

Restoring Financial Safety: The Transforming Financial Security Project

A partnership between WEstjustice and McAuley Community Services for Women to address economic abuse experienced by victim-survivors of family violence



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WEstjustice provides free legal help to people in the Western suburbs of Melbourne. We can help with a broad range of everyday problems. Please call (03) 9749 7720 to find out more about our services or to make an appointment.

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WEstjustice acknowledges the ancestors, Elders and families of the Kulin nations, who are the traditional owners of Western Melbourne, the country we are located on. As we work to achieve a just and fair society we pay our respects to the deep knowledge embedded within the Aboriginal community and Aboriginal custodianship of Country. We acknowledge this land as a place of age-old ceremonies of celebration, initiation and renewal, and that the Kulin peoples' living culture has a fundamental role in the life of this region.

“ This model should become the new standard of practice for supporting victim-survivors of domestic and family violence.”

- Rebecca Glenn, 2021 (Centre for Women's Economic Safety; Churchill Fellow, 2019)



ACKNOWLEDGEMENTS

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We would also like to acknowledge the significant contribution of the Melbourne University Law Review Community Program who edited this report. They also researched and produced the literature review examining economic abuse and multidisciplinary partnerships, which shaped this report and is included in part. We are very grateful for their contribution.

This project and its predecessors were generously funded by the Lord Mayor's Charitable Foundation.



NOTES ABOUT THIS REPORT

All community quotes and stories in this report have been taken directly from evaluation forms, emails or other written correspondence. Some changes have been made to ensure stories and quotes are de-identified.

ACRONYMS USED IN THIS REPORT

McAuley: McAuley Community Services for Women

AFCA: Australian Financial Complaints Authority

DHHS: Department of Health and Human Services

EARG: Economic Abuse Reference Group

EDR: External Dispute Resolution

FVS: Family Violence Scheme

ICA: Insurance Council of Australia

LMCF: Lord Mayor's Charitable Foundation

IWG: Infringements Working Group

IVO: Intervention Order

The Monitor: the Family Violence Reform Implementation Monitor

NCCP: *National Consumer Credit Protection Act 2009* (Cth)

RCFV: Royal Commission into Family Violence

RFS: Restoring Financial Safety

RLO: Responsible Lending Obligation

TCP: Thriving Communities Partnership

TFS: Transforming Financial Security

VOCAT: Victims of Crime Assistance Tribunal

WDP: Work and Development Permit



Image: WEstjustice financial counsellor Skye Hawkins, lawyer Dacia Abela, and McAuley Works case manager Lorraine. Photo taken by Kerrie Soraghan from McAuley

TRIBUTE TO OUR FINANCIAL COUNSELLOR

We dedicate this report to Skye Hawkins, a fearless advocate and inspirational woman. Skye passed away on 16 October 2020 after a six month battle with cancer. In writing this report we have reflected on the enormous impact she had on the lives of her clients and more broadly in the community and financial counselling sectors.

Skye came to WEstjustice in 2017 as an intern when she was close to completing her financial counselling degree. It became immediately apparent to us that Skye wanted to be a change maker, she wanted to make the world a better and more compassionate place.

Skye was seminal in the development of the Restoring Financial Safety project from the beginning. Throughout the project we witnessed Skye's amazing ability to connect and engage with people. She was always genuine in her interactions and she continually made her clients feel heard. Her energy, dedication, passion and empathy were unrivalled.

Skye was instrumental in the success of the project and most of the financial results achieved during the term of this project are attributable to Skye's incredible hard work. She was a passionate advocate, and that was apparent to everyone around her. Her tenacity and determination was unwavering. Her legacy will continue for many years to come.

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EXECUTIVE SUMMARY

1 EXECUTIVE SUMMARY

The Transforming Financial Security Project is an innovative partnership that delivers high impact life outcomes for clients in the domains of safety, financial security, mental health and wellbeing. The project has significantly transformed industry and government responses to economic abuse, and consolidated knowledge about the benefits of multidisciplinary, in situ service models in the family violence space.

The problem: Economic abuse and the impacts on victim-survivors

Perpetrators of family violence often use financial resources to exert power and control. This aspect of family violence is called economic abuse and it can trap victim-survivors in a vicious cycle of financial dependence, violence and legal problems. This cycle can lead to poverty, insecure housing, poor health and mental unwellness.

Most people are unaware of this form of financial entrapment. Many companies (for example, utilities, financial institutions, debt collectors, insurance providers etc.) and government agencies have a limited understanding of how their products or processes can be weaponised by perpetrators. As a result, inadequate policies and processes prevent victim-survivors from freeing themselves from family violence and rebuilding their lives.

The solution: what works?

To address these issues, in 2015 WEstjustice commenced a multi-year Restoring Financial Safety Program (**RFS Program**). Research from earlier stages of this program evidenced a need for accessible legal and financial counselling services to assist victim-survivors of economic abuse and drive systemic change within government and industry. Ultimately, this led to the creation of a partnership between WEstjustice and McAuley Community Services for Women (**McAuley**) to deliver the Transforming Financial Security Project (**TFS Project**).

The TFS Project ran from mid-2018 to early 2021. It was comprised of an integrated, multidisciplinary partnership between legal, financial and family violence practitioners, offering legal advice, casework and representation, financial counselling and advocacy to women who have experienced economic abuse. The TFS Project recognises that the safest place for provision of integrated services is the organisation where the victim-survivor has already developed trust and safety, in this case McAuley. This model of integrating a lawyer and financial counsellor in situ at a women's housing facility was one of the first partnerships of its kind in Australia.

The TFS Project has two main components:

1. An integrated, holistic, place-based legal and financial counselling clinic delivered at McAuley House (**the TFS Project clinic**). This clinic has the aim of improving the financial safety, resilience and the capacity of victim-survivors to recover from economic abuse.
2. A broad systemic impact agenda – relying on evidence-based research and advocacy to influence industry and government to respond proactively, flexibly and appropriately to economic abuse.

Outcomes achieved for economic abuse victim-survivors

Between mid-2018 and early 2021, the TFS Project has assisted 137 clients with their legal and financial problems. These clients were women who were victim-survivors of family violence either residing at McAuley House or accessing services through McAuley.

A summary of the outcomes achieved so far by the TFS Project is included at **Figure 1**. Notably, we resolved more than \$900,000 worth of legal and financial problems for economic abuse victim-survivors, mostly without attending court (thereby avoiding the stress of seeing the perpetrator and the court process). These outcomes ultimately removed the financial burden from women who had recently fled family violence, and contributed to improving mental health, ameliorating homelessness and making it easier to secure ongoing housing.

We measured data relating to safety, financial capability and mental health and wellbeing. We found that the TFS Project has a significant impact on the lives of victim-survivors. Following engagement with the TFS Project, these victim-survivors reported:

- an increase in long-term or secure housing,
- an increase in feelings of control about their financial situation
- improved mental health and well-being.

These outcomes leave victim-survivors in a better position to achieve financial independence and be able to move on with their lives.

Outcomes for the McAuley team

During the project, the McAuley workers were also surveyed. Among the responses McAuley staff reported that the integration of a lawyer and financial counsellor into the McAuley House team was “life changing” for clients and an “essential resource”. Staff also reported that this combination of supports contributes to avoiding homelessness and fatalities for victim-survivors (due to women feeling pressured to return to abusive relationships because of coercion and financial dependence).

One worker reflected: “WEstjustice has tailored their services to my clients in a sensitive, patient, and caring way that has given them the tools to navigate otherwise complex services.”

McAuley worker feedback also included observations about the mental health benefits of having legal and financial support: “[k]nowing that there is a legal solution to some of their problems can help with their anxiety and feelings of helplessness”.

The TFS Project model also provides significant benefits to the McAuley team. McAuley case managers and mental health workers reported that the availability of the TFS Project support freed time to focus on providing core case management, counselling, housing and employment support for their clients because they were not caught up sourcing legal or financial counselling referrals. As one worker said, “[t]his leaves time to focus on other important things with clients, and they are able to move through their journey”.

Outcomes achieved at a systemic level

The TFS Project has achieved significant reforms with long-term benefits for family violence victim-survivors in Victoria.

To date, the focus of our policy work has targeted housing, credit referencing and consumer credit services, infringements, insurance and vehicle registration. Two significant reforms we achieved (as part of coalitions with other community organisations) were:

- changes to the Office of Housing RentAssist Bond Loan guidelines to include exemptions to repayment of bond loans due to family violence (e.g. resulting from being forced to flee a property or arising out of damage caused by the perpetrator of violence); and

- development of a VicRoads policy to:
 - assist victim-survivors to transfer vehicles in or out of their name without requiring perpetrator consent to the transfer;
 - avoid fines being incurred in the victim survivor’s name as a form of family violence;
 - enable the victim-survivor to re-register the vehicle and avoid fines for driving unregistered.

Industry and government stakeholders involved in the TFS Project reported changed attitudes, policies and practices with respect to economic abuse. Further, they stated that working with community organisations like WEstjustice provided valuable insight, knowledge and recommendations to respond more appropriately to economic abuse experienced by their customers. However, there is still much to be done and this report also documents systems and processes across government and industry that still require attention and significant reform.

Findings and Recommendations

The TFS Project provides evidence of the immense benefits an in-situ, multidisciplinary approach can have for victim-survivors of family violence: namely, financial independence, safe housing and improved mental health and wellbeing. This project differs from other initiatives in that it provides a ‘one stop shop’ for women and children at their time of greatest need, minimising storytelling and referral fatigue. No matter which service they come through, victim-survivors will be given access to the multitude of supports that the integrated partnership has to offer, traversing across justice, health, wellbeing, employment and accommodation. Therefore, we recommend that the model be continued and expanded.

The model has been codified and is ready to scale. The initial phases have been supported over the years from generous philanthropic support, in particular the Lord Mayor’s Charitable Foundation, which has taken this project from a seed concept to a fully implemented program. Given the increase in family violence generally, and the devastating impact of COVID-19 on families, funding to secure the longevity of the program and the scalability is needed. For these reasons we are turning to government to partner with us for a fully scaled next phase.

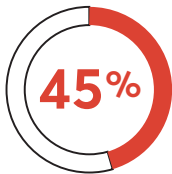
Figure 1: Overview of activities undertaken and outcomes achieved by TFS Project 2018-2021

TFS Project: Client profile



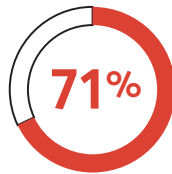
137

No. of clients assisted by the TFS Project between mid-2018 and early 2021.



45%

had children



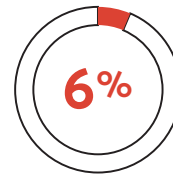
71%

were unemployed



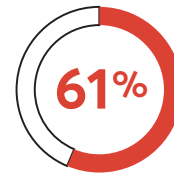
over **51%**

had a level of income indicating that they live below the poverty line



6%

identified as Aboriginal or Torres Strait Islander



61%

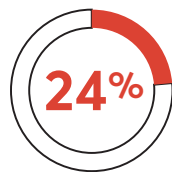
were born overseas

TFS Project: Key Client Issues



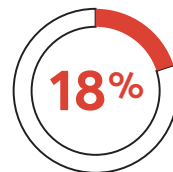
54%

assisted with debt problems



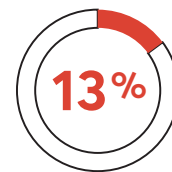
24%

assisted to obtain an intervention order



18%

assisted with a tenancy problem



13%

infringements cancelled under Family Violence Scheme

Key Outcomes: Financial Independence



\$900k

total saved for TFS Project clients



\$11k

average saved per TFS client



98%

of TFS clients reported being able to manage their ongoing debts, following help from our service

Key Outcomes: Safety



+52%

% increase in clients who reported they were confident they now had a long-term or secure place to live (after seeing TFS team)



79%

of McAuley workers strongly agreed that TFS Project support meant they could house women more quickly



+87%

% increase in clients who reported they felt safe and in control of their financial situation after TFS Project help

Key Outcomes: Mental health and wellbeing



39%

of TFS Project clients reported at intake they experienced a mental health condition



+95%

% reported that they didn't have to worry about legal and financial problems keeping them from moving on with their life as a result of the TFS Project support.

Key Outcomes: For McAuley team



93%

of McAuley staff surveyed said TFS Project support means they can spend more time with clients on other things that matter



"**WEstjustice** has been a significant part of the integrated support services we offer women to see them through their trauma and crisis to freely make positive and responsible choices..."

McAuley team member

Key Outcomes: Systemic impact



WEstjustice and community sector influenced the adoption of new family violence policies and practices by industry and government in the areas of:

- housing
- credit and debt
- fines
- transport
- vehicle registration
- insurance



66%

of industry and government stakeholders surveyed said they would not have developed their response to family violence without the work of community sector organisations - such as **WEstjustice**





2 INTRODUCTION

2.1 Who are the TFS Project partners?

McAuley supports women and their children to be safe from family violence and resulting homelessness by providing 24/7 crisis support and temporary accommodation through McAuley Houses in Footscray and Ballarat. These houses are hubs for McAuley's integrated model of support including mental and physical health, skills development, housing and the TFS Project clinics.

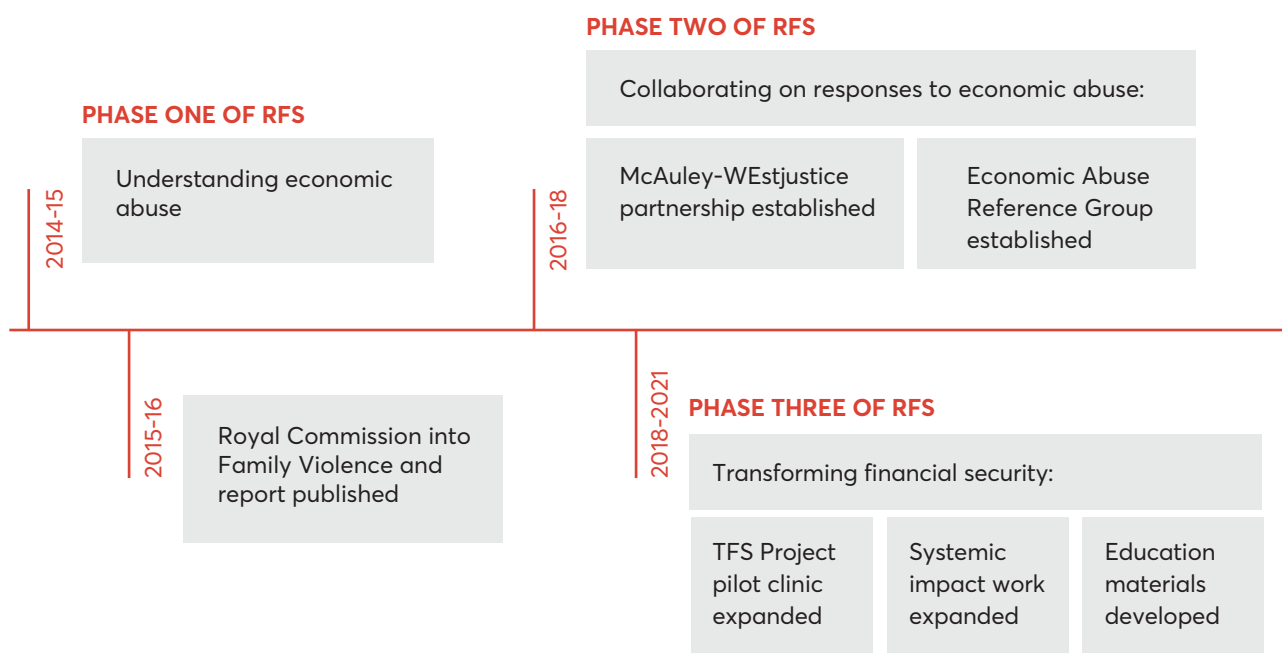
McAuley staff work alongside women and children to plan the steps they need to take to move towards a safer existence free from family violence.

