



Good practice of locally delivered support to victims of domestic abuse and their children in safe accommodation-based services:

A call for evidence

The Economic Justice Project (funded by Department for Digital, Culture, Media and Sport, DCMS)

Introduction

Surviving Economic Abuse (SEA) is the only UK charity dedicated to raising awareness of and transforming responses to economic abuse. We are determined that women are supported to survive and thrive.

In 2017, SEA received funding from the Department for Digital, Culture, Media and Sport (DCMS) to pilot the Economic Justice Project (EJP). Its aim was to replicate promising practice in the United States of America (USA) where the repayment of coerced debt is challenged. The pilot phase of the project runs from August 2018 to March 2020. This account covers the scoping period for the project as well as part of the pilot, running from July 2017 to March 2019.

Scoping work for the Project was carried out from July 2017 to June 2018 across the London Borough of Hammersmith and Fulham, the Royal Borough of Kensington, Chelsea and the City of Westminster (the tri-borough). The tri-borough was selected because it has adopted a Coordinated Community Response (CCR) approach to domestic violence.¹ The CCR recognises that domestic violence is both a cause and a consequence of gender inequality and that efforts to prevent it have to extend beyond individual cases to institutions and communities in order to transform norms and practices.² In practice, work with the community has largely been confined to professionals working within

¹ London Borough of Hammersmith and Fulham. (2015) *Shared Services Violence Against Women and Girls (VAWG) Strategy*. Published online at: https://www.lbhf.gov.uk/sites/default/files/section_attachments/vawg_strategy_2015-18_final.pdf

² Shepard, M. (1999) *In Brief: Evaluating Coordinated Community Responses to Domestic Violence*. Retrieved from: www.vaw.umn.edu/Vawnet.ccr.htm

government agencies.³ However, experience in the USA has illustrated that domestic violence services need to collaborate with stakeholders outside of the 'usual realm' when responding to economic abuse.⁴ The Project therefore provided an opportunity to broaden engagement to financial and legal institutions.

After the scoping phase, the Project was piloted across the tri-borough as well as the London Borough of Islington. The pilot phase started in August 2018 and is due to end in March 2020.

Monitoring and evaluation

The Project is overseen by an advisory group made up of eight experts from the domestic violence, financial and legal fields. Membership is drawn from the UK and the USA where the idea for the EJP originated. The Project is also overseen by a reference group of five women who have experienced coerced debt.

A theory of change was created for the Project in March 2018 by DMSS Consulting identifying how outcomes would be evidenced. The Institute for Social and Economic Research at the University of Suffolk will work to incorporate these within a monitoring and evaluation framework and undertake the final evaluation in March 2020.

Scoping and approach

The scoping report clearly highlighted that organisations supporting victims of domestic violence in the pilot area engage in economic advocacy, including consumer advocacy around debt. However, the scoping exercise revealed that support workers were drawing on learning gained via their own practice experience and the experience of their colleagues to undertake this work. Whilst support workers were able to deal with what one interviewee called the 'lower level' cases, their capacity to deal with more complex cases was limited. In addition, their focus was on women's immediate economic needs and not the long term 'ripple effects'. An understanding of economic abuse and its links with physical safety was not routinely recognised and built into the design of services. Finally, the scoping report highlighted capacity issues for services supporting victims of domestic violence including the regulatory codes which limit who can provide debt advice.

The scoping report therefore recommended a two-tiered approach for the development of the Economic Justice Project:

³ Holder, R. (1999) Pick 'n' Mix or Replication: The Politics and Process of Adaptation in Shepard, M. F. and Pence, E. L. (eds.) *Coordinating Community Responses to Domestic Violence: Lessons from Duluth and Beyond*. New York: Sage Publications

⁴ Sharp-Jeffs, N. (2016) *Supporting Survivors of Financial Abuse: Learning for the UK*. Published online at: <https://www.wcmt.org.uk/sites/default/files/report-documents/Sharp%20N%20Report%202016%20Revised.pdf>

Tier One

1. Enhancing individual advocacy that addresses economic abuse through supporting domestic violence services in the pilot area to develop and deliver training on economic abuse generally and practical responses more specifically;
2. Working with domestic violence services, money advice services and the survivor reference group to develop a comprehensive list of consumer needs, available options to address these needs and the implications of doing so; and
3. Developing and sharing resources for economic advocacy, including a conversation kit and screening tool with services to identify consumer cases.

Tier Two

4. Building the community infrastructure to better respond to coerced debt and other economic needs through facilitating and supporting partnerships between domestic violence and money advice services.

