

FAIR WORK COMMISSION

Fair Work Act

Section 156 – 4 Yearly Review of Modern Awards

Family and Domestic Violence Leave (AM2015/1)

Witness Statement of Julie Kun

I, Julie Vanessa Kun, Deputy CEO and Business Development Manager, Women's Information and Referral Exchange, of 372 Spencer Street West Melbourne in the State of Victoria, say as follows:

1. I am the Deputy CEO and Business Development Manager of Women's Information Referral Exchange (**WIRE**). I am authorised to make this statement on behalf of WIRE.
2. I make this statement on the basis of my own knowledge, save where otherwise stated. Where I make statements based on information provided by others, I believe such information to be true.
3. I hold a Bachelor of Social Work from La Trobe University and a Frontline Management Diploma, Non-Profit/Public/Organisational Management from the Chisholm Institute.
4. I have approximately 24 years' experience in the community services sector.
5. In 1992, I began my career as a social worker at The Alfred Hospital in Melbourne. Since then, I have worked as a social worker at Jewish Care, at the Brotherhood of St Laurence and at Care Connect in Footscray.
6. Between 2005 and 2012, I worked as an Organiser and Industrial Advocate at the Australian Services Union (**ASU**). During my time with ASU, I wrote two manuals on family work-life balance, both of which were funded by the Victorian government.
7. Also at the ASU, I became involved in the Equal Pay Campaign for community sector workers which resulted in the Fair Work Commission's Equal Remuneration Order for workers in the social and community services sector.
8. I also worked on obtaining family violence entitlements in the workplace. In 2011, the ASU achieved the first family violence entitlements in an enterprise agreement in Australia at the Surf Coast Shire Council, in the Surf Coast Shire Council Enterprise Agreement. My work involved writing material to support the family violence clause and speaking with employers, family violence services, union officials and workers about family violence and the need for

family violence leave. As part of my work I supported the ASU union official negotiating the agreement, providing a presentation to all members of the Surf Coast bargaining group and providing support and information to Surf Coast Human Resources Department before and after the negotiation of the family violence clause.

9. I joined WIRE as Deputy CEO and Business Development Manager in 2012.
10. I have also been a representative on a variety of boards and organisations during my time in the community services sector. A number of these roles are set out below:
 - (a) Between 2010 and 2012, I was a board member of WIRE.
 - (b) I am a past committee member and current member of Australians for Native Title and Reconciliation (ANTaR) and Community Services Health Industry Training Board.
 - (c) I am a current member of the Australian Association of Social Workers.
 - (d) I am a board member on the Australian College of Community & Disability Practitioners.
 - (e) I am a currently on the Women's Correctional Services Advisory Committee.

WIRE

11. WIRE is an organisation that has been in operation for over 30 years, with a vision for a society where women are safe, respected, valued, informed, empowered and free to make genuine choices in their lives.
12. The services provided by WIRE are set out below.
13. The Women's Support Line where women can call, email or live chat about any issue and receive support, information and referral without an appointment. The Women's Support Line is designed to provide the information and support within an empowerment model so that women can make decisions for themselves. WIRE is not exclusively a family violence support centre, although our recent statistics show that approximately 40% of the calls to our support line are family violence related.
14. The Women's Information Centre provides women with face to face support and with no appointment necessary. Services include public access computers, computer support, free wifi access, and an extensive range of resources and information on women's issues. Computer classes, legal clinics including a specialist family law property clinic, information seminars, employment workshops and job coaching are also provided.

15. The AMICA Club Women's Lunch and Activities program, which is a program for women that are homeless and/or experiencing social isolation. Participants are living in a variety of different accommodations including refuges, rooming houses or sleeping on the couches of friends and family. Many women that use the AMICA Club are affected by mental health issues and family violence.
16. WIRE runs the successful 'Purse Project', a financial capability and empowerment workshop based program for women that have experienced family violence.
17. WIRE has also been funded by Financial Literacy Australia to develop a website to assist women have conversations with their partner about creating respectful and equal financial relationships. This website will be launched in June 2016.
18. WIRE is a Registered Training Organisation providing accredited training to all our volunteers. We offer professional development to the community services sector and beyond, through which we deliver a range of programs including our financial abuse training.
19. WIRE also undertakes research projects on issues we identify as affecting Victorian women, based on our data from the women who call or attend the centre. Recent research topics include financial abuse in the context of family violence, digital storage for women in non-secure housing and establishing equal financial relationship between intimate partners.
20. WIRE is funded through a variety of different methods:
 - (a) The Women's Support Line and Women's Information Centre is funded by Department of Health and Human Services;
 - (b) The AMICA program is funded by the City of Melbourne; and
 - (c) The balance of the other services are funded by individual grants, donations and funding applied for on a case by case basis.