WEstjustice is a community legal centre supporting clients in Melbourne's western suburbs. WEstjustice has a large family violence practice, representing victim-survivors of violence at two local Magistrates' Courts. WEstjustice has also been at the forefront of developing and trialling innovative, integrated, place-based partnerships.

2.2 History and context of the TFS Project

The TFS Project is the third phase of WEstjustice's broader Restoring Financial Safety Program (RFS Program). The history of the broader RFS Program is summarised in the timeline at **Figure 2**.

Figure 2: Restoring Financial Safety project timeline



Phase 1 of the RFS Program comprised of research to understand the manifestations, experiences and impacts of economic abuse.

Phase 2 of RFS Program continued the research and lessons from phase one and set up the Economic Abuse Reference Group coalition of community organisations advocating for improved government and industry responses to economic abuse. This phase also included the development of an economic abuse checklist resource and began systemic work such as establishing direct entry points into key family violence experts within industry. Phase 2 culminated in the establishment of a pilot program of the integrated financial counselling and legal clinic for 24 clients of McAuley. The project report describes WEstjustice’s work and reflections on phase 2.¹

Phase 3 of the RFS Program (the subject of this report) has involved continuing the partnership established with McAuley to scale up the program for a further two years, including to a new site. Phase 3 also involved a large body of systemic advocacy for change to government and industry responses to economic abuse.



**THE PROBLEM: ECONOMIC ABUSE AND
THE IMPACTS ON VICTIM SURVIVORS**

3 THE PROBLEM: ECONOMIC ABUSE AND THE IMPACTS ON VICTIM-SURVIVORS

3.1 What is economic abuse?

Economic abuse is a form of family violence. It is 'a deliberate pattern of control to undermine someone's agency, economic security and independence'.² 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'.³ It is a broader concept than financial abuse, which focuses exclusively on control of money in relationships.⁴ Economic abuse 'includes control of other economic resources, such as the use of a car, a place to live, communications devices and enabling oneself to engage in paid work'.⁵ It is a pattern of behaviour⁶ that can involve economic control, economic exploitation and employment sabotage.⁷ Economic abuse is an overwhelmingly gendered issue.

3.2 How does economic abuse present?

Examples of economic abuse include:

- preventing access to cash, bank accounts, financial records or bills;
- demanding all spending be justified or preventing a partner from taking part in financial decisions;
- sabotaging work or study opportunities;
- forcing a partner to work for a family business without being paid;
- refusing to contribute to expenses or withholding financial support;
- coercing a partner to take out a credit card or loan, guarantee a loan or relinquish assets;
- damaging or stealing a partner's property;
- exploiting a partner's savings or wages;
- deliberately accumulating debts in a partner's name;
- interfering with a partner's ability to acquire assets by, for example, refusing to put their name on a mortgage deed or car title;⁸
- interfering with a partner's freedom of movement, for example by preventing her acquiring a driver's licence; and
- deliberately accruing infringements where a vehicle is registered in the victim-survivor's name, but in the possession of the partner.

Economic abuse example 1: Victim-survivor burdened with fines she did not incur

Georgia owns a car which is registered under her name. Her ex-partner Tom used that vehicle frequently, even if Georgia needed the car and said so. Tom incurred a number of traffic offences and toll fines while driving the vehicle. Tom hid the fines from Georgia and did not pay them. Years later after the relationship had ended Georgia became aware of the fines. As a result, Georgia is left with thousands of dollars of fines which she cannot pay and which she did not incur.

Economic abuse example 2: Perpetrator coercively and fraudulently accumulates debts in partner's name

Rosie has been in a violent relationship with Ali for 10 years. Ali has always had control of the finances, and Rosie is only involved when Ali wants her to sign paperwork. After Rosie fled the relationship, she was assisted to obtain a copy of her credit record and became aware that there were a number of debts that had been placed in her name either fraudulently or coercively. Rosie never received any benefit from these loans but was either forced to sign them through threat and intimidation or was unaware that Ali had put the debts under her name.

3.3 Why is it so important to respond to economic abuse?

Up to 99 per cent of the women who present to family violence support services have experienced some form of economic abuse.⁹

Economic abuse constrains a victim-survivor's financial independence¹⁰

Forced financial dependence limits victim-survivors' ability to escape the abusive relationship.¹¹ Economic abuse is also cited as the main reason a woman remains in, or returns to, a violent relationship.¹²

Economic abuse limits a victim-survivor's ability to meet their own needs¹³

Family violence is a major cause of homelessness among Victoria's growing population of homeless women.¹⁴ Between 2011–12 and 2018–19, family violence as a reason for homelessness rose by 81.5% in Victoria.¹⁵ Women and children are usually forced to leave their homes to find safety from family violence. Once they leave home, other consequences follow, including homelessness, poverty, loss of job, loss of social connections to family, friends and neighbours, and disruption of children's education.

To circumvent these issues, a new approach (Safe at Home) is being pursued by a coalition of family violence services and others (including McAuley and WEstjustice) to ensure women and children can stay or return to their own homes and that the perpetrator is removed.²⁰ Enhancing women's economic security is one of the four 'pillars' of the safe at home approach, given that financial security is often missing.²¹

In addition, psychological distress and depression often arise from the victim-survivor's anxiety about material or financial issues.¹⁶ This effect is apparent in the heightened propensity of economic abuse victim-survivors to attempt suicide.¹⁷

Economic abuse can limit a victim-survivor's ability to meet their children's needs¹⁸

Children of victim-survivors of economic abuse can suffer a 'failure to thrive', sometimes leading to their removal from home by child protection authorities.¹⁹ Family violence often results in children missing significant periods of school whilst being housed in emergency accommodation or couch surfing with their mothers.





THE SOLUTION: WHAT WORKS

4 THE SOLUTION: WHAT WORKS

The TFS Project model is a client-centred service designed with the aim of providing holistic, multidisciplinary assistance to victim-survivors of family violence in an environment of trust and safety.

4.1 Client-centred

Due to the wide-ranging impact of economic abuse on the lives of victim-survivors, we sought to develop a service that is client-centred, accessible, minimises storytelling, and meets the needs of victim-survivors when designing the TFS Project model. Other factors such as a strong sense of safety and security along with reduction in referral fatigue were also considered.

We developed an in situ, multidisciplinary, integrated model to ensure that the relevant and necessary services were delivered at the place where victim-survivors felt safe. Our service model also responds to key issues reported by our clients including, a lack of financial independence, a lack of safety, and its impact on mental health and wellbeing.

4.2 A multidisciplinary, integrated approach

Research shows that:

- people experience disadvantage and vulnerability in various and overlapping ways: often clients who are seeking support from health, social or welfare agencies will also require assistance with legal and financial problems.²²
- people are often unaware that their problems require legal solutions, and even when they are aware, they will rarely consult lawyers because of access to justice barriers, negative perceptions about lawyers and other issues²³ such as concerns as to costs.
- people are more likely to attend healthcare, allied health premises, school or education services, and/or social and welfare services than seek legal support.²⁴
- health, education, social work and other practitioners can therefore act as 'gateways' to legal services, as they are ideally placed to identify legal problems, and will often have the client's trust.²⁵

Multidisciplinary partnerships (including health-justice partnerships) have been identified as models that can work to provide a comprehensive response to concurrent legal and non-legal problems.²⁶

The integrated TFS Project adopted this approach and embeds a lawyer and financial counsellor into a family violence women's service, to work with the partner program staff to assist victim-survivors resolve and move on from the impact of economic abuse. The legal and financial services provided by the TFS Project work in with the existing physical and mental health, housing and employment supports provided to victim survivors.

Recent research on service responses to women experiencing or escaping economic abuse in the United States, Canada and United Kingdom found that services that embed a practitioner to assist with the financial and legal consequences of economic abuse within a family violence service – including the TFS Project model – should become "the new standard of practice for supporting victim-survivors of domestic and family violence."²⁷

4.3 No wrong door

The TFS Project model incorporates a 'no wrong door' approach to our service provision, favouring integrated and embedded, rather than parallel or co-located, services. Our cross-sector partnership ensures that no matter where the client enters the system, they receive the support they need through high-level coordination between services. Case managers are trained to identify legal and financial issues faced by their clients and make appropriate referrals to the TFS Project. TFS Project lawyers can then effectively assess the client's issues and offer assistance or triage matters to other services if unable to assist. Built into this model are a range of services including family violence case managers, employment coordinators, housing workers, psychologists, and nurses. Clients may come through any one of these points and in turn gain access to any of these other services through coordinated cross-sector referrals.

4.4 Transfer of trust

Multidisciplinary partnerships have the advantage of building on existing trust and models of care to provide coordinated and holistic services to clients who would not otherwise access legal services.²⁸ The TFS Project also recognises that the safest place for provision of services to victim-survivors is the organisation where they have developed trust and safety, in this case McAuley.

4.5 Legal problems are life problems

Legal problems can also have adverse impacts on health, financial and social circumstances. Addressing legal issues can result in positive health and social outcomes for clients both directly and indirectly, particularly where there is early intervention.³⁰

The TFS Project model prioritises early intervention and focuses on clearing away debt and other legal issues as quickly as possible, so that victim-survivors can focus on key issues like secure housing and employment.

4.6 Training across disciplines

WEstjustice provide McAuley staff with training on the legal and financial aspects and impacts of economic abuse and what WEstjustice can do to help. This ensures that the case manager is equipped to understand key issues and make appropriate referrals into the TFS Project clinic. McAuley workers continue to support our shared clients throughout our casework. WEstjustice also provides ongoing tailored training and secondary consults to McAuley case managers to assist them to identify clients who may benefit from support through the clinic or to empower their clients through self advocacy.

McAuley, in turn, has embedded a social worker into WEstjustice's Werribee office once a fortnight to provide safety planning, risk assessment and assessment for family violence case management to WEstjustice clients experiencing family violence (ie those identified through our intervention order duty lawyer service).

4.7 Committed partners and continuous communication

A key driver of the success of this model has been the commitment from the executive level across both TFS Project partners, to ensure that the model was positioned and resourced to succeed. The respective CEOs of WEstjustice and McAuley communicated regularly with each other and with the team members working directly on the project, so that any issues could be resolved quickly.

Figures 3 and 4 set out the basic project design.

