



Research Brief *Economic Abuse*

Introduction

Economic abuse is a form of intimate partner and family violence that occurs within the broader system of coercive control. The use of economic abuse by perpetrators is considered to be a primary tactic of subordination and control (Stark 2007). While economic abuse constitutes its own form of intimate partner violence (Stylianou et al 2013), it exists predominantly along the continuum of intersecting forms of intimate partner violence, such as physical, sexual and psychological violence; as well as other methods of constraint including regulating, surveilling and stalking (Stark 2007; Johnson 2008).

Legislative Responses

In 2008 in Victoria, economic abuse was included in the definition of family violence in section 5 of the Family Violence Protection Act; the Act broadly defines economic abuse as financial behaviours that are coercive, deceptive or unreasonably controlling. Despite its legal recognition, economic abuse remains poorly understood. The 2013 National Community Attitudes towards Violence Against Women Survey found that economic abuse was the least likely to be recognised as intimate partner violence. One explanation for this lack of understanding is the covert, subtle and insidious nature of this abuse, which is often invisible, and difficult to recognise – even for those who experience it (Smallwood 2015). It is repetitive, cumulative and escalating – contrary to enduring ‘incident-specific views of partner abuse, of acute, discrete incidences of [physical] violence’ (Elliott 2017).

As with physical forms of intimate partner violence, hegemonic masculinity theory provides a useful framework for understanding economic abuse (Connell 2005). Through this lens economic abuse can be viewed as the systematic exploitation of power differentials, with its roots in the historical legacy of rigid gender role divisions and identities. Men are assumed to be the primary breadwinners and financial decision-makers and women primarily responsible for childrearing and (unpaid) domestic labour (Flood & Pease 2006).

Measuring Abuse

Due to the absence of a rigorous incidence study, the extent of economic abuse in Australia is not known. Economic abuse is ‘notoriously difficult to measure’ largely as a result of the private nature of intimate partner violence and the associated underreporting (Corrie & McGuire 2013, p. i). Likewise, there is a common perception that household finances are considered a private matter (Corrie & McGuire). Problematically, household finances continue to be understood along gendered lines, which in turn entrench women’s unequal and subordinate social positions (Sharp-Jeffs 2015; Macdonald 2012; Postmus et al 2012). Economic abuse exploits these persistent gender inequalities and ‘targets a victim’s autonomy, equality, liberty, social supports and dignity in ways that compromise the capacity for independent, self-interested decision-making vital to escape and effective resistance to abuse’ (Stark 2007, p. 4).

Notwithstanding the absence of reliable data, economic abuse is considered ‘widespread and common ... [but] deeply embedded [and hidden] in a complex web of social, gendered and personal beliefs and norms’ (Cameron 2014, p. iv; see also, Adams 2011; Cortis & Bullen 2015). Nevertheless, a recent Australian study found that economic abuse was an almost universal experience for women presenting to family violence services (Kutin et al 2017; Evans 2007; Cameron 2014).

Economic abuse cuts across age, ability, socio-economic, cultural, religious, and sexual divides, which means that ‘a complex range of dynamics will be relevant to different [women] and communities’ (Kaspiew et al 2016). Vulnerability may be heightened for women who already face social marginalisation, and in turn, may intensify barriers for accessing remedies (Smallwood 2015).

For instance, women with an uncertain or contested immigration status, may not disclose intimate partner violence, including economic abuse, due to lack of accessible resources, limited English proficiency, lack of knowledge or distrust in legal and support systems, and/or fears of being returned to her country of origin (Segrave 2017, p. 45). In the latter context, Segrave explains that ‘the unfortunate consequence of the current [temporary visa] system is that maintaining a façade of a committed relationship in the migration process offers women a greater chance of accessing support in Australia’ (2017, p. 53). For Aboriginal women, reciprocity and ‘the expectation that resources will be shared ... are dimensions that complicate understandings’ and may be one reason, among many, that deters women from disclosing (Kaspiew et al 2016).

The Broad Range of Tactics One of the key difficulties in remediating economic abuse is the diversity of behaviours and tactics used by perpetrators. The following is not an exhaustive list:

- Controlling access to economic resources
- Interfering with or restricting education or employment
- Isolation/restricting mobility or access to transportation
- Generating economic cost or debt in the victim’s name
- Varying loans (such as covertly increasing home loans)
- Property damage
- Avoiding child support payments; manipulating the shared care system to reduce payments; and repeatedly and vexatiously applying for re-assessment of payment
- Cancelling essential services, and/or refusing to pay debts
- Withdrawing support for Partner Visas; lodging malicious reports to the Department of Immigration
- Dowry abuse
- Systems abuse (engaging the victim simultaneously in several (often-protracted) legal proceedings in different jurisdictions (eg, Magistrates’ Court, Family Court, Child Protection, VCAT). According to Smallwood this can include ‘applications for re-hearing, appealing decisions, and lodging reciprocal (or cross) intervention order applications with little merit’ (2015, p. 51).

Trapping Women in Unsafe Relationships

Increased recognition of the nature and dynamics of economic

abuse is crucial in order to secure women's financial (and physical) security. Economic abuse places women in a financially precarious position; it often disrupts housing security and economic and social participation and its impacts can be life-long – often continuing post-separation as a mechanism of furthering control and remaining tied to the victim. In its most extreme forms, the use of forced financial dependency, isolation, and mobility restriction can be considered a form of servitude or imprisonment (Stark 2007).

The Royal Commission into Family Violence (RCFV) heard that economic abuse often results in financial crisis, including homelessness, and in many cases 'victims feel they have no alternative but to remain in, or return to, abusive relationships' (RCFV 2016, p. 22).

No Accessible Remedy To respond to economic abuse, a victim is faced with navigating a multitude of government agencies, jurisdictions, and service providers (for instance, essential services, utilities, telecommunications, tenancy, and the Road Safety Act). For many women affected by economic abuse, recovery is a slow and onerous process and legal remedy is largely inaccessible (Smallwood 2015).

The primary mode of protection for victims of economic abuse is through the Family Violence Intervention Order (FVIO) system. However, the brevity of proceedings limits the FVIO system as an effective remedy for economic abuse (Hunter 2008). Furthermore, the RCFV heard that economic abuse, and its harms and consequences, is not well understood by police (who apply for the majority of FVIOs) – or magistrates – and that there remains a singular focus on incident-specific physical acts of violence. This outmoded construction of risk fails to consider the interrelated nature of economic abuse and serious physical (and sexual) violence, and the increased risk women face when trapped in unsafe relationships.

Understanding the nature and dynamics of economic abuse is crucial for police to provide appropriate legal options, remedies and referrals.

The Way Forward

Recognising economic abuse as a serious form of abuse requires a cultural shift in how we understand partner and family violence more broadly and how we construct risk. A deeper understanding around the concept of coercive control is key to providing protection and remedy to victims.

Economic abuse is a complex suite of behaviours and actions. Treating it seriously as a form of intimate partner and family violence requires a radical and wide-ranging approach involving genuine commitment from government, courts, police, and

multiple sectors, industries and agencies. It requires informed community and legal education, well-developed and robust guidance for magistrates, and meaningful reform that provides accessible legal remedy. Securing women's financial independence and safety will help protect and secure women's lives.

Legislation

Family Violence Protection Act 2008 (Vic)

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Author: Madeleine Ulbrick (2017)

For further inquiries: arts.monash.edu/gender-and-family-violence