

Supporting Survivors of Financial Abuse: Learning for the UK



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2016 Churchill Fellow



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The Winston Churchill Memorial Trust

www.wcmt.org.uk

The Winston Churchill Memorial Trust was established when Sir Winston Churchill died in 1965. The Trust carry forward his legacy by funding British citizens from all backgrounds to travel overseas in pursuit of new and better ways of tackling a wide range of the current challenges facing the UK. Churchill Fellows are required to demonstrate the desire and motivation to improve their community, profession or field.

Child and Woman Abuse Studies Unit (CWASU), London Metropolitan

www.cwasu.org

Established in 1987, the Child and Woman Abuse Studies Unit (CWASU) at London Metropolitan University has three decades of experience in conducting independent feminist research that creates useful knowledge for policy makers, practitioners, survivors, supporters and activists. CWASU is the only research unit in Europe that integrates a focus on all forms of violence against women and child abuse.

Surviving Economic Abuse (SEA)

www.survivingeconomicabuse.org

Surviving Economic Abuse (SEA) is the only organisation in the UK dedicated to developing responses for women whose economic resources (money, housing, utilities, transport, food etc.) have been controlled, exploited or sabotaged by a current/ex-partner.

Abbreviations

ABA - Australian Bankers' Association
CAV - Consumer Affairs Victoria
CPS - Crown Prosecution Service
CSAJ - Center for Survivor Agency and Justice
DAME - Domestic Abuse Money Education
DCMS - Department for Culture, Media and Sport
DVR - Domestic Violence Recovery
EES - Economic Empowerment Specialists
FJC – Family Justice System
NAB - National Australian Bank
NSE – National Statement of Expectations
SCEA - Survivor Centered Economic Advocacy
SEA – Surviving Economic Abuse
TCFV - Texas Council on Family Violence
UK – United Kingdom
US – United States
VAW – Violence Against Women
VAWG – Violence Against Women and Girls
WAFE - Women's Aid Federation of England
WIRE - Women's Information and Referral Exchange

Biography

Dr. Nicola Sharp-Jeffs has been working in the violence against women and girls sector since 2006. She is Director of Surviving Economic Abuse (SEA) and a Research Fellow within the Child and Woman Abuse Studies Unit (CWASU) at London Metropolitan University. Nicola is an expert in economic abuse (which encompasses financial abuse) as it occurs within the context of domestic violence. Nicola has undertaken two groundbreaking pieces of research in this area. 'What's Yours is Mine' explored economic abuse as a tactic of coercive control and led to the development of the economic abuse wheel (Sharp, 2008). 'Money Matters' presents national prevalence data on financial abuse and explores how financial institutions such as banks can respond (Sharp-Jeffs, 2015).



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Executive summary

This report outlines the findings of a Travel Fellowship which sought to:

1. Explore innovative responses to supporting women who experience financial abuse in the context of domestic violence;
2. Understand how different stakeholders work together to address financial abuse; and
3. Evaluate the potential for transferring the learning gained to the UK.

The first study trip took place in July 2016 and comprised a two week visit to New York, New Jersey and Texas in the United States (US). The second took place in November 2016 and comprised a three week visit to Melbourne, Tasmania and Sydney in Australia. It was an opportunity to meet with 50 professionals from 38 organisations including: domestic violence services; women's community organisations; police; prosecutors; legal organisations; financial capability organisations; banks; government departments; industry bodies; and researchers/academics with expertise in the field. The key findings and recommendations arising from the Fellowship include:

Key findings

Practical responses – leading to financial empowerment

- Responses to financial abuse can be mainstreamed into violence against women and girls' services by making work to address women's financial stability and independence a requirement within commissioning frameworks.
- Financial support services that work closely with domestic violence services ensure that the physical safety needs of survivors are also met.
- Interventions related to financial support are most effectively delivered when domestic violence support workers are confident about their own financial capability.
- Work to (re)build survivors' confidence in managing finances often sits alongside counselling and other mental health services.
- Community based financial education projects position financial abuse within broader discussions on women and finance.
- Support in relation to financial abuse is required during and post-crisis.

Legal responses – leading to financial justice

- The police response to financial abuse in the context of domestic violence is similar to the way in which physical abuse was once responded to.
- There are a number of challenges involved in securing financial justice for survivors, including the identification of evidence.
- The use of consumer law can help survivors maximise income and avoid bankruptcy.
- Effective practical responses and legal responses to financial abuse are interrelated and integrated.

Stakeholders

- Providers of domestic violence services collaborate with stakeholders outside the 'usual realm' when responding to financial abuse.
- Responses to financial abuse are cross-sectoral and collaborative.
- Stakeholders share their respective skill sets to develop integrated practice which is both effective and safe for survivors.
- Government can play a coordinating role and facilitate relationships between stakeholders.

Recommendations

1. The Westminster Government should broaden the definition of domestic violence to recognise financial abuse within the wider category of economic abuse.
2. The Westminster Government should develop a policy/legislative definition of economic abuse. This should recognise the following categories: controlling access to economic resources; refusing to contribute; and generating economic costs.
3. Work to address financial stability needs to be integrated with work to sustain the tenancies of domestic violence survivors.¹
4. The Westminster Government should recognise that financial stability underpins physical safety by setting out the importance of this work in the National Statement of Expectations (NSE) for VAWG services.
5. Local authorities and the Westminster Government should provide domestic violence services with resources to develop collaborative partnerships with financial and legal organisations and institutions.
6. Local authorities and the Westminster Government should recognise that responses to financial abuse are required during and post-crisis.
7. Domestic violence services should explore the development of a financial capability curriculum to increase the financial confidence of survivors and help them (re)gain the skills required to achieve financial stability.
8. Local authorities and the Westminster Government should introduce a grant giving scheme for women who are leaving an abusive partner and seeking to rebuild their lives.²
9. The Westminster Government should consider making economic abuse a criminal offence within the proposed Domestic Violence and Abuse Act.
10. The Westminster Government should undertake work to explore family law mechanisms that could be used to address financial abuse.³
11. Domestic violence services should collaborate with consumer lawyers to address identity theft and coerced debt.

¹ Working with stakeholders such as the Domestic Abuse Housing Alliance (DAHA)

² Working with stakeholders such as Family Action

³ Working with stakeholders such as Rights of Women

12. Domestic violence services need to work across sectors and develop relationships with a wide range of stakeholders in order to address financial abuse.
13. Local authorities and the Westminster Government should encourage a coordinated community response to financial abuse.
14. Local and national Governments should facilitate relationships between domestic violence services and social/financial/legal/political stakeholders.

Introduction

There is a widespread assumption that the financial income of a household will be shared equitably. This means that the use of money as a source of power within intimate relationships is rarely recognised and responded to by social, financial, legal and political institutions.

Policy and practice frameworks

Although the Westminster Government definition of domestic violence recognises financial abuse, the issue is not addressed within the cross-governmental Ending Violence Against Women and Girls (VAWG) strategy (2016-20) nor the action plan that underpins it. Reference is made only to the fact that the needs of victims may be 'complex' and can include 'assistance with debt' (Home Office, 2016a: 28).

HM Government definition of domestic violence (Home Office, 2012)

Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to the following types of abuse: psychological, physical, sexual, **financial** or emotional.

National Standards for domestic violence services do recognise the importance of supporting women to achieve financial stability and independence (Women's Aid, 2015). In addition, outcome measurement frameworks for domestic violence services specifically address the issue of financial abuse (Big Lottery Fund, 2016). Yet work to address financial abuse has been described as historically 'under-funded and overlooked' by the violence against women sector (Kail et al, 2008). The End Violence Against Women coalition further observes that there has been a lack of focus on women's economic rights (Dustin, 2016).

Rationale for the research trips

Internet based research undertaken ahead of the Fellowship indicated that responses to financial abuse in some US (see also Bell and Kober, 2008) and Australian states are more developed than in the UK. The aims of the research trips were therefore to:

1. Explore innovative responses to supporting women who experience financial abuse in the context of domestic violence;
2. Understand how different stakeholders work together to address financial abuse; and
3. Evaluate the potential for transferring the learning gained to the UK.

Approach taken to the research trips

Key stakeholders were identified in both countries and contacted via email and Twitter. Responding individuals then facilitated introductions to other stakeholders in their networks. This process shaped the development of an itinerary for each trip. Additional opportunities arose in the course of the trips themselves. As well as face-to-face and Skype meetings, roundtables were organised and presentations given in order to share the UK experience and compare approaches.

The first research trip was to the US in July 2016. It comprised a two week visit to New York, New Jersey and Texas. The second took place in November 2016 and comprised a three week visit to Melbourne, Tasmania and Sydney in Australia. The trips afforded an opportunity to meet with 50 professionals from 38 organisations (appendices one and two) working to address financial abuse.

The approach taken at each meeting was to: understand the organisation's role in relation to responding to financial abuse; the evidence base that underpinned this; the stakeholders involved; and how the response worked in practice - the latter including both successes and challenges. A particular question was also asked about 'evidencing' financial abuse in light of this being identified as a challenge in the prosecution of the new coercive and controlling legislation (see chapter three). Ahead of every meeting, preparatory reading was undertaken. During meetings, notes were made and further materials/resources identified. Time was then taken after each meeting to consider how the learning related to the UK context.

Structure of the report

The report continues by providing background material on what financial abuse is and why it is so important to develop effective responses to it (chapter one).

Chapter two outlines the different responses to financial abuse uncovered. This is divided into three sections: the first sets out the policy context; the second outlines practical and legal responses to financial abuse; and the third explores how stakeholders work together. Learning from both the US and Australia is integrated within presentation of the findings. Chapter three considers how these approaches could be transferred to the UK context and makes recommendations.