Figure 3: TFS Project Design

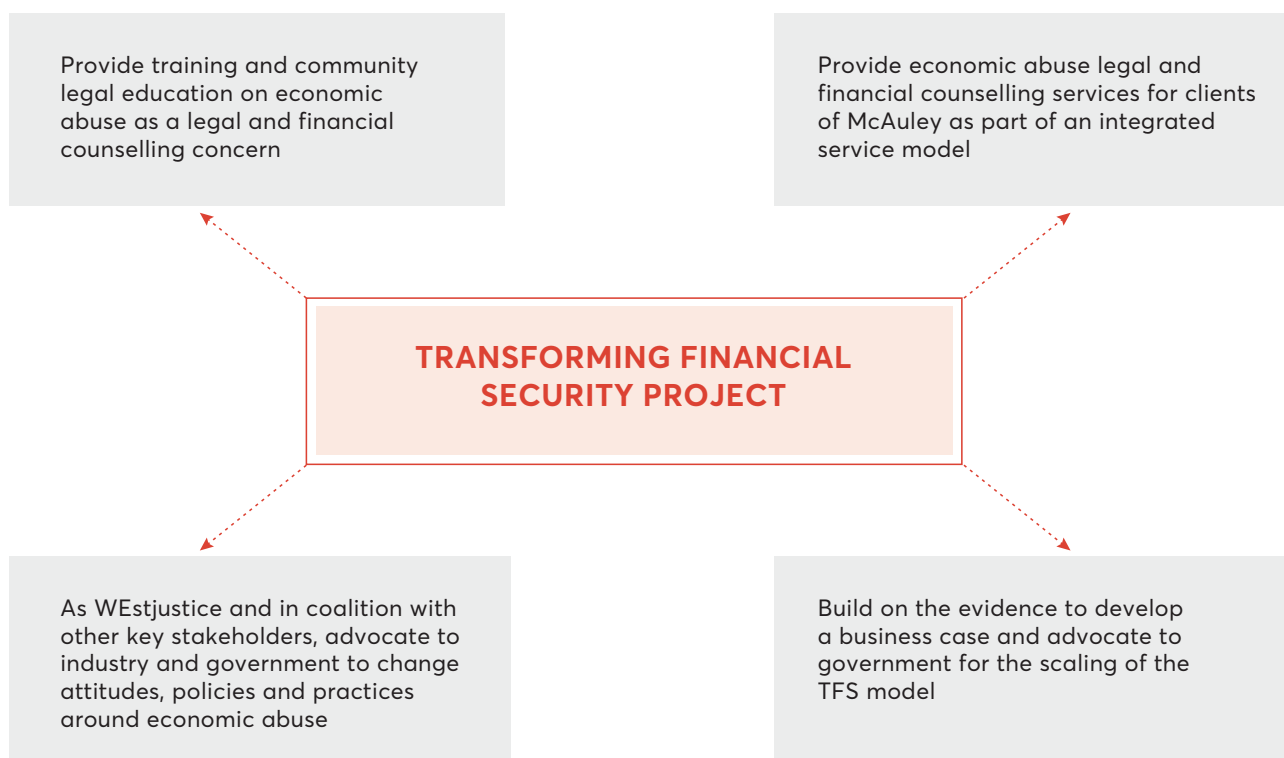
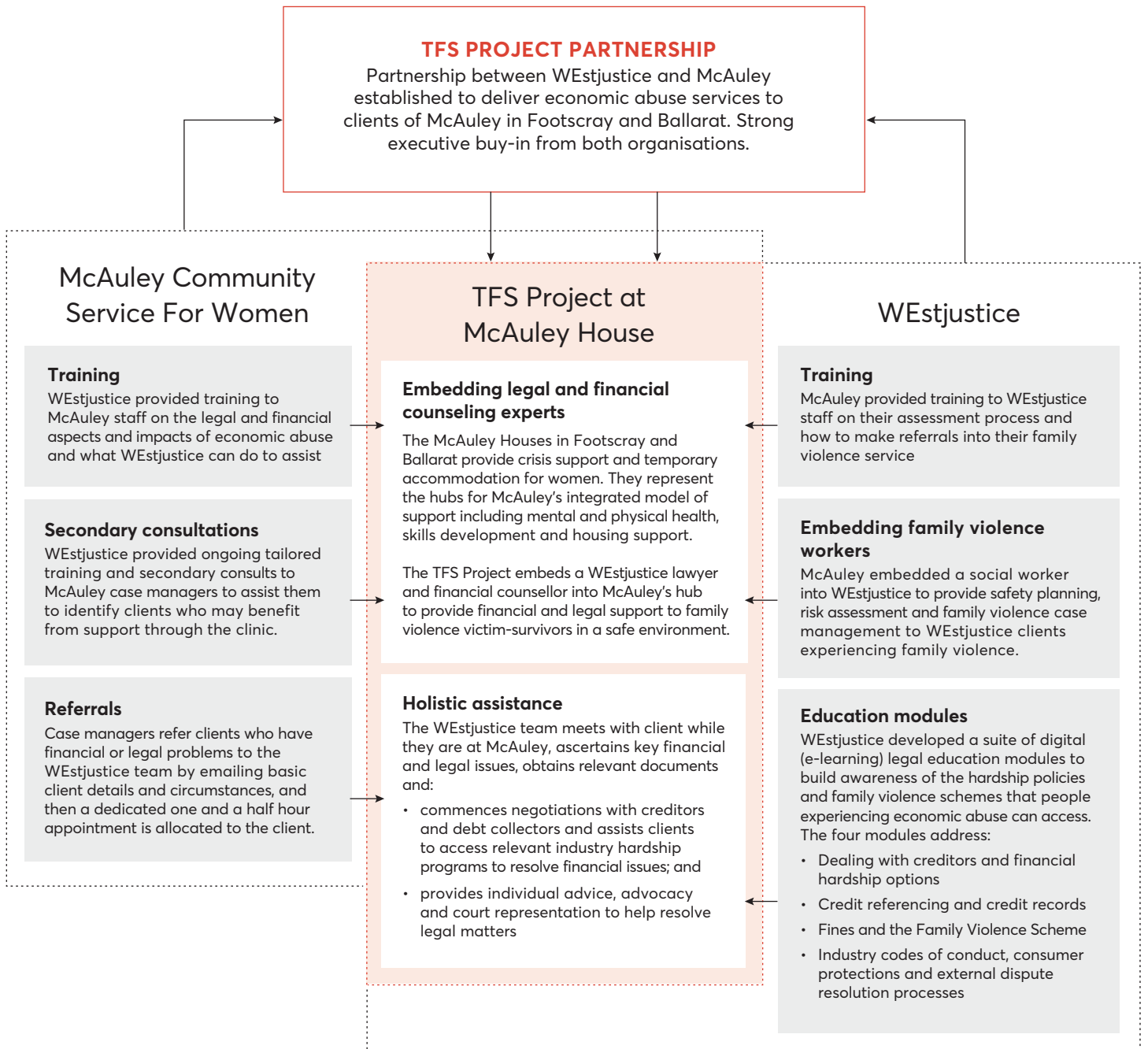


Figure 4: TFS Project Design



4.8 Intended outcomes of the TFS Project

Given the wide-ranging impact of economic abuse on the lives of victim-survivors, when designing the TFS Project we aimed to achieve the following outcomes:

For victim-survivors

1. Increased financial independence, evidenced by:
 - a. Financial security: the financial burden caused by economic abuse is significantly reduced or removed for clients of the TFS Project so they can develop financial independence and be in a better position to move on with their lives.
 - b. Legal outcomes: the service achieves positive legal outcomes for TFS Project clients who have been subjected to economic abuse, with the aim of helping them commence the next chapter of their lives.
 - c. Financial capability: clients of the TFS Project have greater skills and knowledge to self-advocate about financial matters in the future.
2. Improved physical and emotional safety, evidenced by:
 - a. Safe housing: TFS Project clients enter secure housing or the private rental market faster and avoid homelessness and entrenched poverty due to the legacy of debts and financial insecurity incurred through economic abuse.
 - b. Free from violence: TFS Project clients be more likely be free from the power and control of economic abuse.
3. Improved mental health and wellbeing, evidenced by:
 - a. Freedom: survivors of economic abuse assisted by the TFS Project have greater confidence and capacity to move on and rebuild their lives.

For McAuley workers

4. As a result of referring clients to the TFS Project for assistance, McAuley case managers can deliver a better service for their clients because they are able to spend more time on other key issues, like helping clients secure stable housing or employment.

For industry and government

5. Industry and government have greater awareness of economic abuse, improved policies in place to respond to economic abuse, and are proactively and visibly putting economic abuse policies into practice.

In the next three parts of this report, we set out the outcomes the TFS Project achieved under each heading.





**THE OUTCOMES THE TFS PROJECT
ACHIEVED FOR ECONOMIC ABUSE
VICTIM-SURVIVORS**

5 THE OUTCOMES THE TFS PROJECT ACHIEVED FOR ECONOMIC ABUSE VICTIM-SURVIVORS

“With support [and] help from WEstjustice I didn’t and don’t feel left alone in world! And I started to love Australia again! ... [B]eforehand I didn’t feel much of luck in my new country. I am now, at the end my process, much stronger, supported, calmer, more knowledgeable and having much more hope to be more stable and functional for myself and my society.”

- TFS Project client

The three key client outcomes the TFS Project currently focusses on are: financial independence, safety, and mental health and wellbeing. This section sets out the significant outcomes achieved by the project in each of these areas.



5.1 Financial independence

SNAPSHOT OF OUTCOMES

Over **\$904,890** of financial problems were resolved to the clients’ benefit – dramatically improving their financial position and security.

Overall clients were on average **\$11,311 better off** following help from the TFS Project

A total of **98 legal outcomes** were achieved for clients – and in 70 of those (71%) outcomes were achieved without having to attend court, reducing the stress of facing the perpetrator and the court process.

89% of clients reported³¹ that, as a result of their engagement with the TFS Project clinic, they had a **better understanding of the options available to them if they faced legal or money problems** in the future.

McAuley workers reported that the TFS support **enabled women to get past the grip of economic abuse** to be able to focus on **moving forward and obtaining housing and employment** with a **renewed sense of agency** in navigating complex and daunting systems.

Clients of the TFS Project reported being **listened to with respect and empathy** and being provided with strong problem-solving action to address, not only money problems, but intertwining issues arising out of their experiences of family violence.

Aim

The TFS Project aims ensure that clients who receive help:

- i. have increased financial security – evidenced by reduced financial burden via the clearing of debts and fines and repairing credit records;
- ii. achieve positive legal outcomes – clients report they are able to move on with their lives and achieve financial independence (e.g. via a successful family violence intervention order and/or victims of crime compensation application); and
- iii. have increased financial capability – evidenced by greater skills and knowledge to self-advocate in the future.

Evidence

The TFS Project has run for two years and costs \$180,000 per annum, primarily employing two key staff members (a lawyer and a financial counsellor) as well as deploying resources into the management of the project. Using these minimal resources, the TFS clinic was able to assist 137 clients. **Figure 5** sets out the amounts we were able to have waived or cleared or recouped for our clients.

Figure 5: Financial outcomes for clients

FINANCIAL OUTCOMES ³²	AMOUNT
Total quantum waived	\$725,093
(Average per client)	(\$10,071)
Total quantum gained (eg via compensation order)	\$119,657
(Average per client)	(\$6,298)
Total quantum referred to Work and Development Permit ³³	\$59,201
(Average per client)	(\$4,933)
TOTAL ALL FINANCIAL OUTCOMES	\$904,890
(Average per client)	(\$11,311)

In addition to these financial outcomes, the TFS Project also focuses on securing legal outcomes for clients that would help them to move on with their lives and achieve financial independence (see **Figure 6**).

Figure 6: Legal outcomes for clients

LEGAL OUTCOMES	%
Infringements cancelled under the Family Violence Scheme	13%
Assisted to get intervention order	24%
Assisted to get a divorce order	6%
Assisted with a tenancy problem	18%
Assisted with Victims of Crime Compensation Assistance Tribunal (VOCAT)	4%
Assisted with negotiations with insurer	2%
Assisted with successful consumer outcome (excluding debt)	6%
Other outcome	26%
Unrecorded outcomes	1%

Finally, to measure clients' self-reported financial position and capability after their engagement with the TFS Project clinic, we surveyed clients regarding their current financial position and ongoing ability to deal with money or legal problems in the future. The results are documented in **Figures 7 and 8** and reveal that clients feel much more capable of addressing debts following assistance from the TFS Project clinic. A significant majority (89%) of clients reported better skills and knowledge to be able to deal with similar problems in the future.

Figure 7: Client responses to the statement "I feel able to pay off any debts and fines that I have right now"

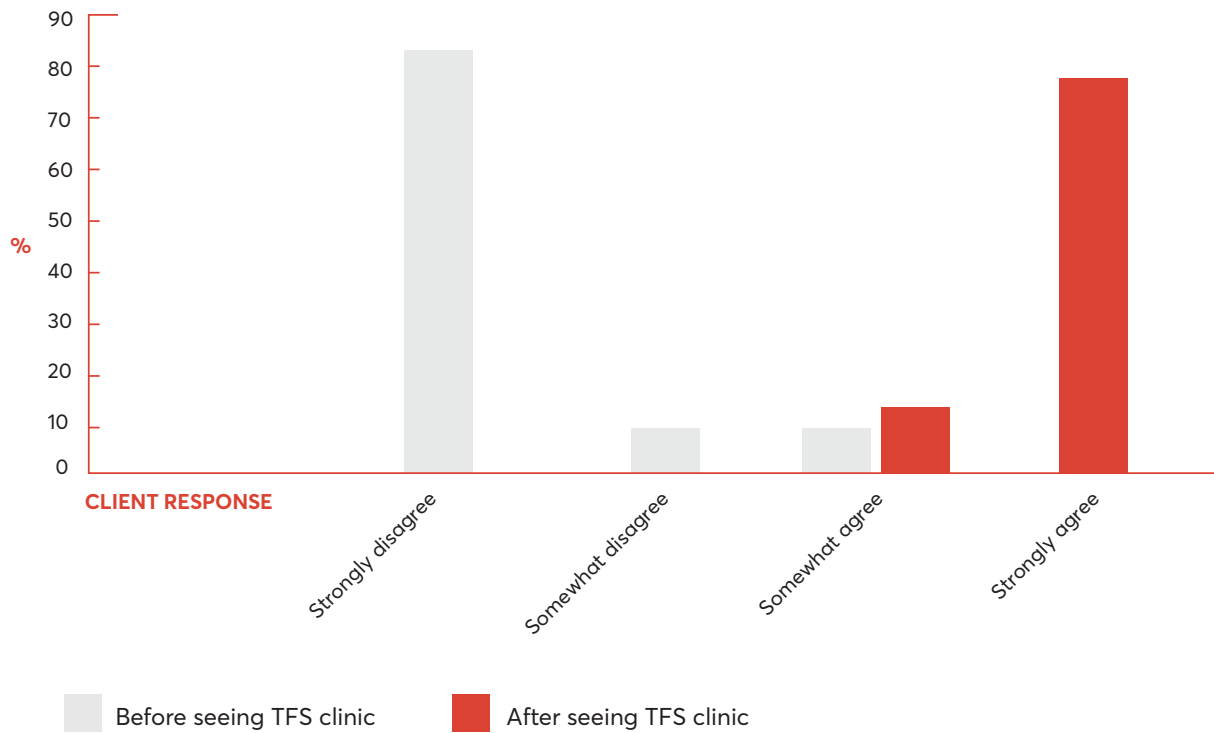
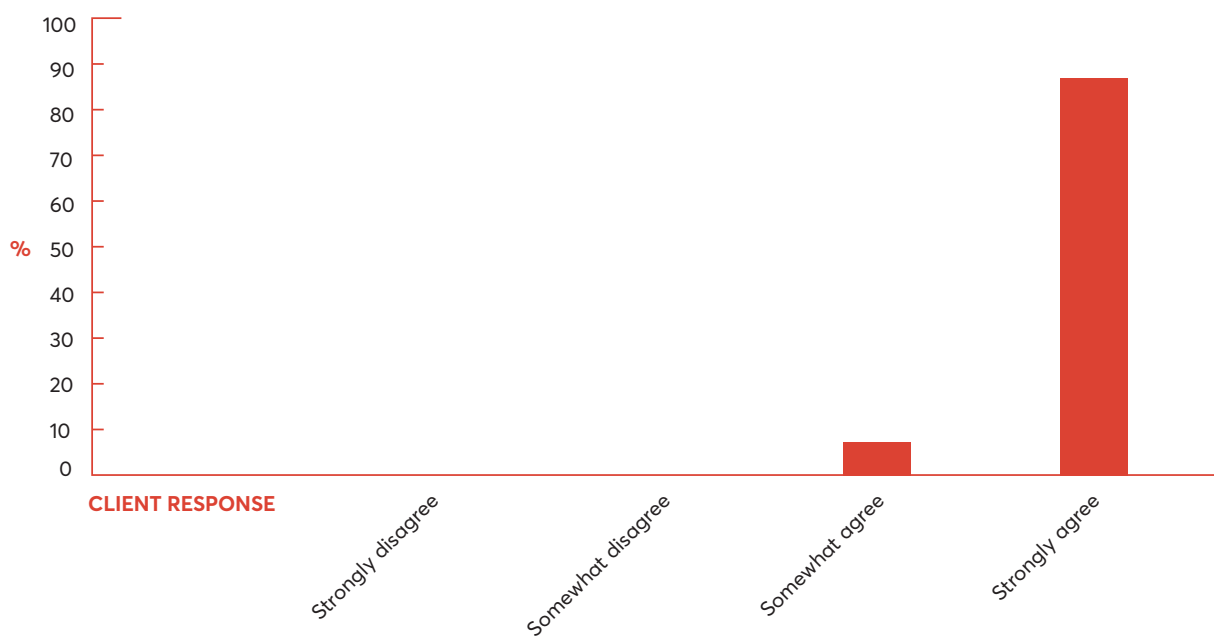


Figure 8: Client responses to statement "I now have a better understanding of the options available to me if I face legal or money problems in the future"



Findings

Many victim-survivors involved in the TFS Project were unaware of their options to deal with their legal and financial issues and assumed that they would be held liable for the repayment of liabilities incurred by a perpetrator.

