

Redfern Legal Centre's Financial Abuse Service NSW:

An innovative approach to pro bono service delivery



Jasmine Opdam, a lawyer in Redfern Legal Centre's new statewide Financial Abuse Service, writes about the Service's free legal advice and casework to assist people who have experienced financial abuse in an intimate partner relationship.



Financial Abuse Service Panel Discussion at APBC In-house Corporate Lawyers Forum, November 2019

The pounding on the door was audible even through the phone and Emily* sounded panicked as she ran to answer her front door. Someone was there to cut off the water, and Emily and her two beloved Labradors were minutes away from being forced to sleep on the streets. Emily was being kicked out because her abusive ex-partner hadn't paid the rent like he'd promised. She had no money because he had left her with tens of thousands of dollars of debt. Emily's court order stopped him from hitting her anymore, but it didn't protect her from the overwhelming financial trouble he had

created for her. Luckily, Emily was on the phone to Redfern Legal Centre (RLC) that day. RLC lawyers stopped the water from being disconnected, delayed her eviction, got her debt waived and got her the help she needed to get safely home to her family overseas.

Emily had experienced financial abuse. Research by WIRE indicates that up to 90% of women seeking help from Australian domestic violence services have experienced financial abuse. Financial abuse is a form of domestic violence. It is a pattern of abusive behaviour where the abuser uses money to exert power and control over their partner. Incidents are rarely isolated, and usually escalate in frequency and severity over time. Financial dependence is one of the main barriers to a person leaving, or returning to, an abusive relationship. Anyone can experience financial abuse, regardless of age, race, gender, sexual orientation, religion or class – however, women are more than twice as likely as men to experience it.

On 5 December 2019, RLC officially launched the Financial Abuse Service NSW which aims to address this hidden form of domestic violence by providing free legal assistance to people across the state. Through this legal service, systemic issues are identified and used to drive policy, law reform and capacity building initiatives to improve outcomes for people who have experienced financial abuse.

This service is the most recent in a long line of services that have been established by RLC to address unmet legal need in NSW. Since 1977, RLC has been at the forefront of legal service delivery, innovating and expanding to meet the needs of the community. RLC plays an important

"As an issuer of financial products and services, the lawyers at American Express understand the financial system inside and out. We bring our deep expertise with the financial system to not only help individual victims in the clinics, but to support Redfern Legal Centre's efforts to bring about necessary changes to the law to better protect future victims of financial abuse. As a volunteer lawyer, the experience has been confronting, humbling and rewarding in equal measure."

Julian Charters, Vice President and Senior Counsel at American Express

role in identifying gaps in the legal assistance sector, where people are not accessing justice, and developing models to address those gaps.

A key feature of these services is the harnessing of pro bono legal assistance. RLC has developed a series of partnerships with pro bono lawyers which allow them to reach ten times the number of clients they would otherwise be able to assist each fortnight. This means more people get the vital legal assistance they need, and it also

increases the pool of clients through which RLC identifies trends to inform their systemic change work.

To fund and resource the Financial Abuse Service NSW, RLC sought to build strategic relationships with corporate partners in the financial sector, to utilise their skills in resolving financial disputes and to develop trauma-informed best practice within the sector. As a bridge between the not-for-profit world and the corporate sector, the Australian Pro Bono Centre was invaluable in assisting RLC to

* Name has been changed.

RLC Building, Sydney





L-R: Joanna Shulman (RLC), Lynda Reid (PwC) and Ali French (Ashurst) at the APBC In-house Corporate Lawyers Forum, November 2019

identify and connect with like-minded corporates who were interested in pursuing pro bono opportunities where they could add value in a meaningful way and contribute to change in the financial sector.

American Express, PwC Australia, Ashurst and King & Wood Mallesons have joined forces with RLC as the foundation supporters of the legal service arm of the Financial Abuse Service NSW. At a time when community expectations of financial institutions are in the spotlight, investing in corporate social responsibility pays dividends in making organisations more attractive to employees and customers. This pro bono opportunity provides an intimate level of involvement in the legal service, and in return for investing financial and staff resources, the corporates gain insight into

“Supporting the Service is a special opportunity for PwC Legal’s growing pro bono practice, and creates incredible learning scope for our team volunteering at the clinic. The growth opportunities for our lawyers are multi-faceted – they relate to their development as technicians, in dealing with clients, and a heightened appreciation of their duties as members of the legal profession. Our team speaks so highly of their experience learning new areas of law, new client skills, as well as the powerful personal rewards from delivering tangible outcomes for people very much in need of community support. This relationship also aligns directly with PwC Australia’s goals to address some of the systemic issues that can lead to homelessness. The Service has incredible power to deliver prevention as well as cure, and we are very fortunate to play a small part in supporting the Service to achieve its longer-term goals”

Lynda Reid, Director, Legal, PwC

how to improve their practices (or their clients’ practices) and deliver a better customer experience. The policy and capacity building arm of the service is funded by the Ecstra Foundation.

Lawyers from American Express, PwC Australia, Ashurst and King & Wood Mallesons assist in staffing the legal service. The lawyers undertake specialised financial abuse training at the start of their six-month fortnightly commitment, and are provided ongoing mentoring, supervision and debriefing with an RLC solicitor throughout their placement.

The work is varied and gives the pro bono lawyers a taste of client interviewing and grassroots lawyering that they may not experience in their day-to-day work, and a chance to hone their client service delivery skills. The lawyers build trusted relationships with clients by providing ongoing assistance and representation. Where necessary, an RLC



RLC Financial Abuse Service event, 2019

solicitor carries the caseload outside of the clinic to meet clients’ urgent needs.

There is significant benefit for both the individual lawyers and their organisations. They gain an intimate knowledge of the client experience and a greater perspective in their own work. They also have a first-hand understanding of why financial inclusion and domestic violence policies are critical, and the role corporations can play in addressing the systemic issues that arise for people who have experienced financial abuse. ■

“Working at the Service has given me a huge insight into the disturbing impact of intimate partner violence and financial abuse in our community. But it has also allowed me to use my professional skills for good. I am in awe of the resilience of the clients we work with and inspired by the lawyers at Redfern Legal Centre who work every day to support some of the most vulnerable members of our community.. My time as a volunteer solicitor at the Financial Abuse Service has been without a doubt one of the most rewarding and enriching experiences of my career to date.”

Ali French, Pro Bono Lawyer, Ashurst.