Feedback from both the survivor reference and advisory group members on the scoping report was overwhelmingly positive.

Preparatory work and key achievements to date

Before the EJP could be piloted, some preparatory work had to be undertaken. It was clear that work to address coerced debt needed to sit within a spectrum of interventions to address economic abuse and be underpinned by the same principles.

Training for organisations

In recognition that economic advocacy for victim-survivors of domestic abuse could be enhanced, organisations working in the tri-borough areas were offered free training. This included the use of a conversation kit and screening tool developed for the Project (see below), the principles of economic advocacy as well as practical responses to economic abuse.

All reported that, because of the training, they had a better understanding of:

- The links between domestic violence and economic harm/instability.
- Economic abuse and how it operates within contexts of coercive control.
- How to address the economic safety of women.
- The principles of economic advocacy.

A comprehensive list of consumer needs

In order to identify the consumer needs of survivors, SEA established a reference group to inform the development of the Project.⁵ Five women joined the group, bringing a range of experiences.

⁵ Underpinned by a safeguarding policy.

Development of consumer law resources

The first step in addressing how consumer lawyers could help was through undertaking another scoping exercise, this time on how consumer law can be used to respond to the issues identified. SEA accessed pro-bono support from a team of barristers at Doughty Street Chambers in January 2018 who helped the charity develop a brief for this piece of work, drawing on the cases provided by a specialist domestic abuse project run by Money Advice Plus (MAP). This identified that the scoping exercise needed to consider criminal and immigration law as well as consumer matters.

SEA shared this brief with TrustLaw (a pro-bono legal programme run by Thomson Reuters), and received an offer of assistance from Latham & Watkins

LLP, who specialise in consumer law. A team of five commenced work on the

brief in June 2018, and a 'solutions paper' was produced. This identified two points of law through which coerced debt could be challenged in court:

1. In circumstances where there are blatantly obvious signs of economic duress or undue influence or there is a transaction calling for an explanation, which the credit institution ignores or does not follow the required steps to ensure the enforceability of their security. If that is the case, the individual may be able to claim that the agreement with the credit institution is unenforceable and should be set aside.
2. When a question arises as to whether information [for example, a credit card PIN or password] was given voluntarily or with a valid consent or if it was given due to fear or as a result of the aggressor's threats or violence. It would ultimately rest with the judge or the jury to decide based on evidence and as a result, it is not possible to quantify the likelihood of success should the individual pursue this avenue and sue the aggressor for fraud.

The solutions paper also identified short and medium-term consumer law remedies which could be used to challenge coerced debt. Significantly, these remedies considered the safety of victim-survivors and identified ways to mitigate risk. The solutions paper indicated that these remedies could be used by domestic abuse services working with debt advice services, and that consumer lawyers would only be required where a case could be brought before the court, using the criteria above.

Appointment of a Domestic Violence Debt Advocate (DVDA)

Employed across SEA and MAP, the Domestic Violence Debt Advocate's role is to:

1. Replicate the work of the domestic abuse project run by MAP by holding specialist knowledge about domestic abuse and responding to debt issues, thereby adopting an integrated approach through which economic and safety issues can be 'held' simultaneously;

2. Identify and reach out to local debt advice services, offering them free training on domestic abuse and empowering them with the knowledge they need to integrate physical safety concerns within their approach;⁶
3. Identify what issues regularly emerge for staff in both domestic abuse and debt advice services and work with SEA's Information and Resources Officer to add to the resources available under 'Tools to Thrive' (see below); and
4. Look out for the 'exceptional' cases where the grounds for challenge identified within the solutions paper can be tested.

Developing the screening tool

The screening tool underpinning the Project draws on the Scale of Economic Abuse developed by Adrienne Adams and colleagues in the USA. It includes 19 questions about forms of economic abuse that have been statistically proven as distinct concepts. Three of the questions within the tool relate to coerced debt, thereby providing a mechanism through which to identify relevant cases:

- (1) Has your partner ever got you to get a credit card or loan, or buy something on credit, when you didn't want to?
- (2) Has your partner ever got a loan or credit card, or bought something on credit, with your name on it, which you didn't agree to?
- (3) Has your partner built up debt in your name, by doing things like using your credit card, or internet account, or phone?

Development of a conversation kit

SEA asked DCMS whether it could use some underspend within the Project budget to develop a 'conversation toolkit' which would allow for the screening questions to be delivered within a conversation offering context around economic abuse. This was agreed and SEA worked with a consultant to facilitate a focus group of the survivor reference group in order to explore what this might look like. This piece of work took place in the context of Women's Aid Federation of England (WAFE) developing an alternative approach of assessing risk through a conversation based on establishing need. This forms part of its 'Change that Lasts' programme and it is envisaged that SEA's work will link into this programme of change.