With knowledge of family violence and hardship policies across the sector, we were able to have a significant number of debts waived, or compensation recouped for victim-survivor clients. Clients we assisted were on average \$11,311 better off after attending our clinic. We also played a significant role in repairing their tarnished credit records, meaning they were no longer prevented from accessing essential services such as mobile phone and internet contracts, as well as future borrowing, due to a poor credit rating. This positioned many victim-survivors to commence their post-separation journey to recovering from economic abuse.

As part of the TFS Project we developed a series of e-learning modules aimed at building capacity around hardship options available to victim-survivors.³⁴ Further, we used our consultations with clients to educate them on their rights and responsibilities and to provide them with valuable information about financial services such as hardship programs or dispute resolution processes.

RECOMMENDATION 1: Further education programs be developed for both family violence victim-survivors and people working in family violence support services - so that they can increase their understanding of, and access to, the range of family violence schemes, hardship programs and dispute resolution services available from government and many companies.

In addition to improving their financial position, we also assisted clients with ancillary legal issues such as divorce, victims of crime compensation and intervention order proceedings. The fact that we were able to resolve so many legal problems for vulnerable women without the need to attend court meant we secured faster, less stressful outcomes for clients, as well as avoiding adding to the court's already over-burdened workload.

After accessing our services, clients told us:

- i. they better understood their legal and financial options in the future, following intervention of the TFS Project clinic.
- ii. they had dealt with their legal problems earlier, which we believe to be crucial to intercepting their legal and financial problems before they are beyond repair.
- iii. they would not have known where to seek help were it not for the TFS Project clinic being available at McAuley, highlighting the importance of the in situ partnership model.

These findings were confirmed by responses to client surveys, including the following:

“WESTjustice] always tried to help by making me understand the issue & offer solutions. [I] am thankful for such wonderful [organisation] who women like me needs to rely on.”

CASE STUDY:

Financial exploitation leads to social security, credit card and utility debts

Fazia was receiving social security benefits 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 information to Centrelink that was not accurate. This later resulted in Fazia incurring a large debt with Centrelink, despite the situation being completely outside her control. When he found out, Fazia's husband threatened to cancel her visa, which was sponsored by him, if she told anyone about it.

Fazia also had a number of utility debts and a debt with her bank for a credit card utilised by her ex-husband. We assisted Fazia to have her social security debt of over \$4,000 written off and to have her credit card debt of almost \$2,000 waived. Through our advice and support, Fazia felt empowered enough to contact her utility providers herself and ask for a Utility Relief Grant.



5.2 Safety

SNAPSHOT OF OUTCOMES

52.31% increase in clients who reported they were confident they now had a long-term or secure place to live, following help from the TFS Project

79% of McAuley workers strongly agreed that WEstjustice's support via the TFS Project meant that **they were able to support clients into housing more quickly**

Access to help with debt and legal issues **had a significant impact on women's ability to successfully apply for and maintain secure housing** to help them move on with their lives after experiences of family violence.

Aim

The second key aim of the TFS Project was to ensure that clients who received help were:

- i. more likely to enter secure housing or the private rental market and avoid homelessness and entrenched poverty (safe housing)
- ii. more likely to be free from the power and control of economic abuse (free from violence)

Evidence

We surveyed clients before and after their engagement with the TFS Project clinic, to measure the impact the service had on their ability to move into safe and secure housing.

The data in **Figure 9** shows that housing security increased significantly (52.31%) post engagement with our service.

The data in **Figure 10** shows that many McAuley staff were of the view that client access to legal and financial assistance helped them to assist women to find long-term housing.

Figure 9: Client responses to statement "I have a long term or secure place to live"

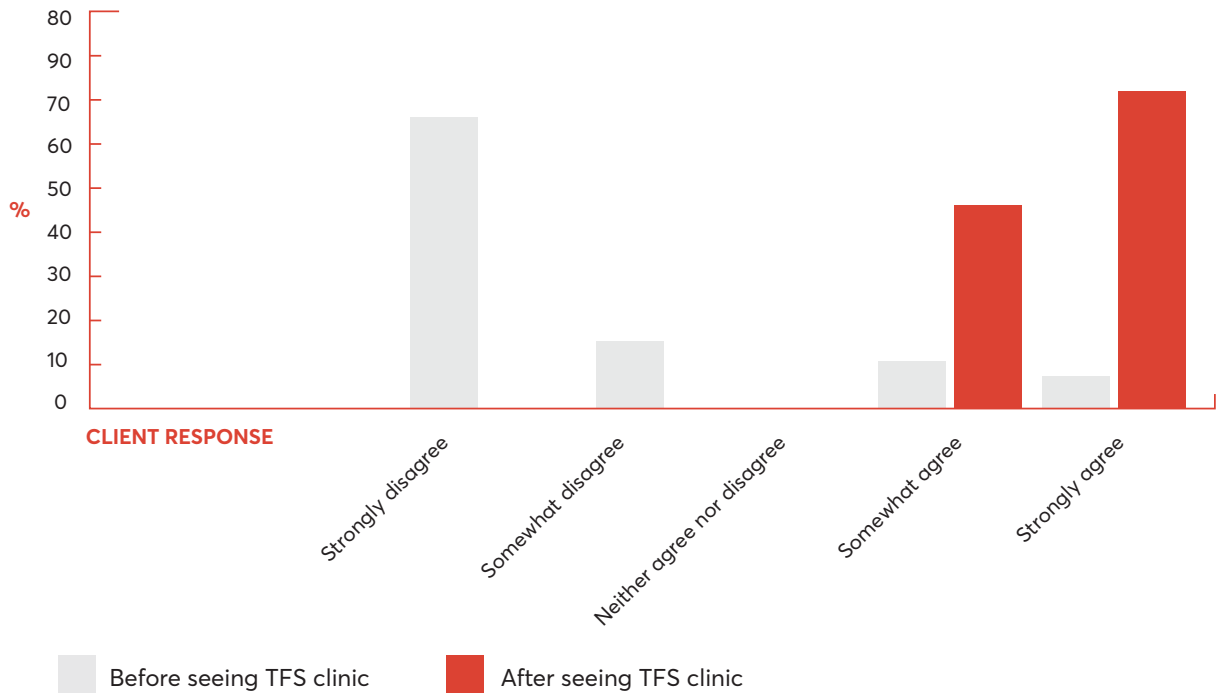
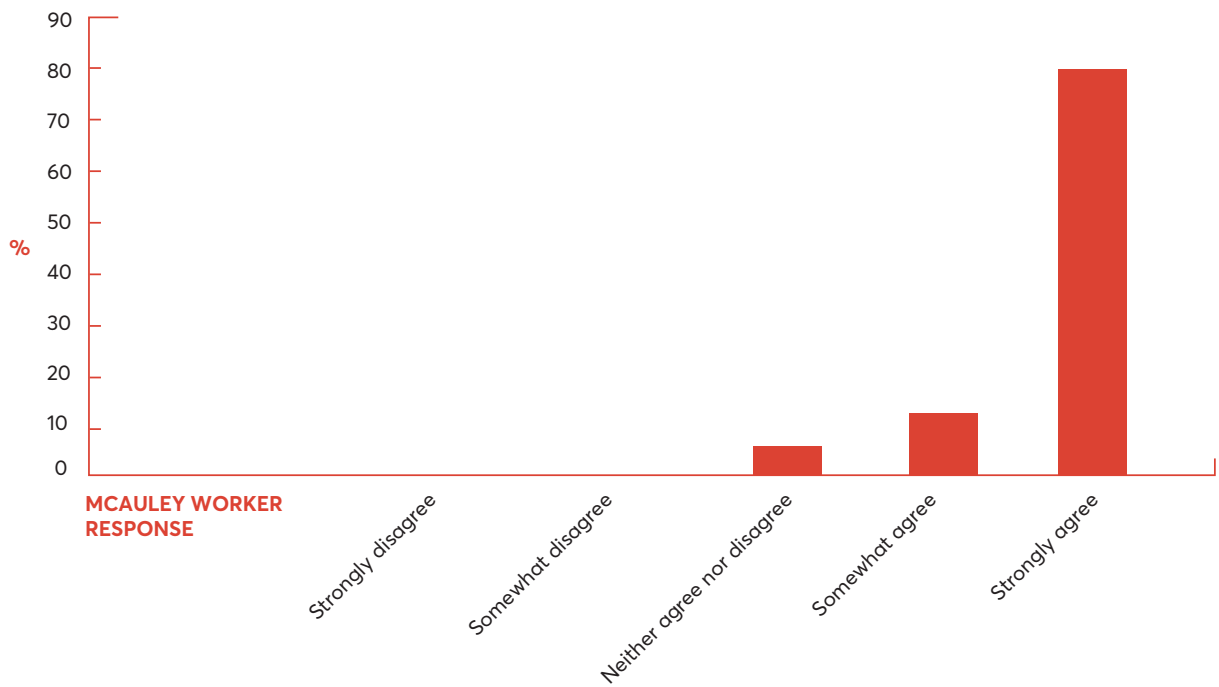
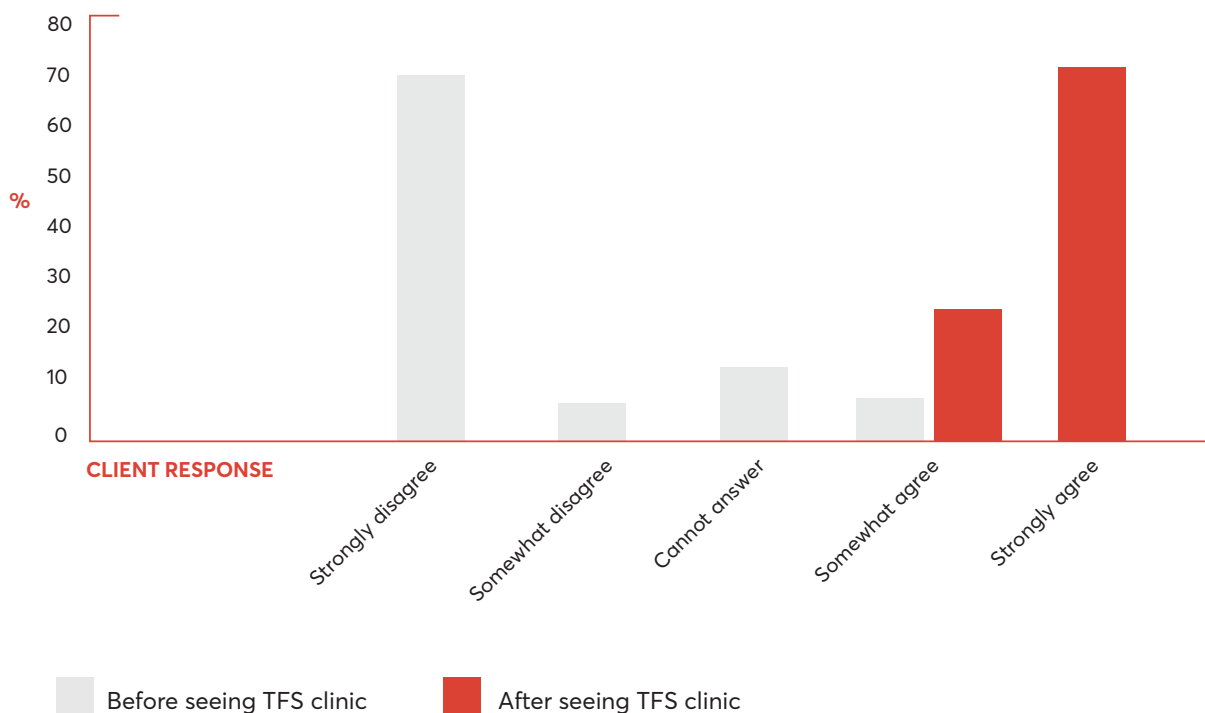


Figure 10: McAuley worker response to statement "WEstjustice's support meant I was able to support my client into secure housing earlier"



Following contact with the TFS Project clinic, clients also reported significantly increased feelings of safety and freedom from ongoing economic abuse, as set out in **Figure 11**.

Figure 11: Client responses to the statement "I feel safe and in control of my financial situation"



Findings

Our client survey data showed that housing security increased by 53 percentage points following a client's interaction with our service. While we cannot conclude for certain why this is without further study, we hypothesise the reason for this may be two-fold.

Firstly, assisting a victim-survivor to be free from debt and associated legal problems accumulated through family violence opens up money and capacity to afford housing. Improving financial security means victim-survivors and their children can be housed sooner, particularly when assisted by a housing worker/case manager, thereby relieving pressure from the housing/homelessness system.

This impact was confirmed by the survey comments of members of the McAuley team when asked to comment on the most significant impact of the TFS Project clinic for clients:

"Women having difficulty repaying debts that they were unaware of, or unable to pay back due to high interest rates, being significantly helped to reduce debt and enabling them to have higher income to be able to sustain housing or afford housing in a private rental market"

“Support to navigate the overwhelm that can accompany the legal and financial fallout of family violence and mental health difficulties that contribute to and perpetuate homelessness is empowering and helps women to move forward.”

Secondly, providing effective legal advocacy in tenancy law means that a victim-survivor can assert their legal rights, such as:

- ending a tenancy agreement early due to safety risks;
- apportioning compensation claims for damage to a property due to family violence;
- advocating for the Department of Housing to apply an exemption to repayment of bond loans;
- providing valuable legal advice about a person’s right to change the locks and make a property more secure.

RECOMMENDATION 2: Further research is required to measure and evidence the long-term social and financial impact of providing early financial and legal support to obtain and maintain secure housing.

The TFS Project clinic’s intervention also meant that women were freed from the power and control that their perpetrator had subjected them to throughout the economic abuse. This was explained by staff from the McAuley team:

“The [TFS] support continues to empower women who have experienced family violence. This reduces clients going back [to violent relationships] due to poverty...”

The McAuley team reported that victim-survivors walked away from the TFS Project clinic with a recovered sense of agency over their money and empowerment in their lives. This meant victim-survivors were better equipped to self-help and self-advocate after their engagement with the TFS Project clinic ended. McAuley staff also reported that their clients felt heard and acknowledged:

“After accessing your services, both financial and legal, my clients have regained a sense of control and agency in navigating otherwise complex and daunting systems.”