The final chapter sets out conclusions. These inform an outline plan of how the Fellowship findings will be used to develop a 'strategic conversation' between relevant stakeholders in the UK and guide the work of a new organisation set up to act as a catalyst for action. It is anticipated that these actions will lead to an improved response to women who experience financial abuse. Supplementary material is contained in the appendices.

Chapter one: What is financial abuse and why are responses needed?

This chapter provides background information on financial abuse as it occurs within the context of domestic violence. It presents a definition of financial abuse, discusses its prevalence, outlines its gendered nature and explores the impacts that financial abuse has.

Defining financial abuse

There is no Government definition of financial abuse. The Crime Survey for England and Wales (CSEW) asks participants whether an intimate partner has prevented them from having a 'fair share of the household money' (ONS, 2015). However, the research evidence base suggests that financial abuse is more complex than this. Sharp (2008) identifies four different 'types' of financial abuse: interfering with employment; controlling access to financial resources; refusing to contribute to financial costs; and generating financial costs. This is broadly consistent with Postmus et al. (2012) who suggest three forms of financial abuse: financial control, financial exploitation and financial sabotage.

Summary of the different forms of financial abuse (Postmus et al. 2012)

Form of financial abuse	Example
Financial control	Demands to know how money is spent (i.e. demands receipts) Makes important financial decisions without discussion Keeps financial information secret Makes partner ask for money
Financial exploitation	Does not pay household bills Spends money needed for household bills Builds up debt under partner's name
Financial sabotage	Does things to stop partner from going to work/college Demands partner stops working/studying Does not allow partner to work/study

The term financial abuse is often used interchangeably with economic abuse. Economic abuse encompasses financial abuse but involves the control of economic resources (such as housing, utilities, transport, food and clothes) more broadly (Littwin, 2012). This report therefore adapts the definition of economic abuse developed by Adams et al. (2008) to understand financial abuse as:

Interfering with a partner's ability to acquire, use and maintain financial⁴ resources.

The prevalence of financial abuse

The Office for National Statistics (ONS) does not report on financial abuse separately; it reports on non-physical abuse which includes emotional abuse. This is because financial abuse has previously been conceptualised as a form of psychological abuse (Loring 1994,

⁴ Replacing 'economic'

cited by Weaver et al. 2009). It is only relatively recently that researchers have evidenced financial abuse as a distinct construct (Adams et al., 2008; Postmus et al. 2015; Weaver et al., 2009).

In 2014-15, four per cent of women reported experiencing non-physical abuse (emotional/financial) at least once in the past year and 13.5 per cent of women reported experiencing non-physical abuse since the age of 16 (Flatley, 2016). Women accessing specialist domestic violence services report high rates of financial abuse, ranging from 43-98 per cent (Sharp, 2008). A national prevalence study found that one in five women reported experiencing financial abuse from a current/former intimate partner (Sharp-Jeffs, 2015).

The Economic Abuse Wheel (Sharp, 2008)



The gendered nature of financial abuse

The research evidence base on financial abuse reflects what is known about the experiences of heterosexual women within intimate partner relationships. In this context, financial abuse is used by abusive partners to create *and* reinforce women's financial dependence on them. Whilst financial dependency can be a direct outcome of financial abuse, it can rarely be separated from women's lesser financial status (Branigan, 2004; Walby et al, 2015).

Not only are women disproportionately impacted by financial abuse, they are also more likely to experience it alongside other forms of abuse (Sharp-Jeffs, 2015). The economic abuse wheel (see above) was developed to illustrate how economic abuse (including financial abuse) reinforces and overlaps with other forms of control, providing an additional tool through which to perpetrate it. This leads women to describe economic abuse as a 'constant' form of abuse (Sharp, 2008).

Why is it important to respond to financial abuse?

There are a number of reasons why it is important that domestic violence services and social, financial, legal and political organisations respond to financial abuse:

Financial inequality increases situational vulnerability

Gender intersects with financial inequality to generate increased situational vulnerability to domestic violence (Walby et al. 2015; World Health Organisation, 2002). Women are three and a half times more likely to be subject to domestic violence if they find it impossible to find £100 at short notice (Walby and Allen, 2004).

A barrier to leaving

Lack of access to financial resources is a reason why many women feel that they have no choice but to stay with the abuser (Bell & Kober, 2008; Brandwein, 1999; Fender et al., 2002; Lyon, 2002; Sharp-Jeffs, 2015). Some women escape financial dependence through borrowing money from family members and friends or turning to the welfare system to provide an alternative source of support (Brandwein, 2006; Kelly et al., 2014; Sharp, 2008). However recent cuts to government public expenditure have disproportionately reduced the income of women compared to men. Concurrent reductions in national and local budgets for domestic violence services and financial support to access legal advice, further compromise women's ability to exit (Walby et al, 2015).

Increased risk of domestic homicide

Financial barriers to leaving can result in women staying with abusive men for longer and experiencing more injuries as a result (Earlywhite and Stohl, 2005). Moreover research shows that when women experience financial abuse within a context of coercive control (i.e. physical and sexual domination alongside rigid control their movements) then they are at increased risk of domestic homicide (Websdale, 1999).

A barrier to living free from abuse

Financial abuse may continue, escalate or begin post-separation (Kelly & Westmarland, 2015; Kelly et al., 2014; Sharp-Jeffs, 2015). This is because, unlike physical abuse, it does not rely on physical proximity (Stark, 2007). Large numbers of women are also left in debt as a consequence of experiencing economic abuse and/or leaving (Howard and Skipp, 2015; Sharp, 2008). A longitudinal study following women rebuilding their lives after domestic violence found that, although feelings of financial security improved immediately after leaving, the percentages of women who felt financially secure over time did not increase as much as some of the other measures that were tracked (Kelly et al. 2014). In fact, compared to other measures, women's space for action in the financial domain showed little change – starting and remaining low.

Learning arising:

- Work to support women's financial stability needs to take place both during and after crisis.
- Financial stability underpins women's physical safety.

Chapter two: Innovative responses to financial abuse

This chapter presents learning about innovative responses to financial abuse gained via meeting with key stakeholders in the US and Australia. It is divided into two sections:

1. Practical responses to financial abuse: financial advocacy, financial education and access to financial income; and
2. Legal responses to financial abuse (criminal, civil and consumer).

The chapter is prefaced with an overview of the policy context in each of the jurisdictions where these responses are implemented.

Policy contexts

New York State and City, US

In October 2012, the Office of Manhattan Borough President Scott M. Stringer, the non-profit organisation Sakhi for South Asian Women and The Worker Institute at Cornell Industrial and Labour Relations undertook a survey to better understand economic abuse⁵ and its impacts (Office of Manhattan Borough President, 2012). More than 25 organisations serving some 25,000 survivors of domestic violence responded. The survey found the following:

- Among the clients served by respondents, economic abuse is varied and pervasive: For over 50 percent of respondents, half of all clients were unable to meet basic household expenses as a result of abuse. For a similar number of respondents, one in four clients had an abusive partner steal, withhold access to personal documents, or exert control over spending – with nearly 80 percent reporting that clients had to ask permission to spend less than \$50.
- Economic abuse impacted survivors' short-term and long-term financial stability: Half of respondents reported that at least one quarter of their clients were saddled with debt by abusers and unable to accumulate assets, while an almost equal percentage were precluded from opening a bank account and suffered lowered credit scores. For nearly one in four respondents, more than half of their clients had lost homes, been unable to obtain employment, and had childcare disrupted as a result of economic abuse.
- Respondents are able to address short-term needs of survivors stemming from economic abuse: Over 50 percent of respondents were able to help clients with short-term needs related to housing, childcare, applying for public assistance or paying for basic household expenses.

⁵ Terminology in this section reflects how financial abuse is recognised within the broader category of economic abuse

- Respondents were unable to address longer-term economic impacts of abuse, especially those involving private financial institutions: Over fifty percent of respondents were unable to remedy or mitigate instances when clients could not open a bank account because of a troubled banking history, defaulted on student loans, filed for bankruptcy, had debt accumulated by a partner, or were unable to accumulate assets or filed for bankruptcy.

The report made eight recommendations (see appendix three), including that New York State and City law should explicitly recognise economic abuse as a form of domestic violence (recommendation one).

Victoria, Australia

The Family Violence⁶ Protection Act (2008) in Victoria recognises economically abusive behaviour. It is described in part 2(6) as:

Behaviour by a person that is coercive, deceptive or which unreasonably controls another person without the second person's consent:

- (a) in a way that denies the second person the economic or financial autonomy the second person would have had but for that behaviour; or
- (b) by withholding or threatening to withhold the financial support necessary for meeting the reasonable living expenses of the second person or the second person's child, if the second person is entirely or predominantly dependent on the first person for financial support to meet those living expenses."

When, in February 2015, the Victorian Government convened a Royal Commission Inquiry into Family Violence, specific attention was paid to women's financial stability and independence. The Commission reported that:

Women who have lived with a violent partner are more likely than other women to experience financial difficulty, and many women experience poverty as a result of family violence. The associated abuse can be financial in nature (defined by law as economic abuse) or can be characterised by other forms of family violence that affect a victim's financial wellbeing. A range of factors can exacerbate victims' experience of financial insecurity – among them difficulty obtaining child support payments, tenancy problems, a lack of control over household finances, and credit,

⁶ Family violence is the term used for domestic violence in Victoria, Australia only. Definitions of domestic and family violence vary across policy, legal, therapeutic and advocacy contexts as a result of the different perspectives, purposes and needs in each setting (Breckenridge et al. 2015).

utility and car-related debt incurred by the perpetrator (Royal Commission into Family Violence, 2016: 30).

It also acknowledged that women's lack of financial independence and stability more generally contributes to them being at risk of being controlled or coerced by their male partners.

Three 'pillars' were identified by the Commission as essential for rebuilding lives after family violence with financial security sitting alongside secure and affordable housing⁷ and health and well-being. Fifteen recommendations were made that address economic abuse through initiatives that promote economic independence. They fall into four categories: debt; personal property; residential tenancies; and economic recovery (see appendix four).



