



Domestic Violence NSW

FINANCIAL ABUSE FACTSHEET AND INFORMATION FOR YOU

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WHAT IS FINANCIAL ABUSE?

When people think of domestic abuse, they usually think of physical injury or emotional abuse, but not financial abuse. Financial abuse is commonly overlooked by people who are unfamiliar with domestic abuse, but it is a serious form of domestic abuse which affects between 80-90% of women who seek support for domestic and family violence. It is also a common type of abuse in LGBTIQ relationships.

WHAT IS FINANCIAL ABUSE?

Financial abuse is difficult to define. It can be described as the situation where a partner uses another partner's money, and other things that are jointly owned, to control their partner.

Some examples of financial abuse are where a partner:

- controls access to finances such as cash, bank accounts, benefits or pensions
- refuses to contribute financially to their partner or the family
- does things that cost their partner or the family money such as taking out loans and running up debts in their partner's name
- stops their partner from working or studying.

RECOGNISING FINANCIAL ABUSE

The signs of a financially abusive relationship

Financial abuse can impact people from all walks of life and can occur in subtle ways.

If a partner has:

- kept his/her financial affairs or the financial affairs of the family a secret
- excluded their partner from or ignored their opinion on major financial decisions
- refused to pay for or help with childcare
- made their partner put all their income into a joint account or his/her own bank account
- used their partner's name to take out loans or borrow money
- refused to pay child support
- refused to contribute to household expenses
- took steps to prevent their partner from working or studying
- stolen money from their partner
- denied money being sent to their partner's family in their country of origin
- insisted their partner shows all the receipts from shopping or
- refused to put their partner's name on the property title,

they may be in a financially abusive relationship.

This factsheet provides some guidance on what people who may:

- be in a financially abusive relationship
- know someone who is in a financially abusive relationship

can do to regain or assist someone else to gain financial independence.

MANAGING FINANCES: BEFORE LEAVING A RELATIONSHIP

Many people find it difficult to see that they are in a financially abusive relationship. It is common for a person to feel embarrassed and overwhelmed. Cultural backgrounds and family traditions can make some people feel as though it is their partner's role to manage financial affairs.

Some financially abusive partners exercise power and control over their partners through anger, verbal abuse or violence. Over time, the financially abused partner can become accustomed to avoiding arguments about financial matters in order to 'keep the peace'.

For some people, financial abuse can even lead to persons experiencing poverty and ill health.

REASONS WHY PEOPLE STAY IN A FINANCIALLY ABUSIVE RELATIONSHIP

Common reasons why people stay in a financially abusive relationship

Some people feel that they need to stay in a financially abusive relationship because they:

- don't have enough money to manage on their own
- have nowhere to go
- fear for their children's financial security, or
- lack confidence in their ability to manage on their own.

The most important thing to know is that there is help available to persons who may be in a financially abusive relationship.

HELP IS AVAILABLE

There is help available for people who decide to leave financially abusive relationships. For information, support and referrals there is a 24 hour Domestic Violence Line on 1800 656 463.

The Domestic Violence Line is a state-wide free telephone information and referral service. People using this service do not have to give the person they talk to their name if they don't want to.

You can also access a 24 hour counselling service, the National Sexual Assault, Domestic Family Violence Counselling Service, by calling 1800 RESPECT (1800 737 732).

There are steps people can take to protect their finances.

STEPS PEOPLE CAN TAKE TO PROTECT THEIR FINANCES

Before leaving a relationship

If a person decides to leave a financially abusive relationship there are things that person can do **before** they make their intentions of leaving known to their partner. These steps can help secure finances for the future.

CHECKLIST

Escape fund	<input type="checkbox"/> Put aside small amounts of money over time <input type="checkbox"/> Consider the capacity of friends/family to look after money and/or assist financially
Gather important documents (or copies or photographs)	Financial documents <input type="checkbox"/> Bank statements and cheque books <input type="checkbox"/> Title deeds



MANAGING FINANCES: AFTER LEAVING A RELATIONSHIP

of these documents)

- Pay slips
- Centrelink correspondence
- Credit card statements
- Car registration
- Tax returns
- Utility bills
- Any loan contracts, statements or mortgages
- Correspondence with any creditors
- Payslips

Legal documents

- Identification
- Birth Certificates (including those of any children)
- Passports
- Marriage certificates
- Immigration documents
- Medicare card
- Drivers licence
- Will
- Prenuptial agreement
- Immigration paperwork
- Any court orders or court documents

Note: if a person cannot access originals of any of these documents without raising suspicions of their partner, copies can be accessed from NSW Registry of Births Deaths & Marriages either by calling 13 77 88 or by accessing their website at www.bdm.nsw.gov.au and the Australian Passport Office by calling 131 232 or on their website at www.passports.gov.au.

