

Economic Abuse Reference Group Evaluation Report – July 2023

Executive Summary

Women’s Legal Service Victoria and Redfern Legal Centre commissioned an evaluation of the work undertaken by the funded Economic Abuse Reference Group (EARG) coordination roles from 1 September 2019 – 30 April 2023. The evaluation was conducted between April and June 2023, and focused on questions about the effectiveness of the project and lessons learned that can inform future operations of the EARG.

The evaluation primarily used qualitative data collection methods. Sixteen stakeholders were interviewed (including EARG staff, members and contributors, and representatives from industry) and an online survey was completed by 24 EARG members/contributors. The evaluation was also informed by a review of key project documents and tools.

Improved responses to the economic impacts of family violence on victim-survivors

The evaluation found that the EARG provided highly valued advice and feedback to industry, regulators and government and had contributed to improved responses. The group’s work included submissions to governments and industry, sharing case studies from members with industry and regulators to highlight problems that need to be addressed, reviewing products/policies/processes and advising of potential shortcomings and safety risks, and helping organisations develop resources (e.g. policies, fact sheets). Evaluation participants identified the following as some of the most important changes the EARG has influenced.

Australian Financial Complaints Authority (AFCA). The EARG identified that AFCA had an inconsistent approach to complaints against financial institutions where the complainant’s partner had contributed to their financial loss, with some victim-survivors’ claims being rejected by AFCA on the assumption they would be compensated through the Family Court. The EARG worked with AFCA over several years, helping develop a revised approach that guarantees access to AFCA dispute resolution unless it is clear the victim-survivor has been compensated through Family Court proceedings. A fact sheet outlining the approach was also produced.

Banking and credit. The EARG worked with the Commonwealth Bank of Australia to raise awareness that perpetrators of domestic and family violence were including abusive or threatening messages in transaction descriptions when transferring money, and helped the bank develop appropriate ways to interact with customers who have received abusive transactions.

Insurance. Several major insurance companies adopted clauses in early 2021 stating that compensation payments will be considered in family violence circumstances where the co-insured has caused the loss or damage. This was one of the challenges identified by the EARG in its 2017 paper on insurance issues impacting victim-survivors of domestic

and family violence and in subsequent engagement with the Insurance Council of Australia (ICA).

Responsible lending laws (Federal). Proposed legislative changes in 2020 would have removed lending requirements that can protect victim-survivors of economic abuse. The EARG participated in the Save Safe Lending campaign with a coalition of consumer groups across Australia. Amongst other things, the EARG made a submission to Government, and EARG staff and members were invited to give evidence at the Senate inquiry in 2021.

Benefits of the EARG for industry, regulators and government

The evaluation found that key industry and regulator representatives value the EARG's depth of expertise, cooperative and constructive approach to developing solutions, and the case studies it shares of customer experiences. Industry and regulator representatives reported that they trust the quality of the information and advice provided by the EARG and additionally, it is provided in a timely manner that supports them with their work. Industry representatives also reported that the EARG has enabled them to engage with a range of organisations more efficiently.

Benefits of the EARG for members

Collaboration and knowledge sharing. The evaluation found that the EARG helped members and contributors better collaborate and share knowledge and experiences with people from other organisations. The group was considered by members and contributors to be a helpful forum for learning, sharing challenges, and effectively and efficiently developing best possible solutions with a range of experts.

Identifying issues and trends. Members and contributors reported that the EARG had helped them (or their organisation) become more aware of issues where policy reform is needed. Member meetings were found to provide important regular opportunities for members from different sectors and states to identify emerging trends and/or new shared issues.

Decision-making. The evaluation received positive feedback regarding the ways the EARG coordinators make decisions about how to respond to issues identified as needing reform. Members felt they were given ample and regular opportunity to participate, that decision-making processes were fair and that the coordinators made good decisions and communicated them effectively.

Better policy reform work. The evaluation found that the EARG had helped enhance policy reform work undertaken by member organisations, contributing to both effectiveness and efficiency. The network was described as providing easy access to a range of organisations from which information/data (e.g. case studies) and endorsements can readily be sought. Members also reported the value of the group in facilitating access to the learnings, experiences and resources of members from other states who had already addressed similar issues. The EARG was found to have enabled member organisations to contribute to reform issues that alone they would not have had the resources to meaningfully contribute to or be as effective on. Many members referred to the collective voice that the EARG provides as being one of its key strengths.

Better assistance to clients. The evaluation found that the EARG had both directly and indirectly helped many members strengthen the work they do with clients. Through a range of activities and resources (e.g. monthly update emails), the EARG had helped build knowledge among member organisations, helping them understand the full range of options available to their clients and equipping them to better help clients with issues including property settlements, credit reports, company directorships and fines. Members also reported that the EARG indirectly helped their client work through the industry, regulatory and governmental policy and practice improvements that the group had successfully advocated for. These improvements have led to better outcomes for clients, and also had the benefit of creating changes that prevent issues arising so that people do not become clients.

Developing a national network and coordinated policy approach

EARG staff reported that group membership grew from 22 in 2019 to 53 organisations in 2023, with approximately one quarter of current members from states other than Victoria and NSW.

Working as a partnership and sharing coordination of the network across staff in Victoria and NSW provided numerous benefits to the EARG. These included a broader network of connections from different states and sectors, diversity of expertise across the coordinators which enabled work across different areas of law and policy, a reduced risk of the national network being seen as Victoria- or NSW-centric, and an increased number of issues that could be addressed because responsibilities were shared. Challenges to working in partnership included some duplication, however the use of asynchronous collaboration tools and a shared collaborative approach meant that sharing the coordination role was more effective than challenging.

Recommendations

Evaluation participants made a range of suggestions regarding the future of the EARG. The main recommendations were:

- Build the membership of the national EARG to include multiple people and organisations from every state and territory.
- Develop issues-based working groups or special interest groups for members/contributors to join as per their interests. The EARG coordinators could then liaise in a more timely and efficient manner with relevant and interested members/contributors when opportunities in a particular area arise.
- Increase opportunities for EARG members/contributors to connect with each other, such as through an annual in-person forum or conference, and an online directory (with contact details and information about areas of expertise and interest) with member-only access.
- Continue to refine the EARG's information sharing approach. Members seek a platform that is easier to access and navigate.

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