



SURVIVING
ECONOMIC
A B U S E

Economic abuse conversation kit for legal professionals

Identifying risk

Domestic abuse takes many forms. Some abusers repeatedly dictate their partner's choices and everyday actions, and may control how they acquire, use and maintain money and other resources, such as housing, food and transport. This behaviour is known as economic abuse.

The importance of responding well to economic abuse

Responses to economic abuse are at an early stage of development in the UK. It is vital that we better understand and address this issue because economic stability is linked to physical and emotional safety.

In [our research](#) into prosecutions for controlling or coercive behaviour, **economic abuse was present in six out of ten cases of domestic abuse**. Economic abuse rarely takes place in isolation. Instead, it often occurs alongside physical, sexual, or psychological abuse.

Moreover, when women experience economic abuse in the context of coercive control, then they are at [increased risk](#) of domestic homicide.

Abusers exploit women's existing economic inequality or create economic instability to reduce their partner's ability to resist control. **Women who can't find £100 at short notice, for example, are [3.5 times more likely](#) to experience domestic abuse**. Without access to the economic resources necessary to leave and live independently, victims stay with abusers for longer and experience more harm as a result.

The role of legal professionals

Whether you are a solicitor, barrister or legal executive, family law professionals can play a key role in helping clients rebuild

their lives after experiencing economic abuse and supporting them towards a safer, more independent and secure economic future. Your involvement can be critical in supporting people to regain control of their economic stability, identify ongoing risks and secure their safety.

It might feel daunting to talk to your client about economic abuse but remember that you aren't there to solve everything. By simply talking to them about the issue and how the law can help them, you can help them achieve economic safety.

Aim of the resource

This conversation kit has been created to help you discuss economic abuse with your client if you are concerned that they may be experiencing economic abuse, or if they raise the topic with you. It may help you to understand their situation so that you can offer appropriate support and so that they can better understand how you and the law can help them.

Training on economic abuse

To use this conversation kit effectively, we recommend you undertake training on economic abuse. You can request details via info@survivingeconomicabuse.org.

We also recommend reading our resource called '[Supporting clients experiencing economic abuse](#)'.

Self-care

As a family law professional, you may regularly encounter clients who have experienced or are experiencing domestic abuse, including economic abuse.

It is important to remember that speaking about economic abuse can be difficult for you as well as for your client. It may be that you identify with an experience the client describes, either because you have experienced something similar or know someone who has. For these and many other reasons, the experiences your client shares with you can have an emotional impact.

It is important to seek support if you feel that you need to. Your employer may have a domestic abuse policy or a workplace employee assistance programme, or it may help to speak to a manager or another colleague. You may also be able to contact your professional body for support, such as the Law Society, Family Law Bar Association or Institute of Legal Executives.

If you have experienced abuse yourself and want to discuss this outside of work, you can contact a local domestic abuse organisation or speak to the National Domestic Abuse Helpline, run by Refuge, on **0808 2000 247**.

Supporting your client

Remember that all your efforts in supporting your client will be positive interactions that help them to move forward.

As a family law professional, your role in supporting your client is limited to responding to their legal issues. It will help them to know that there is something that you can do to advise and support them through the family justice system but it is important to remember that the support you provide may give your client the confidence to speak out again in the future, perhaps with other professionals who can support them in different ways — practically, emotionally and economically.

“Learning about my rights and what help there is out there has been the first step to regaining some control. I didn’t even realise there were advisors who could help me.”

Section one: Signs to look out for

Identifying whether your client is experiencing or is at risk of experiencing economic abuse is vital to help you to explore the best legal options for them.

Be aware that the abuser may have used or continue to be using many methods to control your client's finances or economic position. Also be aware that the abuser may continue to try to exert this control during and after any legal proceedings.

There are a number of warning signs that may help you identify whether your client is experiencing or is at risk of experiencing economic abuse.