Development of 'Tools to Thrive'

The solutions paper produced by Latham & Watkins LLP is in the process of being broken down into a series of resource sheets on consumer law for use by the Project stakeholders.

Along with the screening tool and conversation kit, the resource sheets will sit within a toolkit for those working to support victim-survivors of economic abuse. SEA's *Tools to Thrive* series explores what economic abuse is and how victim-survivors can be supported to work towards economic safety and justice.

⁶ The intention of this capacity building work is also to forge closer working links between domestic abuse and local money/debt advice services that can be sustained via a partnership approach after the Project has come to an end.

Piloting the screening tool and conversation kit

Between August 2018 and March 2019, 80 women have been asked the screening questions by Money Advice Plus (MAP) and Solace Women's Aid, of which 95 per cent (n=76) were in an intimate partner relationship. Answers to the questions on coerced debt reveal that:

- 50 per cent (n=38) reported having been made to take out a loan or buy something on credit when they did not want to.
- 43 per cent (n=33) reported that their partner had built up debt under their name.
- 33 per cent (n=25) reported their partner had taken out a loan or bought something using credit in their name without their permission.

Significant numbers of women also reported experiencing other forms of economic abuse:

- 83 per cent (n=63) reported that their partner spent his money however he wanted while her money went to pay for necessities.
- 67 per cent (n=51) were made to use their money to buy their partner things or pay his bills.
- 64 per cent (n=49) stated that their partner kept financial information from them.
- 61 per cent (n=46) stated that their partner made them ask for money.
- 58 per cent (n=44) stated they their partner decided how they could spend money rather than letting them spend it as they saw fit.
- 58 per cent (n=44) reported that their partner hid money so that they couldn't find it.
- 55 per cent (n=42) were kept from having the money they needed to buy food, clothes, or other necessities.
- 55 per cent (n=42) were kept from having access to enough money to pay the bills.
- 55 per cent (n=42) reported that their partner destroyed their belongings/ household goods.
- 51 per cent (n=39) reported that their partner put bills in their name, leaving them to pay.
- 47 per cent (n=36) were kept from having a job or going to work.
- 43 per cent (n=33) reported that their partner stole their property.
- 46 per cent (n=45) reported that their partner forced or pressured them into giving him their savings or other assets.
- 29 per cent (n=22) reported that their partner demanded they give him receipts or change when they spent money.
- 22 per cent (n=17) reported that their partner stopped them from having or accessing a personal or joint bank account.
- 11 per cent (n=8) reported that their partner made them sign documents without explaining what they were for.

Interestingly, the specialist domestic abuse project run by MAP had not previously asked women about economic abuse explicitly. As such the Project can now report what percentage of clients have experienced economic abuse vs.

economic difficulties related to domestic abuse more broadly/other life circumstances.

"The screening tool works really well in giving an overview of the type of economic abuse clients have suffered."

Having this information will strengthen MAP's ability to advocate that a client's debt is written off – a process which is currently very difficult as there is no 'standard' in relation to what information should be shared with a creditor when asking for a write-off, nor is there evidence around what works.

The Economic and Financial Abuse Evidence Form

Because of this, MAP and SEA have drawn on the questions set out within the Economic Justice Project screening tool to develop the 'Economic Abuse Evidence Form' (EAEF).

The form is modelled on the existing 'Debt and Mental Health Evidence Form' which is a tool that enables debt advisors and creditors to access clear, relevant and comprehensive information in a standard format from health and social care professionals, enabling them to make appropriate decisions about the debts of customers with poor mental health.

The EAEF has been created to help financial institutions identify better and fairer responses to individuals who are in debt and who have experienced economic abuse.

Another positive outcome in relation to using the screening tool is that it raises awareness and understanding of economic abuse for women as well. This is an effective way of countering the messages the abuser may have told the woman as part of the control and abuse.

SEA will draw on the findings of the project in the final evaluation report to advocate that:

- Commissioners of violence against women services will recognise the importance of women and girls' economic stability through identifying it as a priority within coordinated community responses to domestic violence
- Economic abuse is addressed within the commissioning of VAW services
- Women and girls will be supported to achieve the economic stability required to leave an abusive partner and rebuild their lives.
- Economic abuse is an integral part of needs assessment for victim-survivors of domestic violence.
- Institutionalised working practices exist between domestic violence services and debt counselling services.
- Women and girls will be supported to achieve economic justice through access to financial and legal remedies

