulting her.

Rachel received a default notice and legal letters threatening to take legal action and repossess her home of over 10 years due to mortgage arrears. Surrounding her mortgage arrears were several other financial pressures which were starting to spiral out of control, including fines, water bills and rates arrears. These had also adversely affected her credit report.

Rachel was casually employed, meaning her income was uncertain from pay-check to pay-check. Additionally, she felt like she was often performing jobs above her paygrade.

Through the RFS project, Westjustice assisted Rachel with:

- Extending her IVO and ensure her continued protection under law;
- Successfully negotiating with Rachel's bank to prevent an eviction from her property (which included a waiver of arrears, an interest rate revision, and removal of default listings from her credit report);
- Assistance for utility grant relief for her water bills;
- Gaining a partial waiver and payment plan for her rates arrears;
- An application to Fines Victoria under the Family Violence Scheme, to have the vast majority of her fines withdrawn;
- Having her demerit points reversed and therefore her licence reinstated; and
- Negotiating with her employer seeking conversion to permanent full-time employment in line with the National Employment Standards (NES).

*Not her real name

COST AVOIDANCE FOR RACHEL'S STORY

Rachel directly received a **financial benefit of \$36,200** in terms of money compensated or that she was no longer liable for. Through Westjustice's assistance, we believe resolution of Rachel's case has **saved the Government \$213,197**.

\$68,000 in avoided family violence costs

With the indefinite IVO, Rachel and her children have now also avoided the yearly costs of family violence. KPMG estimated the costs of family violence to be \$11,250 per person affected, plus \$5750 in flow-on effects to the community and economy per person affected. With Rachel and her children now safely removed from the family violence situation, this is the resultant save for all four of them.

\$102,460 in avoided homelessness costs

In helping Rachel to negotiate with her bank to prevent her eviction, the costs of crisis and public housing have been avoided in this case. SGS Economics' ['The case for last resort housing: Providing housing for homeless is cheaper and better for society'](#) estimates the costs of homelessness to the Victorian Government is \$25,615 per person per year, so \$102,460 has been avoided in this four-person house.

\$7,545 in avoided Court Costs

We have helped Rachel to avoid the Magistrates' and Supreme Court on a number of issues, including:

- Unpaid fines;
- Unpaid rates;
- Repossession of a mortgaged property;
- Extending her IVO yearly.

The Victorian Budget 2023-24 Paper No. 3 states the average cost per case of Criminal Matters disposed of in the Magistrates' Court was \$1545 in 2021-22, and we have assumed at least three cases avoided. The average cost of a Supreme Court finalisation is \$2,910 and we have assumed one case avoided.

\$35,192 in avoided unemployment/ underemployment costs

In helping Rachel to negotiate her employment terms, Rachel is now in more secure employment and is no longer receiving the Single Principal Carer payment from Centrelink (\$25,225 a year). In addition, Rachel is now paying more consistent tax on her income, estimated at \$9,967 a year based on a yearly salary of \$60,000.

We also note the additional indirect and longitudinal cost avoidance associated with outcomes in RFS matters where housing stability and safety are increased. Preschool and school-aged children experiencing homelessness or housing stress are more likely to experience mental health problems, which may include or extend to behavioural or emotional problems. Food insecurity is also frequently reported by young people experiencing housing stress, putting them at risk of adverse health outcomes. Housing stress may also be associated with frequent disruption to schooling and decreased educational attainment.¹ As such, the early intervention for an RFS client with children saves the government more money by way of averted health, welfare and justice system outcomes.

¹ For summaries of relevant research, please see Australian Institute of Health & Welfare, [Australia's Children](#) (2022), Australian Housing and Urban Research Institute, [Bulletin #171: What Impact Does A Child's Housing Have On Their Development and Wellbeing?](#) (2014) and Taylor, M., & Edwards, B. (2012). Housing and children's wellbeing and development: Evidence from a national longitudinal study. *Family Matters*, 91, 47-61



**MULTIDISCIPLINARY INTEGRATED
PARTNERSHIPS (MIP) MODELS**

6 MULTIDISCIPLINARY INTEGRATED PARTNERSHIPS (MIP) MODELS

Multidisciplinary integrated Partnerships (MIP) are increasingly being adopted as the optimal model of practice to improve outcomes for victim-survivors of family violence. In the community legal sector, integrated practice involves community lawyers and other community service professionals (such as financial counsellors, or family violence specialist workers) working together to respond to the needs of clients. Working in an integrated manner has been shown to have overwhelming benefits for victim-survivors, service providers, and broader systems.¹ Having said this, it is important to reflect on the resourcing required to ensure effective integration.

The RFS integrated practice model with McAuley has operated since 2018 and is extensively documented in our previous 2021 report.² Since 2022, we have expanded our integrated practice model to include two new elements - a partnership with TOD Western Melbourne, and the inclusion of an employment law specialist program. This part of the report will focus on analysing these new program features and recommending additional elements required to meet all the needs of victim-survivors experiencing economic abuse.

Learnings from Orange Door integration

Since late 2022 Westjustice has partnered with TOD in western Melbourne to deliver the RFS project. From late 2022 to late 2024 the RFS project accepted a total of 114 client referrals from TOD. Across the pilot of the TOD partnership, we found that there were key benefits of the partnership as well as some opportunities to further refine and enhance the program for clients, for service delivery and for partners. Further analysis is presented below in these three domains.

Clients:

Victim-survivors who presented to Westjustice from TOD tended to have more urgent or pressing issues pertaining to material needs like housing, as compared to those who were already linked to case management services like McAuley. This was unsurprising, as most victim-survivors are likely to have presented to TOD soon after leaving an unsafe relationship or even prior to ending the relationship.

¹ Abela and Blustein (n 16); SVA Consulting, Commonwealth Bank of Australia, "Working together to support victim-survivors of domestic and family violence" (2021), accessed at [Documented_Model \(safeandequal.org.au\)](https://www.safeandequal.org.au/Documented_Model)

² Abela and Blustein (n 16).

This provided some key opportunities for us to intervene at the earliest stage possible to prevent homelessness by supporting a victim-survivor to remain living in their home before they were forced to leave (either for safety or financial reasons). For example, we assisted clients with their residential tenancy issues such as challenging notices to vacate, terminating leases under the perpetrator's name, and creating new leases under the victim-survivor's name. We were also able to assist with mortgage related issues, such as obtaining moratoriums to allow a victim-survivor to remain in their property while they resolve family law property settlements. TOD partnership will be key in progressing the Safe at Home model across Victoria.

As TOD is often the first point of contact a person has with the family violence service sector, people can be linked with the supports they require at the earliest point possible. A victim-survivor need not be accessing a family violence case management service to be referred to RFS. This minimises wait times for clients and allows interception of legal and financial issues before they spiral out of control. It also allows a wider range of people to access our services.