Look out for clients who tell you that their partner or former partner:

- has or had control of all the household finances
- told them myths about being a "common law wife" or about their right to occupy their home or claim a share of the equity
- told them they had no rights in relation to their matrimonial home
- refused to put title deeds or tenancy in joint names
- did not tell them about taking out loans or other debt
- refused to pay bills leading to debt
- prevented them from working, or forced them to work and/or took or controlled access to their wages
- restricted their access to other income including welfare benefits

- extended borrowing or took out secured loans on jointly owned property (by fraud, force or coercion)
- refuses to comply with previous court orders in relation to their family finances and property
- refuses to pay child maintenance or cooperate with the Child Maintenance Service

Other warning signs of economic abuse may arise during legal proceedings when the other party to proceedings:

- fails to provide full and accurate disclosure of their assets
- deliberately prolongs the process of disclosing assets
- hides money or property in other jurisdictions
- fails to comply with financial orders requiring enforcement proceedings
- fails to comply with child maintenance agreements or the Child Maintenance Service requirements
- makes repeated and unnecessary applications which have the effect of prolonging proceedings and negatively affecting your client financially and/or emotionally
- appears to comply in proceedings but presents your client as a liar or exaggerating her situation, casts her as a 'gold-digger' or perpetuates stereotypes about how men and women behave following relationship breakdown

Section two: Seven principles for responding

Principle 1 — Understand why people may not disclose abuse

Some clients may be forthcoming with information about the abuse they are experiencing, but there are many reasons why a person would be reluctant to disclose. You may need to be more proactive when exploring the possibility of economic abuse.

It is important to understand that your client may be feeling:

- shame about their experience and situation
- afraid of the response they will receive, for example, that you will not believe them or that their experiences dismissed as irrelevant or unimportant
- intimidated by lawyers and the courts
- unaware or unsure about how you or the law can support them
- afraid of the abuser finding out

Remember also that your client may only just be coming to terms with the abuse they are experiencing. They may not yet have understood that what they are experiencing is abuse. For this reason, it is important to be gentle in how you ask questions about or discuss the issues around economic abuse.

Your client may also find it very difficult to talk about economic abuse with you because you are a stranger. There are some steps you can take to make it easier for them to talk about the abuse, however.

Principle 2 — Set the scene

Responding to clients who have experienced domestic abuse, including economic abuse, may have become commonplace in your practice. Even if it is a common experience for you, remember that this may be the first time that your client has discussed the abuse with anyone.

As you might with any other clients you see for the first time, it can help to outline briefly how you might be able to help them and the types of areas of law you have expertise in. This can help to put them at ease and reassure them that you may be able to help. It may also help them to be more open with you about their experiences.

If you believe that your client is experiencing economic abuse, it can help to explain that they are not alone in their experience and that you and other professionals will be able to advise and support them.

As your role is limited to legal advice and representation, it may reassure them further if you can signpost them to other organisations for more practical and emotional support. Having this contact information at hand, rather than sending the client away to search for them, can relieve some of the stress they may be feeling.

Principle 3 — Create the right environment

There are steps you can take to create an environment that makes it easier for your client to talk to you about what is happening to them.

This will, of course, depend on whether you are taking instructions from your client face-to-face or over the telephone.

Remember that the abuser may be monitoring your client's communications and movements. Talking to you on the telephone or coming into the office to see you might be difficult and unsafe for them.

- If you are speaking to them on the telephone, they will need to speak to you when the abuser is not around. Always ask if it is a convenient time for them to talk and if it is safe for them to do so, or if there is another time that they would prefer to talk.
- If a face-to-face meeting is not possible, and if they feel unsafe speaking to you from home, explore whether there is another location or number you could call. For example, you could meet at a trusted friend's house or at your client's workplace.
- Agree a code word that your client would like to use to indicate when they are not able to speak safely.
- Ask your client if they would like you to pretend to be someone else if the abuser picks up the phone or takes it from them.
- If you are meeting your client face to face, ensure that you are in a private and confidential space where you can meet uninterrupted and will not be distracted by others or by telephones or emails.
- Ensure that your client knows that you have time to hear them. Do not rush them.

Principle 4 — Ask the question

If you are worried that your client may be experiencing economic abuse, but they do not share this directly with you, it may be appropriate to ask more questions about their situation. They should be in a comfortable environment and know that you are there to support them.

You might not directly ask if they are experiencing economic abuse, but might ask some softer questions that open the conversation, for example, 'How are things at home?' See more discussion prompts to help you open the conversation below.

Remember that your client may not yet herself have identified that she is experiencing abuse, so be sure to ask questions gently and without judgment.

"I was lucky that my lawyer had experienced this type of character before and she knew how to work with him. She was as much emotional protection as legal advice, limiting my access to him or his attacks, and softening the blow at times."

