



Domestic violence involving financial abuse

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In a previous blog "[Types of domestic violence](#)", we explored the behaviours which constituted domestic violence which were not necessarily physical in nature. In this blog we continue this topic, looking particularly at financial abuse (referred to as economic abuse in legislation).

What is financial abuse?

Economic abuse (common term, financial abuse) is defined in section 12 of the *Domestic and Family Violence Act 2012* (Qld) (**the Act**) as behaviour that is coercive, deceptive or unreasonably controls another person without that person's consent:

- by denying that person the economic or financial autonomy they would have had but for that behaviour; or
- by withholding or threatening to withhold the financial support necessary for meeting the reasonable living expenses of that person or a child, if that person or a child is entirely or predominantly dependent on the first person for financial support to meet those living expenses.

If someone does not have access to finances in a relationship and they are considering ending that relationship, the financial abuse can leave that person unable to leave the relationship. This financial abuse is considered a form of family (domestic) violence.

Examples of financial abuse

The Act provides some examples of economic abuse:

- Coercing a person to relinquish control over assets and income.
- Removing or keeping a person's property without their consent or threatening to do so.

- Disposing of property owned by a person or jointly owned against the person's wishes and without lawful excuse.
- Preventing a person from having access to joint financial assets to meet household expenses, without lawful excuse.
- Preventing a person from seeking or keeping employment.
- Coercing a person to claim social security payments.
- Coercing a person to sign a power of attorney that would enable to the person's finance to be managed by another person.
- Coercing a person to sign a contract for the purchase of goods or services.
- Coercing a person to sign a contract for the provision of finance, a loan or credit.
- Coercing a person to sign a contract of guarantee.
- Coercing a person to sign any legal document for the established or operation of a business.

Considering the examples above it is possible to see why many family law matters involve allegations of domestic violence.

Scenarios involving financial abuse which could constitute domestic violence

Scenario 1 – disposing of jointly owned property

- You have recently separated and need some money to pay your own living expenses outside of the matrimonial home;
- You decide to sell the family caravan (a joint asset of the relationship);
- you do not seek consent from your former partner prior to selling the jointly owned caravan;
- you may have committed an act of domestic violence by disposing of joint property.

Scenario 2 – preventing a person from seeking employment

- You are in a relevant relationship with your partner;
- your partner wants to get a job;
- You prevent your partner from being gainfully employed by spreading rumours or denigrating them to every one of their employers and say words to the effect "*I won't let you get a job*".
- This could be considered domestic violence as you are preventing your partner from gaining some degree of financial autonomy.

Scenario #3 – preventing access to joint bank accounts

- You are married and have a joint bank account with your spouse
- Your spouse takes your bank card, cuts it up and says words to the effect "*I'm not going to let you spend another cent*".

- This leaves you unable to meet necessary personal and household expenses.
- This is a form of financial abuse constituting domestic violence.

Urgent assistance to keep you safe

If your safety or that of your children is at imminent risk, call [000](#) and, where possible, leave the premises and go to a safer place.

If you are experiencing domestic violence that puts your safety and/or the safety of your children at risk (physical, emotional or financial), you can contact DV Connect on [1800 811 811](#) for immediate assistance. They operate 24/7.

Hall Payne no longer provides services in family law

If you require assistance with your family law matter, we recommend you contact the relevant Law Society in your State or Territory for a referral:

- Queensland:** [1300 367 757](#)
- NSW:** [02 9926 0333](#)
- Victoria:** [03 9607 9311](#)
- Tasmania:** [03 6234 4133](#)
- South Australia:** [08 8229 0200](#)
- Western Australia:** [08 9324 8600](#)
- Northern Territory:** [08 8981 5104](#)
- ACT:** [02 6274 0300](#)

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