TOD accessed the RFS service largely to triage legal referrals into Westjustice's family law program. With adequate funding there is a key opportunity to develop and expand our service offering to resource the pressing need for family law support.

There were also aspects of TOD partnership that present further opportunities for refinement. Firstly, as TOD is not a case management service, they are not required to engage with victim-survivors for longer term recovery. This meant that after referrals were made to Westjustice, often a case was closed with TOD and clients were not provided with continued case management support.

While TOD workers proactively refer clients to specialist family violence case management services, this may be subject to long waiting times. This limits the benefits of the tripartite model we have developed of social, legal, and financial counselling supports. It also leaves highly problematic a gap in service delivery.

This, in turn, can impact on clients meeting their goals within the RFS project or burdens Westjustice case workers to fill this gap, effectively 'holding the risk'. An example is where a lawyer or financial counsellor feels compelled to provide the safety planning or access to housing or health and wellbeing services which would usually be in the primary scope of a social worker or specialist family violence case manager.

Additionally, it was difficult at times to obtain key support documents like letters of support that are often required for legal and financial case work, after TOD had closed their services to the client but before

they were effectively engaged with an ongoing service. This sentiment is shared by many in the sector, noting gaps and delays in connecting victim-survivors with family violence case management. This has been reported as an issue by the Family Violence Reform Implementation Monitor.³

Where it has been identified by TOD that someone would benefit from a referral to a case management support service, we suggest that the most effective way to manage this for the benefit of the clients and partner agency is for TOD to remain involved (preferably by way of holding a case open) until that person is accepted into case management with the relevant family violence service. This could provide a fallback to address any urgent needs arising during the wait period. For example, in cases where changed or additional safety planning is needed for a household, or a letter is required from an independent organisation attesting to family violence circumstances for a court or conciliation matter.

Furthermore, whilst early intervention is important, in some cases it may be too early for a victim-survivor to discuss issues related to financial abuse due to the immediate need to address safety concerns. Therefore, there can be a lack of engagement by clients who have more pressing priorities. In these instances, people tend to benefit more from early information and advice and then re-engage longer term when they are engaged with a specialist family violence case management service.

Service delivery:

There are several differences between the service delivery models of TOD and McAuley. The need for outreach in TOD context was less important than in the McAuley partnership, because of the way TOD delivers its services and the challenges that present with TOD servicing both the person using violence (PUV) and victim-survivors. TOD is predominantly a phone service, and many victim survivors do not have an affiliation with the physical site. This is in contrast with McAuley, where outreach locations are sites where people live in transitional or crisis accommodation or may be accessing other services like meeting case managers, psychologists, or nurses. In Werribee, the Westjustice office is in very close proximity to TOD. Many TOD clients opted to meet us face to face at the Westjustice Werribee office. An important reason for this is that TOD is an access point for both PUV's and victim-survivors. As a result, victim-survivors often do not feel comfortable attending TOD in person.⁴

³ Family Violence Reform Implementation Monitor "Monitoring Victoria's Family Violence Reforms: Crisis Response to Recovery Model for Victim Survivors" (2022) at p.23-24, accessed at [FVRIM-Crisis-response-to-recovery-model-for-victim-survivors-report-\(December-2022\)-updated-19-May-2023.PDF \(content.vic.gov.au\)](https://www.vic.gov.au/content/vic/gov/au/FVRIM-Crisis-response-to-recovery-model-for-victim-survivors-report-(December-2022)-updated-19-May-2023.PDF)

⁴ Note that Westjustice is obliged as a law firm to conduct conflict checks and record the PUV as an "other party" to the legal and associated matters of a victim-survivor client who is excluded from receiving assistance at the same time. This means that TOD victim-survivor clients should never in ordinary circumstances attend a Westjustice office which is also frequented by the PUV.

Additionally, this is a less resource intensive way to deliver services, as case workers are not required to attend outreach.

However, the lack of connection many clients felt with the physical space of TOD meant there were fewer face-to-face interactions with clients. While this allowed additional flexibility and accessibility for clients, it may also mean less opportunity to build rapport and trust in person.

Understandably due to privacy and risk, TOD staff were seated on a different level to where Westjustice delivered services when we did attend TOD in person. Westjustice was allocated a room in the client meeting area. This meant when we did provide outreach services to TOD on site, we were not automatically meeting and conferring with TOD staff. There were therefore fewer day-to-day opportunities to connect and less of a chance to promote the program and build familiarity and the direct referral pathways that can come with this.

Strategic partnership and buy in:

The partnership with TOD is an important opportunity to work with the state's central intake and triage family violence service and model a referral relationship that could have application elsewhere in Victoria. The TOD model is not complete without people's legal and financial needs being identified and met and therefore, the RFS is a necessary component of the network.

CLC's like Westjustice are a logical referral point from TOD into legal and financial counselling services. However, without adequately resourcing services like ours, we cannot meet the demand.

With funding from FSV, we were able to dedicate program resources to accepting referrals and providing case work support to clients. This leads to better outcomes for individuals as integrated referrals to multiple systems mean people's full range of needs are met.

Notably, there was executive buy-in from TOD Western Melbourne leadership and regular check-ins to update each partner on activities and challenges. This allowed us to identify and manage any operational challenges and celebrate our successes.

As we were working with a newly set up location of TOD, staffing and resourcing at TOD were impacted by the recruitment challenges felt across the family violence sector. Therefore, newer staff may not have been aware of the RFS project when they started, unless it was made known to them by FSV or home agency staff during their induction. We are considering options to facilitate referral awareness to meet the ongoing arrival of new TOD workers, such as a pre-recorded introduction to Westjustice and RFS that can form part of induction.

Opportunities to provide training and professional development to TOD staff were limited, with predominately briefing time only rather than detailed professional development sessions. Further training and professional development would enhance the quality of referrals to the program and reduce spent time triaging.

KEY TAKEAWAYS

The partnership with TOD looks different to the partnership we have fostered with McAuley because it is an inherently different service. In advancing RFS, this is an unambiguously good thing. Partnerships should be flexible and adaptable to suit the method of service provision that each partner delivers. However, we have learnt that with a larger partner with higher-volume caseloads, fostering meaningful integration and professional development must be an active and ongoing effort which requires the careful allocation of time and resources.

Overall, there are key benefits to replicating the RFS model integrated with additional TOD locations. Above all, TOD is the model that the government is committed to across Victoria, and it is therefore key that legal and financial counselling services can be effectively engaged as a part of a victim-survivor's triaging. Ensuring people are provided with services that can assist to achieve financial security and independence means people can free themselves from the shackles of financial abuse and begin to recover from the cycle of abuse. **There cannot be safety from family violence without financial safety.**

Learnings from employment law integration

Providing access to employment law legal services to victim-survivors of family violence is essential to addressing the pervasive impacts of family violence on individuals' private, public and professional lives. Experiences of family violence can have profound effects on employment leading to job loss, performance management, disciplinary action, difficulties in obtaining employment and increased susceptibility to infringement of employee rights.