Picture: The Royal Commission's final report

Learning arising:

- In New York (US) and Victoria (Australia), financial abuse is recognised in policy and legislation within the wider category of economic abuse.
- The recognition of financial abuse within policy/legislation provides a framework for the implementation of responses.

⁷ See Churchill Fellow report: Burnet, G. (2016) Domestic Abuse and Housing: International Practice and Perspectives

Practical responses to financial abuse – leading to financial empowerment

Practical responses to financial abuse take three forms: financial advocacy, financial education and facilitating access to financial income. These interventions aim to financially empower women who have experienced financial abuse specifically and/or the financial impact of domestic violence more generally.

Financial advocacy

It is challenging for domestic violence services to fully meet the complex array of support needs that women who experience domestic violence commonly have. This is recognised in parts of the US and Australia though the employment of specialist financial advocates to support women accessing domestic violence services.

In New York City, financial coaches are employed in each of the five Family Justice Centres (FJCs).⁸ In addition, Economic Empowerment Specialists (EES) work in community based domestic violence programmes.⁹ This is because all domestic violence service agencies that receive City or State funds are required to screen for economic abuse and engage in Financial Safety Planning (recommendations four and five). Additional public resources have been provided to do this.

The objectives of this work are to support survivors (re)establish financial stability and to (re)gain control of their financial lives. Depending on the level of support required, interventions range from short to long term. They include: maximising financial income through helping women access welfare/get back into the workplace and assisting them to repair bad credit scores.¹⁰ Referrals are made in cases of consumer debt, including credit card collection, student loan default, foreclosure, tax disputes and identity theft (see legal responses for more detail).

In addition to providing direct support to survivors, the role of financial advocates includes skilling up generic domestic violence support workers so that they can better respond to financial abuse and help facilitate financial empowerment. Customised tools and resources have been developed for domestic violence services by organisations such as the Financial Clinic in support of this. Advocates explained that domestic violence support workers may initially resist developing their practice in this area. This is because they view broaching conversations about finances as uncomfortable; partly because finances are perceived to be a personal issue and also because many workers are not confident in their own ability to manage finances.

⁸ Family Justice Centres provide one-stop services and support to survivors. They are located in all five New York City boroughs: Bronx, Brooklyn, Manhattan, Queens and Staten Island.

⁹ Anti-Violence Project; Barrier free living; Sanctuary for Families; Steps to end family violence; Violence intervention programme; Sieman society for children and families; Urban Justice Centre; Asian women's centre; and CAMBA domestic violence services.

¹⁰ Until recently, credit history was a consideration in employment decisions.

In Victoria, Australia financial counsellors are co-located in community legal centres, including Women's Legal Service Victoria and Eastern Community Legal Centre to assist women who have experienced domestic violence.

In response to the Commission recommendation that:

The Victorian Government support the expansion of initiatives that deliver financial literacy training and education for victims of family violence (recommendation 121).

\$1.75 million has also been made available within the 2016-2017 Victorian State budget so that Consumer Affairs Victoria (CAV - the responsible government department) could: develop and deliver training for financial counsellors; and recruit ten counsellors across the State. At the time of visiting, CAV had just completed a report¹¹ which set out the scope of the financial counselling role and made recommendations for how the training should be structured and delivered. The report highlights the importance of adapting financial counselling practice so that it meets the physical safety needs of survivors.

A financial safety checklist has also been developed by West Justice and is being piloted for use by family violence support workers.

Financial education

Abusive men often destroy women's confidence in managing their finances, thereby increasing their financial dependency. Alongside work to support survivors in establishing financial stability and gaining control of their financial lives, work is also undertaken to (re)build their confidence in managing finances.

In the US, a number of financial education curriculums have been developed to financially empower survivors.¹² One of the best known is the *Moving Ahead through Financial Management* curriculum which is delivered in all 50 states and which has been independently evaluated (Postmus et al, 2014). The curriculum includes: strategies for addressing the complex financial and safety challenges of ending a relationship with an abusive partner; information on how to protect personal and financial safety when in a relationship with an abusive partner and after leaving; tools to help people of all incomes and earning power work toward long-term financial empowerment; tactics for locating and accessing local, state and national personal safety and financial resources; methods for

¹¹ Financial Counselling Australia (2016) Supporting financial counsellors to help family violence victims: analysis and findings

¹² Other financial education initiatives for survivors include: The Hope and Power for Your Personal Finances programme from the National Coalition Against Domestic Violence; The Personal Economic Planning programme used by the Iowa Coalition Against Domestic Violence; and Redevelopment Opportunities for Women's Economic Action Programme (REAP) in St. Louis, Missouri.

dealing with the misuse of financial records; and resources for working through the financial and safety challenges of identity change.

Some services also facilitate opportunities for women to practice using these techniques within a supportive environment. Since there is a significant overlap between financial abuse and emotional/psychological abuse (see, for example, Sharp-Jeffs, 2015) this work often sits alongside counselling and other mental health services.

Domestic violence services were not reported to use formal financial education curriculums in the State of Victoria or elsewhere in Australia. Financial education work was, however, described in relation to the work of community-based women's organisations where the issue of financial abuse often emerges within general support work in this area (see, for example, Cameron, 2014). Learning suggests that education in these settings should position financial abuse within a more generic discussion of women and their finances. This recognises that women do not necessarily know about or recognise financial abuse and would, therefore, be unlikely to attend a community training event/workshop described in this way.

Women's Information and Referral Exchange (WIRE) in Melbourne, for example, delivers a training programme on financial well-being. The *Women Talk Money* programme is gender-specific and focuses on: gender and money; moving in together; taking a break from work; splitting up; and dealing with negative reactions from a partner when discussing finances. WIRE's approach is effective in providing a platform for women to explore finances within their relationships and ensure they know their rights.

In addition, work is being undertaken by the Australia and New Zealand (ANZ) banking group as part of *MoneyMinded* - an adult financial education programme that was developed in 2003. The programme aims to increase the financial skills, knowledge and confidence of vulnerable groups within the community. Research has been undertaken to explore how *MoneyMinded* is used and how it can be adapted to better meet the needs of participants experiencing family violence (see Russell et al. 2016).

Access to financial income

Professionals in both countries described how one of the biggest support needs of survivors is accessing financial income to leave an abusive partner and live independently.

In the US, one of the most frequently asked questions by callers to the National Domestic Violence Hotline is whether ‘relocation assistance’ is available.¹³ Stakeholders highlighted a number of programmes that seek to meet this need:

Individual Development Accounts (IDAs)¹⁴ were developed to enable domestic violence survivors to pay for shelter, transportation and other basic needs.

The Domestic Violence Recovery (DVR) Loan programme was designed to provide survivors of abuse with a loan that was accessible and affordable (see Adams, 2016 for evaluation report). When the need for the programme was assessed, participants reported that they could not afford the following items that would enable them to get back on their feet: transportation (46%); rent and/or security deposit (41%); utility bills (31%); food (21%); credit card or loan debt (18%); home furnishings (10%); clothes (5%); and medical costs (5%).

Flexible Funding Assistance was designed to prevent families from becoming homeless and increase housing stability.¹⁵ However, the programme also increases financial stability. Financial assistance is provided for items such as, but not limited to:

Housing stability: moving expenses, first and last months’ rent deposit, security deposits, necessary furniture or appliances.

Financial stability: tuition and books, transportation to and from work or school, childcare fees, and fees associated with obtaining legal immigration status.

The financial assistance is provided via a collaborative fund created by domestic violence service providers.

In Australia, the National Australian Bank (NAB) has made a number of changes to the way in which it responds to customers who are fleeing domestic violence (see also section on legal responses). This includes removing evidence requirements for proving domestic violence and operating from a starting point of belief. Furthermore, hardship applications which used to take 21 days can now be processed within minutes. This recognises that many customers seeking support from the bank will be in crisis. A **family violence assistance fund** has also been established which provides grants of \$2,500 and more.

¹³ A recent study of callers to the Hotline found that nearly three-quarters (73%) of callers stayed with an abusive partner or longer than they wanted to because they were concerned about financially supporting themselves and their children (Adams and Littwin 2016).

¹⁴ Recommendations six and seven of the Office of Manhattan Borough President

¹⁵ See Churchill Fellow report: Burnet, G. (2016) Domestic Abuse and Housing: International Practice and Perspectives

Learning arising

- Responses to financial abuse can be mainstreamed into violence against women and girls' services by making work to address women's financial stability and independence a requirement within commissioning frameworks.
- Financial support services that work closely with domestic violence services ensure that the physical safety needs of survivors are also met.
- Interventions related to financial support are most effectively delivered when domestic violence support workers are confident about their own financial capability.
- Work to (re)build survivors' confidence in managing finances often sits alongside counselling and other mental health services.
- Community based financial education projects position financial abuse within broader discussions on women and finance.
- Support in relation to financial abuse is required during and post-crisis.

Legal responses to financial abuse – routes to financial justice

The practical responses to financial abuse outlined in the previous section are important interventions but can only have limited impact without efforts to address the systematic barriers that are faced by women who have experienced financial abuse. This section sets out and explores how the legal system can better recognise and respond.

The use of criminal law

Stakeholders in both the US and Australia stated that the criminal justice system lacks understanding of financial abuse arising in the context of domestic violence. Some compared this to the way in which the police responded to physical abuse forty years ago. In theory, different forms of financial abuse within an intimate partner relationship should be treated no differently than, for example, credit fraud and identity theft perpetrated by a stranger. Yet the police were reported to take the position that a couple is one financial unit and that they each have the right to use each other's information to obtain debt and credit. Evidencing financial abuse can also be particularly challenging and this was identified as a reason why the police may 'push back' on taking action in this area.