Principle 5 — Listen

Whether on the telephone or in person, active listening skills are vital for creating an environment in which your client can speak openly. It will also help to ensure that you learn as much information as possible to allow you to support them in the appropriate ways.

Remember to give space and time for your client to explain the situation. If you need to, arrange to have the conversation when you have more time to listen to them. Offer a supportive response that is sensitive to the issues they may still be experiencing and encourages them to share as much information as possible with you.

Remember it is more difficult to show your client that you are actively listening while speaking on the telephone. Techniques such as reflecting back can be very useful.

Using the precise words that your client has said to you demonstrates that you have been truly listening to them. Paraphrasing can also be a useful technique in allowing you to summarise what your client has told you and demonstrating that you have understood their situation and how they are feeling.

Both these techniques help to build empathy between you.

Principle 6 — Respond appropriately

Economic abuse can happen to anyone and it is very common. One in five UK adults has experienced financial abuse by a current or former partner, and over one third did not report it to anyone at the time.

It may have taken your client a long time to feel comfortable to disclose the abuse they have experienced. It is important not to be judgemental in your response, or express shock or horror at what you hear. They may have received judgmental responses

previously, which may have made it harder for them to talk.

It is vital for survivors of abuse to be believed. Do not dismiss or minimise their experience even if you think what they are telling you is trivial or irrelevant to their legal options.

It is also important not to offer your own opinion as to what they should do, such as "If I were you...". Respond in a professional, empathetic manner that reassures your client that you have heard and understood their situation. Give them a clear outline of their options but allow them the space and time to make their own decisions about what steps to take.

Principle 7 — Offer support

As a family law professional, your client may have issues that are outside your expertise or remit. It is not your role to solve all the issues that they may be experiencing. Remember that by being there, empathising and listening, you are already providing support. Your client may have practical and emotional support needs that it is not appropriate or possible for you to meet.

Become familiar with the local and national support organisations that may be meet those needs and always remember to signpost your client to them for additional support. This could include:

- local domestic abuse organisations, such as a local Women's Aid member organisation
- counselling or other therapy services offering support to survivors of domestic abuse
- debt or money advice services
- welfare benefits advice services

You can find the contact information for these and other support services on SEA's '[Organisations that can help](#)' resource.

Section three: Talking to your client

Starting the conversation

Using the principles of setting the scene and creating the right environment is a good way to think about opening the conversation with your client.

Use some soft, inviting questions that make it clear that you are there to listen and support them, and that establish the conversation with you as a safe space for your client. Explaining your duty of confidentiality to your client at the very beginning can help reassure them.

How you respond to your first conversation with your client will depend whether it is in a telephone call or face to face. Responding to a client affected by economic abuse requires time, so it is important to establish whether you both have sufficient time and space for the conversation. Remember that your client's abuser may be monitoring their communications by phone or email, as well as their movements, so ask your client which is the safest option for them.

Discussion prompts:

- "Is this a suitable time for you to talk? Do you have enough time now or would another time suit you better?"
- "What would you like to talk to me about today? Is there something in particular you would like support with today?"
- If you are on the telephone, consider your client's safety. You might ask, "Is it safe for you to speak at the moment?" Consider whether it might become unsafe during your call and ask "Is there anything we can agree to keep you safe in this call?" For example, your client may want to make a covert phrase to alert you if it is no longer safe for them to talk.
- "Would it be better for you to come into the office to discuss this? Would that be

possible for you?"

Try to establish:

- If it is safe for your client to speak with you, is the abuser present or about to return home?
- Why you are calling and how you might be able to help.
- Trust — let your client know that this is a safe space for them to talk.

Finding out more about the abuse your client has experienced

When you have established that your client can talk safely to you, you may wish to move the conversation towards economic abuse in a gentle way. Remember that economic abuse can still happen post-separation.

Discussion prompts:

- "How are/were things at home with your partner?"
- "How do/did you manage for money?"
- "Have you ever felt worried about speaking to your partner about money?"
- "Do you ever feel that your access to money is controlled?"
- "Is there anything going on at home which I might be able to support you with?"

Try to establish:

- Does your client have any concerns about their economic situation?
- Are the actions of their partner or ex-partner a cause for concern?
- Are there any warning signs that the client may be experiencing economic abuse?