As a result of the trauma and experience of family violence, victim-survivors often need flexibility, support and responsiveness from employers to engage in extra carer or family responsibilities, request time off to seek medical care, attend court hearings and/or relocate to ensure their safety. Exercising employee rights within the workplace can create additional stressors

for victim-survivors where employers fail in following their legal duties to provide safe and responsive work environments, policies, and practices.

The legal and financial services delivered through RFS clients by our specialist employment clinic lawyers are vital to empower victim-survivors of family violence to maintain their economic independence by ensuring employment stability. Our legal assistance both proactive and reactive ensures victim-survivors of family violence understand their employee legal rights, the enforcement of their rights, and avenues for remedies if their rights are infringed.

Our aim in delivering these services is to equip victim-survivors of family violence with necessary supports to navigate complex work directions, and leave them with capacity to gain, retain and thrive in employment.

Whilst victim-survivors that came through RFS presented with differing and unique workplace issues, some of the most common included:

- Victim-survivors faced difficulties attending work, because of the effects of family violence, relating to their physical and mental health, as well as caring responsibilities.
- Employers who take adverse action in the workplace against victim-survivors who report their perpetrator (who is known to the business owner or who works at the same workplace).
- Victim-survivors being treated adversely or terminated because of family violence related issues experienced or where the impact of family violence follows to the workplace (e.g. affecting their performance, reliability, ability to attend work on time or at all, time management or perceived professionalism).
- Employers not following their legal obligations, including their own policies, in relation to supporting victim-survivors to have a safe home and workplace, including doing things like disclosing current location/address of women to violent ex-partners.
- Victim-survivors not understanding their rights in relation to leave, or flexible working arrangement policies or family violence leave entitlements.
- Victim-survivors experiencing general work exploitation, such as not getting paid correctly, experiencing bullying or discrimination, and not having the resources or confidence to rectify these issues.

In addressing these issues with legal advice, task assistance and casework, our employment law services play a pivotal role in fostering financial resilience by providing victim-survivors with essential tools to thrive in employment. These outcomes can be summarised in the below three key areas:

- 1. Reducing barriers to entering or re-entering the workplace:** By equipping and empowering victim-survivors of family violence to understand and demand their workplace protections we assist victim-survivors to feel confident in challenging decisions made by employers not hire them because of family violence. This, in turn, promotes a greater ability to enter the workplace and maintain employment. This also reduces barriers in obtaining and continuing employment and removes financial dependence on both perpetrators of violence and government supports (such as Centrelink).
- 2. Increasing access to legal services when employers breach the law:** Our services provide legal advocacy and assistance to ensure that when employers act unlawfully, a victim-survivor's rights are protected within the workplace. This can result in:
 - Reinstatement, an apology and/or commitment from an employer to improve work policies and practices.
 - Compensation for lost income or general damages resulting from an employer's breach of the law.
 - Provision of statements of service and positive references.
 - Securing reasonable adjustments and securing flexible work to retain and thrive in employment.
- 3. Equipping victim-survivors with tools and knowledge about the law to retain and thrive in employment:** A key part of our service involves equipping and empowering survivors with an understanding of their protections under the law. This allows victim-survivors to have an awareness of the supports they are entitled to and can lawfully request within the workplace to maintain employment during life events which have an impact on their work. This in turn ensures that victim-survivors feel protected in the workplace and empowered to have better working conditions in future employment.

CASE STUDY:

Rosie was assisted to receive her employment entitlements

Rosie* came to Westjustice to deal with the financial impacts of severe family violence. Rosie's employment was a crucial lifeline to financially support herself during an extremely difficult time in her life, but was jeopardised when her ex-partner assaulted her, causing serious injury.

Rosie had faced unjust termination from two separate employers within the past year, both incidents stemming from her absences from work caused by family violence.

In the first instance, Rosie was abruptly dismissed after explaining to her employer that her unplanned absences had been caused by family violence. Her manager terminated her employment and threatened to sue her, disregarding her 18-month satisfactory performance history. Rosie's distress deepened when her attempts to resolve the issue with her boss proved fruitless.

The second workplace presented another financial and mental challenge for Rosie. Exercising her rights to family violence leave and sick leave due to the severe family violence she endured, she found herself subjected to an unjust disciplinary process after an allegation was made about her ability to do her job.

Westjustice was able to support Rosie by representing her in two Fair Work Commission (FWC) claims against the separate employers. Through preparation of witness statements and legal submissions, Westjustice secured settlements in both claims before they went to hearing at the FWC, totalling \$17,000. These settlements provided her with substantial compensation for loss of income incurred because of the unlawful terminations. As part of the settlement, the first employer reclassified her dismissal as a resignation and provided a written statement of commitment to honouring their obligations to employees experiencing family and domestic violence under the Fair Work Act. This written statement means she will be more likely to be employed in the future as it confirmed her work record was in good standing.

In both instances, Westjustice ensured Rosie's rights were protected and compensation was given to her for the six months she was out of work. Rosie's cases were settled within three months of her appointment with the employment team at Westjustice, meaning her case was resolved and her settlement received quickly. This has put her in a significantly stronger financial position, improved her stress and mental wellbeing, and improved her likelihood of future employment.

*not her real name

In May 2024, Westjustice was announced as a partner in the new Working Women's Centre Victoria (WWC Vic), a consortium of community legal centres offering free advice, information, support to women who work in Victoria about their workplace rights. The commencement of WWC Vic is a landmark for employment law access, including to victim-survivors, in the state. If funding is maintained going forward, the RFS model will now dovetail with WWC Vic at Westjustice by way of warm internal referral of clients with employment needs. Indeed, further RFS-modelled services in Victoria's suburbs and regional centres could provide ongoing statewide referral to WWC Vic if both projects received ongoing funding.

Opportunities for further enhancement of program model

Family law

Our casework and systemic impact work has made it very clear that there is a pressing need for family law legal assistance in the RFS space. To demonstrate this need, Westjustice implemented a strategy to build the capacity of the whole team who had predominately been delivering transactional, discreet, once-off family violence services in family law. Not only has this been instrumental for our Family Law Program in building diversity of practice, technical skills and improved staff retention, it has most importantly provided a key access point for victim-survivors of family violence.

Between July 2023 and July 2024, the Family Law program provided legal assistance in family law property settlements to 82 clients who were all victim-survivors of family violence, and 58 of these clients were referred from our partners the TOD and McAuley Services for women. Many of these cases are ongoing in the negotiation stage or being litigated in the Federal Circuit and Family Court of Australia (FCFCOA). Notably these services have been provided unfunded and under resourced, a consequence of which is very limited scope to assist with ongoing representation of clients and having to turn away many people.