In the US, police reports of financial abuse were described only in the context of consumer law (see below). In Australia, greater efforts to improve the police response to financial abuse were reported although predominantly in relation to the recovery of property through intervention orders (see family law section below).

The exception was in Tasmania, where economic abuse is a criminal offence under Section 8 of the Family Violence Act (2004). Fortuitously, the Fellowship coincided with the first case

of financial abuse which had proceeded to court meaning it was possible to talk to the stakeholders involved.¹⁶

Section Eight of the Family Violence Act (2004) - Tasmania

A person must not, with intent to unreasonably control or intimidate his or her spouse or partner or cause his or her spouse or partner mental harm, apprehension or fear, pursue a course of conduct made up of one or more of the following actions:

Coercing his or her spouse or partner to relinquish control over assets or income;

Disposing of property owned –

- (i) Jointly by the person and his or her spouse or partner; or
- (ii) By his or her spouse or partner; or
- (iii) By an affected child – without the consent of the spouse or partner or affected child;

Preventing his or her spouse or partner from participating in decisions over household expenditure or the disposition of joint property;

Preventing his or her spouse or partner from accessing joint financial assets for the purposes of meeting normal household expenses;

Withholding, or threatening to withhold, the financial support reasonably necessary for the maintenance of his or her spouse or partner or an affected child.

Inclusion of a criminal offence of economic abuse within the Act was reported to have been driven from the bottom up by police and prosecutors. It was not imposed by Government. Yet despite this, police reports were low. The police observe that this is because: financial abuse takes place in the context of highly controlling behaviour; and it is not always recognised as a form of abuse.

Whilst attempts had previously been made to charge and prosecute cases of economic abuse they had failed. A number of reasons as to why this is the case were outlined. As noted above, a key reason is because it is difficult to prove that financial abuse has taken place. In addition, resources to investigate such cases are lacking. A forensic accountant is required to analyse financial documents but it is more often the case that the police have to perform this role. This is exacerbated by the fact that there are no Government guidelines on how to investigate and prosecute this crime.

¹⁶ Despite legislation being in place since 2004; the case was reported in August 2016 and was due to be heard in October 2016.

Another stumbling block is in relation to the legislation which is subject to a statute of limitation.¹⁷ This challenge is exacerbated by the time it may take a victim to recognise their experience as financial abuse and to report it, as well as the time it takes to identify and negotiate access to relevant financial documents to prove it. It was described how a previous case did not proceed to court for this reason. The victim stated that the perpetrator was withholding child support. The defendant claimed he could not afford to pay the child support but it took too long to access his bank account records to prove otherwise. A further challenge attached to the legislation is the scope of the definition. Another case was described as having failed at charging stage because the abuse was not believed to have been linked to financial hardship.



Picture: Office of the Attorney General, Hobart, Tasmania

It was agreed by stakeholders that the ‘test’ case had been made possible due to the Family Violence Amendment Act (2015). The statute of limitation had been set at 6 months in the original Act but was expanded to 12 months in the amended act, meaning that the timing issue outlined above was addressed.

Summary of the case

The case involved a man charged with pursuing a course of conduct constituting economic abuse against his wife of 13 years. He was accused of: preventing his wife from accessing joint financial assets; preventing her from participating in decisions over household

¹⁷ This forbids prosecutors from charging someone with a crime that took place outside of a particular period of time

expenditure; and forcing her to sign contracts and loans for the purchase of rental properties she was not consulted on and did not financially benefit from. His wife also claimed he would not let her work and that she had to beg him for money.

The prosecutor believed that the test case was strong for a number of reasons. The woman was a credible and compelling witness. It was also possible to present a pattern of abuse (common assault, sexual assault and possession of a firearm) and prove intent. There was proof that monies were available and that the woman's husband had taunted her in relation to access to them. For instance, if she wanted to have coffee with her friends she would ask for him to deposit five dollars into her account. He would only deposit one dollar. In addition to financial documentation showing this there were also text messages. Statements were taken from family and friends as well as people involved in financial transactions. Evidence from a family law case running alongside the criminal prosecution might also have been admissible in terms of outlining context and demonstrating intent.

Unfortunately, however, the economic abuse charge was dropped during the Fellowship visit. The veracity of the charge was questioned by the judge. Although the statute of limitation had been expanded to 12 months, it was believed that this was because the judge was only presented with a 'snapshot' of what had taken place over a nine month period. The charge had not arisen from a police incident report; rather it had taken the victim several months to recognise that she had experienced financial abuse. She was then put in contact with a Legal Aid Lawyer who helped her prepare a statement before she went to the police.

The decision was hugely frustrating for the victim and she was being supported to bring a complaint about it. She was aware that it was the first prosecution of economic abuse and that the publicity generated from the case had the potential to encourage others to come forward. She was reassured therefore to hear that the learning arising from it would be shared more widely via the Fellowship report.

The use of family law

Women who experience domestic violence often have to flee their home. This has serious financial implications and can lead to homelessness. It is essential that family law facilitates access to a property settlement which can play a crucial part in preventing poverty. At the very least this means access to personal property after fleeing. Other claims identified by research undertaken by a women's legal service in Victoria, Australia (Smallwood, 2015) include:

- Securing, in some cases, the right to remain in the home with the children;
- Access to a car, furniture or a small amount of money;
- An order for spousal maintenance where a woman has no income;

- Dividing superannuation¹⁸ where it is the only asset; and
- Dealing with joint debts or debts accrued in a woman's name where she has no capacity to repay.

This was recognised by the New York State Senate which introduced law A.7400/S.5821 in 2013 to help domestic violence victims. The list of enumerated family offences was expanded to include identity theft, grand larceny and coercion. As these crimes are now recognised as economic abuse, the law provides victims with avenues of relief, such as:

- Access to Family Court family offence proceedings;
- Criminal family offence orders of protection, restitution and mandatory arrest; and
- Making an order of protection which orders the respondent to return certain documents (such as a birth certificate, passport, benefit card, tax returns, driving license and immigration documents) as well as credit and debit devices to the protected party.

Stakeholders described how, like the criminal justice system, the family violence legal system in Victoria, Australia often focus on other types of family violence such as physical violence when deciding to make an order for protection. Where economic abuse is not the focus of an application, it is unlikely to be addressed (Camilleri et al, 2015).

This is, in part, because the definition of economic abuse in the Family Violence Protection Act is believed to be too narrow. Drawing on research which suggests that economic abuse falls into four broad categories,¹⁹ a case has been made for broadening the definition to ensure that it at least includes:

- Refusing to contribute (particularly to jointly held debts); and
- Generating economic cost or debt for the victim.

The Royal Commission made several recommendations with respect to these issues, including:

- Encouraging the use of personal property conditions in family violence intervention orders; and including specific questions about personal property conditions in the information form that precedes the application for a family violence intervention order (recommendation 114); and
- Amending the Victoria Police Code of Practice for the Investigation of Family Violence to provide guidance and examples in relation to when it is appropriate to

¹⁸ A superannuation is an organisational pension program created by a company for the benefit of its employees. It is also referred to as a company pension plan.

¹⁹ Sharp (2008): controlling access to economic resources; interfering with education or employment; refusing to contribute; and generating economic costs.

seek personal property conditions in family violence intervention orders (recommendation 115).

Stakeholders also outlined a project through which an early resolution process was being piloted for small claim property matters.

The use of consumer law

In addition to using criminal and civil law in response to financial abuse, consumer law is increasingly being used. As outlined in the introduction, financial abuse can take many forms, two of which are related to the area of consumer credit. An abuser may commit identity theft by using a survivor's personal information to obtain a credit card or open an account in their name without their permission or knowledge. The second type of abuse, termed coerced debt (Littwin, 2012) involves abusers using violence or threats of violence to force survivors to use their credit for the abuser's benefit.

Good credit is essential for domestic violence survivors to rebuild their lives. But enforcement of default judgments, via garnishment or bank account restraint, can negatively impact credit ratings. They can also negatively impact a survivor's ability to keep up with day-to-day expenses and deplete any savings they may have, causing them to fall behind on bills and rent, or even force them to seek out high-cost credit. Although some women may be referred to bankruptcy programmes which at least have the advantage of ending the power and control which continues to be exerted over them by the perpetrator, this route also has a negative impact on financial stability for a number of years.

Domestic violence service providers lack expertise in debt and credit-related issues and are not able to robustly screen clients to ascertain their consumer legal needs. Survivors are therefore typically referred out when they are experiencing active debt collection; require bankruptcy consultation; have credit report issues; are in the midst of an active Civil Court consumer debt collection case; or have a default judgment against them. At the same time, many consumer advocates do not receive training on best practices for working with domestic violence survivors or the law surrounding identity theft and coerced debt.

With consumer debt issues either a direct result of financial abuse (or as an indirect impact of domestic violence) it is important to integrate safety planning into responses – whether accessing a credit report, negotiating with creditors or responding to court papers.

In recognition of this, the report of the Manhattan Borough President recommended that:

Funding for legal services for low-income New Yorkers in the area of consumer debt, with a particular focus on domestic violence survivors, should be expanded and made permanent (recommendation four).

A number of groups in New York State are therefore facilitating innovative collaborations between domestic violence service providers and consumer advocates.

Through the Domestic Violence Civil Legal Advice and Resource Office (DV-CLARO) Project, consumer and domestic violence advocates meet with survivors in domestic violence shelters and provide legal advice and other assistance, including preparing survivors to represent themselves in their consumer debt cases and referring survivors to consumer and bankruptcy legal resources for full representation as necessary. By identifying those survivors who need consumer legal assistance and connecting them with advice and resources, DV-CLARO enables survivors to repair their lives and secure financial independence while maintaining their personal safety. Referral criteria for domestic violence survivors to the DV CLARO Pilot Project include:

- Active debt collection by original creditors, debt buyers, and debt collection agencies;
- Issues with credit reports; and
- Active Civil Court consumer debt collection cases and/or default judgments.

