

# **Social Justice and Social Security Committee**

## **Financial considerations when leaving an abusive relationship**

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*The focus in our responses is on our research into GBV within rural, remote and island communities in Scotland.*

### **To what extent do Scottish Government strategies such as Equally Safe give proper recognition to financial considerations when leaving an abusive relationship?**

- Given the unique challenges experienced by victims in rural, remote and island communities, further attention needs to be drawn to this in the national strategy.
- The strategy does address some of the unique challenges experienced by victims in these locations (e.g., geographical distance, isolation, limits to help-seeking and public transport, connectivity issues, lack of privacy and anonymity, lack of refuge), but this is not considered in relation to financial abuse.
- It also does not consider the traditional, patriarchal nature of some communities in rural and remote locations, where coercive control, including over finances, and financial abuse might not be perceived as problematic by some in the community. While Equally Safe does acknowledge that older women may be financially reliant on an abusive partner, it does not consider this as a wider issue for women in other communities or demographics.
- There is also no acknowledgement of the financial costs of supporting victims by organisations in rural and remote areas, including police, local government and third-sector organisations. Just as for victims, issues such as costs of travel, time, isolation and connectivity issues also impact on organisations supporting victims. Before COVID-19, third-sector organisations in rural areas expended considerable amounts of time and money travelling to meet with victims. The adoption of telephone support during the pandemic was found to be preferable for many victims, and thus a more hybrid approach is currently offered by most services, however travel costs are still high for organisations based in remote, rural and island areas.

### **How well do social security systems take account of domestic abuse? Do you have any examples of social security rules and practices that need to change?**

- Universal Credit can compound financially abusive situations as the payment is based on full household income. Perpetrators who do not let victims work can impact their ability to receive benefits, as their own income can inhibit a victim from receiving any benefits whilst not in employment. Thus victims may not have access to any of their own financial resources, which can limit their ability to leave an abusive relationship.

- Single payments of Universal Credit across a couple can allow perpetrators to have full control of economic income to the household.
  - o Split payments should be offered as a blanket, rather than paid in a lump sum to couples so victims can have their own financial resources.
- Sanctions from Universal Credit payments can limit victims' access to money and having the resources to escape. Job Centre staff may not take into account a person's circumstances when in an abusive relationship that stops them from being able to search for work, or they are being stopped from looking for work by a perpetrator.
  - o The conditions for work search under Universal Credit should be amended on systems where domestic abuse has been disclosed, especially considering that victims have fewer job opportunities in remote locations and perpetrators are often better able to monitor their movements in rural communities.

**When public bodies, for example local authorities and housing associations, are pursuing debt owed to them, to what extent do they take into account the way debt can arise as a result of being in or leaving an abusive relationship? Do you have specific examples of rules and practices that need to change?**

- Orkney Island's Council rent arrears policy does not explicitly refer to domestic abuse, but the council's Homelessness Prevention service recognises domestic abuse as a factor leading to housing instability. It works in partnership with organisations like Orkney Women's Aid to provide tailored support for individuals who have been affected by domestic abuse, aiming to prevent homelessness and offer safe housing alternatives. Victims do not need a connection to Orkney to receive support if they are fleeing domestic abuse.
  - o Although this considers domestic abuse, the rent arrears and debt-collection policy does not directly address it, which could lead to cases being responded to incorrectly for victims.
  - o The partnership working is excellent in this context, but with access to VAWG services limited in island communities, good intentions based on a reliance on another service could result in victims' needs not being met.
  - o We recommend the integration of considerations of domestic abuse (including economic abuse) into debt-collection policies to create clarity and consistency in how these cases are handled, mandatory trauma-informed training for debt-collection staff to inform them on the nuances of domestic/economic abuse, creation of an emergency fund to support rent relief for victims and the offer flexible repayment options once a victim is more safe and secure.

On a wider point, there is sometimes the assumption on the part of local authorities and other organisations that people fleeing their home will be able to be put up by family and friends for a short time before accommodation is found for them – this is not necessarily the case, particularly in rural and remote areas.