Despite the current funding barrier, the Family Law Program continue to do this work in recognition that family violence does not end with victim-survivors leaving the relationship or obtaining a Family Violence Intervention Order. We know that in many instances family violence escalates once victim-survivors decide to leave the relationship with parenting and/or property issues used as another avenue to perpetrate family violence including financial abuse.

Westjustice works across all the 4 pillars in the Government's National Plan to End Family Violence against Women & Children 2022-2023: Prevention, Early Intervention, Response and Recovery. When we look at the 4th pillar (Recovery), housing is key to ending violence against women and children. We see our Family Law practice as essential in the Recovery and healing space both for safe parenting arrangements and financial security by increasing access and improving linkages and pathways from crisis and transitional housing to long-term affordable housing.

Where victim-survivors are denied effective and timely support to access fair family law settlements, this increases the likelihood that they may accept unfair or inequitable results; that ex-partners weaponise the family law process to continue economic harm; and that they and their children move out of home and into precarious housing unnecessarily. Family law property settlements are a key element of a person's financial safety.

Free family law access (particularly for property settlements) for those who need it remains extremely scarce in Victoria especially as less private lawyers take on legally aided family law work for vulnerable clients and specialist expertise is required to represent victim-survivors who often have complex clustered legal problems resulting from the impacts of family violence. The Victorian Law Foundation's Public Understanding of the Law Survey indicates that family law issues have the highest percentage of unmet legal need (70%) among civil legal issues, with family law problems ranked as having the highest mean problem severity. Furthermore, individuals who had experienced family-related issues were among the most likely to also report a cluster of problems related to housing, government payments, and debt or financial concerns.

Funding family lawyers alongside the civil law and financial counselling services already provided in RFS ensures that we can eliminate areas of unmet legal need for the clients it currently services. By doing so, we can foresee a future where we are able to assist a person through their entire financial safety journey including;

1. **Immediately**, by clearing debt and fines and growing financial independence;
2. **Intermediately**, by ensuring they maintain secure employment with their full entitlements;
3. **Long-term**, by resolving family law property settlements and ensuring people are receiving their fair share of property after ending a relationship.

CASE STUDY:

Access to family law support saw Leni achieve financial safety

Leni* is from a migrant background and came to Australia on a partner visa to marry Tim. Once they were married, Tim perpetrated physical, sexual and financial abuse against Leni. When Leni didn't do what Tim wanted, such as have sex with him, Tim threatened to write to the Department of Immigration and tell them they weren't a real couple so that Leni's partner visa would be cancelled, and she would be sent back to her birth country. Tim owned the home they lived in, and Leni felt like she had nowhere else to go. Because Leni has a limited command of English, her employment was low-paid and insecure. Leni had depression and anxiety and she was constantly scared of being sent back to her birth country. She was worried for her child's safety as well and felt completely alone.

Leni was able to access Westjustice for assistance with a property settlement. As their divorce had already been finalised, she only had a few months to try to negotiate a settlement with Tim without being out of time for filing in Court. Negotiations with Tim were unsuccessful and to preserve Leni's interest in the property pool, our lawyer filed an application for property orders with the FCFCOA in a short period of time to ensure that Leni was not out of time to make an application for a property settlement.

Ultimately, Leni's matter resolved and she received approximately 30% of the asset pool, amounting to approximately \$100,000 which included a superannuation split. Leni has said that without our lawyer, she would not have been able to resolve her property matter. It is very likely that without Family Law Access, Leni would have been out of time to make an application to the Court for property orders. She is now planning on moving out of government housing into a private rental.

*not her real name

Leni's case demonstrates the enormous impact that being able to access family law support can have on a person's financial safety. Without the support of Westjustice, it is very likely that Leni would have walked away with nothing, leaving her financially destitute for the foreseeable future. Unfortunately, Leni would be considered lucky for having been able to access a free lawyer for a family law property settlement. Legal services like Westjustice are chronically underfunded and under resourced to be able to provide family law property settlement assistance, due to their being time-intensive and complex. With sustainable funding, Westjustice would be able to dedicate additional resources to assisting people who have experienced family violence and economic abuse to achieve long-term financial safety by undertaking property settlements.

Our vision is for women and children who have experienced family violence to secure and retain safe, long-term, and affordable housing through access to intensive family law property assistance. Improved access to family law property assistance will not only disrupt ongoing family violence in the form of financial control post separation but also foster better economic and wellbeing outcomes, breaking the cycle of disadvantage. Family law property assistance is recognised as a key element of housing and justice policy, integral to empowering women to achieve financial security in alignment with the National Plan to End Family Violence 2022-2032.

Administrative law

Government services including Centrelink, child support and the Australian Taxation Office (ATO) have the potential to cause significant financial harm to victim-survivors of family violence, particularly in the case of Centrelink being a safety net for those escaping violence. Access to a Centrelink income is crucial to providing victim-survivors with some financial independence and security to enable them to leave an unsafe relationship.

Unfortunately, these systems are often weaponised and leave victim-survivors in a web of debt owing to government which is complex and difficult to navigate. Some examples include;

- A PUV may misleadingly provide inaccurate information or coerce a victim-survivor to provide inaccurate information, leading to a debt being incurred under the victim-survivor's name (see the case study for Fazia below) – this sort of economic abuse can lead to debts with both the ATO and Centrelink;
- A victim-survivor may feel trapped in an unsafe relationship for fear of not having enough income or an income at all or for threats by a PUV to report them for providing false information to Centrelink;
- A PUV may report inaccurate portion of parenting (time and responsibility) to child support to avoid paying the victim-survivor their fair share of child support; or a PUV may not pay child support at all despite an accurate assessment;
- A victim-survivor may end up owing Centrelink a debt for a childcare subsidy where due to family violence there has been a large number of absences from childcare; or where the projected income of the 'family' was inaccurate and therefore the amount of subsidy claimed was inaccurate. This can be a problem where the PUV does not pay for or share funds to pay for childcare and therefore decisions based on family income are not reflective of reality for the recipient of the debt.
- National Disability Insurance Scheme (NDIS) plan funds for children are dishonestly claimed by a PUV despite caring responsibilities resting with the victim-survivor;
- A victim-survivor or their children may have had an adverse decision preventing their joining the NDIS, or limiting particular supports they need, which is compounding the impacts of family violence.

CASE STUDY:

Loopholes in social security system weaponised

Fazia* was receiving a carer payment from Centrelink that required her to report her husband's income. Unbeknownst to her, Fazia's husband was providing her with incorrect information about his income which resulted in her reporting income to Centrelink that was not accurate. This later resulted in Fazia incurring a large debt with Centrelink when the PUV lodged tax returns that showed inconsistencies in his income. Unfortunately, the recipient of the Centrelink income will be held liable for the debt despite being unaware that the reporting of income was inaccurate and the situation being completely outside of her control. Westjustice was able to support Fazia to lodge an Authorised Review Officer review with Centrelink outlining the circumstances of financial abuse. This resulted in Fazia being released from the debt and being back paid for money that had already been paid towards the debt. However, this was only achievable via external professional support from a specialist social security lawyer on a one-off basis.