“WEstjustice enables women to have their voices heard, whether it be power to control their finances independently or power to have their voice heard in court.”

Dislodging the consequences of a perpetrator’s exertion of power and control over a victim-survivor’s life may take many years while they grapple with the financial, emotional, psychological and material repercussions of violence. Having their autonomy acknowledged and promoted through legal and financial advocacy, as well as the support offered by McAuley’s range of services, can positively position victim-survivors as they commence and navigate this complex process.

CASE STUDY: KATE’S STORY

Kate was subject to severe physical, emotional and economic abuse. Every aspect of her life and her finances were controlled by her husband.

Kate was forced to work in the family business for no salary. She was subjected to violence if she didn’t agree to sign loan or credit card applications. Kate’s husband would come to work and bully her into signing applications for credit or use her migration status to threaten her. Kate’s sister-in-law would pretend to be Kate over the phone to obtain credit. Kate was treated as if she were a ‘human line of credit’.

Kate’s case manager from McAuley’s employment service quickly realised Kate couldn’t focus on applying for housing or getting job ready while the debts were hanging over her head, so she made a referral to the TFS Project clinic. The case manager noted: “Women in that situation can barely hold a conversation or think about their future – the massive worry [about the debt] takes up all their energies.”

When she came to the TFS Project clinic, Kate had no idea how much debt had been placed in her name fraudulently and coercively. Kate thought her only option was to repay the money, despite not receiving any benefit from any of the loans.

After obtaining a copy of her credit file, WEstjustice ascertained Kate had over \$86,000 worth of debt with three different banks for various credit cards and personal loans. WEstjustice advocated on Kate’s behalf, explained her extreme circumstances to relevant banks, and managed to secure debt waivers for the total \$86,000. Kate told us when she heard the debts had been waived it was the “luckiest and most precious day of [her] life”.

After the stress of these debts was removed, Kate was able to get her son back, apply for secure housing and start studying again to become job-ready.

5.3 Mental health and wellbeing

SNAPSHOT OF OUTCOMES

65% of clients strongly agreed (and 95% agreed) that they didn't have to worry about legal and financial problems keeping them from moving on with their life.

There was a **significant decrease in stress and improved mental health** reported in clients after they received assistance from the TFS Project lawyer and financial counsellor.

Aim

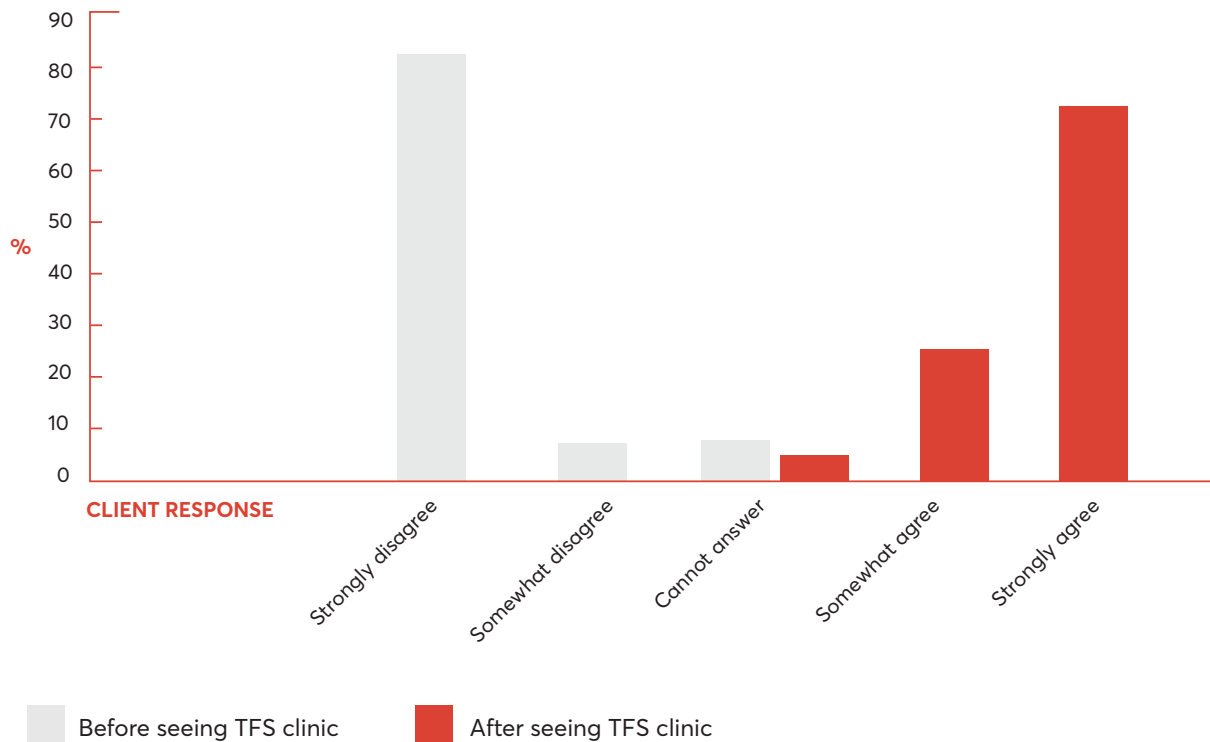
The final aim of the TFS Project was to improve the mental health and wellbeing of victim-survivors as evidenced by their greater confidence and capacity to move on and rebuild their lives.

Evidence

Only 35% of the clients the TFS Project worked with disclosed having mental health issues. We estimate that this figure is low and probably the result of under-reporting. For example, McAuley staff advised that in their family violence services, 73% of clients disclose mental health issues at entry.

Irrespective of the figure, our client surveys and comments from McAuley staff indicate the positive effect the TFS Project has on clients' mental health and wellbeing. **Figure 12** provides a compelling picture of the benefit of the service on clients' level of concerns about money problems and their ability to move on.

Figure 12: Client responses to the statement "I dont have to worry about legal or money problems stopping me from moving on"



This quantitative data was confirmed by qualitative feedback from McAuley workers:

“Women come to McAuley House often still in a state of high anxiety and fear and this can impair rational thinking. Knowing that there is a legal solution to some of their problems can help with their anxiety and feelings of helplessness.”

“Women grow in confidence after meeting with the legal team.”

Findings

Family violence frequently contributes to poor mental health. Victim-survivors can develop mental health conditions such as post-traumatic stress disorder or depression as direct results of their experiences of intimate partner violence.³⁵ Further, family violence and economic abuse will almost always impact a victim-survivor’s emotional wellbeing. Victim-survivors’ experiences interfere with their confidence, sense of ability to move on and rebuild their lives, and sense of self. Client and McAuley practitioner feedback demonstrate the TFS Project has a positive impact by improving confidence, alleviating stress and anxiety, increasing a sense of capacity to move on from traumatic experiences, and overcoming helplessness. For example, a nurse co-located with McAuley House in Footscray, who is a Work and Development Permit sponsor for the scheme to work off fines through health and other treatment, said:

“With a plan in place to work off significant financial debt, I have observed decreased stress and improved mental health, as well as improved capacity to address other factors impacting overall health and wellbeing.”

Further longitudinal study would be required to examine if these benefits were able to be maintained over a period of time.

RECOMMENDATION 3: A further longitudinal study should be undertaken to examine if the increased mental wellbeing experienced by victim-survivors - as a result of early intervention to assist with their legal and financial problems - is maintained over time.



**OUTCOMES THE TFS PROJECT HAS
ACHIEVED FOR MCAULEY**

6 OUTCOMES THE TFS PROJECT HAS ACHIEVED FOR MCAULEY

“Please continue the collaboration. It produces excellent... outcomes for our vulnerable and disadvantaged clients. We could not have resolved some very complex matters without your assistance – it literally changed lives.”

- McAuley staff member

Another focus of the TFS Project is to look at how it can assist the team at McAuley to deliver a better service for their clients. The assumption we had was that McAuley workers could refer clients to the TFS with debt and legal problems, and this would allow the workers to have more time to focus on assisting clients to access counselling, find housing and employment, and move on with their lives.

WEstjustice surveyed McAuley staff including case managers, mental health workers, team leaders and program directors about the changes the TFS Project created for clients and workers. The response of the 14 McAuley staff to the survey was overwhelmingly positive and confirmed our assumptions about the value of the TFS Project.

McAuley staff were asked about the most significant change they observed for their own organisation as a result of the TFS Project clinic. Some of the responses included:

“A huge benefit of the clinic for McAuley staff is that it means staff do not have to spend time focusing on finances with the women or looking for financial counsellors/legal support outside of McAuley. This leaves time to focus on other important things with clients, meaning they are able to move through their journey”

“Legal support/advice can be difficult to access at times. Communication can be difficult and getting a good understanding of what is happening for the client is dependent on the time of the legal representatives involved in the case. Being in partnership with WEstjustice allows for this communication to occur freely between workers, legal knowledge to be shared, and connections to be made, which equals better outcomes for clients.”

“WEstjustice... has been vital in providing staff at McAuley with secondary consultations to further holistically assist clients.”

“WEstjustice has been a significant part of the integrated support services we offer women to see them through their trauma and crisis to freely make positive and responsible choices. [WEstjustice has] been an integral part of the healing process for the woman, and the offering of continuous support to the frontline workers.”

“[This partnership] allows staff to provide a more enhanced service to clients.”

McAuley workers were asked to rate their responses to questions about the integrated legal service.

- 93% said they can spend more time with clients on other things that matter.
- 93% said their clients' ability and confidence to manage their own money and access legal support in the future has increased.
- 79% strongly agreed that they were able to support clients into secure housing earlier (eg clients had greater capacity to pay rent due to being freed from debt).

McAuley workers were asked for suggestions for improvements to the clinic. Some of the responses included:

"No changes needed! [WEstjustice is] such a responsive and essential resource to us and the women feel so empowered through having access to their services."

"No suggestions – the way WEstjustice works with McAuley residents is crucial to our work, and we are privileged to have them on board!"

"Enhanced support with intervention orders would be beneficial. [Currently the clinic provides advice on intervention orders and refers clients to WEstjustice's duty lawyer service.]"

"The inclusion of employment law would make a big difference."

The responses of McAuley staff make clear that in the future the TFS Project needs the capacity to provide immediate assistance in additional areas of the law as part of the integrated model – particularly family law and employment law. The TFS Project did not always have the resources to meet demand from clients requiring assistance in these areas, despite the obvious ways employment and family law help could assist victim-survivors to move on and gain financial independence.

RECOMMENDATION 4: In the future, the TFS Project model should be resourced to incorporate additional legal assistance for victim-survivors in the areas of family law and employment law.

Overall, the responses from the McAuley team demonstrate the efficacy of the TFS Project. The impact of the referral pathway – in terms of freeing up time to do other meaningful work with clients – was substantial. The clinic makes a significant difference to clients' financial capability, both in terms of waiving debt and overcoming financial barriers to enable women to spend their money on housing and other things that matter, and providing financial literacy and education to enable women to better protect their money. There is also a significant impact on clients' entry into safe housing. In addition, feedback from McAuley workers indicated that the clinic's assistance to women increases employment opportunities.

The perspective of McAuley staff provides strong evidence for the value of the clinic and rationale for its expansion.

A large, stylized red number '7' with a white outline and a slight 3D effect, positioned in the center of the page. A white rectangular box with a black border is overlaid on the middle of the '7', containing the text.

**OUTCOMES THE TFS PROJECT HAS
ACHIEVED AT THE SYSTEMIC LEVEL**



7 OUTCOMES THE TFS PROJECT HAS ACHIEVED AT THE SYSTEMIC LEVEL

“The input from the community sector was absolutely critical to informing the business case for Transurban’s first dedicated team to support customers experiencing social and financial hardship [including family violence].”

- Transurban Customer and Communities Advocate

7.1 Improving responses to family violence across industry and government

Aim

An important driver of our case work at WEstjustice is to use the experiences of our clients (the evidence) to inform and influence lasting systems changes within industry and government. We seek to persuade industry and government to:

- acquire greater awareness of economic abuse;
- continually improve their policies and practices to respond effectively; and
- ensure that they are putting these policies into practice and holding themselves accountable.

In order to identify key stakeholders, gaps and priority areas we embarked on a task of comprehensive stakeholder mapping. We then planned a systemic program of working with industry and government on these key priorities. This also included a monitoring and evaluation framework to gather evidence from industry and government stakeholders about the influence of the community sector on embedding proactive, flexible and appropriate responses to economic abuse.

Throughout the TFS Project we have achieved a large number of lasting systems changes. These individual outcomes are discussed below and fall under 7 areas:

- Housing reform
- Vehicle registration reform
- Toll road reform
- Fines reform
- Credit and debt reform
- Insurance reform
- Other areas of reform

7.2 Housing reform

Weaponising bond loans

In the course of providing tenancy support to victim-survivors through the TFS Project clinic, we identified an area of pressing concern relating to the waiver and repayment of Department of Health and Human Services (DHHS) bond loans. Given Victoria's significant waiting list for public and community housing, these bond loans are an essential lifeline to help women and their families meet the costs of entering housing in the private rental market and avert emergency housing or homelessness.

Unfortunately, in our experience it is common for abusive partners or co-tenants to cause these bonds to be forfeited by acts of physical violence (damaging the rental property) or economic abuse (withholding rental payments). In many cases, women and their children may flee the property due to immediate safety issues, and therefore are unable to perform an end-of-lease clean, or else leaving their partner in the property to accrue arrears in the victim-survivor's name before eventually being evicted.

Impact on victim-survivors

This poses two major barriers for women fleeing family violence. First, it presents economic challenges where a victim-survivor has been saddled with a debt caused by or related to another person's acts of violence. Second, it presents barriers to accessing private rental properties – a victim may be prohibited from accessing future bond loans if a debt remains unpaid and the allocations officer determines that the family violence victim is not currently subject to family violence.

Our action to achieve systemic change

To address this policy gap, we wrote to the Minister for the Prevention of Family Violence and met with the Minister for Housing about these issues. We advocated strongly for amendments to be made to the DHHS bond loan guidelines to cover the situations described above. After meeting with Minister Wynne's Office (Minister for Housing) we were notified in April 2020 that the recommendations we made were to be implemented and are now official.

The new RentAssist Bond Loan guidelines³⁶ were published in April 2020. Importantly there is now a list of circumstances that provide clients will be exempt from repayment of their outstanding bond debts in family violence and other situations. Furthermore, having an existing bond debt will no longer be a barrier to obtaining another bond loan.

Impact of the change for economic abuse victim-survivors

This reform results in family violence victim-survivors no longer being saddled with unfair bond debts in circumstances where they had no control over the loss of the bond. This is a significant reform which will allow victim-survivors to maintain their private rental tenancies and therefore reduces or prevents homelessness.