DV-CLARO is run by the Domestic Violence and Consumer Law Working Group organised by the Feerick Centre for Social Justice and CAMBA. The Group works to administer and support the Pilot Project alongside bar associations, legal service providers and other law schools.

One such legal provider is MFY Legal Services which provides free assistance to residents of New York on a wide range of civil legal issues. It prioritises services to vulnerable and underserved populations and simultaneously works to end the root causes of inequities through impact litigation, law reform and policy advocacy. In addition to attending the CLARO court-based consumer clinics, the lawyers at MFY represent and counsel individuals regarding debt collection and other consumer protection issues through their Consumer Rights Project which is accessed via a hotline.



Picture: A poster advertising the Consumer Rights Project run by MFY Legal Services

Another initiative is the Domestic Violence Consumer Advocacy Project based at the Legal Aid Society which provides representation to survivors of domestic violence across New York City in consumer debt cases, credit repair and personal bankruptcy. Analysis of the Legal Aid Society's family law caseload revealed that approximately one-third of clients have had a consumer debt case in civil court. Of those, approximately half had a judgment entered against them, thereby putting them at risk for garnishment of their wages and/or bank accounts. Recognising links between family and consumer law is important since divorce orders may not account for related consumer law issues that victims could be facing. Similarly consumer attorneys may not consider the impact of their cases on a survivor's criminal or family law case.

Resources have also been developed aimed at building the capacity of domestic violence services to address consumer issues, including through providing training.

Outside of New York, the Center for Survivor Agency and Justice (CSAJ) has established the Economic Justice Pilot Project which has similarly developed collaborative approaches that enhance economic and consumer rights for domestic violence survivors. Four sites are implementing the Project, including the Texas Council of Family Violence in Austin, Texas.²⁰

The Texas Council on Family Violence (TCFV) is one of the largest domestic violence coalitions in the US and has undertaken extensive economic justice work, including through

²⁰ Also: Indiana Legal Services in Bloomington, Indiana; Women's Resource Center in Scranton, Pennsylvania; and Columbus Community Legal Services, Catholic University of America School of Law in Washington DC.

its annual Economic Justice Summit and wide-ranging economic advocacy technical assistance. However it had less experience working on consumer rights issues that require more technical expertise. As part of the Project, efforts have focused on identifying family law and consumer rights legal services available to survivors in Texas.

One of the three legal aid organisations the Council has connected with is Texas Rio Grande Legal Aid where work is led by the Survivor Centered Economic Advocacy (SCEA) team. The team has been successful at getting debts deleted from credit reports, getting settlement with credit card companies to remove liability for clients and disputing accounts through the Fair Credit Reporting Act and the Fair Credit Billing Act. Many cases are resolved through identity theft disputing procedures. In addition to consumer law, innovative approaches are taken in relation to resolving federal tax liability, housing, public benefits, background screening for purposes of credit, housing, and employment, and related issues. Training has also been undertaken with consumer lawyers throughout the country.

Evidencing financial abuse

Consumer lawyers and financial advocates described a range of strategies that they use to evidence financial abuse when preparing a case. Like the criminal prosecution prepared in Tasmania, cases mostly rely on the victim's evidence alongside corroborating evidence where available. The victim's evidence is used to try and build a picture of what happened through testimony. However this can be challenging when the woman is 'financially blind' because she was prevented from accessing any details about the family finances.

Efforts are made to highlight when spending is clearly not linked to the victim due to the nature of the goods bought, the location and/or the time at which they were bought. Additional actions include requesting information from the card provider about new cards being issued, who requested them and what contact details (telephone number/address) are linked to the account. Requests can be made to see signatures which appear on paperwork and for recordings of telephone calls. A further source of evidence could be a credit report. One Economic Empowerment Advocate spoke powerfully about how the timing of credit applications, defaults etc. can reflect the duration of a relationship, with the survivor being able to draw on this to identify particular events that took place.

Of course, police reports are another piece of corroborative evidence but difficulties were reported in accessing these. Stakeholders in New York City described how survivors are frequently denied the chance to make a police report. Police officers inform them that:

- They must be able to show them all the statements connected to an account, even though many women are only aware that the account exists because it is in their credit report;

- They must provide documentation of former and current addresses which is impossible for those survivors who left documents behind when fleeing or who were never on a lease or utility account;
- They are at the wrong precinct to make the police report and must go to the precinct where the identity theft occurred rather than the one by which they live – or vice versa;
- Or else they are told that married partners are allowed to open accounts in a partner's name and that no crime has been committed.

Consumer lawyers reported that debt collection agencies are deterred by the involvement of consumer lawyers and will write off the debt owed to them on this basis. Whilst this is positive for survivors, it means that nuanced arguments related to financial abuse are rarely introduced. Because no case law has developed around coerced debt there is no learning that could be used to prepare for such cases.

Addressing other forms of debt

Consumer debt is addressed by recommendations 107 and 108 of the Royal Commission in Victoria, Australia (see appendix four). However in contrast to work in New York State and City, work is focused on debt more widely, including that which is incurred through telecommunications (recommendation 108) and essential services such as energy and water (recommendation 109) through the relevant regulators and ombudsman (recommendation 110). Another area that the Commission addressed was traffic fines and infringements (recommendations 112 and 113).

Dealing with banks

As a consequence of recommendation 111 of the Commission, the Australian Bankers' Association (ABA), through its Financial Abuse Prevention Working Group, has developed a family violence-specific industry guideline which is supported by training and education for relevant banking staff.

The guideline explains that:

- Financial abuse is a form of family and domestic violence;
- Outlines how financial abuse can impact a bank's relationship with their customer;
- Outlines a framework for banks to raise awareness and promote consistent arrangements to support their customers who may be impacted by financial abuse and family and domestic violence; and
- Encourages best practice across the banking industry.

The guideline was published during the research trip and in recognition of this, invitations were extended to attend and present the UK experience of supporting survivors of financial abuse at two events. The first was a meeting of the Australian Financial Inclusion Network

and was hosted by the National Australian Bank (NAB) in Melbourne. Other attendees were from the ANZ Bank, Kildonan and RMIT University. The second event took place in Sydney on the day the guideline was launched and took the form of a multi-stakeholder forum on financial abuse in partnership with the ABA.

A subsequent meeting with the ABA established that a consumer friendly version of the guideline will also be developed. The practice of some of the member banks was described as far exceeding the minimum practice requirements outlined in the guideline (for example, the family violence assistance fund set up by NAB). It was reported to have been more challenging to highlight the importance of financial abuse with some of the smaller, sector based banks. It was also not possible to address all the issues that stakeholders raised in the development of the guidelines, although other ABA working groups are looking at linked issues such as security and the use of gambling apps. Debate is also taking place around whether banks should only be reactive to disclosures of financial abuse or be more proactive in terms of intervention.

Learning arising

- The police response to financial abuse in the context of domestic violence is similar to the way in which physical abuse was once responded to.
- There are a number of challenges involved in securing financial justice for survivors, including the identification of evidence.
- The use of consumer law can help survivors maximise income and avoid bankruptcy.
- Effective practical responses and legal responses to financial abuse are interrelated and integrated.

Working together to address financial abuse

The practical and legal responses described by stakeholders revealed that work to address financial abuse is taking place across different sectors. No one organisation suggested that it was possible to respond to financial abuse in isolation. Active collaboration is developing the individual capacity of stakeholders to identify and respond to financial abuse. Stakeholders described how they are sharing their respective skills and expertise to develop integrated practice which is both effective and safe for survivors.

Domestic violence services also described how they are working with stakeholders outside of the 'usual realm'. Other stakeholders with a role to play in responding to financial abuse were identified as including:

- Women's community organisations;
- Financial inclusion, coaching and capability services;
- Financial institutions such as banks;
- Utilities and essential service providers;

- Telecommunications companies;
- Industry regulators and ombudsman services;
- Local and national government;
- The criminal justice system (police, prosecutors and the judiciary);
- The family justice system;
- Consumer lawyers; and
- Researchers and academics

Although practical and legal responses are described separately they are clearly interconnected. There are also overlaps and connections between consumer law and the more familiar areas of criminal and civil law.

Furthermore, work is taking place at a number of levels. At the state level, responses are coordinated and sit within policy/legislative frameworks. Whilst stakeholders have informed the development of these frameworks, the coordinating role played by Government has facilitated relationships which may not have developed otherwise.

At the same time, stakeholders continue to work together to further influence policy and legislation in this area. For instance, the Domestic Violence and Consumer Law Working Group provided testimony to the New York State Permanent Commission on Access to Justice outlining how the legal status of coerced debt is complicated. In Texas, a law professor is working with the Texas Council on Family Violence (TCFV) to argue that an amendment should be made to the Fair Credit Reporting Act which would allow victims of coerced debt to repair their credit reports (Littwin, 2013).

Learning arising:

- Providers of domestic violence services collaborate with stakeholders outside the ‘usual realm’ when responding to financial abuse.
- Responses to financial abuse are cross-sectoral and collaborative.
- Stakeholders share their respective skill sets to develop integrated practice which is both effective and safe for survivors.
- Government can play a coordinating role and facilitate relationships between stakeholders.

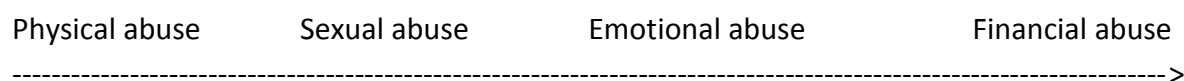
Chapter three: Learning for the UK

This chapter evaluates the potential for transferring the learning outlined in the previous chapter to the UK. It begins by exploring what factors underpin the development of responses to financial abuse before moving on to consider the value of each of the practical and legal responses identified.