*not her real name

Our case work experience has shown us that there is a need for specialisation in administrative law given the close links to financial abuse. This would encompass areas like social security, child support, taxation, and the NDIS. Migration, which is covered below, is significant enough a service gap to outline in its own right.

Migration law

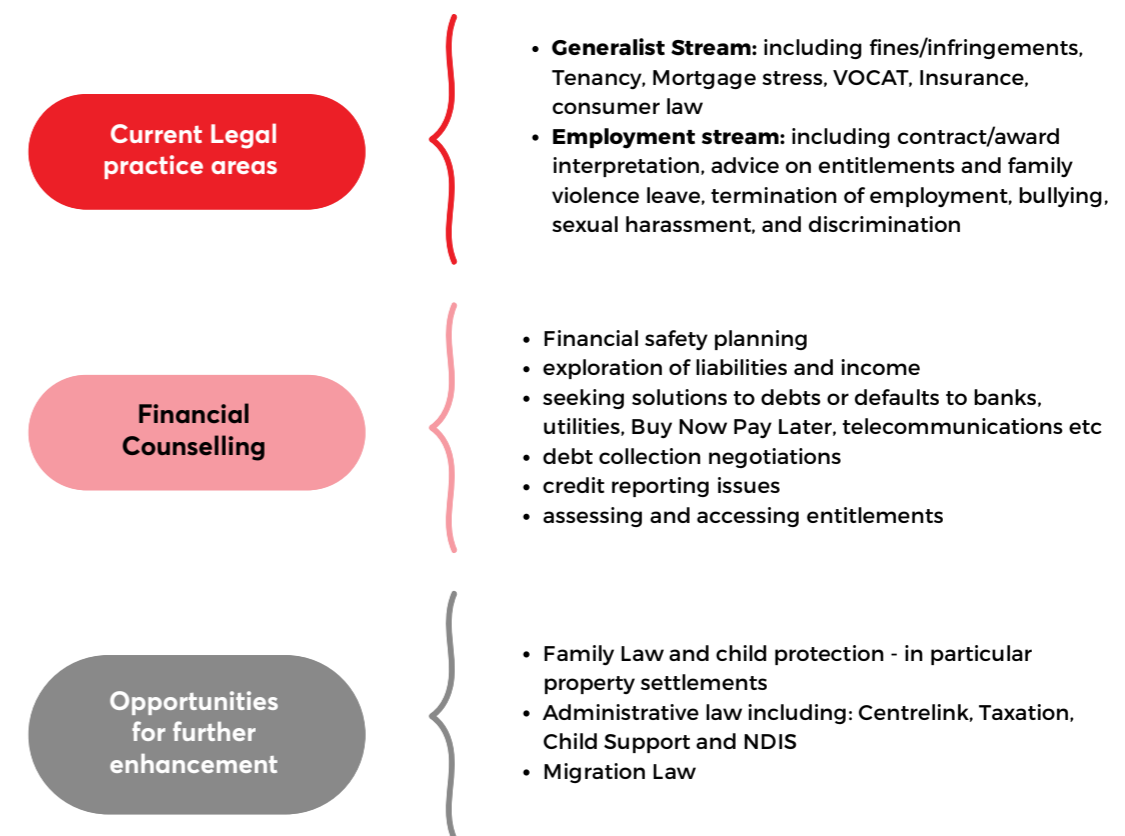
Timely and effective access to migration law for those who cannot afford to pay is, like family property law, a scarce resource in Victoria and generally. Examples of the migration law gap in the economic abuse and family violence space include:

- Circumstances where the victim-survivor is a temporary or partner visa holder and their migration status is weaponised by the person using violence (including threats to procure deportation);
- Circumstances where the victim-survivor needs to understand their work and other rights under a visa to ensure compliance, or explore pathways to obtain the right to work or education;

- Circumstances where a victim-survivor has been misidentified as a primary PUV and needs migration advice (particularly where criminal charges have been bought);
- Circumstances where a victim-survivor and her children need assistance to apply for citizenship to enhance their employment and civic participation opportunities and secure residency.

Currently, Westjustice (and many other services) have to refer these considerations to a limited pool of migration specialist services who themselves are managing excess demand. Funding a specialist migration lawyer's role in an RFS model would ensure this advice can be obtained when it is needed and avoid retelling and retriggering circumstances.

Figure 5:





**ROADMAP TO PROVIDING STATEWIDE
SUPPORT FOR VICTIM- SURVIVORS
OF FINANCIAL ABUSE**

7 ROADMAP TO PROVIDING STATEWIDE SUPPORT FOR VICTIM- SURVIVORS OF FINANCIAL ABUSE

Since the Royal Commission into Family Violence concluded in Victoria in 2015, enormous investment and resources have been dedicated to creating TOD as the main entry and intake point for the family violence system. One of the aims of the TOD model is to intervene earlier to prevent escalation of risk and prevent victim-survivors reaching crisis stage.¹ One of the key interventions provided is helping victim-survivors to navigate the service system by providing targeted referrals to services.

However, there have been seismic changes since TOD's establishment, including a pandemic and cost of living crisis, which have led to challenges such as bottlenecks and long wait times to get into specialist services, and sometimes services not having capacity at all to receive the referral.² Unfortunately, long wait times and lack of appropriate supports can lead to victim-survivors disengaging or dropping out of the system, or that their risk and needs substantially change over time to the point that original information about needs at intake is no longer relevant. In the worst-case scenario, it can mean that a person may no longer be able to safely engage with the service as they may have returned to the relationship.

It has been reported that in practice, only the highest risk clients or those in immediate crisis tend to get referred through for case management.³ Understandably, in overburdened systems priority needs to be assessed. In this context, **we believe that the most effective solution to meet client needs and demand for financial safety support is one that provides two touchpoints - both TOD and local family violence organisations, each serving victim-survivors who are at different stages in their help-seeking journey.**

Delivering the RFS Project to TOD and to specialist family violence services is complementary. Clients who continue to present at the former often have not engaged with specialist services yet but can have immediate and pressing legal and financial issues identified and triaged. Clients who are referred into a specialist service can then work with an ongoing family violence caseworker to determine their full range of legal and other issues and start to rebuild their sense of safety and financial independence.

Having these two entry points to access legal and financial counselling allows a victim-survivor's needs to be met at the time that works for them, whether that be early in their help seeking journey at the TOD stage or later down the track when they are working with an ongoing family violence case manager.

We have received concurrent referrals from both services for nearly two years, and each has its unique benefits. In the past 2 years we have received 151 client referrals from McAuley and 114 client referrals from TOD, demonstrating that matters are more likely to be identified and referred by family violence agencies that have longer and more involved interactions with victim-survivors. However, there are still a significant number of referrals being made at the earlier stages by TOD (often identifying acute and immediate legal and financial risk).