Initial response

Try to respond to your client with empathy

and understanding, so that they feel that you are there to support and not to judge them, and that the law is there to protect them.

Discussion prompts:

- "What you have described is not uncommon."
- "Thank you for sharing your situation with me. Let's explore how we can use the law to protect you and your finances."
- "You have the right to feel the way that you feel. The law and the courts recognise economic abuse and are there to support you."
- "I appreciate you sharing such personal information. Your safety and wellbeing are our top priorities."
- "I can only support you in relation to your legal advice needs but I can provide you with details of other support organisations if you need them."

Try to establish:

- That you are there to support your client.
- That you believe them.
- That there are ways in which you and the law can help.

What to do next

Once you have taken full instructions and discussed the economic abuse your client has experienced or is experiencing, it will be time to give your client legal advice about their situation. We have a resource, [Supporting clients experiencing economic abuse: A guide for legal professionals](#), that provides more information on how to address economic abuse, particularly in the context of financial relief and similar proceedings.

Remember that the law and legal processes can be frightening and intimidating to lay clients. Engaging in legal proceedings can

be particularly daunting and confusing for those who have experienced economic abuse.

Continue to demonstrate empathy. As a result of the abuse, your client may be confused and uncertain and may find making decisions difficult. It is vital to give them time and autonomy in making decisions about their legal options.

Your client may be concerned that the abuser will find out they have sought legal advice. Reassure your client that you have a duty of confidentiality to them throughout your involvement in their case.

Remember that the dynamics of the abuse may change or even escalate during legal proceedings, so be alert for this and continue to discuss the extent and impact of the abuse on your client throughout your involvement in the case.

Offering further support

Your client may share elements of their story with you that extend beyond the remit of the support that you and the law can offer to them. Remember that you are not there to solve everything for them. There may be other agencies and organisations that can provide support with other issues that they may be facing. We have [a resource on organisations that can help](#), which you may find useful.

Your client's legal advice and representation needs are likely to be only one part of their recovery from economic abuse. Think about your client's safety, both physical and emotional, and their other practical and economic needs. These may be more urgent than their legal needs.

Consider whether they have any particular needs on account of their sex, age, race, religion, sexual orientation and/or any disability and refer them to other appropriate specialist services.

Specialist services, such as domestic abuse organisations, can support their practical

and emotional needs and may also be able to work in partnership with you to better support your client. For example, an Independent Domestic Violence Advocate may be able to come to appointments or to court with your client to support them emotionally and help them understand what is happening. Remember, however, that other professionals have different rules relating to confidentiality. Whilst this should not be a barrier to working together, it is important for your client to understand.

Talk to your client about whether they need help with debt or understanding their eligibility or applications for welfare benefits. Signpost them to debt or money advice services as appropriate.

Consider how your client's financial institutions (banks, building societies or mortgage companies) may be able to support them to gain control of their finances. Suggest that they make contact and assure them that they should have processes in place to support them as a survivor of economic abuse. We have information on [how banks can help](#), which your client may find useful.

Discussion prompts:

- "Thank you for sharing your experience with me today. I know it is not always easy."
- "Is there anything we've spoken about today that you would like further support with?"
- "I have a list of organisations that are experienced in supporting people in your situation. Would you like me to share this with you?"

Try to establish:

- If your client needs further support with a particular issue.
- If there are any other organisations/agencies that you can signpost them to.

It may at times feel that there is little you can do to support your client beyond providing them with legal advice and representation. Try to remember that speaking to them confidentially about this issue, giving them your time, and letting them know what the law can do for them may give them the confidence they need to seek further support and to find safety from the abuse they are experiencing.

Further support

You may find further advice or guidance on supporting clients affected by economic abuse from your own professional bodies such as the [Law Society](#), [Family Law Bar Association](#) or the [Chartered Institute of Legal Executives](#).

[Resolution](#), the family lawyers' association, for example, has a domestic abuse toolkit which could support your work.

We have more information that you may find helpful for understanding economic abuse. Visit www.survivingeconomicabuse.org/resources for information including:

- What is economic abuse?
- Spotting the signs of economic abuse

Signposting your clients

If one of your clients is experiencing economic abuse, they are not alone. We have information at www.survivingeconomicabuse.org/resources that can support them to take steps towards safety and begin to regain control of their finances, including:

- Steps you can take towards economic safety
- Organisations that can help
- Grants and financial help