FINANCIAL AND ECONOMIC ABUSE

Initial consultation process

21. It can be difficult to identify financial abuse as part of family violence, as it is less well known than other forms of violence. It is also different in that the perpetrator can continue to perpetrate abuse long after the relationship is over. In my experience, while many women are aware that something is very wrong, they have not labelled what they are experiencing as family violence. This lack of understanding of financial abuse can limit women's options.
22. WIRE picks up emerging issues in the community through hearing the stories of the women who use its services. In 2011 we noticed that more women were contacting WIRE with stories

of being in dire poverty. They explained that they had left their partner and made a choice between safety and extreme poverty and had chosen to be 'safe but poor'. What many women described to us was financial abuse, but the women reporting these situations were not self-identifying with the phrase 'financial abuse'. Instead these women were seeing themselves as stupid and poor decision makers.

23. Often women just assumed it was normal that ex-partners would take extreme measures to ensure they had little or no access to family funds post separation.
24. WIRE recognises that if women are going to have equal opportunities and equal footing in society, they require full access to economic empowerment.
25. In response to the increase in women reporting abusive behaviour, in 2011 and 2012, WIRE developed and ran workshops for community sector workers on financial abuse as well as workshops for women experiencing financial abuse. The language on fliers invited women experiencing financial abuse to self-identify and come forward for assistance. Whilst the workshops for community sector workers were very successful, only two or three women experiencing financial abuse responded.
26. In 2012 and 2013, ad hoc funding became available in the community services sector to support and provide information to women experiencing financial abuse. Similarly to our previous workshops, the women suffering this abuse were not responding. WIRE realised that the language being used by the sector was not resonating with the women who were affected by economic abuse.
27. In 2014, funded by the Victoria Law Foundation, WIRE wrote a plain English booklet on financial abuse called 'Money problems with your partner? Dealing with financial abuse'. The booklet spoke directly to women experiencing financial abuse and provided information, support and options. In less than a year, 2,000 hard copies have been distributed and the booklet is now out of print but is available on-line. A copy of the booklet is available at: http://www.wire.org.au/wp-content/uploads/2014/04/Money-problems-with-your-partner_financial-abuse-A5-WIRE-info-booklet.pdf
28. In 2014 WIRE undertook an action research study into financial abuse. I was a member of research reference committee that oversaw the project. The research involved interviewing women that have experienced financial abuse. Instead of using the old language, which we knew did not resonate with women experiencing financial abuse, for example: "financial abuse in the context of family violence", we instead simply described the behaviour or outcome as "money problems with your partner".

29. With this new language, more women began to identify that the behaviour exhibited by their partners or ex-partners was abusive, and began responding in higher numbers. We had women calling our researcher saying, “I hope I'm not wasting your time, but the examples in your flier describe what is happening to me. Is that financial abuse?”. Invariably the answer was yes.
30. By the end of the nine month project, WIRE had made contact with over 200 women who had experienced financial abuse.
31. In 2015, I appeared as an expert witness in the Victorian Government Royal Commission into Family Violence and spoke at length about financial abuse. I also authored the WIRE submission to the Royal Commission. A copy of the submission by WIRE to the Royal Commission into Family Violence dated 29 May 2015 (Royal Commission Submission) is available at: <http://www.wire.org.au/wp-content/uploads/2015/06/WIRE-FV-commision-submission-final.pdf>.
32. In our Royal Commission submission, I draw particular attention to the connection between family violence and employment (refer to pages 13 to 16). Specifically, I noted that any strategies to protect the financial security of women who have experienced family violence must enable women to acquire and secure employment. The most effective way to counter poverty for these women is meaningful and decently paid employment. I refer to and adopt that submission in this statement.