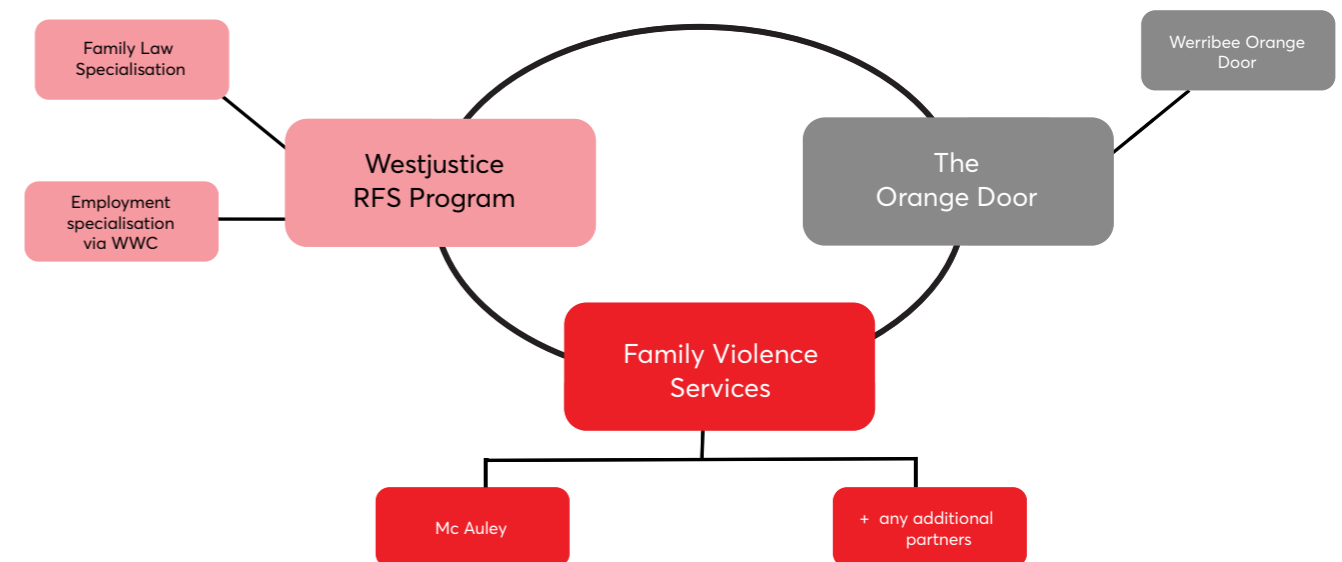
The slightly lower numbers for TOD reflect a slower start for TOD western Melbourne, which had to gradually build up its service capacity as it commenced operation in late 2022. It likely also reflects the current practice that TOD provides brief intervention and referral support to the wider service sector. It may be too early for some victim-survivors to start talking about their financial and legal issues or they may be more focussed on other material needs like their immediate safety, housing or food. In saying this, it was also common for TOD direct referrals to present with immediate and serious problems with imminent deadlines (such as a Victorian Civil and Administrative Tribunal (VCAT) or Magistrates' Court matter, or a mortgage default) which if unsupported could have disastrous impacts on a person's financial and wider wellbeing.

Therefore, it is complementary to also develop and fund partnerships between the family violence services that TOD ultimately refer their clients to. For example, TOD refers a person to dedicated family violence casework support, and when they see that dedicated agency, it has an in-situ presence from a legal and financial counselling service.

Having RFS available at both TOD and specialist family violence services will therefore have the effect of reducing future pressure on the service system, by preventing the escalation and pressure of legal and financial problems.



Figure 6:



¹ State of Victoria, Australia, Family Safety Victoria, The Orange Door Service Model (2019) accessed at [The Orange Door Service Model December 2019_0.pdf](#) (content.vic.gov.au).

² Family Violence Reform Implementation Monitor (n 46), p 24.

³ Ibid.

The client journey

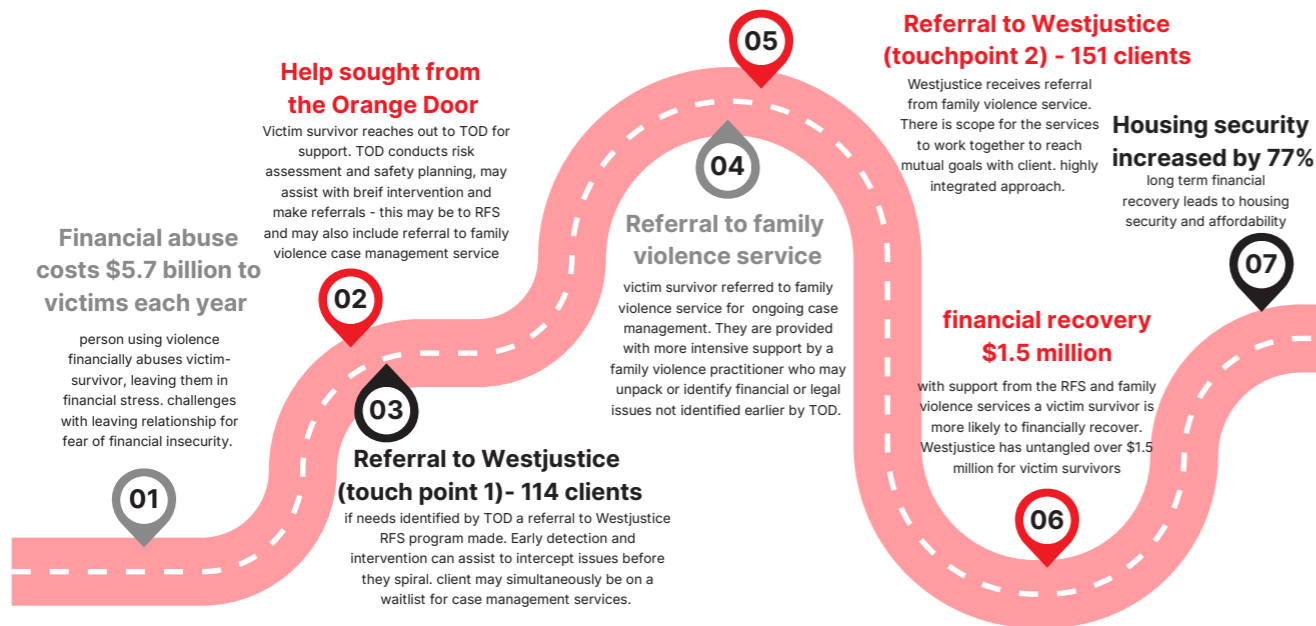
People seeking support from the family violence service sector have unique needs and no journey will be the same. Notwithstanding a no wrong door approach, entry into family violence support services tends to follow a similar trajectory, and hence that is what we have based our model on.