These documents should be placed in

a secure location such as a bank deposit box or left with a trusted friend.

Open a bank account

- If safe to do so, contact a local bank branch and enquire about setting up a new account
- If it is safe to do so, transfer any monies received into this new account

After leaving the relationship

Many people in financially abusive relationships simply want to escape the relationship and think of recovering their share of the money as a secondary issue, or even as unimportant. It is important to realise, however, that securing finances **now** will play a vital role in ensuring and maintaining independence in the future.

Below is a checklist of actions that can be taken to secure finances:

CHECKLIST

Set up new bank account (if this hasn't been done already)

- Contact the local bank branch and enquire about setting up a new account (not in joint names)
- Transfer any monies received into this new account
- Inform any person or organisation, such as Centrelink, of the new account details and ensure monies are deposited into the new account

Joint bank accounts / credit cards

Joint bank accounts

- Withdraw money you need
- Freeze account
- Inform bank of separation
- Cancel direct debits
- Direct Centrelink and other

MANAGING FINANCES: AFTER LEAVING A RELATIONSHIP

	<p>benefit payments to a new account</p> <p>Credit cards</p> <p><input type="checkbox"/> Cancel any additional/supplementary card</p>
Mortgage	<p><input type="checkbox"/> If the mortgage has a redraw facility or line of credit, change the terms so both signatures are needed to withdraw money</p>
Change security numbers / passwords	<p><input type="checkbox"/> Change the PINs, passwords and security questions for all mobile phone, bank and credit card accounts, online shopping accounts, email and social media accounts. If using a mobile banking app, deregister the partner's device(s) so he/she cannot access personal banking account(s)</p>
Find alternative accommodation and housing	<p><input type="checkbox"/> Contact Department of Housing or call the NSW Domestic Violence Line to find a refuge</p> <p><input type="checkbox"/> If moving out of a rental property, have your name removed from the lease</p> <p><input type="checkbox"/> Call the tenancy advice service in the area</p> <p><input type="checkbox"/> Consider getting legal advice if living in a home owned by either or both partners</p>

member may also seek assistance to stay in their home or another home of their choice through the Staying Home Leaving Violence program.

HELP IN FINDING ACCOMMODATION

- For information on housing assistance options, call Housing NSW on 1300 468 746 or you can call Housing NSW's Link2Home service on 1800 152 152 24 hours a day to access temporary accommodation or a refuge.
- Call the Domestic Violence Line on 1800 656 463 to find a refuge and get support for domestic violence.
- If moving out of a rental property, consider contacting the Tenancy Advice Service for information on rights and responsibilities at www.tenants.org.au.
- Consider financial support services like Centrelink Rent Assistance, or bond assistance through state government schemes.
- If it's safe to do so, negotiate remaining in the family home. Support is available across 23 Staying Home Leaving Violence locations across NSW. More information is available at: www.community.nsw.gov.au/docs_menu/parents_carers_and_families/domestic_and_family_violence/stayhome_leaveviolence.html.
- Talk to a lawyer about applying for an exclusion or ouster provision or a protection order.

Affordable accommodation

When separating from a financially abusive partner, many people are forced to leave the family home, often resulting in them becoming immediately homeless. Finding safe, affordable, appropriate accommodation after leaving their partner is often a major concern for those who have left.

Women who have left a violent partner or family

Centrelink

Centrelink should be a first port of call for those leaving a financially abusive relationship with no money and limited resources.



MANAGING FINANCES: AFTER LEAVING A RELATIONSHIP

Important: Centrelink must be informed of a change in circumstances within 14 days to ensure continuation of receipt of relevant benefits. A change in circumstances may affect the payments received from or which could be received from Centrelink.

Inquiry should also be made as to eligibility for other support payments such as income support payments where affected by financial abuse and/or there are children under 8 years of age.

PAYMENTS THAT MAY BE AVAILABLE

Crisis payment: application can be made for a crisis payment where persons have experienced domestic violence and left their home, or their partner has left or been removed from the home because of the violence. A crisis payment can be claimed by calling Centrelink on 132 850 or attending the nearest service centre. More information is available on the Centrelink website – simply search for 'crisis payment'.

Family and Parents line: call Centrelink on 136 150 for referral to a Family Assistance Officer who can give further information.

