

Media release, 4 February 2015: Domestic violence and utility debt report prompts ACCC warning

The Consumer Utilities Advocacy Centre (CUAC) welcomes the announcement of the broad terms of reference for the Royal Commission into Domestic Violence in Victoria.

“Women in these vulnerable situations face many barriers to re-establishing their lives and households, including establishing their economic independence and stability,” said Executive Officer Jo Benvenuti.

“In our recent report, [Helping not Hinder: Uncovering Domestic Violence and Utility Debt](#), CUAC examined how this plays out for women in crisis when negotiating with energy retailers to ensure their household has access to the essential services of electricity and gas,” said Loren Days, author of the research report. “Unfortunately our findings showed that rather than helping, some energy retailers were pursuing domestic violence victims for utility debts when they were at their most vulnerable, often not recognising their financial hardship circumstances or referring them to financial hardship teams.”

Of most concern to CUAC were the reports by financial counsellors and emergency relief workers that some energy retailers had attempted to unlawfully transfer past or current debts to the victim of domestic violence when they were not the named account holder.

“CUAC is pleased that as a result of our report, the Australian Consumer & Competition Commission has been proactive in writing to the Energy Retailers Association of Australia asking them to inform its members about conduct that could be in breach of the Australian Consumer Law,” Ms Benvenuti said. “Energy and gas retailers should review their current processes including how they identify people in payment difficulty and crisis, implement best practice hardship programs and ensure their compliance with regulations.”

In response to the report the Australian Security & Investment Commission (ASIC) has also committed to ensuring that information and messaging around utility debts is included on its MoneySmart website and their e-learning module.

“We welcome ASIC’s commitment. Victims of domestic violence are often unaware of their rights and liabilities and this puts them at a disadvantage. It is important that they can access the information they need to empower them when negotiating with their energy retailers to take better control of their situation. We will be working with community agencies to ensure this information reaches domestic violence victims,” Ms Benvenuti said.

“Transferring debt to the domestic violence victim is also counter to the intent of the Royal Commission’s objectives to action early intervention and to hold perpetrators accountable rather than the victims.”

CUAC hopes to make a submission to the Royal Commission into Domestic Violence this year to bring these matters to its attention.



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