Developing responses to financial abuse – a continuum of intervention

It is clear from the findings presented in chapter two that, when compared to practice in Australia and the US, responses to financial abuse in the UK are at an early stage of development. As noted in the introduction to this report, National Standards for domestic violence services recognise the importance of supporting women to achieve financial stability and independence (Women's Aid, 2015). Yet what has led to more developed responses to financial abuse in parts of the US and Australia? Stakeholders suggested that work to address financial abuse is a natural progression along a continuum of intervention – leading on from practice responses which initially focused on physical abuse and then sexual and emotional abuse.

Figure 2: A continuum of intervention



The policy context

The risk based approach to intervention adopted in the UK may explain why responses to financial abuse are at an earlier stage of development. Resources have been directed towards responding to high risk cases of domestic violence so that the emphasis continues to be on physical safety. National policy fails to recognise that financial stability underpins physical safety, meaning that resources have not been directed towards developing responses to financial abuse.

It can also be argued that current systems undermine the ability of survivors to maintain financial stability after leaving an abusive partner. Refugees, for example, are often too expensive for working women meaning that many give up their jobs and move onto housing benefit in order to pay the rent. In addition, many women who flee domestic violence leave with nothing and have limited access to the financial income required to rebuild their lives. Given that substantial numbers of women are also left with debts accrued by the abuser and continue to experience financial abuse post-separation, there is a complex interplay between debt, protecting personal property, residential tenancies and economic recovery –

as recognised within the Royal Commission recommendations related to financial security (see appendix four).²¹

The learning gained from the Fellowship shows that UK policy and legislative frameworks need to move beyond recognising financial abuse within broader definitions of domestic violence. Abuse that is financial in nature should be reflected within a definition of economic abuse. Where this has happened in the US and Australia, policy and law makers have identified what responses and resources are required to tackle the different forms that this form of abuse takes. There is scope in the UK to influence policy and legislation in this respect since Theresa May MP is currently consulting on a new Domestic Violence and Abuse Act.

Recommendations

1. The Westminster Government should broaden the definition of domestic violence to recognise financial abuse within the wider category of economic abuse.
2. The Westminster Government should develop a policy/legislative definition of economic abuse. This should recognise the following categories: controlling access to economic resources; refusing to contribute; and generating economic costs.

Practical responses – leading to financial empowerment

Financial advocacy

Providers of domestic violence services in the UK routinely assist women in negotiating the welfare benefit system. Some also provide advice on debt and rent arrears as well as help women to set up new bank accounts (Refuge, 2008a; Barron, 2013). In addition, outcome measurement frameworks for domestic violence services specifically address the issue of financial abuse (Big Lottery Fund, 2016). However, in practice, it is challenging for services to fully meet the complex array of support needs that women who experience domestic violence commonly have.

Referrals are typically made to Citizens' Advice in those cases where domestic violence support workers feel that a woman's financial support needs are beyond the scope of their service (Refuge, 2008a; Barron, 2013). Yet advisors working for Citizen's Advice explain that 'special remedies' are required when dealing with cases involving financial abuse, including their increased complexity and the need to work with and refer to other agencies (Citizen's Advice, 2014). This is consistent with the Fellowship learning that traditional financial counselling practice may not be appropriate to the wider and more sensitive needs of family violence victims.

²¹ See Churchill Fellow report: Burnet, G. (2016) Domestic Abuse and Housing: International Practice and Perspectives

There exists scope to develop roles similar to those created in parts of the US and Australia that combine the respective expertise of domestic violence and financial inclusion, coaching and capability services. As is the case in the US, work to address women's financial stability could be established as a requirement within commissioning frameworks. Given the long-term impact of financial abuse, follow on services should also support women post-crisis. The response to financial abuse is currently short vs. long term.

Financial education

Some providers of domestic violence services undertake work to support women with budgeting and the development of other financial capability skills. Refuge has also developed a financial guide for women who access its domestic violence services and this is available online (Refuge, 2008b; Refuge and the Cooperative Bank, 2015).

Again there is scope to follow practice in the US by developing financial curriculum for survivors accessing domestic violence services. There is also scope to develop community based education programmes around women and money similar to those that exist in Australia. A consistent theme identified by stakeholders is that women do not always recognise financial abuse so wider discussions around their financial rights would help raise-awareness of this issue. A recent piece of research in the UK identifies that women undertake online searches related to seeking help about how to respond to financial control exerted by their partners (Snook et al, 2017).

Access to financial income

It has long been argued that local authorities and central Government should consider introducing some form of specific financial support for those who have experienced domestic violence in order to help tide families over and assist with their resettlement (Bell and Kober, 2008; Home Affairs Select Committee, 2008; Sharp, 2008). This argument has taken on particular urgency as a consequence of cuts to the Social Fund. Indeed an evaluation of a grant programme open to survivors of domestic violence shows a year on year increase in applications to the fund (Family Action, 2016).

There are clear parallels with this work and the cash grants provided through initiatives such as Flexible Funding Assistance in the US and the family violence assistance fund administered by NAB in Australia. Small amounts of money could have significant impact for a survivor, helping them to maintain financial stability and, therefore, physical safety.

Recommendations

3. Work to address financial stability needs to be integrated with work to sustain the tenancies of domestic violence survivors.²²

²² Working with stakeholders such as the Domestic Abuse Housing Alliance (DAHA)

4. The Westminster Government should recognise that financial stability underpins physical safety by setting out the importance of this work in the National Statement of Expectations (NSE) for VAWG services.
5. Local authorities and the Westminster Government should provide domestic violence services with resources to develop collaborative partnerships with financial and legal organisations and institutions.
6. Local authorities and the Westminster Government should recognise that responses to financial abuse are required during and post-crisis.
7. Domestic violence services should explore the development of a financial capability curriculum to increase the financial confidence of survivors and help them (re)gain the skills required to achieve financial stability.
8. Local authorities and the Westminster Government should introduce a grant giving scheme for women who are leaving an abusive partner and seeking to rebuild their lives.²³

Legal responses – leading to financial justice

The use of criminal law

The Fellowship visit to Tasmania offered important insight into how financial abuse can be criminally prosecuted, representing a route for women to achieve ‘financial justice’. Section 76 of the Serious Crime Act (2015) - Controlling or Coercive Behaviour in an Intimate or Family Relationship – provides a mechanism through which financial abuse can be recognised as constituting criminal behaviour.

A person commits this offence if they repeatedly or continuously engage in behaviour towards another person that is controlling or coercive and at the time of the behaviour they are personally connected and the behaviour has a serious effect on the other person. The offence is triable either way with a maximum penalty (on conviction on indictment) of five years’ imprisonment.

Guidelines have been developed by the Crown Prosecution Service (CPS) on the types of behaviour to look for, including control of finances. In November 2016 a man was jailed for four years for coercive/controlling behaviour which included financial abuse. He gave his wife an allowance of £10 per week after taking her bank cards; and escorted her to and from the bus stop when she went to work.

A specific offence of economic abuse does not exist. However, the Domestic Violence and Abuse Act proposed by Theresa May MP is a mechanism through which this could be considered. Such an offence could be informed by the work of the Ministry of Justice which

²³ Working with stakeholders such as Family Action

was ordered by the Court of Appeal to amend legal aid regulations to include evidence of financial abuse. The evidence checklist now includes bank statements, communications with the perpetrator (texts or emails), a letter from a domestic violence support service or a narrative statement from the survivor.

The use of family law

Use of family law in responding to financial abuse has not been explored in the UK. Work needs to be undertaken to identify how existing family law mechanisms could be used to address financial abuse. The retrieval of personal property is only referred to in relation to the role of police escorts in assisting women who what to return to their property and collect their belongings (Sharp, 2008).

The use of consumer law

The intersection between domestic violence and consumer debt has been recognised within the UK context. In 2009, Women's Aid Federation of England (WAFE) and Money Advice Plus established the Domestic Abuse Money Education (DAME) Project to provide casework support via referrals from Women's Aid member services. An evaluation of the project found that support was most usually requested for women with multiple debts. Advisors undertake an assessment of how best to manage the debts and then provide survivor's with support around drawing up letters and informing creditors about their situation. Whilst creditors in around half of the cases managed by the DAME Project agree to waive the debt owed, the Project reports that there some women will continue to have to repay debt which they did not accrue and from which they have not benefitted.

The DAME Project does not collaborate with consumer lawyers in the same way as domestic violence services in the US. There are a number of factors which make this work more urgent in the US compared to Australia and the UK, including the fact that having a good credit rating is very significant and could, until recently, even be taken into consideration in employment decisions.

The injustice of fraudulent and coerced consumer debt was a driving factor in the decision to apply for the Fellowship. During an interview for research undertaken on behalf of Refuge and The Cooperative Bank, one woman described how she had a money judgment enforced on her by way of an Attachment of Earnings Order. This required her employer to make deductions from her earnings to repay a debt that she had been unaware of.

My credit rating is still annihilated. Because there are still bad debts that come up even now, as I say, ten years later...I've just had an Attachment of Earnings Order put on to my job (W19).

Addressing other forms of debt

Work to address other forms of debt is also starting to be addressed. Citizen's Advice has published a framework with the British Banking Association (BBA) to help the banking industry, other creditors and advice providers challenge financial and domestic abuse. Under its ethical policy, The Cooperative Bank has started to train its staff to be able to respond to disclosures of financial abuse and identify ways in which banks can make changes to help victims (Sharp-Jeffs, 2015). In December 2015 it launched the *My Money My Life* campaign in partnership with Refuge calling for the development of a code of practice to guide financial institutions.

The BBA announced in November 2016 that it would introduce a code of practice on responding to financial abuse by the end of 2017. Content may include: guidelines on how quickly a bank should freeze an account if needed; mandatory training for staff on how to recognise and help customers who may be experiencing abuse; and introduction of a panic button that victims can press to alert banks that something is wrong when using a mobile phone or online banking app.