Start Safely Subsidy: an application for housing assistance can be made at any Housing NSW office or with a community housing provider participating in Housing Pathways. Call 1300 468 746 or visit www.housing.nsw.gov.au.

Child support: call Centrelink for advice about applying for child support on 131 272 or on the Centrelink website – simply search for 'child support'.



MANAGING FINANCES: PLANNING FOR THE FUTURE

PLANNING FOR THE FUTURE

The thought of taking care of all of the things that may need to be done to gain control of finances can be overwhelming. All the steps do not need to be done at once. There are some things which can be done after a person who has been financially abused has a little bit of breathing space. Below is a checklist of actions that may be taken:

CHECKLIST

Mobile phones	<input type="checkbox"/> Change mobile phone/SIM card
Update contact information with service providers	<input type="checkbox"/> Phone company, Internet and PayTV <input type="checkbox"/> Postal service <input type="checkbox"/> Insurance companies <input type="checkbox"/> Utility accounts <input type="checkbox"/> Children's schools/preschools <input type="checkbox"/> Health provider <input type="checkbox"/> RTA <input type="checkbox"/> Police (if police have applied for an AVO for you)
Superannuation /insurances	<input type="checkbox"/> Consider if current policies are right given a change in circumstances <input type="checkbox"/> Update the beneficiary on any existing policy
Financial counselling	<input type="checkbox"/> Prepare a budget (a friend, family member or a financial counsellor may be able to assist). Useful tools can be found under 'Budget planner' on: www.moneysmart.gov.au/ <input type="checkbox"/> Keep the budget up to date <input type="checkbox"/> Consider making an

	appointment with a financial counsellor
Credit report	<input type="checkbox"/> Obtain a credit report from either: D&B www.CheckYourCredit.com.au or 1300 762 207 Experian Credit Services www.experian.com or 1300 783 684 Veda Group www.MyCreditFile.com.au or 1300 762 207 <input type="checkbox"/> Contact any unknown creditors to obtain a copy of any documents such as loan agreements and statements <input type="checkbox"/> Monitor credit
Rent	<input type="checkbox"/> Remove ex-partner's name from any rental agreements
Vehicles	<input type="checkbox"/> Transfer ownership and registration of vehicles (to either partner so that only that person is responsible and has control over the vehicle you use)
Wills and Power of Attorney	<input type="checkbox"/> Make or change a will <input type="checkbox"/> Cancel any Powers of Attorney that nominate the ex-partner, and nominate a trusted person
Tax	<input type="checkbox"/> Contact the Australian Taxation Office 1326 81 or www.ato.gov.au/individuals/ to find out how the separation may impact tax payments. <input type="checkbox"/> Check that the Australian Taxation Office has the details for a new bank account

MANAGING YOUR FINANCES: PLANNING FOR THE FUTURE

Finding a financial counsellor

A financial counsellor can help persons who have been financially abused until they are confident managing their finances on their own. Financial counsellors can:

- consider government assistance
- negotiate repayments with creditors
- help organise finances and do a budget.

To find or talk to a financial counsellor in NSW, call the Financial Counselling Hotline on 1800 007 007. This is a free hotline (open from 9:30am to 4pm, Monday to Friday) that has details for free financial counsellors.

Finding a lawyer

Persons who have been financially abused may need legal help, for example, if they are unable to reach agreement with their partner in relation to splitting up any assets they may have or in relation to maintenance and access to children.

Contact details for local community legal centres and Legal Aid can be found at the end of this guide.

When looking for a lawyer to represent a financially abused person, ask them whether they have represented people in the past who have experienced financial abuse and whether they have any experience dealing with the strategies and tactics that can be used against partners of financial abusers. Some people feel more comfortable meeting with a solicitor who is the same sex as them.

BEYOND THE RELATIONSHIP

Some people who have left a financially abusive relationship find that their ex-partner continues their financially abusive behaviour, but in new ways. It is common for people who were in abusive relationships to feel intimidated because they are acting independently for the first time in a very long time. People who feel this way have no reason to feel ashamed.

Some common challenges faced by people who have left abusive relationships include:

- ongoing financial interactions with their ex-partner
- getting their ex-partner to leave the family home so they can stay there
- managing debts and utilities payments
- ensuring adequate and appropriate child support payments.

When an ex-partner uses the legal system to continue financial abuse

The practice of abusers exploiting the legal system and government agencies to continue their financial abuse of their former partner is unfortunately quite common. Many people find that their ex-partner tries to exploit the legal system to 'get back' at them for leaving.