The WIRE Report – Relationship Problems and Money: Women talk about financial abuse

33. Through our research and conversations with women, WIRE identified there was a problem not only in relation to how we talk about financial abuse but how we as a community and our institutions respond. This research into financial abuse was funded by the federal government. A copy of Relationship Problems and Money: Women talk about financial abuse research report dated August 2014 (Report) is available at: http://www.wire.org.au/wp-content/uploads/2014/08/WIRE-Research-Report_Relationship-Problems-and-Money-Women-talk-about-financial-abuse-August2014.pdf
34. Among the findings of the report, we reported that there is an increasing feminisation of poverty in Australia. Financial abuse is often hidden or unrecognised, even by the women who experience it. There is poor public awareness or understanding of the issues by professionals, service providers and legal or financial support services industries. We also found that the impact of financial abuse meant that women had significant difficulties finding safe and affordable housing for themselves and their children. Additionally, fragmented

employment patterns and minimal superannuation work against women's long term financial stability. Women's connection to employment suffers as a result of financial abuse.

35. One quote from research participant Hilary (not her real name) illustrates this point:

I had about \$32,000.00 saved up in cash. I was working and I was working a lot. I was working a lot of hours and doing a number of jobs going at the same time, I had plenty of money probably for the first time. I was sort of peaking in what I was earning. And also because the relationship was so abusive too my capacity to work went down as well and my income actually dropped because I wasn't able to juggle everything and my energy levels weren't there.

36. This quote is typical of many women that contact WIRE. From my work at WIRE I have seen that the experience of family violence makes it difficult for many women to continue their employment which in turns adversely affects their financial security and their options when it comes to leaving the abusive relationship.

The effects of financial abuse

37. It has become clear to me that there are three specific timeframes in which financial abuse, or its effects, occurs:
- (a) During the relationship - as evidenced by controlling behaviour, such as preventing the abused victim from working, or limiting their access to shared money;
 - (b) After the relationship - in the refusal to pay child support, or forcing women to pay off debts that the women have not accrued or benefited from; and
 - (c) As a consequence of the relationship - the financially abused victim has limited economic resources or opportunities for ongoing employment.

During the relationship

38. Methods to protect against financial abuse during a relationship in the short term include education for both women and men. We found that during our community consultation process, some women did not realise they were the victims of financial abuse, even when the abuse they were experiencing was extreme and some men had the potential to change their abusive behaviour if the effects of it was brought to their attention.
39. Education is key in assisting women to identify the red flags of financial abuse. The provision of diagnostic tools or a set of questions to be given to women who may be at risk of financial abuse may prevent some forms of the abuse from occurring or continuing. Education also assists in building confidence and financial literacy. Often women have grown up in a family

where finances are considered a 'man's business', and therefore these women may just assume they should hand over their money. From our research it was clear that many women thought that if they didn't question a man's control over the finances, this was a way of demonstrating love and trust. Financial capability programs would enable women to understand their emotional response to money which would empower women to recognise financial abuse; their possible vulnerability to financial abuse, and assist them to take action.

40. WIRE provides training about financial abuse in the context of family violence. The training is designed for both workers in the community sector and for women who are assisted by WIRE.

After the end of the relationship

41. Methods to protect against financial abuse after the relationship include assisting with crisis response and shortening the financial recovery time.
42. I am aware that the most dangerous time for a woman is when she is leaving a violent relationship. This is a time of crisis for which resources must be made available. I find that women contact WIRE stating that post separation, they have tried to enter or re-enter the family violence service delivery system and are then taken through a safety screen process. If they are not considered a high enough risk, they are not provided with a service beyond screening and one off support. This triage system can lead women that are experiencing significant financial abuse post separation to be considered less of a priority than a woman in physical danger. It should not be a case of either/or as all women that experience family violence, including those experiencing financial abuse, require the expertise of family violence workers. Ultimately, increased resources are required to assist women who are experiencing financial abuse after a relationship so they are able to obtain services to assist them recover.
43. In terms of financial recovery, if women are in refuges they are prevented from working, which inhibits their financial recovery. We need to look at an accommodation system that meets the needs of women who are at high risk as well as those that are at lower risk but have nowhere else to go. Accommodation wherever possible should enable women to continue their work and their children's normal routine.