CASE STUDY:

Bond loan waiver helps relieve victim survivor of financial burdens after leaving rental property at short notice

Thi had just left a 10 year relationship with David. She had experienced family violence throughout the duration of her relationship resulting in Thi and her children suffering from trauma, anxiety and depression. As a result of a serious incident of physical violence, Thi had to call SafeSteps and seek refuge. Thi came to us with multiple energy debts, fines and debts with the Office of Housing for lost bond loans due to having to escape her property with no notice for fear of violence.

Thi was the first client that WEstjustice was able to apply the new Department of Housing Bond Loan Rent assist guidelines to. We advocated on Thi's behalf, explaining her circumstances and highlighting that the new policy meant that an exemption to repayment should be applied as the bond arrears were accumulated in circumstances beyond Thi's control, resulting from family violence. Ultimately the Department of Housing granted a full exemption to repayment of the debt of almost \$3,000. Previously, Thi would have been liable to pay the bond loan debt, despite the loss of the bond loan being outside of her control.

Ultimately, we were able to successfully have her fines revoked and debts accumulated in family violence circumstances waived. This meant that Thi was relieved of almost \$15,000 of debt. After this burden was lifted, Thi told us she was able to find a private rental property and move on with her life.

7.3 Vehicle registration reform

The burden of registration and traffic fines

Victim-survivors of family violence are often burdened with driving fines incurred by their violent partners. Due to the operator onus provisions in the *Road Safety Act 1986* (Vic), the registered owner will be held responsible for the conduct of others where the owner does not or cannot nominate the driver within the prescribed time. If a person leaves a violent relationship, they may continue to receive fines despite having no access to the vehicle. Incurring the fines may even be a way for the perpetrator to continue to exert control over and inflict further family violence on the victim-survivor.

Victim-survivors of family violence are often fearful of nominating the perpetrator due to the risks to their safety in doing this. Transferring registration out of a victim-survivors' name required the consent of the perpetrator and payment of fees, making it prohibitive for most victim-survivors.

The inability to transfer registration out of a perpetrator's name also meant that victim-survivors were unable to re-register vehicles, leaving them exposed to fines for driving unregistered.

Impact on victim-survivors

The provisions of the Road Safety Act and the policies of VicRoads meant victim-survivors continued to receive fines for the perpetrator's conduct, allowing perpetrators the means to continue economic abuse even after the relationship has ended. The incurrance of fines likely leads to demerit points and even the suspension of a victim-survivor's licence, limiting their mobility and preventing them from leaving a violent relationship or moving on after a relationship has ended.

CASE STUDY:

Family violence victim-survivor facing \$10,000 of driving fines incurred by abusive ex-husband placed at further risk by vehicle registration issues

When Cathy and her ex-husband, Tom, were living together he asked her to register a vehicle in her name. Tom was the only driver of the vehicle and incurred over \$10,000 in driving-related infringements using the vehicle.

Throughout their relationship, Cathy had endured extensive family violence. When purchasing the car, Tom promised to give Cathy driving lessons as she only had an international licence and wanted to obtain a Victorian licence before she drove the vehicle in Melbourne. After the vehicle was purchased, Tom took exclusive possession of the vehicle.

After a police intervention order excluded Tom from the house, Tom took the vehicle even though it was registered in Cathy's name. Cathy eventually became aware of the infringements and contacted VicRoads to discuss de-registering the car or otherwise transferring the registration.

Cathy was told that she needed to remove the licence plates from the vehicle to ensure no further fines could be incurred in her name. Simply de-registering the vehicle would not prevent any further infringements incurred by Tom being attributed to her, as fines are attributed to the last known registered operator.

Cathy then contacted the police who advised her that they could not assist because the vehicle was not 'stolen' and it was a family law property issue. Cathy's community lawyer advised her that they were unable to assist her with property matters and she cannot afford private representation. Cathy will likely continue to incur further fines for the vehicle as attempting to locate Tom to remove the licence plates from the vehicle will put her at risk of family violence.

Our action to achieve systemic change

To address this problem, WEStjustice worked with the Infringements Working Group (IWG) (a working group of 38 member organisations of the Federation of Community Legal Centres, Victoria Legal Aid and Financial Counselling Victoria) and the Economic Abuse Reference Group (EARG). The IWG initially wrote to VicRoads seeking a discussion of the issue. Subsequently, two roundtables were held between the organisations and VicRoads, and a working group was established within VicRoads to action the need for change.

In response to these advocacy meetings, VicRoads developed a dedicated policy to deal with the situations described above. The policy sets out the process for victim-survivors to apply for transfer of registration into or out of the victim-survivor's name. This is substantially different to the usual process for transfers of registration that requires both parties to sign, payment of a transfer fee and motor vehicle duty fees, and provision of a Certificate of Roadworthiness. Now all that is required is a statutory declaration from the victim-survivor and another piece of evidence, for example a support letter from a social worker or family violence support worker).

Impact of the change for economic abuse survivors

This policy change means victim-survivors across Victoria will be able to free themselves from the weaponisation of driving fines, regain their freedom of movement and move on from violence.

CASE STUDY:

Grandmother assisted to transfer registration out of her name after significant economic abuse

Patricia is 88 years old. She is retired and reliant on the aged pension.

Patricia tried to assist her granddaughter Sarah through a difficult pregnancy. She bought Sarah a car and provided Sarah with money to get back on her feet. Sarah came to live with Patricia, and shortly after Sarah's behaviour started to escalate. Sarah started to steal money from Patricia and made multiple demands for large sums of money. She also stole Patricia's credit card and made many unauthorised purchases.

Sarah made threats to kill Patricia's pet and constantly berated Patricia. Patricia asked Sarah to move out on many occasions, however Sarah stayed.

Eventually Patricia was forced to flee her property out of fear for her safety. She stayed with a friend, and then a full no contact interim intervention order was granted, allowing Patricia to return home.

Patricia began to notice that fines were coming in and she realised that the vehicle she bought for Sarah was registered in her own name. Patricia had never had possession of the vehicle. These fines were coming in every week and were causing Patricia a great deal of stress and anxiety. She wanted to have the vehicle transferred out of her name to prevent further fines in her name. However, Patricia had no contact information for Sarah and was estranged from most of her family, so the transfer could not be effected by consent.

Through WEstjustice's contacts with VicRoads acquired through our policy work, we contacted VicRoads who advised they would accept an application that included a statutory declaration from Patricia, a transfer of registration form filled out to the best of Patricia's ability, and one other piece of evidence. We used a copy of Patricia's intervention order and a support letter from a family violence service. VicRoads at this stage did not have a formal process or policy around family violence registration transfers, however agreed to process this application as a test case.

VicRoads agreed to transfer the registration to "unknown" and suspend the registration. They also confirmed the vehicle registration was backdated to a day after the purchase.

This has meant that Patricia no longer has the stress of fines being accrued in her name, alleviating a significant source of economic abuse. As a result, Patricia feels more in control of her life.

7.4 Toll road usage (hardship) reform

Weaponising toll fines

Toll roads are increasingly being seen as an essential transport service. However, toll fine debts are enforced differently to other civil debts (such as utility or phone bills); they are enforced through the criminal fines system. A single act of driving on a toll road can escalate through the toll road operator's internal debt recovery system during which late fees will be incurred. If the debts are not paid at this stage, they are referred to Victoria Police Traffic Camera Office for enforcement. After this, a single trip on the road can cost in excess of \$400.

Impact on victim-survivors

Victim-survivors are often saddled with large quantities of toll fines, either because the violent partner has driven the victim-survivor's vehicle on the toll road and accumulated fines in their name, or because the victim-survivor is travelling on the toll roads to flee family violence.

The Victorian State Government introduced a Family Violence Scheme for family violence-related infringements in 2018 (discussed in further detail below). This scheme has gone some way to help address the vast and disproportionate sums added to an original civil debt, if it was accrued in circumstances of family violence. However, even with the scheme in place, it is much easier to deal with a toll debt at an early stage than it is to deal with a fine. Therefore it is critical to try to prevent toll debts from becoming fines in the first place.

For this reason, strengthening toll road operators' hardship responses is crucial.

Our action to achieve systemic change

Transurban engaged with community sector welfare services (including community legal centres and financial counselling agencies) through two roundtable events to refine its hardship process and develop specialised policies and practices. This included hiring and training a specialised 'Linkt Assist' customer hardship team.

In 2020, together with Thriving Communities Partnership, Transurban began the process of developing specialised family violence policies and training its staff in their application. WEstjustice was recognised as being an organisation with significant expertise in representing clients with toll debts who have experienced family violence. As a community representative, WEstjustice was involved in the co-design of this policy and provided strategic guidance to Transurban staff on understanding the links between family violence and toll debt, and practical measures to respond.

Impact of the change for economic abuse victim-survivors

Transurban has since implemented these family violence policies, with reports from community lawyers that Transurban's hardship responses have improved significantly. In most cases involving family violence, toll debts are waived. This will ultimately impact all victim-survivors with Transurban tolling debts throughout Victoria, New South Wales and Queensland.

CASE STUDY:

Victim-survivor forced to navigate complex toll debt and infringement system

Tamara is a single parent and full-time carer of four young children. She separated from her ex-partner Caleb in 2017 due to family violence. During and after the relationship, she experienced emotional, financial and physical violence. Tamara and her children had been granted at least four intervention orders, including following police applications. Even after the intervention orders were granted, Caleb continued to commit family violence, including physical assaults. Tamara moved into a women's crisis accommodation service to be safe from Caleb.

Tamara was a learner driver and during their relationship Caleb frequently drove the vehicle registered in Tamara's name, incurring numerous traffic infringements. Despite not driving the vehicle, the fines were registered in Tamara's name. When Tamara left the relationship, she could not take her car as she was a learner driver and she had to leave at short notice. Caleb continued to use the vehicle and accrue fines, including a large number of toll debts and fines.

This meant Tamara had various different fines at multiple stages and with multiple issuing agencies including nearly \$4,000 worth of fines registered with Fines Victoria, \$200 of debts to Transurban and \$100 owed to Eastlink. Due to the complexity of the fines system, it would have been difficult for Tamara to track down all the fines, and know how best to approach applying for relief.

The WEstjustice team met with Tamara and made an application on her behalf to the Family Violence Scheme to have her infringements cancelled. This was successful. The lawyer also negotiated a waiver of Tamara's debts to Transurban and Eastlink. This saved Tamara nearly \$4,500.

Caleb eventually returned the car to Tamara so she no longer has to worry about fines being incurred in her name.

7.5 Fines reform

Fines as a means of economic abuse

Infringements are a key area that require legal assistance related to economic abuse. Fines are often weaponised by perpetrators to commit economic abuse against victim-survivors, with long-lasting and significant impacts.

In 2018, responding to recommendations from the Family Violence Royal Commission and advocacy from the community sector, the Victorian State Government introduced the Family Violence Scheme (FVS) which provides a largely effective mechanism to exit victim-survivors from the infringements system and cancel demerit points associated with their alleged offending. This means, crucially, where victim-survivors have been saddled with fines by the actions of violent perpetrators, and where it is unsafe for the victim to nominate the driver of the vehicle for the fines because of the risk of further violence, the FVS provides an effective mechanism to address those fines.

Despite its successes, since the commencement of the Scheme, we have observed a number of issues with the application and implementation of the FVS.

During 2019, Fines Victoria took a stricter interpretation of the words "substantially contributed" in ss 10T(1)(c) (i) and (1)(c)(ii)(B) of the *Fines Reform Act 2014* (Vic). This led to Fines Victoria refusing a large number of applications where family violence was not the "direct cause" of the applicant being unable to control conduct constituting an offence or make a known user statement, or where the family violence was not "current" at the time of offending.

Impact on victim-survivors

Fines Victoria's stricter interpretation means that victim-survivors' applications to access the Scheme are often rejected and their circumstances go unrecognised. Unable to have their fines waived, victim-survivors are under pressure to repay fines debts in unjust circumstances or access the special circumstances scheme instead, which would likely see them forced through the court system and end with a finding of guilt against their name.

CASE STUDY:

Victim-survivor of 17 years of family violence has application refused as family violence not found to have "substantially contributed" to fines

Amira attended the TFS Project clinic for help with infringements that she incurred during a seven year period, when she had been experiencing severe family violence.

In November 2018, we submitted a FVS application on Amira's behalf for these infringements. This included a statutory declaration, two support letters and three IVOs. In her application, Amira detailed the ongoing and severe impact of the family violence on her mental health and noted that her life had "been out of control and [she] wasn't able to avoid incurring these infringements". Her support letters verified this and confirmed that the family violence had substantially contributed to her incurring the fines. Amira's psychologist explained that her experience of family violence and trauma had caused complex Post-Traumatic Stress Disorder, which resulted in her being unable to avoid incurring the infringements during this period.

In September 2019, Fines Victoria refused the application.

Our action to achieve systemic change

In collaboration with the IWG, we undertook written and face-to-face advocacy to strongly communicate our position that Fines Victoria was inappropriately limiting the scope of the Scheme. We made submissions to the Fines Reform Advisory Board, FVS Statutory Review, and Family Violence Reform Implementation Monitor's review of the implementation of the Royal Commission's recommendations about this topic. We also met with high-level representatives of Fines Victoria to discuss the issue.

In April 2021, Fines Victoria released a public Guide to the Family Violence Scheme in which they noted a changed approach to the interpretation of "substantially contributed to" in line with our recommendations. Post-Traumatic Stress Disorder and drug/alcohol use caused by family violence are now recognised as causes that may substantially contribute to a victim-survivor incurring fines.

Impact of the change for economic abuse victim-survivors

This change makes the FVS much more inclusive of the range of consequences of family violence for victim-survivors. It recognises the mental health impacts of family violence as a result of abuse, and means more victim-survivors will benefit from the Scheme.

7.6 Credit reporting and rental blacklisting reform

Credit reports and rental blacklists freeze women out of access to support

When an account or debt goes unpaid, the creditor will usually report the default to credit referencing agencies to list the default on the debtor's credit report. Many victim-survivors have default listings on their credit reports for debts incurred in the context of family violence. Until now, the sector has relied on the goodwill of creditors to remove the default listing in circumstances of economic abuse. However, to our knowledge there is no current streamlined process to request removal of a credit listing on family violence grounds and the credit reporting bureaus do not have family violence policies in place to guide them.

Credit referencing agencies also manage rental blacklists, where bad rental history is recorded on a central register. For the reasons discussed in the housing section above, many victim-survivors of family violence need to suddenly abandon tenancies or incur damage to rental premises. Usually these incidents result in a rental blacklisting against the tenant's name. Again, this blacklist is considered by real estate agents and landlords when considering whether to rent premises to individuals; a negative entry may interfere with a victim-survivor's ability to secure private rental accommodation.