The Westminster Government has also recognised the role that banks can play in responding to domestic violence more generally. In the Home Office National Statement of Expectations, banks are identified as playing a role in identifying and supporting individuals who may be experiencing coercive control, including acting as a safe disclosure point for victims (Home Office, 2016b).

Recommendations

9. The Westminster Government should consider making economic abuse a criminal offence within the proposed Domestic Violence and Abuse Act.
10. The Westminster Government should undertake work to explore family law mechanisms that could be used to address financial abuse.²⁴
11. Domestic violence services should collaborate with consumer lawyers to address identity theft and coerced debt.

Involving stakeholders in responses to financial abuse

Coordinated approaches to domestic violence emphasise collaborative and integrated working between all relevant sectors and stakeholders (Lovett et al, 2011). Since 2006, the UK has adopted a Coordinated Community Response (CCR) to domestic violence. This recognises that domestic violence is both a cause and a consequence of gender inequality. Change, therefore, has to extend beyond individual cases to institutions and communities in order to transform norms and practices (Shepard, 1999).

²⁴ Working with stakeholders such as Rights of Women

In practice, however, the 'community' has largely been confined to professionals and agencies with little, if any, recognition of social, financial, legal and political institutions (Holder, 1999; Coy and Kelly, 2011). The learning gained through the Fellowship clearly illustrates that the CCR needs to expand its reach to involve a wider range of stakeholders if financial abuse is to be effectively addressed.

Recommendations

12. Domestic violence services need to work across sectors and develop relationships with a wide range of stakeholders in order to address financial abuse.
13. Local authorities and the Westminster Government should encourage a coordinated community response to financial abuse.
14. Local and national Governments should facilitate relationships between domestic violence services and social/financial/legal/political stakeholders.

Chapter four: Conclusions and way forward

This chapter revisits the aims of the Travel Fellowship and outlines how they were met. Discussion then moves onto how the findings will be disseminated and the recommendations implemented. This includes identification of what actors need to be involved and what the benefits might be.

Revisiting the aims of the Fellowship

The aims of the Fellowship were to:

1. Explore innovative responses to supporting women who experience financial abuse in the context of domestic violence;
2. Understand how different stakeholders work together to address financial abuse; and
3. Evaluate the potential for transferring the learning gained to the UK.

As the findings presented in chapter two and the discussion in chapter three illustrate, these aims have been achieved. Innovative responses to financial abuse were identified as sitting within strong policy/legislative frameworks and included practical and legal measures. Stakeholders work across sectors and share their respective skills and expertise to ensure that responses are both effective and safe. Some of these relationships can be facilitated by government. Stakeholders work together within frameworks as well as outside of them (for example to advocate for changes to policy and legislation). They also work at a number of different levels (local, regional and national).

There is scope to transfer much of the learning gained from the Fellowship into the UK context and a number of mechanisms exist through which to do this. The national VAWG strategy provides a mechanism through which to clearly link women's financial stability with physical safety. At legislative level, the proposed Domestic Violence and Abuse Act provides a unique opportunity to define economic abuse and for the Westminster Government to consider criminalising it. National policy and the proposed Act also provide frameworks through which to tackle the complex linkages between financial stability and access to other economic resources such as housing. Inclusion of work to address financial abuse within commissioning frameworks and the provision of resources to implement work in this area would lead to more developed responses which tackle the short and long term impacts of financial abuse during and post-crisis.

A strategic conversation with stakeholders

This Fellowship report provides a starting point for a strategic conversation between relevant stakeholders in the UK. Stakeholders have been identified as including:

- Domestic violence service providers;
- Women's community organisations;

- Financial inclusion, coaching and capability services;
- Financial institutions such as banks;
- Utilities and essential service providers;
- Telecommunications companies;
- Industry regulators and ombudsman services;
- Local and national government;
- The criminal justice system (police, prosecutors and the judiciary);
- The family justice system;
- Consumer lawyers; and
- Researchers and academics

As indicated in the narrative within chapter three, some of these stakeholders are already engaged in work to address financial abuse. Others need to be invited.

Influencing the development of government policy

As noted above, the Ministry of Justice has undertaken a review of the regulations for family law legal aid and the impact of the domestic violence evidence requirements. The international learning gained through the Fellowship informed this process via meetings which took place after each trip.

A catalyst for action in the financial abuse space

Another action arising from the Fellowship is the setting up of a new organisation – Surviving Economic Abuse (SEA) to act as a catalyst for action in the financial abuse space. The organisation will advocate for and support new approaches that respond to financial abuse. It will help build the capacity of social/financial/legal/political organisations to respond to financial abuse and undertake work to coordinate responses so that there are integrated pathways for support.

SEA has already successfully secured funding from the Department for Culture, Media and Sport (DCMS) to work with the DAME Project and Standing Together in the tri-borough of Hammersmith and Fulham, Kensington and Chelsea and Westminster to set up the Economic Justice Project (report recommendation eleven). This will replicate the work being done in the US on consumer law. An advisory group will oversee the project, including the Center for Survivor Agency and Justice.

Funding will also be sought to bring stakeholders together at an Economic Justice Summit in summer 2017.

The development of a research community

The learning will also be disseminated via an international network of researchers which has developed as a consequence of the Fellowship. This is now made up of over seventy individuals in five different countries and continues to grow.

As noted within the introduction, the Fellowship involved presenting UK-based research on financial abuse at the University of Melbourne and the University of New South Wales. Meetings also took place with academics at RMIT University, Swinburne University of Technology, Rutgers University and the University of Texas.



Picture: Professor Cathy Humphreys, Julie Kun (Chief Executive Officer, WIRE), Dr Nicola Sharp-Jeffs and Professor Kelsey Hegarty following a roundtable on financial abuse at the University of Melbourne

Conversations were had during these meetings about contributions to a book that will build on the learning outlined in this report to outline economic empowerment and justice strategies being implemented across the UK, US and Australia. The book will be co-edited with Professor Adrienne Adams at Michigan University.

Dissemination

Upon learning about being awarded a grant to visit the US and Australia, contact was made with local press to raise awareness of the opportunity to travel and learn via the Fellowship as well as the raise awareness of financial abuse more generally. Two local news outlets published articles about the Fellowship and subsequent trips (see appendix five). Additional

dissemination plans include sharing the learning within the Fellowship report across the violence against women and girls sector via the national, regional and local policy and practice forums that exist. Face-to-face meetings will also be sought with relevant stakeholders.

Appendices

Appendix One: United States, July 2016

Anti-Violence Project (NYC)	Teal Inzunza Economic Empowerment Specialist	http://www.avp.org/
Centre for Survivor Agency and Justice	Erika Sussman Executive Director Sara Wee Director of Research and Programmes	https://csaj.org/
Domestic Violence Consumer Advocacy Project	Diane Johnston Staff Attorney The Legal Aid Society	http://www.legal-aid.org/en/mediaandpublicinformation/inthenews/domesticviolenceconsumeradvocacyproject.aspx
Family Justice Centre (Brooklyn)	Joscelyn Truitt Director of Programmes and Community Partnerships	http://www1.nyc.gov/site/ocdv/programmes/family-justice-centers.page
Feerick Center for Social Justice	Dora Galacatos Executive Director	https://www.fordham.edu/info/20693/feerick_center_for_social_justice
Financial Clinic	Alyssa Keil Senior financial coach Kate Reeves Director of Capacity Building	http://thefinancialclinic.org/
Mayor's Office for Domestic Violence (NYC)	Hannah Pennington Assistant Commissioner for Policy and Training	http://www1.nyc.gov/site/ocdv/index.page
MFY Legal Services	Carolyn Coffey Director of Litigation for Economic Justice Ariana Lindermayer Senior Staff Attorney	http://www.mfy.org/
National Domestic	Jeff Struchtemyer Vice President of Services	http://www.thehotline.org/

Violence Hotline		
New Jersey Coalition to End Domestic Violence	Jane Shivas Angela Campos Economic Justice Coordinator	http://www.njcedv.org/
Rutgers	Judy Postmus Associate Professor, School of Social Work	https://socialwork.rutgers.edu/centers/center-violence-against-women-and-children
Safe Horizon	Amanda Stylianou Senior Director of Research and Programme Development	https://www.safehorizon.org/
Texas Council on Family Violence	Krista Del Gallo Policy Manager	http://tcfv.org/
Texas Rio Grande Legal Aid, Inc.	Carla Leticia Sanchez-Adams Attorney, Survivor Centred Economic Advocacy Team	http://www.trla.org/
University of Michigan	Adrienne Adams Assistant Professor	https://vaw.msu.edu/
University of Texas School of Law	Angela Littwin Professor Margaret Bassett Deputy Director, Institute on Domestic Violence & Sexual Assault	https://law.utexas.edu/faculty/al25655/

Appendix Two: Australia, November 2016

Australia's National Research Organisation for Women's Safety (ANROWS)	Dr. Peta Cox Senior Research Officer	http://anrows.org.au/
Australian Bankers' Association	Amanda Pullinger Policy Director	http://www.bankers.asn.au/
Commonwealth Bank	Adrian Dowd Head of Customer Assist and Operations Brendan French Head of Customer Relations	https://www.commbank.com.au/
Consumer Affairs Victoria, Department of Justice and Regulation	Jennifer Stokes Manager	http://www.justice.vic.gov.au/
Domestic Violence Victoria	Prue Cameron Policy and Communications Officer	http://dvvic.org.au/
FVCSS South Children and Youth Services – South Department of Health and Human Services	Kath Kerr Team Leader Adult Programme	http://www.lgassist.com.au/
Good Shepherd	Tanya Corrie Development Lead Financial Security	http://www.goodshep.org.au/
Kildonan	Marcia Harkins Executive Manager Enterprise Partnerships & Development	https://www.kildonan.org.au/
National Australian Bank	Elliot Anderson Head of Financial Inclusion	https://www.nab.com.au/