A victim-survivor seeking support will typically contact TOD in the first instance. If they do not contact TOD initially, many services will refer the person back to TOD. Once engaged with TOD, a risk assessment and safety planning will be completed and a person's needs will be assessed, and referral options provided. When completing the risk assessment (via the Multi-Agency Risk Assessment and Management Framework – MARAM) a victim-survivor should be asked about their employment status and whether the PUV has controlled the victim-survivor's access to money or had a negative impact on their financial situation. If financially abusive, controlling behaviours, financial difficulties, certain legal problems, or employment difficulties are identified a referral to RFS can be made. This provides the first touch point for victim-survivors to be referred into RFS.

A needs assessment may also identify that a person would benefit from additional supports such as therapeutic supports or family violence case management. Where it is identified that a person requires case management support, TOD will make a referral to one of the core family violence agencies in the relevant local government area (LGA) – in Melbourne's western suburbs this might include McAuley or GenWest. A victim-survivor will then typically be placed on a waiting list until the family violence service can offer support. While we do not have current data on the average wait time to be allocated to a family violence specialist service, anecdotally, wait times can vary depending on demand and generally range from 2-8 weeks.

Once a victim-survivor has been accepted into case management services, they will continue working with a family violence practitioner who will identify any legal or financial needs that the client may require support with. This provides for the second touch point for victim-survivors to be referred into RFS. Understandably people's circumstances and priorities change and evolve, and this may be a better time for the person to start working through their legal and financial problems, particularly with the added benefit of having a social worker by their side.

Figure 7:



Creation of Restoring Financial Safety Victoria

We believe that in order to best meet the scaling and expansion opportunities for the RFS model, governments should establish and fund a centre for excellence – 'Restoring Financial Safety Victoria'.

Restoring Financial Safety Victoria will act as a backbone and leadership function to assist with the development and roll out of the RFS project across other CLCs. This function will ensure that there is consistent and quality delivery of the program, as well as support for a community of practice to share learnings and foster collaboration.

RFS Victoria would include the following functions:

- To maintain the intellectual property of the program design including quality control, best practice materials and program improvements
- Developing templates and practice materials
- Support and guide other CLC partners to develop and establish the RFS project within their LGA.
- Establish a steering committee to enable information sharing and good governance.
- Have oversight of the program development including;
 - Systemic advocacy.

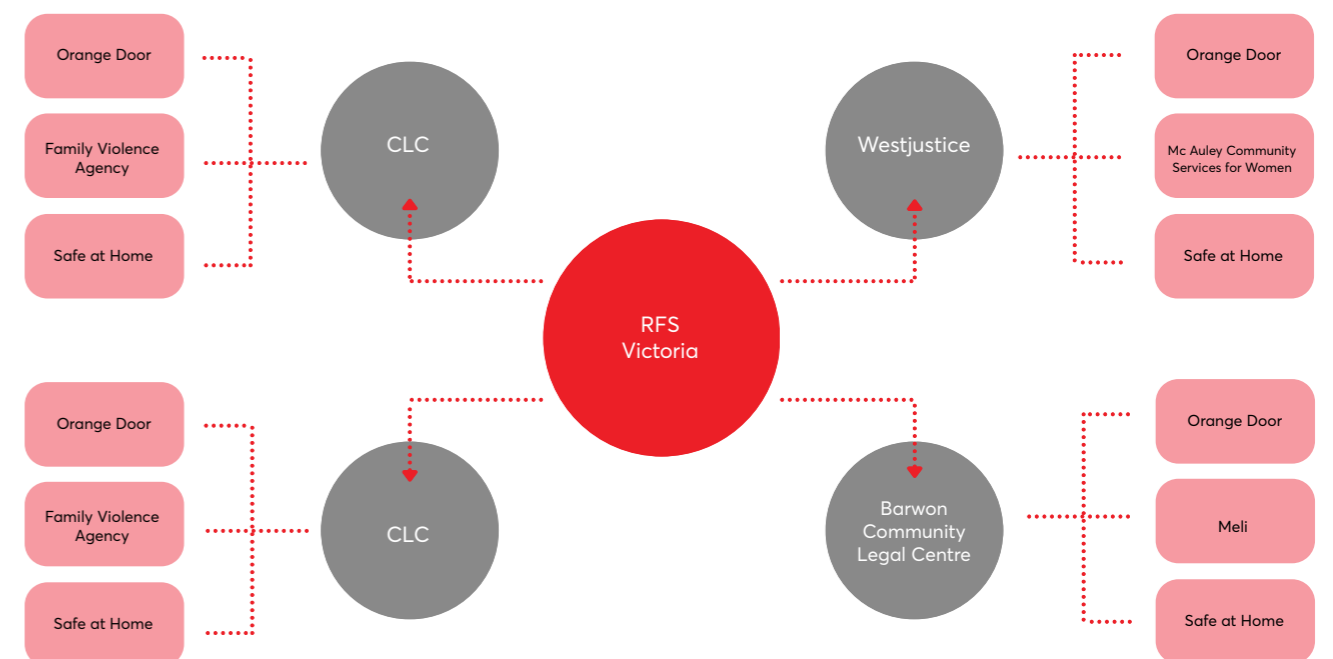
- Awareness building.
- Monitoring and evaluation frameworks and data consistency.
- Ethics, compliance, and risk management guidance.
- Facilitate a community of practice to share learnings, to foster collaboration and provide peer support for RFS project workers.

It is anticipated that RFS Victoria will be piloted first with the Safe at Home Program led by McAuley Community Services for Women.

Safe at Home programs

We have been collaborating with a range of stakeholders, led by McAuley, to develop Australia's first comprehensive 'Safe at Home' program. A 'Safe at Home' approach would transform the default system where women 'escape' violence and become homeless: instead, they are supported to stay home or in their communities safely, while ensuring accountability for the person using violence. Enhancing women's economic security is a crucial piece of the puzzle. Financial counselling, legal advice and employment support enable women and their children to remain independent and separate from the person using violence. Recently the state government announced funding for a trial of the concept in the Geelong region. Westjustice will work with McAuley to develop and deliver the financial safety component of the trial.