Impact on economic abuse victim-survivors

Bad credit can have a significant impact on a victim-survivors' capacity to move forward with their lives, as they may be refused credit or may not be able to enter contracts for important services such as mobile phone plans.

A rental blacklisting can obstruct a victim-survivor's ability to find safe and secure housing on the private rental market.

Our action to achieve systemic change

In partnership with Thriving Communities Partnership and the EARG, WEstjustice held a roundtable meeting with Equifax, the largest credit referencing agency in Australia. At this meeting, we highlighted the range of unfair ways that default listings are attributed to victim-survivors of family violence and the impact that poor credit histories have on these vulnerable women. We also discussed the issue and impact of rental blacklisting practices on victim-survivors of family violence.

As a result, Equifax established a Family Violence Project and Working Group to enable default listings and rental blacklistings to be removed where a person can establish that the debt or blacklisting was incurred in circumstances of family violence. WEstjustice is part of this working group. To date, several working group meetings have been held to work towards operationalising this new policy. We expect a family violence policy to be finalised in the near future and action to implement this policy to be commenced after that.

Impact of the change for economic abuse victim-survivors

If this reform is achieved, many victim-survivors will be freed from the long lasting consequences of debt. For example, they will be able to enter contracts, gain credit and obtain rental properties without the economic abuse to which they were subject following them and impacting their financial security for years after the abuse occurred.

CASE STUDY:

Economic abuse prevents victim-survivor from entering into contract, interrupting her moving on with her life

Emily was living in crisis family violence accommodation. She reported that she had been rejected for a telephone contract because of her poor credit rating, however she was unaware of why her credit record had been tarnished.

We obtained a copy of Emily's credit record to ascertain whether there were any negative credit listings. It became apparent that there were two debts listed under her name which she was unaware of due to her ex-husband applying for credit fraudulently under her name after the relationship had ended. These debts totalled almost \$3,000.

We were able to negotiate full debt waivers and have the negative credit listings removed from Emily's record. This meant that Emily could access necessary services such as having a working phone and phone contract.

7.7 Insurance reform

Using insurance to perpetrate family violence

Insurance is an issue which is not often identified as being an area relevant to family violence and economic abuse. However our casework reveals that insurance products can be weaponised by perpetrators to commit family violence.

There are scenarios which are commonly considered 'general exclusions' in insurance policies but which are unfair when they occur in circumstances of family violence. An example is a perpetrator of family violence being the only insured party on a policy for a joint property or property owned by the victim-survivor where the victim-survivor wishes to make a claim but is excluded from doing so as a non-insured party. Perversely, in these instances, the insurer may even offer to pay out the claim to the perpetrator. Another example is where the perpetrator damages insured property owned by the victim-survivor, and the victim-survivor is prohibited from making a claim due to a policy exclusion for 'intentional damage'. Historically these cases are determined based on the good faith of an insurance company, rather than being able to rely on a specific family violence provision in the General Insurance Code of Practice (**the Code**) or an insurer's policy.

Impact on economic abuse victim-survivors

The structure of insurance contracts leaves victim-survivors of violence exposed to the commission of further violence by perpetrators through the deliberate denial of insurance coverage and the payout of claims to perpetrators.

Our action to achieve systemic change

WEstjustice has a longstanding working relationship with the Insurance Council of Australia (**ICA**). Through this relationship we continue to report systemic issues of family violence in the general insurance industry. WEstjustice drafted a proposal recommending amendments to the Code or Family Violence Guideline to address the family violence issues raised above. The ICA confirmed they are aware of these issues and invited WEstjustice to present at their Consumers Experiencing Vulnerability Working Group which is composed of representatives from the general insurance industry.

We have recently been made aware that one major insurer has exceeded their obligations under the Code by implementing a clause that allows a claim in circumstances that would ordinarily not be permitted, whereby prejudice might be suffered due to mental illness, substance abuse or an act of violence or intimidation. We commend this change and will continue to lobby other insurers to follow suit.

CASE STUDY:

Insurance company and perpetrator of violence block victim-survivor's access to home repairs

Jeanie is 59 years old and reliant on a Centrelink Newstart Allowance income of less than \$15,000 per year. She has a physical disability and a mental health diagnosis. She is a victim-survivor of long-standing family violence at the hands of her former partner, Phillip.

After they separated, Jeanie and Phillip were going through a property settlement. The house that Jeanie was living in had to be sold to divide their assets. Jeanie put in an insurance claim to rectify some damage to the property, only to find that Phillip had changed the home and contents policy to be solely in his name. Phillip refused to allow the claim to go through, and in doing so was economically abusing, controlling, and manipulating Jeanie. The insurer refused to deal with Jeanie and the repairs needed to be done before the sale of the property.

The WEstjustice lawyer negotiated with the insurer to process Jeanie's claim and to accept that the claim fell within the scope of the policy.

As a result, the insurer waived the excess of \$1,500, and paid out for a number of repairs totalling over \$8,000. This saved the client almost \$10,000, and the property could be sold in reasonable condition, adding to the financial benefit for Jeanie.

Impact of the change for economic abuse victim-survivors

This change, if adopted by insurers, will mean victim-survivors are protected by insurance policies and are not plunged into further economic hardship by the denial of coverage for damage to property, often leaving them to pay for repairs themselves.

7.8 Other systemic impact work

In addition to the key pieces of advocacy documented above, throughout the TFS Project WEstjustice has been involved in a number of other areas of reform, discussed in **Figure 13**.

Figure 13: Other systemic impact work undertaken via TFS Project

AREA OF SYSTEMIC IMPACT	ACTION TAKEN
Essential services	Regular attendance at Essential Services Commission Community Sector Roundtables to continue to feedback trends in behaviours from retailers. We also advocate with individual retailers if we determine that they are not meeting their obligations. Retailers have reflected that this has been important in holding them to account and flagging any internal cultural or system issues within their business.
Toll roads (recall)	Roundtable with Department of Justice and Community Safety, Victoria Police and Fines Victoria to progress recall of toll fines out of criminal jurisdiction to allow toll road operators to apply a hardship response. This process has been recommended by the Fines Reform Advisory Board and we are now waiting for the Victorian Government to decide whether it will implement this measure.
Debt collection	Provided feedback to ASIC to prompt the inclusion of family violence guidance in the ACCC/ASIC Debt Collections Guidelines. In December 2020 the guidelines were updated to include a number of references on how debt collectors should behave once they become aware of a client's family violence circumstances. The Guidelines made it clear that family violence should be recognised as a form of debtor vulnerability and may result in a debtor being unable to make meaningful repayments towards a debt. Family violence was also outlined as a circumstance where it may be unreasonable or unacceptable to continue contacting a debtor and continued contact may constitute undue harassment.
Submission to the Victorian Government's Homelessness Inquiry January 2020	Submitted that addressing economic abuse and supporting women to achieve financial security is the next step in prevention of homelessness for women experiencing family violence. Our findings indicate that improving financial security also means victim-survivors and their children can be housed sooner, relieving pressure from the crisis housing and homelessness systems. Our submission is available online. ³⁷

AREA OF SYSTEMIC IMPACT	ACTION TAKEN
Submission to the Family Violence Reform Implementation Monitor ("the Monitor")	<p>The Monitor holds the government and its agencies accountable for implementing the family violence reform, following the Victorian Royal Commission into Family Violence. WEstjustice's submission included reflections and recommendations around how to improve economic abuse responses and advocated for the expansion of TFS project.</p> <p>Our submission is available online. ³⁸</p>
Save safe lending campaign	<p>In 2020 a Bill³⁹ was introduced in Parliament to roll back responsible lending obligations ("RLOs") from the <i>National Consumer Credit Protection Act 2009</i> (Cth). WEstjustice and the EARG strongly oppose this bill as RLOs protect victim-survivors of economic abuse against unfair loans and provide crucial remedies. The EARG was invited to give oral evidence to the Senate Economics Legislation Committee.⁴⁰ WEstjustice, along with two other members of the EARG, gave evidence. Senator McAlister made the comment that they were the only organisation providing evidence from this economic abuse lens.</p> <p>Our submission is available online. ⁴¹</p>
Victorian Ombudsman rates review	<p>Provided evidence to the Victorian Ombudsman in their rates review about how the absence of family violence policies in local council rates hardship policies impacts victim-survivors of family violence and what needs to be done to address this.</p>

7.9 Next steps for systemic reform

While the TFS Project has achieved substantial systemic reform, we are aware of multiple areas still requiring work. We have set out some of these in **Figure 14**.

Figure 14: Future areas of systemic impact work requiring attention

AREAS IN WHICH SYSTEMIC REFORM IS STILL NEEDED: INDUSTRY
<p>Credit laws to include family violence provisions: In addition to responsible lending obligations, credit providers should be required by legislation to have appropriate family violence identification processes in order to prevent coerced or economically abusive lending situations.</p>
<p>Debt collectors to be mandated to sign up to an External Dispute Resolution (EDR) Provider: Currently debt collection agencies are not required to be a signatory to an EDR provider such as the Australian Financial Complaints Authority (AFCA). There ought to be a mandatory requirement in order to provide fair, sensitive and accessible resolution services for victim-survivors of family violence.</p>
<p>Insurance: Insurers should be required to implement a policy clause in their general insurance policies that allows them to meet a claim in circumstances where they currently would not and prejudice might be suffered by a party due to family violence.</p>
<p>Credit reporting: All credit reporting bureaus should be required to implement a policy and process for the removal of default listings on credit reports incurred through family violence.</p>
AREAS IN WHICH SYSTEMIC REFORM IS STILL NEEDED: GOVERNMENT
<p>Local councils: In the context of local councils acting as debt collectors (i.e. collecting rates), there ought to be more robust policies to account for hardship suffered due to family violence and economic abuse.</p>
<p>Fines Victoria Family Violence Scheme (FVS): Fines Victoria need to further review the FVS to include instances of speeding over 25km per hour as eligible offences under the FVS.</p>
<p>Toll fines recall protocol: The Victorian State Government should introduce the toll fines recall protocol recommended by the Fines Reform Advisory Board to allow toll road operators to recall fines out of the criminal jurisdiction and back into their civil jurisdiction, thus enabling them to apply a hardship response. This would assist victim-survivors in accessing toll fine company family violence and hardship provisions.</p>
<p>Access to the Australian Financial Complaints Authority to be available to victim-survivors undergoing a property settlement: The Federal Government should consider reviewing the scope of AFCA so that victim-survivors are no longer prevented from accessing AFCA following a family law property settlement judgment. It is crucial for victim-survivors to be able to access affordable and fair remedies for relationship liabilities that arise from economic abuse.</p>

AREAS IN WHICH SYSTEMIC REFORM IS STILL NEEDED: GOVERNMENT

Address the limitations of Services Australia (Centrelink): Family violence crisis payments are currently only available for seven days from the time a person decides to leave a violent relationship. This short timeframe should be reviewed and extended.

The government should also consider establishing a clear right or scheme for victim-survivors of family violence to apply to have their Centrelink debts waived if the debt was incurred in circumstances of economic abuse. A common feature of economic abuse is misleading a partner about income, often combined with a failure by the perpetrator to submit tax returns. Victim-survivors are held liable for overpayment of family payments (or other payments such as carer's allowance) when their partners provide false income information unbeknownst to them. Liability for these debts should not lie with the innocent party and there needs to be a clearer, more streamlined pathway to enable victim-survivors to seek hardship relief and waiver of such debts.

Furthermore, given that financial pressure is one of the most significant catalysts of family violence, a more generous safety net should be provided by the Federal Government for struggling families, one of many potential examples being the need to raise the rate of JobSeeker permanently.



7.10 Stakeholder reflection on community sector influence on their work

As part of the TFS Project, we invited industry and government stakeholders (with whom we worked to introduce economic violence policy reforms) to complete a survey to measure the impact that working with the community sector had on their work. Because some of the policy work was undertaken in collaboration with other groups, such as Thriving Communities Partnership, the Economic Abuse Reference Group and the Infringements Working Group, we took a broad approach and measured the influence of community sector engagement rather than confining this to WEstjustice engagement.

The responses were extremely positive, with some stakeholders reporting that they could not have begun or achieved change in their policies without the extensive input, cooperation and influence of the community sector. We have highlighted some of the key responses below.

QUESTION:

Have you developed or improved policies on family violence in response to advice and feedback from community organisations?

“Yes, the development of family violence policies was predominantly based on the consideration of community organisations, and ongoing feedback from community organisations allow the policies to be a live document enhanced by understanding the lived experience.”

“Yes, we have been working to develop policies to enable victims of family violence to easily complete transactions to protect themselves from further harm. We’ve agreed on the processes and forms of evidence, as well as methods for initiating transactions with the project [team].”

“We have updated our general hardship policy and vulnerable customer support services in response to ongoing engagement with the community sector, to include more specific references to family violence. We are currently in the process of co-designing family violence guidelines for customers to further strengthen our response.”

QUESTION:

Have you taken steps to implement any family violence policies?

“Yes, [we] implemented [our] own family violence policy. [We have] also undertaken work to support implementation across [our] regulated businesses, including the development of better practice guides and workshops...Our policies and regulations expanded on the recommendations on the advice of community organisations operating in the field of family and domestic violence, and specifically in financial abuse. WEstjustice was central to this.”

“We’ve drafted policies and processes, customer content, etc., however the launch has been delayed due to internal staff training requirements. Ensuring our staff are able to respectfully and appropriately handle family violence cases is paramount, as well as ensuring our staff are taught resilience practices to personally cope with difficult situations they may encounter in handling family violence cases.”

“We have an existing family violence policy and support line for employees. We are currently working with Thriving Communities Partnership to help us co-design family violence guidelines for customers, with input from people with lived experience, community sector advocates [including WEstjustice], and other Australian organisations that are considered leaders in their family violence response....”