Common strategies used by financially abusive partners include:

- depositing monies in trust accounts
- stockpiling cash
- purchasing items so that their account balance is low
- declaring themselves bankrupt to avoid payments
- minimising their income by deferring bonuses or obtaining cash in hand employment
- exploiting any lack of understanding of the legal system
- taking steps to drive up legal costs (sacking their solicitors in order to self-represent themselves)
- challenging capacity to care for the children
- dragging out settlements and contesting orders.

HELP THAT IS AVAILABLE

- Extreme levels of stress and anxiety can arise in these situations. Persons that can assist include family and friends.

MANAGING YOUR FINANCES: PLANNING FOR THE FUTURE

Social workers or counsellors may also provide support.

- Access legal services such as Legal Aid or visit a local community legal centre (for more details, see the Further Information section below).
- Learn more about the court process at www.familylawcourts.gov.au. The website contains information on what to expect in the courtroom.
- Many people escaping a financially abusive relationship do much of the 'legwork' in going to court themselves, such as photocopying documents. This saves significantly on legal costs.
- Employing a forensic accountant to investigate what a partner has done can sometimes be beneficial but can also be expensive (see below).

Accountant Australia website at <http://www.cpaaustralia.com.au>.

Non-payment of child support

Non-payment of child support is a principal source of financial hardship for people affected by financial abuse. In many cases, people affected by financial abuse have to bear the costs of responding to their former partner's repeated challenges to child support assessments.

Strategies commonly used by ex-partners to reduce or avoid child support payments include quitting their job, declaring bankruptcy, working cash-in-hand, minimising their income under their own or their family business, hiding income and assets in bank accounts and investments or being difficult to contact.

- A forensic accountant may help to find whether an ex-partner has hidden a lot of money and other assets. Forensic accountants can be expensive but they can also be very effective. You can find a forensic accountant through a lawyer or searching the Certified Practising



FURTHER INFORMATION

HELPFUL CONTACTS

Australian Passport Office	131 232 www.passports.gov.au	Legal Aid	LawAccess NSW 1300 888 529 www.legalaid.nsw.gov.au
Australian Taxation Office	13 26 81 www.ato.gov.au/individuals/	LGBTI Safe Relationships Project	(02) 9332 1966 or 1800 244 481 www.iclc.org.au/srp/
Credit reporting services	D&B www.CheckYourCredit.com.au 1300 762 207 Experian Credit Services www.experian.com 1300 783 684 Veda Group www.MyCreditFile.com.au 1300 762 207	Lifeline	13 11 14 www.lifeline.org.au/find_help
Child Support (Centrelink)	131 272 www.humanservices.gov.au/customer/subjects/child-support-basics	Link2Home	For further assistance on finding emergency accommodation, contact Link2Home on 1800 152 152
Domestic Violence Legal Advice line	1800 810 784 (outside Sydney) (02) 8745 6999	Local Community Legal Centre	(02) 9212 7333 www.clcnsw.org.au
Domestic Violence Line	1800 656 463	MoneyHelp	For advice on managing money and debts, call 1800 007 007 or visit http://www.moneyhelp.org.au/
Financial counselling hotline	1800 007 007. This is a free hotline (open from 9:30am to 4pm, Monday to Friday).	National Sexual Assault, Domestic Family Violence Counselling Service	1800 RESPECT / 1800 737 732 www.1800respect.org.au
Housing NSW	1300 468 746 or after hours temporary accommodation on 1800 152 152	NSW Registry of Births Deaths & Marriages	13 77 88 www.bdm.nsw.gov
LawAccess NSW	1300 888 529	Victims Access Line	Call 1800 633 063 or 8688 5511 to reach the Victims Access Line. This service provides a single entry point for victims of crime in NSW to assist them in accessing services



MANAGING YOUR FINANCES: PLANNING FOR THE FUTURE

Womens Domestic Violence Court Advocacy Service	LawAccess NSW 1300 888 529 www.legalaid.nsw.gov.au/what-we-do/community-partnerships/womens-domestic-violence-court-advocacy-program
Women's Legal Services NSW	(02) 8745 6988 1800 801 501 www.womenslegalsw.asn.au For free confidential legal information, advice and referrals for women in NSW with a focus on domestic violence and Apprehended Domestic Violence Orders, contact the Domestic Violence Legal Advice Line on (02) 8745 6999 or 1800 810 784

- Community Legal Centres NSW, Checklist and useful contacts: Debt and domestic violence, Community Legal Centres NSW and Community Legal Centres NSW, Checklist and useful contacts: Leaving domestic violence, Community Legal Centres NSW <http://www.clcsw.org.au/cb_pages/living_without_violence_toolkit.php>.
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