Figure 8:



CLC resourcing required

CLCs would be responsible for their own day-to-day operation of an RFS project with the support of the backbone RFS Victoria function. This would include the following CLC specific functions:

- Establishing and maintaining the program and partnerships with local TOD and family violence specialist services, with the aid of Restoring Financial Safety Victoria in developing program documentation and guidelines.
- Recruitment, employment and supervision of lawyers and financial counsellors.¹
- Build awareness through delivery of professional development for workers and general community information, including community legal education (CLE).
- Collecting data and sharing with Restoring Financial Safety Victoria - driven systemic advocacy
- Participate in Restoring Financial Safety Victoria centre for excellence-driven community of practice, including participation in systemic reform and advocacy.
- Managing own funding arrangements

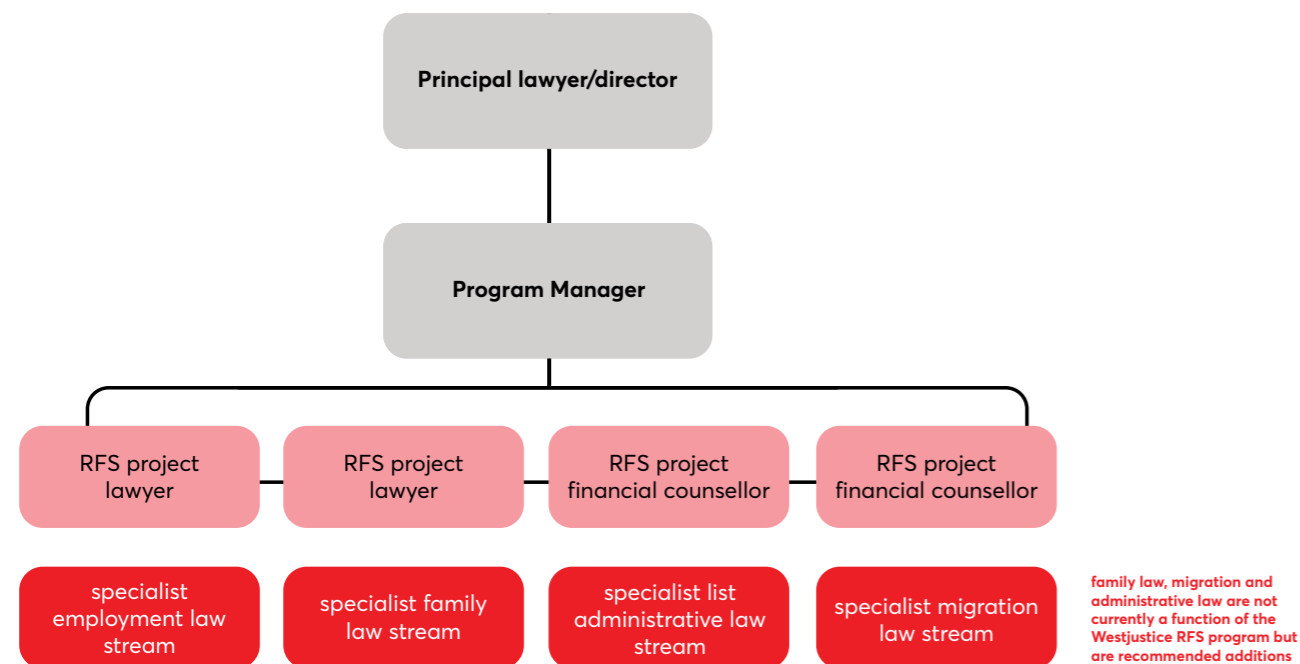
Based on our experience with two partnerships we anticipate that there are several roles required within the CLC. Based on Westjustice's current staffing compliment this may look like the following:

- A director or principal lawyer (approx. 0.3 FTE).
- A program manager (1 FTE).
- Project lawyers (2 x FTE) with 1 lawyer per partnership.
- Project financial counsellor (2 x FTE) with 1 Financial Counsellor per partnership.
- Specialist employment lawyer and supervision (where this is not otherwise funded or provided for by the CLC) (0.5 FTE).
- Administration support (0.5 FTE)

Recommended additions:

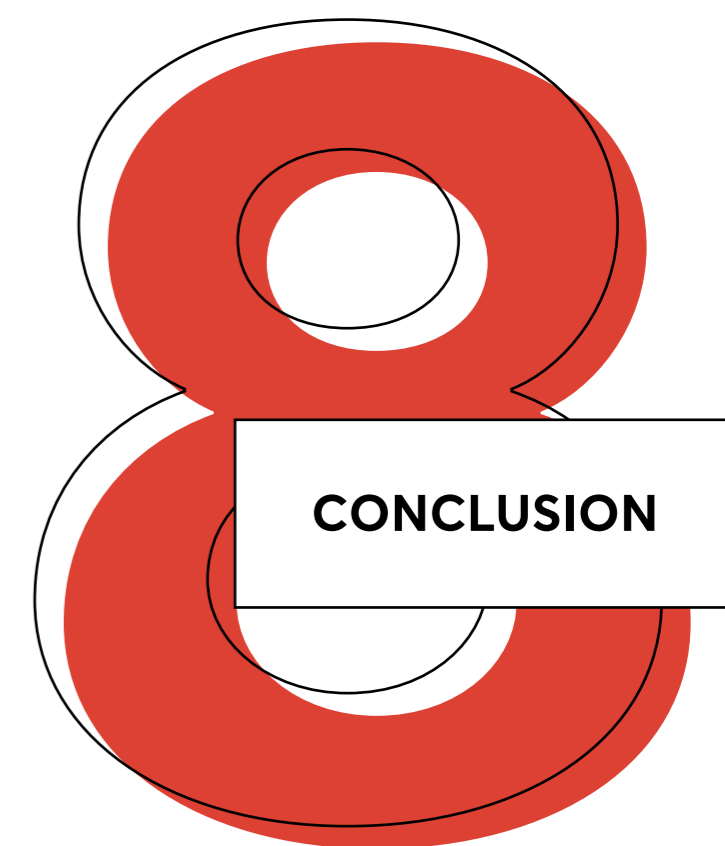
- Specialist family lawyer (1 FTE) with a program manager (0.5 FTE) and administration support (0.5 FTE).
- Specialist administrative lawyer or special counsel to assist with, oversee and upskill project lawyers in administrative and migration law. (1 FTE).
- Specialist Migration Lawyer (1 FTE).

Figure 9:



¹ Some CLCs will hire and supervise financial counsellors in house, whereas some CLCs may prefer to broker a partnership with another financial counselling agency.





8 CONCLUSION

We recommend that the most effective model to delivering support to victim-survivors of economic abuse is via integrated partnerships across the state. In practice this would look like localised clusters of partnerships in different regions with integration at every TOD across the state and with specialist family violence services, including through the safe at home model. It is complementary to have two touchpoints to access the RFS project – first via TOD at the initial and early stages of a persons help-seeking journey and then again via specialist family violence services who have longer and closer engagement with victim-survivors to focus on their longer-term recovery.

To see out a successful expansion of the RFS across the state resourcing is required to ensure consistency and quality delivery. Therefore, the creation of a centre for excellence 'Restoring Financial Safety Victoria' to support this work is necessary.

The RFS project has been tried, tested, and codified and is now ready to scale across the state. Westjustice has provided evidence across the years and throughout this report of the program benefits for victim-survivors, family violence services and wider systems.

As we have recommended throughout this report, we urge the government to invest in programs like RFS that support victim-survivors of economic abuse, both due to the costs to government and society of not responding and most importantly to stop the perversity of victim survivors being forced to choose between poverty and violence.