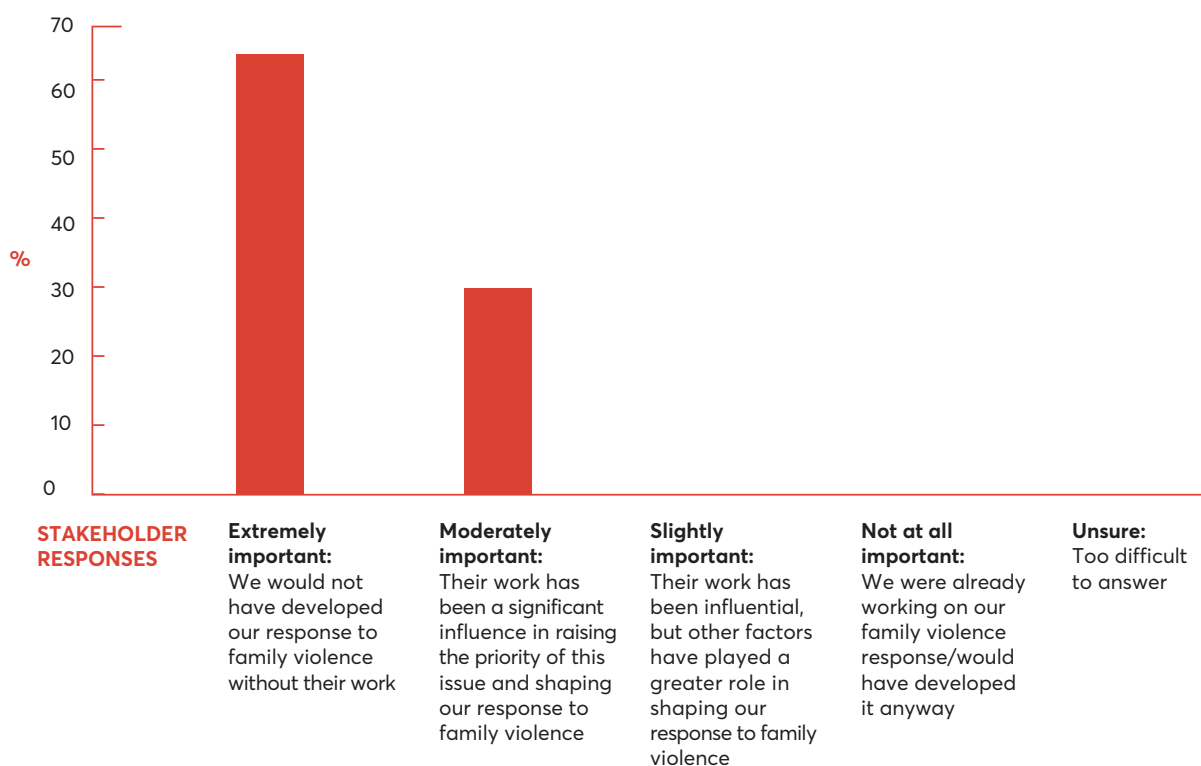
QUESTION:

How important has the work of financial counsellors and lawyers in the community sector been in influencing your organisation’s response to family violence?

All stakeholders surveyed strongly agreed they would turn to community organisations such as WEstjustice if they were seeking guidance on family violence issues related to the products or services offered by their organisation. In fact, 66% of survey respondents indicated they would not have developed their response to family violence without the work of community sector organisations (see **Figure 15**).

A further 50% strongly agreed that it is easier for their staff to identify potential family violence issues and offer appropriate remedies for clients when they are represented by a financial counsellor or a lawyer.

Figure 15: Stakeholder responses to the statement “How important has the work of financial counsellors and lawyers in the community sector been in influencing your organisation’s response to family violence?”



QUESTION:

What is the single most significant change that the work of the community sector has brought to your organisation? Why is that so significant?

“The community sector has engaged in a nuanced discussion about requiring evidence which has been highly beneficial in developing informed and appropriate advice.”

“The input from the community sector was absolutely critical to informing the business case for Transurban’s first dedicated team to support customers experiencing social and financial hardship, Linkt Assist. Since the team was launched in February 2019, ongoing engagement has continued to be critical to informing the ongoing evolution of the service, the information resources provided in relation to it, and the partnerships we have been pursuing to drive further improvements and holistic support. Transurban may not have Linkt Assist, if it weren’t for the advocacy, input and support of the community sector.”

“Two things. [First,] the voice of, or safe access to, people with a lived experience. [Secondly,] the need for regulations to facilitate personal agency and choice (so people affected by family violence can best manage their personal and financial security).”

“A greater awareness of the need to have a continuing conversation which is significant in ensuring a policy does not become a set and forget policy that fades into the background.”

“This is such a hard question to answer, I seriously struggle to pinpoint it down to one single response. What I truly appreciate is that the community sector i.e. financial counsellors, support workers, community lawyers, etc. offer a voice to customers who cannot do it themselves when dealing with corporates. This ensures we can offer support when it’s needed and understand the situation in full detail...”

“Knowledge of family violence policy implementations across other organisations has helped expedite our own policy development and provided strength to our recommendations.”

QUESTION:

What is the single most significant change that the work of the community sector has brought to the wider industry? Why is that so significant?

“I think the way Australian organisations at large are now responding to customers experiencing hardship can be attributed to the advocacy of the community sector – and without that shift having taken place, and without so many companies now quite well equipped with hardship teams and a greater cultural appreciation of what vulnerability means and looks like, the response to COVID and beyond would be an even greater challenge.”

“The community sector helped to bring the voice of lived experience to the wider industry, to help them understand why this work is critical to the lives of their consumers. This helped create the groundwork for responding to family violence to become ‘business as usual’ for many parts of the industry.”

“The honesty, integrity and passion that community organisations have brought to industry has ensured it remains a two-way respectful conversation that has eliminated the blame game and brought joint ownership of policies. Input from community is well-respected and appreciated in shaping industry responses and has shown the development of real policies for real people.”

“Eyes and ears at ground zero, making sure the wider industry receives honest, real feedback from the coalface. Supporting our most vulnerable and making sure they have a collective voice.”

The responses from TFS stakeholders indicates there is broad recognition of the critical role community sector organisations play in helping industry and government to develop effective responses to economic abuse.

Recommendation 5: Further resourcing of the community sector is needed so the sector can use its expertise to help industry and government develop responsive family violence policies and practices.

Recommendation 6: Support the ongoing work of the EARG network.

This network of over 25 organisations nationally should continue and expand its work with government and industry on policies and family violence responses, including hosting roundtables to bring together experts in key areas for reform. The importance of a resource to co-ordinate the policy input of organisations that work in the area of economic abuse should be recognised, and should receive recurrent government funding to address the ongoing need for systemic advocacy in the area of economic abuse. See earg.org.au



**CONCLUSION: KEY FINDINGS
AND RECOMMENDATIONS**

8 CONCLUSION: KEY FINDINGS AND RECOMMENDATIONS

Economic abuse is extremely widespread in violent relationships. Economic abuse often has substantial, even lifelong, consequences for victim-survivors. It prevents them from moving on with their lives, securing stable and safe accommodation, living free from violence and the reach of the perpetrator, and being sufficiently financially secure to be able to provide for themselves and their children.

The TFS Project, a multidisciplinary place-based partnership between legal, financial and family violence practitioners, has achieved positive, and many life-changing results for victim-survivors of violence. The project involved over 130 clients with complex and intertwined legal and financial problems. These issues were largely able to be solved by the TFS workers, mostly without attending court. We resolved more than \$900,000 worth of legal and financial problems, taking an enormous burden off women who had recently fled family violence, and contributing to decreasing homelessness and ensuring women could secure ongoing housing.

8.1 Key findings

This evaluation found that the TFS Project provides a number of benefits, not only for the victim-survivors, but also more broadly.

Benefits for victim-survivors:

- **Economic freedom and financial safety of victim-survivors:** evaluation data shows the TFS Project improves a victim-survivor's financial literacy, security and capability. This leads to improved wellbeing, safety and confidence to recover and rebuild lives. It also reduces the likelihood that a victim-survivor will return to unsafe living conditions.
- **Early intervention:** victim-survivors indicated that having the TFS Project clinic available at McAuley was pivotal in accessing legal and financial counselling services earlier and more easily. Many noted that they would not have known where to turn to for support without the program. Early intervention provides opportunities to intercept a victim-survivor's legal and financial issues before they are at a point beyond repair and also allows a victim-survivor to move on with their lives, free from the stress and worry of debt and legal problems.

- **Victim-survivors housed more quickly:** assisting a victim-survivor to be free from debt and associated legal problems accumulated through family violence opens up money and capacity to afford stable housing. Our evaluation revealed that improving financial security also means victim-survivors and their children can be housed sooner, relieving pressure from the refuge/homelessness system.
- **Multidisciplinary legal services are required to ensure recovery:** the needs of the clients presenting to the TFS Project are more complex and more numerous than originally anticipated. This led to adoption of a more flexible approach to service provision and an expansion of the legal services offered, including Victims of Crime Compensation, divorce, housing (including advice on residential tenancies and mortgages) and criminal law. Employment law and family law (particularly family law property settlements) are also areas of legal need but funding is yet to be secured for this expansion.

Benefits for family violence service partners

- **Relieving pressure from family violence service providers:** easily accessible legal and financial counselling services have allowed family violence social workers and case managers to spend more time on core work such as safety planning, risk assessment, counselling, housing and employment support, instead of entering and trying to navigate the service referral roundabout.
- **Reducing the referral merry-go-round:** the availability of an embedded lawyer and financial counsellor, combined with the in-house supports provided via McAuley House (mental and physical health support, skills development, housing, etc.) means that victim-survivors can get many of their needs met in the one, safe environment. The need for referrals to external agencies is therefore minimised.

Benefits for laws and systems impacting victim-survivors of family violence

- **Keeping industry and government accountable:** By working collaboratively with government and industry stakeholders, the TFS Project effects attitudinal, policy and practice changes to make government and commercial services more attuned to economic abuse and more equipped to respond to family violence. Despite the significant progress in industry and government there are still some areas in need of improvement.

8.2 Recommendations

This report provides a strong case for the following recommendations:

Recommendation 1: Increased community education about family violence schemes, hardship policies and dispute resolution services

Further education programs be developed for both family violence victim-survivors and people working in family violence support services - so that they can increase their understanding of, and access to, the range of family violence schemes, hardship programs and dispute resolution services available from government and many companies.

Recommendation 2: Further research about the the impact of early intervention on housing outcomes

Further research is required to measure and evidence the long-term social and financial impact of providing early financial and legal support to obtain and maintain secure housing.

Recommendation 3: Further examine the long-term impacts of early financial/legal assistance delivered via the TFS Project model, and increased mental well-being of victim-survivors

A further longitudinal study should be undertaken to examine if the increased mental wellbeing experienced by victim-survivors - as a result of early intervention to assist with their legal and financial problems - is maintained over time.

Recommendation 4: Broaden the remit of legal work done by the TFS Project

In the future, the TFS Project model should be resourced to incorporate additional legal assistance for victim-survivors in the areas of family law and employment law.

Recommendation 5: Recognise and resource expertise in economic abuse

Further resourcing of the community sector is needed so the sector can use its expertise to help industry and government develop responsive family violence policies and practices.

Recommendation 6: Support the ongoing work of the EARG network.

This network of over 25 organisations nationally should continue and expand its work with government and industry on policies and family violence responses, including hosting roundtables to bring together experts in key areas for reform. The importance of a resource to co-ordinate the policy input of organisations that work in the area of economic abuse should be recognised, and should receive recurrent government funding to address the ongoing need for systemic advocacy in the area of economic abuse. See earg.org.au

Recommendation 7: Secure current TFS Project and scale across Victoria

To date, philanthropic partners have supported and evidenced the benefit of the TFS Project model. To ensure the work of the TFS Project can continue, multi-year government funding is required. This would allow the TFS Project to be expanded to further high-needs sites, and the systemic advocacy work of the project to continue.

A critical and unique component of any statewide response to family violence is to address economic abuse experienced by victim-survivors. The TFS Project model has been recognised as "the new standard of practice for supporting victim-survivors of domestic and family violence". It is codified and ready to scale across Victoria. An advisory body made up of government and community sector representatives should oversee the expansion of the TFS Project to other high-needs sites.

8.3 Conclusion

This is critical work. If we are genuine about breaking the cycles and impacts of family violence and reducing the enormous social, emotional, physical, financial and political costs to society, then the government and industry need to partner with community and invest in proven initiatives such as the TFS Project. Failure to do so will only prolong the human suffering and fail to shift the pendulum. Through philanthropic support, McAuley and WEstjustice have developed an extremely effective solution. The model is well-positioned for scaling. This report provides the evidence and narrative for the Victorian government (and governments alike) to lead reform on family violence and economic abuse for our vulnerable families. This is a collective effort in which government is a critical partner.

ENDNOTES

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- ⁶ Kintominas (n 2) 33.
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- ⁹ Jozica Kutin, Roslyn Russell and Mike Reid, 'Economic Abuse between Intimate Partners in Australia: Prevalence, Health Status, Disability and Financial Stress', 41(3) Australian and New Zealand Journal of Public Health 269.
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- ¹¹ Ibid.
- ¹² Australian Institute of Health and Welfare, Parliament of Australia, Specialist Homeless Services 2011–12 (Report No HOU 267, 2012).
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- ²⁰ Jan Breckenridge et al, Australia's National Research Organisation for Women's Safety, National Mapping and Meta-Evaluation Outlining Key Features of Effective "Safe at Home" Programs that Enhance Safety and Prevent Homelessness for Women and Their Children Who Have Experienced Domestic and Family Violence: State of Knowledge Paper (Report, July 2015) 3. <<https://www.anrows.org.au/publication/national-mapping-and-meta-evaluation-outlining-key-features-of-effective-safe-at-homeprogramssok/>>
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- ²³ Liz Curran, A Research and Evaluation Report for the Bendigo Health Justice Partnership: A Partnership Between Loddon Campaspe Community Legal Centre and Bendigo Community Health Services (Report, October 2016) 68 ('Bendigo Health–Justice Partnership'); Kirsty Forsdike et al, 'An Australian Hospital's Training Program and Referral Pathway within a Multi Disciplinary Health-Justice Partnership Addressing Family Violence' (2018) 42(3) Australian and New Zealand Journal of Public Health 284, 284; Megan Sandel et al, 'The MLP Vital Sign: Assessing and Managing Legal Needs in the Healthcare Setting' (2014) 35(1) Journal of Legal Medicine 41, 50. Curran, Bendigo Health–Justice Partnership Report (n 7) 68; Forsdike et al (n 9) 284; Sandel et al (n 4) 50.
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- ²⁵ See Curran, Bendigo Health–Justice Partnership Report (n 7), 23) 23; Christine; Coumarelos et al, Legal Australia Wide LAW Survey: Legal Need in Australia (Report, August 2012) 220 ('LAW Survey' (n 11) 217–19.
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- ³¹ Due to COVID-19 and other factors, not all clients participated in pre and post-assistance evaluation surveys. These results are representative only of clients who participated in evaluation surveys.
- ³² Figures only calculated for clients that we achieved outcomes for by the end of the project period.
- ³³ The Fines Victoria Work and Development Permit scheme allows eligible participants to "work off" unpaid fines through health treatment, financial counselling, volunteer work or mentoring.
- ³⁴ These education modules can be found at <<https://www.westjustice.org.au/community-development-and-law-reform> > "community legal education" > "economic violence"
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