**Do legal aid rules take sufficient account of the financial circumstances of women who have experienced domestic abuse? Do you have any specific examples of rules or practices that need to change?**

- Access to legal aid in rural, remote and island communities can be limited given the vast geographical range of these areas. Victims can face significant difficulties in accessing services based on issues around privacy, but the need to travel can also accumulate significant cost, which is often **not** covered by legal aid, whether this is to travel to a solicitor or to fund the solicitor travelling to them. Those who have been subjected to economic abuse are likely to be unable to afford or pay for this service, whether that be because of control of finances by an abuser or lack of funds. Victims in these locations may need to have remote appointments or travel to locations that are a significant distance away, which can be expensive and unsafe with no safeguards in place.
  - o Legal aid should be made more accessible to victims in these areas, especially considering lack of resource and the unique challenges of these communities. Legal aid should cover travel costs for legal aid where geographical distance is an issue.
  - o Use of video and phone technology should be provided as an option for those who are able to use this service safely or legal aid outreach teams should attend these locations. Partnership working with gender-based violence services who safely use this technological way of working could help to implement this safely.
- With Scottish legal aid being based on household income, this can limit victims from being able to access this service. Those subjected to economic abuse, although they may appear to have access to financial resources, may not have access to finances due to economic control. Also, the agricultural nature of these communities could mean that victims are excluded from legal aid, as land owned by perpetrators may be considered as part of the assessment, even though they are unlikely to have access to this.
  - o We recommend that, in cases of domestic/economic abuse, a perpetrator's income is excluded from assessment for eligibility and that capital such as land and property is excluded.
  - o Legal aid assessment should be trauma-informed, including understandings of economic control based on the often patriarchal nature of rural, remote and island communities.

**Does the advice and information available to women experiencing domestic abuse adequately deal with financial barriers?**

- For those who have reported to the police, access to Criminal Injuries Compensation is not accessible or trauma informed. This payment could be life-changing for those who have been subjected to financial abuse.
  - o This service should be promoted more widely by the Government, police, and Victim Information Services so all victims are aware of this payment.

Given that this can be used in defence cases, the length cases are taking to go to trial, and the difficulties in dealing with the impact of abuse, the deadline for applications should be extended beyond two years of reporting.

- Payments under this scheme where domestic abuse has been a factor should be prioritised to help victims move on after abuse. Phone lines should be accessible at all times and email correspondence should be prompt, as it is not currently.
- Victims in rural, remote and island communities face issues around connectivity, and may have limited opportunities to contact these services. Having inefficient communication lines can inhibit their ability to get financial compensation/support.

**To what extent is it the role of government to ensure that someone's economic circumstances do not prevent them from leaving an abusive relationship?**

- There is a need to ensure that funding allocation to the limited number of services in rural, remote, and island communities is protected and adequate to address the needs of victims in these areas who face unique challenges around connectivity, geographic distance, and community surveillance. There is a well-documented culture of silence around domestic abuse in remote and rural communities which can make it particularly difficult for victims to access support and to leave their abusers. The resourcing demands of continual funding applications and reporting back to funders is a strain on all third-sector organisations, but particularly problematic for small organisations in rural areas whose resources are already stretched over large geographic distances and who are supported by insecure, partial and time-limited funding.
- Ensure funding for suitable and safe refuge and housing for victims who have been subjected to economic abuse, and who may have limited resources as a result of financial abuse.

**Please share any other comments that you have with us.**

- Our interviews with third-sector organisations repeatedly stressed the need for flexibility in using funding from government and other sources. Organisations frequently have a 'Victims' Fund' that is used to support victims, including those with no recourse to public funds, in a wide variety of ways. These include paying for clothes, food, to install security such as window alarms and ring doorbells, to pay bills, or to provide short-term furnishings. It should be noted that the provision of laptops or mobile phones can be particularly necessary in very rural communities where victims can quickly feel isolated.
- It should be noted that food bank vouchers in Scotland generally identify the service that provided them. In small communities, many victims do not want to use vouchers provided by a rape support or domestic abuse service. Some third-sector organisations use money from their Victims' Fund to provide supermarket vouchers instead.

- Consideration should be given to providing food bank vouchers without identifying information about the service provider.
- Flexibility in use of funding should be encouraged for all funders.