	Norm Kalcovki Head of Customer Care	
Office of the Hon. Dr Vanessa Goodwin MLC Attorney-General	Kristy Bourne Chief of Staff	http://www.premier.tas.gov.au/
Office of the Director of Public Prosecutions	Elizabeth Avery Crown Counsel	http://www.crownlaw.tas.gov.au
RMIT University	Jozica Kutin Researcher Roslyn Russell Principal Researcher	http://www.rmit.edu.au/
Swinburne University of Technology	Dr. Elizabeth Branigan Director, Learning and Teaching Innovation	http://www.swinburne.edu.au/
Tasmania Police	Brett Berry Inspector	http://www.police.tas.gov.au/
University of Melbourne	Professor Kelsey Hegarty Joint Chair in Family Violence Prevention Professor Cathy Humphreys Professor of Social Work	http://www.unimelb.edu.au/
University of New South Wales	Paula Bennett Manager, Gendered Violence Research Network Jan Breckenridge Associate Professor Gendered Violence Research Network Jane Bullen Research Associate Social Policy Research Centre Natasha Cortis Senior Research Fellow	https://www.unsw.edu.au/
Victoria Legal Aid	Emma Smallwood	https://www.legalaid.vic.gov.au/

	Family Violence Programme	
West Justice	Denis Nelthorpe Chief Executive Officer	http://www.westjustice.org.au/
WIRE	Julie Kun Chief Executive Officer	https://www.wire.org.au/
Women's Legal Service Victoria	Agata Wierzbowski	http://www.womenslegal.org.au/
Women's Legal Service Tasmania	Susan Fahey Chief Executive Officer	http://womenslegaltas.org.au/
Financial Literacy Australia	Robert Drake Grant Manager	http://finlit.org.au/

Appendix Three: Recommendations of the Office of Manhattan Borough President

1. New York State and City law should explicitly recognize economic abuse as a form of domestic violence.
2. New York State Legislature should pass the Consumer Credit Fairness Act, sponsored by New York State Senator Peralta and Assemblywomen Weinstein. Action should also be taken on existing bills that preclude the consideration of credit history in employment decisions.
3. Funding for legal services for low-income New Yorkers in the area of consumer debt, with a particular focus on domestic violence survivors, should be expanded and made permanent.
4. Increase funding for programmes that train domestic violence service providers to screen for and develop strategic responses to economic abuse.
5. All domestic violence service agencies that receive City or State funds should be required to screen for economic abuse and engage in Financial Safety Planning. Additional public resources should fund this screening.
6. The State and the City should explore creating Individual Development Accounts (IDAs) for domestic violence survivors that allow participants to pay for shelter, transportation and other basic needs.
7. IDAs are savings accounts matched by government or foundation dollars where participants traditionally can only use savings for purchasing a first home, capitalizing a small business, or for educational or job training expenses.

Appendix Four: Recommendations of the Royal Commission

▪ Addressing debt

Recommendation 107: The Victorian Government encourage the Financial and Consumer Rights Council to require that its members receive family violence and economic abuse training as part of continuing professional development and in order to remain members. The council should also work with other financial counselling member organisations to encourage them to do the same [from 1 January 2017].

Recommendation 108: The Victorian Government, through the Council of Australian Governments, encourage the Commonwealth Government [within 12 months] to:

Amend the National Credit Code to include family violence as a ground for financial hardship and develop an awareness campaign to ensure that both consumers and credit providers are aware of their rights and responsibilities.

Work with the Australian Communications and Media Authority and its related representative bodies and associations to amend the Telecommunications Consumer Protections Code to:

- list minimum eligibility criteria for access to hardship programmes;
- make family violence an express eligibility criterion;
- incorporate a requirement for specific policies for customers experiencing family violence; to clarify consent requirements for payment plans when an account is jointly held; and
- include grounds for splitting jointly held debt and removing an account holder's name if family violence has occurred.

Recommendation 109: The Victorian Government work with the Essential Services Commission [within 12 months] to:

Amend the Energy Retail Code and Customer Service Code—Urban Water Businesses [within 12 months] to:

- list minimum eligibility criteria for access to hardship programmes; and
- include family violence as an explicit eligibility criterion.

Develop industry guidelines for energy and water retailers to require comprehensive and ongoing training of customer service staff to help them identify customers experiencing family violence and financial hardship.

Publicise the availability of dispute resolution mechanisms for people affected by family violence.

Recommendation 110: The Victorian Government encourage the Victorian Energy and Water Ombudsman and the Commonwealth Financial Services Ombudsman and Telecommunications Ombudsman to publicise the availability of their dispute-resolution processes to help victims of family violence resolve disputes with service providers in relation to debts and liabilities incurred in the context of family violence [within 12 months].

Recommendation 111: The Victorian Government encourage the Australian Bankers' Association, through its Financial Abuse Prevention Working Group, to develop a family violence-specific industry guideline [within 12 months]. This should be supported by training and education for relevant banking staff, to help them understand, identify and deal with economic abuse associated with family violence.

Recommendation 112: The Department of Justice and Regulation investigate whether *the Road Safety Act 1986* (Vic) should be amended so that, if a perpetrator of family violence incurs traffic fines while driving a car registered in the name of the victim, the victim is able to have the fines revoked [within 12 months] by declaring:

- they were not the driver of the vehicle at the time of the offending;
- they are a victim of family violence—as evidenced by a statutory declaration, a copy of a family violence safety notice or family violence intervention order, or a support letter from a family violence worker, general practitioner or other appropriate professional; and
- they are unable to identify the person in control of the vehicle at the time for safety reasons.

Recommendation 113: The Victorian Government amend the *Infringements Act 2006* (Vic) to provide that the experience of family violence may be a special circumstance entitling a person to have a traffic infringement withdrawn or revoked [within 12 months].

▪ **Protecting personal property**

Recommendation 114: The Magistrates' Court of Victoria consider [within 12 months]:

- issuing a practice direction to encourage the use of personal property conditions in family violence intervention orders; and

- including specific questions about personal property conditions in the information form that precedes the application for a family violence intervention order (FVIO1 form).

Recommendation 115: Victoria Police amend the Victoria Police Code of Practice for the Investigation of Family Violence to provide guidance and examples in relation to when it is appropriate to seek personal property conditions in family violence intervention orders [within 12 months].

▪ Residential tenancies

Recommendation 116: The Department of Justice and Regulation’s review of the Residential Tenancies Act 2006 (Vic) consider amending the Act to:

Empower Victorian Civil and Administrative Tribunal members to make an order under section 233A of the Act if a member is satisfied that family violence has occurred after considering certain criteria—but without requiring a final family violence intervention order containing an exclusionary condition provide a clear mechanism for apportionment of liability arising out of the tenancy in situations of family violence, to ensure that victims of family violence are not held liable for rent (or other tenancy-related debts) that are properly attributable to perpetrators of family violence enable victims of family violence to prevent their personal details from being listed on residential tenancy databases, and to remove existing listings, where the breach of the Act or the tenancy agreement occurred in the context of family violence enable victims of family violence wishing to leave a tenancy to apply to the Victorian Civil and Administrative Tribunal for an order terminating a co-tenancy if the co-tenant is the perpetrator of that violence—including, where relevant, an order dealing with apportionment of liability for rent (or other tenancy-related debts) between the co-tenants prevent a landlord from unreasonably withholding consent to a request from a tenant who is a victim of family violence for approval to reasonably modify the rental property in order to improve the security of that property.

Recommendation 117: The Victorian Government encourage the use of applications under section 233A of the Residential Tenancies Act 2006 (Vic) [within 12 months], including by means of training and education for family violence support workers, Victoria Police and other relevant support staff in relation to the existence and operation of the provision.

Recommendation 118: The Magistrates’ Court of Victoria consider issuing a practice direction to encourage magistrates hearing family violence intervention order applications to inquire as early as possible about whether the applicant and respondent are in shared rental accommodation and, if so, ensure that the protected person is notified of the right to

apply for a new tenancy agreement and receives information about how to do so [within 12 months].

Recommendation 119: The Victorian Government consider any legislative reform that would limit as far as possible the necessity for individuals affected by family violence with proceedings in the Magistrates' Court of Victoria to bring separate proceedings in the Victorian Civil and Administrative Tribunal in connection with any tenancy related to the family violence [within two years].

Recommendation 120: The Victorian Government ensure that Victorian Civil and Administrative Tribunal members receive training and education to ensure that they have adequate expertise in the Family Violence Protection Act 2008 (Vic) and family violence matters [within 12 months].

Economic recovery

Recommendation 121: The Victorian Government support the expansion of initiatives that deliver financial literacy training and education for victims of family violence [within two years].

Appendix Five: Local press coverage of the Fellowship

Wanstead Guardian

[http://www.guardian-series.co.uk/news/14352259.Woman wins travelling scholarship to explore new ways of fighting domestic abuse/](http://www.guardian-series.co.uk/news/14352259.Woman%20wins%20travelling%20scholarship%20to%20explore%20new%20ways%20of%20fighting%20domestic%20abuse/)

[http://www.guardian-series.co.uk/news/14739908.Winston Churchill travel fellow returns from inspiring U SA trip/](http://www.guardian-series.co.uk/news/14739908.Winston%20Churchill%20travel%20fellow%20returns%20from%20inspiring%20USA%20trip/)

[http://www.guardian-series.co.uk/news/15028441.Woman who won trips to US and Aus to start charity and write book inspired by travels/?ref=twtr](http://www.guardian-series.co.uk/news/15028441.Woman%20who%20won%20trips%20to%20US%20and%20Aus%20to%20start%20charity%20and%20write%20book%20inspired%20by%20travels/?ref=twtr)

Wanstead directory

<http://e11directory.co.uk/Local-News/churchill-fellow.html>

<http://www.wansteadvillagedirectory.com/Features/lessons-from-america.html>

<http://www.wansteadvillagedirectory.com/Features/lessons-from-australia.html>

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