As a consequence of the relationship

44. Employment opportunities for women who are experiencing financial abuse as a consequence of the relationship are vital. This should take the form of providing real and tangible

assistance to women in finding employment; workshops to assist with increasing women's financial capability and follow up support to women who have experienced hardship.

45. Due to the nature of the abuse that women affected by family violence experience, many will need support to find employment. This support needs to be practical (for example teaching job search skills) but it also requires the provision of psychological support so that women can grow their confidence. To improve employment outcomes for women affected by family violence, services like WIRE, who have expertise in women's employment and family violence, need to be funded to develop partnerships with employers. This will facilitate and support matching of employment opportunities with job seekers, and provide ongoing support after job placement. These are strategies which will increase successful outcomes for both the employed women and their employers.

Family violence entitlements in the workplace

46. Many women have reported that subsequent to financial or family abuse, they have experienced difficulty finding and maintaining employment. In my view, employment is key to ending poverty and disempowerment.
47. From my experience of working with women that have experienced family violence, if you are not in a workplace that has family violence leave, women typically don't ask for time off to work through their family violence situation.
48. During my work for the ASU lobbying for family violence entitlements in the workplace, I noted there was resistance from some employers to the prospect of leave entitlements for family violence. This resistance was usually expressed by the employer stating that they themselves were not responsible for the family violence, so why should they have to be responsible for an employee suffering family violence. I would respond by pointing out that the employer had a paid parental leave program, but that did not mean that the employer was responsible for all the children within the organisation. The employer also affords entitlements in the form of sick leave, but they are not responsible for the individual employee who is requesting sick leave for breaking their leg.
49. I have had other employers tell me that whilst they think family violence is a terrible thing they don't believe that family violence is their fault and thus it is unfair that they have to offer family violence leave. My response is that employers have not caused the sickness and pregnancies of their employees but they still offer parental leave and sick leave. Offering family violence leave is about offering a form of workplace rights that can be lifesaving, as well as enabling the employer to retain good employees and build morale in the workplace.

50. The argument that family violence leave should not be made available by employers because it is not “their fault” plays into the argument that the victim is somehow to blame for the violence – not educated, not discerning in their choice of partner, or with no sense of self-worth. This thinking makes it harder for victims of family violence to disclose what is happening and ultimately seek and find the support they need. Family violence leave reinforces that there is a whole of community response to support people experiencing family violence.

51. Some employers have told me they don’t need the family violence leave provisions because all their staff know that they can come to them if they are experiencing family violence and they will be supported.

52. This story bears out my experience at WIRE where women tell me they didn’t disclose the violence they were experiencing because of fear that they would lose professional face, lose credibility and miss out on promotion opportunities. Offering family violence leave is a demonstration by the employer that they support victims of family violence and that they can come forward without it ruining their career. By the employer providing support such as family violence leave women are given an increased number of avenues to seek assistance. For many this will mean an earlier disclosure of family violence leading to the women putting measures in place to end the abuse they are experiencing.

53. The key argument that returned the most beneficial outcomes from employers was when I explained the good that could come out of having workplace entitlements, namely benefits to the women, to the workplace and the wider community.

54. At WIRE, we regularly assist women who experience employment issues as a result of suffering from domestic/family violence. We are sometimes able to assist with those issues, but our ability to obtain a good outcome is very dependent on the attitude of the employer.

- 55. Other WIRE service delivery staff members have also supported women whose employment has been affected by their experience of family violence. The access to leave and support from the employer plays a crucial part in the woman being able to maintain employment.
- 56. Ideally, we need to keep women in employment and this requires the support of employers.
- 57. If there were family violence entitlements, namely paid leave entitlements for victims of family violence or abuse across government and corporate bodies, situations such as these could be avoided.
- 58. Overall, the feedback that we have received at WIRE is that women want their lives to be normal, safe, secure, and routine, and part of that routine is employment.

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Julie Kun

Dated: