

Submission - Second National Action Plan Consultation

2026-07

Business-Related Economic Abuse

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Victim-survivors of business-related economic abuse are among the most systemically invisible cohorts under the National Plan.

The Second Action Plan cannot meet its objectives for prevention, recovery, accountability, workforce capability or system integration unless business related economic abuse is explicitly recognised, measured, funded and addressed abuse as a distinct form of economic and systems abuse.

EACH welcomes the opportunity to contribute to the Department of Social Services public consultation on the development of the Second Action Plan under the *National Plan to End Violence against Women and Children 2022–2032 (the Second Action Plan)*.

Executive Summary

Business-related economic abuse (BREA) is a distinct but under-recognised form of economic and systems abuse. It occurs when business, tax, corporate, trust, property, or regulatory systems are misused to impose liabilities, conceal assets, evade obligations, or exert coercive control.

EACH's casework highlights the real-world impact of BREA on victim-survivors who face bankruptcy risk, coerced directorships, complex business and tax liabilities, and enduring financial harm after separation - harms that undermine their safety, housing stability, economic recovery and children's financial security

This submission calls on the Second Action Plan to recognise BREA as a distinct form of economic and systems abuse and to establish the funding, policy, service, workforce, data and accountability measures needed to respond effectively. The recommendations are designed to move BREA from recognition to implementation. Two recommendations are central implementation priorities: recognition of BREA as a distinct subset of systems abuse and immediate establishment and ongoing recurrent funding for a national specialist BREA response. A further nine recommendations support implementation through reforms spanning workforce capability, tax and liability relief, family law pathways, professional-sector early identification, records access, perpetrator accountability and national data collection.

Australia has no dedicated, funded BREA service. Existing family violence, financial counselling, legal, taxation, corporate, insolvency and family law responses are not designed or funded to respond to the full complexity of BREA, leaving victim-survivors to navigate fragmented systems that demand specialist knowledge, evidence gathering, advocacy and coordination they are rarely equipped to manage alone.

The Commonwealth has begun recognising BREA through recent reviews, inquiries and reform work. Equivalent recognition in the National Plan is needed so BREA is treated as a core domestic and family violence issue, so that recognition converts into an implemented response within this Action Plan cycle.

EACH's **Above Board** BREA pilot demonstrates the scale and the impact of specialist intervention: four current clients faced **\$38 million** in BREA-related liabilities, with **\$30 million** resolved through specialist intervention that would otherwise have resulted in bankruptcy, housing loss and long-term financial insecurity. These outcomes reveal significant hidden need and what targeted pathways can achieve. A co-designed BREA national service model has been submitted to the Department of Social Services for recognition and prioritisation.

BREA should be a distinct implementation priority, with dedicated recognition, funding, and supporting reforms in workforce, data, liability relief, records access, and perpetrator accountability.

This submission aligns with sector-wide recommendations from EARG, FCA, CWES, UNSW Tax and Business Advisory Clinic, and Care ACT, and is supported by:

**Economic Abuse
Reference Group**



**Centre for Women's
Economic Safety**



**Financial Counselling
Australia**



**Women's information
resource exchange**



About Each

EACH is a large not-for-profit organisation with more than 50 years' experience supporting individuals, families and communities across Australia. EACH delivers health, mental health and social support services through more than 120 programs to more than 75,000 people each year.

Since 2021, EACH has provided specialist support to victim-survivors of **business-related economic abuse (BREA)** through direct client assistance, sector capacity building and systemic advocacy. This work is informed by complex casework involving business entities, taxation, corporate regulation, insolvency, social security debt, commercial debt and property law.

EACH has established and self-funded **Above Board**, a specialist BREA pilot practice that works directly with victim-survivors to identify, assess and resolve complex business-related economic abuse. The service addresses matters that cannot be resolved through generalist legal, tax, financial counselling or family violence pathways alone. It provides an integrated response with family violence and wellbeing counsellors, and a "no wrong door" referral pathway so victim-survivors are connected to specialist support rather than redirected between services.

EACH has submitted proposals to the Department of Social Services for a national BREA response service, reflecting the urgent need for a coordinated Commonwealth response.

The scale and complexity of BREA is evident in **Above Board's** current casework. Four current clients face combined BREA-related liabilities of approximately **\$38 million**, including **\$10 million** in ATO debt. One specialist BREA financial counsellor has resolved more than **\$30 million** in financial abuse-related liabilities, including a single **\$8.7 million** debt. Before engaging with **Above Board**, each client was facing bankruptcy or had been advised that bankruptcy was their only option. These outcomes demonstrate the severity of BREA and the effectiveness of specialist intervention in preventing bankruptcy, financial harm and long-term insecurity.

EACH's work to help end BREA includes:

- **National BREA response design:** EACH co-designed a specialist, integrated national virtual service model to support national access to BREA assistance, with support from Commonwealth Bank Next Chapter.
- **Research collaboration:** In partnership with Monash University, EACH convened a national roundtable with government, industry and sector stakeholders to identify key challenges in establishing a national BREA response.¹
- **BREA Advisory Network:** EACH established a cross-sector advisory network involving major banks (Westpac, ANZ, Commonwealth Bank, NAB, AMP, Bendigo Bank etc), ASIC, ATO, ARCA, ABA, COBA, ASBFEO, CPA Australia and New Zealand, and FAAA to support a coordinated BREA community response.
- **BREA Lived Experience Panel:** EACH draw on client insights to inform safety-by-design approaches, sector capability building, media engagement and systemic reform.
- **ASIC Registry Business Advisory Group:** EACH is an invited member and advocates for BREA recognition in national registry policy discussions.
- **CPA Australia and New Zealand partnership:** EACH collaborated with CPA Australia and New Zealand to develop a financial abuse toolkit to assist accountants to identify and respond to BREA.
- **VERA innovation:** EACH received Financial Counselling Industry Fund innovation funding for *VERA: Verified Evidence and Records Access*, to scope community professional authorised access to government records.
- **Systemic advocacy:** EACH has advanced BREA recognition in banking codes, small business lending protections, DFV policies, commercial banking safety-by-design, and Director ID and registry systems.

¹ Dal Pra, J.; Brusco, N.K.; Whittaker, S.; Mitchell, D.; Ekegren, C.L. Addressing Financial Abuse in Australian Small Businesses: The Role of Industry Stakeholders. *Businesses* **2026**, *6*, 26. <https://doi.org/10.3390/businesses6020026>

- **BREA training and education:** EACH delivers BREA training, resources and consultation to build capability across financial institutions, the social sector, professional services and government.

The scope of this submission

This submission calls for the Second Action Plan to explicitly recognise, resource and reform responses to BREA as a distinct form of domestic and family violence and systems abuse.

EACH supports sector-wide recommendations from EARG, FCA and state peaks, CWES, UNSW Tax and Business Advisory Clinic, and Care ACT, calling for stronger recognition of economic abuse, specialist service funding, workforce capability and targeted tax and regulatory reform.

Drawing on its specialist BREA expertise and **Above Board** program, EACH recommends explicit inclusion of BREA in the Second Action Plan, establishment of a funded national specialist response, and coordinated reform across business, tax, corporate, insolvency, family law and regulatory systems.

This submission addresses the following priority areas for urgent government action:

1. **Priority Area 1: Victim-Survivors**
2. **Priority Area 2: Prevention and Early Intervention**
3. **Priority Area 4: People Who Use Violence**
4. **Priority Area 5: System Integration and Workforce**

It also provides limited commentary on **Priority Area 3: Children and Young People in Their Own Right**.

Summary of recommendations

The recommendations are designed to move BREA from recognition to funded implementation under the Second Action Plan. Recommendations 1 and 2 are the foundation of this submission, Recommendations 3-11 build the surrounding reform needed to make that foundation effective.

Recommendation		What this solves
FOUNDATION	Priority Area 1: Victim-Survivors	
	1. Expand the definition of economic abuse and recognise BREA as a distinct subset of systems abuse.	Makes BREA visible in policy, data, screening, funding, workforce and accountability frameworks.
	2. Provide immediate establishment funding and ongoing recurrent funding for a national specialist BREA response.	Creates the critical missing specialist pathway for victim-survivors and frontline services, and grounds system reform in lived experience and complex case evidence.
	3. Implement PJC Inquiry recommendations as domestic and family violence reforms.	Converts existing inquiry recommendations into DFSV implementation actions.
	4. Deliver coordinated tax, corporate and liability relief reforms for victim-survivors of BREA.	Addresses unresolvable tax, corporate and downstream consequences of coerced business involvement.
	5. Expand the FCFCOA Lighthouse model to standalone property matters and improve early access to financial information in family law proceedings.	Identifies DFV and BREA, asset concealment and coercive property settlement tactics earlier.
	6. Develop safe court-triggered mechanisms to implement court-ordered director and register changes.	Removes reliance on perpetrator cooperation to implement court outcomes.
	Priority Area 2: Prevention and Early Intervention	
	7. Engage the professional services sector as an early-identification and prevention channel.	Uses accountants, tax agents, brokers and advisers to identify warning signs earlier and refer victim-survivors.
	8. Provide free and timely access to relevant government registers for accredited community professionals.	Enables properly authorised community professionals to identify BREA risks and liabilities.
	Priority Area 4: People Who Use Violence	
	9. Create a clear process to identify and hold people using violence accountable for BREA.	Shifts responsibility away from victim-survivors and toward people using violence.
	Priority Area 5: System Integration and Workforce	
	10. Invest in specialist BREA workforce capability.	Builds expertise beyond generalist financial counselling, legal and economic abuse responses.
	11. Develop a national BREA data framework and improve visibility of unmet need across systems	Makes BREA visible, prevents funding policy and service decisions excluding abuse types where no service exists to collect data.

About Business-Related Economic Abuse (BREA)

BREA is a pervasive, under-recognised form of domestic and family violence. It occurs when business, tax, corporate, trust, property and regulatory systems are weaponised to impose liability, conceal assets, avoid obligations or continue coercive control. National research² confirms that BREA exposes victim-survivors to bankruptcy, homelessness, and poverty due to the exploitation of business and tax systems as instruments of abuse. These resulting harms are severe, enduring and often continue well beyond separation, undermining victim-survivor safety, housing stability and long-term economic recovery.

Victim-survivors commonly present to EACH with coerced directorships, business debts, Director Penalty Notices, tax liabilities, personal guarantees, trust disputes, insolvency risks, misreported earnings and complex family law property matters, often without their knowledge or genuine consent. Victim-survivors are frequently misidentified as company directors, tax debtors, guarantors, business owners or fraud perpetrators, shifting the burden onto them to disprove liabilities created through abuse that are not theirs.

BREA victim-survivors are falling through the cracks between mainstream services - financial counselling, family violence and community legal services. These services are vital, but rarely have the specialist expertise, mandate or resourcing to address the full spectrum of BREA or provide timely and effective remedies across intersecting business, tax, corporate, insolvency, trust, property and family law issues. As a result, victim-survivors are redirected between agencies, required to repeatedly disclose traumatic experiences, and left without a clear pathway to safety, liability relief or financial recovery.

Victim-survivors have identified seven key motivations for their perpetrators committing BREA:

1. child support income manipulation and avoidance;
2. impaired credit ratings and limited borrowing capacity;
3. lack of assets for lending security;
4. co-borrower or personal guarantees required for commercial lending;
5. asset or income deprivation post-separation;
6. tax reduction or evasion, and
7. bankruptcy or criminal record restrictions.

“He was able to engineer my entire financial future, without even laying a finger on me”

A BREA victim survivor

While current reform attention has focused heavily on coerced directorships, **BREA is not limited to company structures.** Victim-survivors may also be harmed through trusts, partnerships, sole trader arrangements, family businesses, personal guarantees, commercial lending, tax liabilities, asset concealment and business-related property arrangements. The Second Action Plan should ensure BREA reforms apply across the full range of business and legal structures used to impose liability, conceal assets or continue coercive control.

BREA can create heightened risks for **culturally and linguistically diverse and First Nations victim-survivors.** Language barriers, limited knowledge of Australian legal and financial systems, visa dependence, social isolation and cultural or community pressure can make business-related abuse harder to identify, disclose or challenge. First Nations people may also be exposed to exploitative “**black cladding**” arrangements, where Aboriginal identity, ownership or directorship is used to access business opportunities while control and benefit sit elsewhere. This includes where a person is positioned as the nominal owner or director without genuine control. BREA responses must be culturally safe, language-accessible and able to identify coercion involving business ownership, directorships, trusts, procurement arrangements and identity-based exploitation in variable cultural contexts.

² Chen, V., & Opdam, J. (2025). *Coerced Business Debts: Uncovering Hidden Harms from Economic Abuse*. Economic Abuse Reference Group. <https://earg.org.au/our-publications/coerced-business-debts-uncovering-hidden-harms-from-economic-abuse/>

The government has acknowledged BREA through the Rapid Review of Prevention Approaches and the Parliamentary Joint Committee's report, *Financial Abuse: An Insidious Form of Domestic Violence*. Recent election commitments and positive progress on coerced directorships, child support, Director ID and ASIC register reform are important, but isolated reforms will leave loopholes open. It is critical that the Second Action Plan explicitly recognises BREA and drives targeted, coordinated whole of government reforms to close loopholes and provide effective resolution pathways for victim-survivors.

The cost of BREA has not been calculated. Deloitte Access Economic s³ estimated the annual cost of financial abuse in Australia at \$5.7 billion in direct costs to victim-survivors and a further \$5.2 billion in broader economic impacts. However, existing cost estimates and methodology do not appear to explicitly capture business-related economic abuse. Given AFSA data shows business debt in bankruptcy is 9.8 times higher than consumer debt, current estimates are likely to understate the true economic impact of financial abuse.

Addressing BREA requires coordinated national action. The National Plan must recognise BREA as a distinct form of economic and systems abuse, resource specialist pathways, implement targeted reforms, and remove barriers to liability relief, financial recovery, and long-term safety for victim-survivors.

Response to Priority Area 1: Victim-Survivors

Recognition and specialist responses

Recommendation 1: Expand the definition of economic abuse and recognise business related economic abuse (BREA) as a distinct subset of systems abuse.

Expand definitions of financial and economic abuse

The National Plan recognises the need to develop a nationally consistent definition of financial abuse. The Second Action Plan should use this opportunity to ensure the definition captures BREA. The National Plan definition of economic abuse captures important forms of control, exploitation and sabotage affecting a person's access to money, finances and economic resources. However, it does not fully capture BREA, where victim-survivors may not only be deprived of resources, but made legally and financially liable through business, tax, corporate and regulatory systems without their knowledge, understanding or genuine consent.

This definitional gap means coerced directorships, company debts, Director Penalty Notices, tax liabilities, personal guarantees and related obligations may remain invisible in policy, data, screening, service design and reform. EACH recommends that the Second Action Plan develop a nationally consistent definition of financial and economic abuse that includes conduct imposing legal or financial liability on a person without their knowledge, understanding or genuine consent.

Recognition of BREA as a distinct subset of systems abuse

The Second Action Plan should explicitly recognise BREA as a distinct subset of systems abuse. Existing descriptions of systems abuse in the National Plan do not adequately capture the misuse of corporate, taxation, insolvency, business registry and regulatory systems to impose legal and financial liability on victim-survivors without their knowledge, understanding or genuine consent.

In BREA, harm is not limited to harassment, intimidation or psychological control. It can create enforceable consequences, including directorships, tax liabilities, company debts, personal guarantees and exposure to insolvency. Without explicit recognition, victim-survivors will continue to be treated as directors, taxpayers, guarantors or business owners rather than as victim-survivors of coercive control, family violence and systems abuse.

³Deloitte Access Economics, *The Cost of Financial Abuse in Australia* (report prepared for Commonwealth Bank of Australia, 2022) p54

The National Plan recognises that economic abuse can continue after a woman has left an abusive relationship, including through technology-facilitated abuse.⁴ BREa should be understood in the same way: as a mechanism through which a person using violence can continue, escalate or reconfigure abuse after separation. Business structures, trusts, directorships, tax liabilities, commercial debts and child support arrangements can be used to deprive a victim-survivor of assets, delay financial settlement, create ongoing legal and financial exposure, and undermine recovery. This post-separation use of business and regulatory systems should be explicitly recognised as a form of systems abuse within the Second Action Plan.

Recommendation 2: Provide immediate establishment funding and ongoing recurrent funding for a national specialist BREa response.

Immediate establishment funding, followed by ongoing recurrent funding, is required to embed a national specialist BREa response within Australia's domestic, family and gendered violence system.

EACH recommends immediate establishment funding and recurrent funding for an integrated national specialist BREa response that provides direct victim-survivor support, a single national referral pathway, specialist financial counselling, family violence and wellbeing support, and coordinated access to legal, tax and regulatory expertise.

The current service-system gap

No funded national specialist service currently exists for BREa. Victim-survivors present across family violence, financial counselling, legal, taxation, corporate, insolvency, child support and family law systems, but no service is funded or designed to respond to these issues together. This is a system design gap. Victim-survivors are repeatedly referred between services, forced to retell their story, or advised that bankruptcy is their only option.

Recognition of BREa is also outpacing capacity to respond. The National Debt Helpline, Small Business Debt Helpline, banks, accountants, tax agents, financial advisers, mortgage brokers and community services increasingly identify warning signs of BREa but have no specialist national service to refer to. EACH's sector awareness-raising is surfacing demand for a service pathway that does not yet exist.

A national specialist BREa response is ready for implementation

EACH has submitted a national service design to the Department of Social Services for a specialist, integrated, remote BREa response.

The proposed model would operate as the primary national specialist pathway for BREa, ensuring victim-survivors anywhere in Australia can access expert virtual support regardless of location, safety circumstances or whether they are able to use place-based services. This is essential because no funded specialist BREa service currently exists, and many victim-survivors may be unable or unwilling to seek local support where doing so increases visibility, privacy risks, shame, or fear of being connected to someone who knows the person using violence.

A national specialist BREa response would create clear referral and support pathways across the economic abuse service system. CWES could operate as the national specialist pathway for consumer-related economic abuse, while EACH's **Above Board** model operates as the national specialist pathway for BREa. EACH and CWES already work closely through warm referrals and shared case support, enabling victim-survivors to receive a seamless response without being sent elsewhere to repeat their story.

⁴ Department of Social Services, *National Plan to End Violence against Women and Children 2022–2032* (Australian Government, 2022), p. 50.

The national BREA response should be funded as an integrated specialist service, not a standalone financial counselling, legal or tax advice clinic, or a referral-only model. Victim-survivors need one coordinated pathway for BREA assessment, specialist financial counselling, family violence and wellbeing support, evidence gathering, case coordination, and access to legal, tax and regulatory expertise through formal partnerships. EACH's proposed model provides this pathway and integrates technical advice into a broader safety, liability relief and recovery response.

EACH's proposed model would:

1. provide direct virtual support to victim-survivors anywhere in Australia;
2. create a single national expert referral point for the National Debt Helpline, Small Business Debt Helpline, financial institutions, government agencies, professional services and community services that identify BREA but have nowhere to refer it;
3. operate alongside CWES as part of a broader national safety net for economic abuse and BREA; and
4. reduce duplication, relieve pressure on referring services and prevent victim-survivors being passed between systems that cannot respond to the full complexity of BREA.

Evidence from specialist casework

EACH's specialist BREA pilot, **Above Board**, demonstrates both the scale of harm and the impact of investment in specialist intervention:

- Four current clients face combined BREA-related liabilities of approximately **\$38 million**.
- EACH's specialist BREA financial counsellor has resolved more than **\$30 million** in financial abuse-related liabilities to date, including a single debt of **\$8.7 million**.
- All clients faced litigation or bankruptcy and loss of their home. This was avoided in all resolved cases.
- Rarely do clients present with less than \$100,000 of liabilities.

Case study – Christine

Christine* was a single mother of two and victim-survivor of family violence who contacted EACH's specialist BREA service in 2021 after receiving notice of a bankruptcy hearing scheduled eight days later. She was facing bankruptcy over debts she had no knowledge of and the likely loss of her family home. Before reaching EACH, she had been unable to obtain effective help because the abuse was embedded in business, tax, insolvency and legal systems rather than treated as family violence.

A specialist BREA assessment identified approximately \$12 million in financial abuse involving commercial lending, company directorships, personal guarantees, taxation, insolvency and disputed legal liabilities. Christine had been appointed as a director of seven companies run by her former partner and was linked to 25 commercial loans and guarantees totalling \$9.8 million. EACH coordinated long-term financial counselling, advocacy and systems navigation across 46 organisations, including creditors, ASIC, the ATO, insolvency practitioners, AFCA, victim support services and seven pro bono lawyers. This integrated specialist response was essential: one practitioner held the full picture, coordinated evidence, challenged inappropriate debts and kept multiple systems aligned.

Over four years, specialist intervention prevented bankruptcy and homelessness, removed all creditor claims and caveats affecting the family home, resolved or stopped pursuit of \$9.8 million in liabilities, supported company directorship annulments, removed director penalty and trading-while-insolvent exposures, and enabled Christine to access legal, recovery and therapeutic supports. As the financial and legal pressure eased, Christine retrained, returned to work, resumed mortgage repayments and rebuilt her wellbeing, confidence and capacity to recover. This case demonstrates that a national specialist BREA response can prevent catastrophic harm, resolve abuse-created liabilities and achieve outcomes that mainstream services cannot deliver alone.

**Pseudonym used*

The impacts of EACH's Above Board pilot show that specialist intervention can prevent bankruptcy, reduce financial harm, support safety and housing stability, and improve economic recovery.

Why this service is essential to implementation of the National Plan

A national specialist BREA response is not an additional service; it is the implementation infrastructure needed to convert recognition of economic abuse into practical safety, liability relief and recovery.

- **Person-centred pathway:** Delivers the National Plan's commitment to a person-centred system through clear referral pathways, reduced repeated retelling, and timely support across intersecting systems.
- **Safety-by-design evidence:** Direct casework closes the National Plan's evidence gap by showing how business, tax, corporate, registry, banking and lending systems are weaponised, and how reforms can be designed safely.
- **Frontline delivery of reform:** Director consent, Director ID, Director Penalty Notices and corporate registry reform will not translate into safety, debt relief or recovery without a specialist frontline pathway to convert policy reform into practical protection for victim-survivors

Expected outcomes and impacts of establishing and funding a national BREA response:

- reduce the number of victim-survivors bankrupted by abuse-created liabilities;
- enable earlier identification of coerced directorships and tax debts;
- establish clear national referral pathways;
- reduce repeated retelling;
- improve safety and housing stability;
- ground future tax, corporate, registry and banking reform in direct casework evidence; and
- send a clear message that weaponising Commonwealth systems as tools of coercive control will not be tolerated.

Strengthening victim-survivor pathways through system reform

Recommendation 3: Implement PJC Inquiry recommendations as domestic and family violence reforms

The Second Action Plan should provide a clear implementation pathway for recommendations from the PJC Inquiry into Financial Abuse. The Inquiry has identified how perpetrators use financial, corporate, tax, and regulatory systems to continue economic abuse and coercive control. The priority now is to translate those recommendations into practical domestic, family and gendered violence reforms that directly improve victim-survivor safety, economic security, and recovery.

Without a Second Action Plan implementation pathway, these recommendations risk being siloed as financial or administrative reforms, rather than core domestic and family violence measures. This is particularly critical for reforms relating to coerced directorships, tax liabilities, Director Penalty Notices, trusts, child support, professional obligations, systems abuse, and government agency responses.

Linking reform to victim-survivor pathways

The PJC Inquiry recommendations will only improve victim-survivor safety and recovery if implemented alongside frontline specialist support, so victim-survivors can access specialist support to identify abuse, challenge liabilities and navigate systems safely.

The Second Action Plan should embed relevant reforms within a BREA implementation framework that links system reform, specialist service access, workforce capability, referral pathways and perpetrator accountability, so recommendations translate into practical relief and reduced harm.

PJC Inquiry Recommendation 60 requires staged implementation

EACH supports the intent of PJC Inquiry Recommendation 60, especially training for government agencies on domestic and family violence, including financial abuse. However, mandatory reporting requires further policy development before safe and effective implementation by agencies such as the ATO, ASIC, and Services Australia.

At present, financial abuse involving business structures, tax liabilities or coerced directorships is often treated as a civil or administrative issue. There is no consistent national offence, reporting receiving body, protected reporting pathway or information-sharing mechanism that would allow Commonwealth agencies to discharge a mandatory reporting duty safely.

“The ATO does not investigate tax fraud by a related party.
It is a civil matter.”

ATO response to taxpayer reporting BREA, fraud and tax return submissions without her knowledge.

The Second Action Plan should adopt a staged approach: agencies should immediately create trained referral pathways to specialist financial counselling and BREA services, such as Above Board, while governments develop the legal and operational foundations for any future mandatory reporting. This aligns with the **UK’s Economic Abuse Toolkit model**⁵, and enables agencies to identify risk, respond safely, and connect victim-survivors to specialist support, preserving the intent of Recommendation 60 in the interim without imposing unenforceable obligations.

Removing barriers to recovery and economic security

Recommendation 4: Deliver coordinated tax, corporate and liability relief reforms for victim-survivors

The Second Action Plan should create enforceable whole-of-government liability relief pathways for abuse-created tax, corporate and business-related liabilities. Victim-survivors must be able to challenge, transfer, waive or reattribute liabilities created through coercive control, fraud or systems abuse, including coerced tax debts, Director Penalty Notices, coerced directorships, personal guarantees and corporate liabilities and downstream consequences of non-consenting business involvement. The current systems shift the burden onto victim-survivors and creates little deterrence for people using violence who weaponise Commonwealth systems.

EACH supports the UNSW Tax and Business Advisory Clinic’s recommendations for coerced tax debts and Director Penalty Notices, including innocent-spouse style relief and mechanisms to transfer or attribute tax liabilities through family law proceedings.

Administrative discretion alone is insufficient. Financial abuse case studies from EACH and the Tax Ombudsman⁶ show that administrative discretion alone can leave victim-survivors with unresolved tax debt, uncertainty and ongoing exposure, even where the perpetrator has been prosecuted by ASIC for the financial abuse. Liability relief reforms must apply beyond intimate partner violence and coerced directorships to the full range of relationships, business structures and legal arrangements used to perpetrate BREA.

The Second Action Plan should adopt a whole-of-government liability relief approach, drawing on **New Zealand’s Policy Framework for Debt to Government**⁷, and require the ATO, ASIC, ABRIS, AFSA,

⁵ <https://www.gov.uk/government/publications/public-sector-toolkits/economic-abuse-toolkit-v2-html>

⁶ <https://taxombudsman.gov.au/case-studies/>

⁷ Inland Revenue Department (New Zealand), *Policy Framework for Debt to Government*, August 2023.

Services Australia and family law systems to apply consistent BREA indicators when assessing tax, corporate, insolvency, registry, child support and related liabilities. This would prevent siloed responses and stop one system continuing to enforce abuse-created obligations after another has recognised family violence or coercive control.

The outcome must be practical liability relief, consistent cross-agency decision-making, accountability for abuse-created debts, and protection from bankruptcy, enforcement and long-term economic harm.

Recommendation 5: Expand the FCFCOA Lighthouse to standalone property matters and improve early access to financial information in family law proceedings

The National Plan recognises the need to improve service systems, eliminate systems abuse and improve victim-survivors' experiences of the family law system. Family law property proceedings are a critical point for identifying and interrupting BREA. They are also a setting where post-separation abuse can continue through business structures, trusts, directorships, tax liabilities, strategic debts, disputed valuations, delayed disclosure and concealed assets.

Expand Lighthouse

The Second Action Plan should expand the Lighthouse model to standalone property proceedings, including matters where no parenting application is filed.

Lighthouse is part of the Federal Circuit and Family Court of Australia's response to identify family safety risks at the earliest point in proceedings and ensure case management decisions are risk informed. It involves early risk screening, specialised assessment and triage, referral to appropriate services, and safe case management, including referral of high-risk cases to the Evatt List. Expanded screening should include financial abuse, BREA indicators, asset concealment, strategic debt, trust misuse, coerced directorships and tax or corporate liabilities.

EACH's casework shows that BREA is often identified only after property settlement has concluded, when the process has already increased financial harm and commercial creditors, the ATO or other parties may pursue the victim-survivor. By this stage, options for resolution are limited, costly and often inaccessible.

Lighthouse has demonstrated the value of early risk screening, specialised triage, safe case management and referral to appropriate services. Its current exclusion of standalone property proceedings leaves a significant gap for victim-survivors whose primary safety and recovery issue is BREA. The Commonwealth's \$87.9 million Lighthouse investment provides a strong platform to extend early risk screening and triage to standalone property matters.

Earlier access to financial information in family law proceedings

The Second Action Plan should also review earlier access to financial information in family law property matters, including superannuation information before proceedings commence. Victim-survivors should be able to assess whether divisible assets exist and make informed decisions before entering unsafe, unaffordable or strategically harmful litigation.

This reform would identify BREA earlier, reduce the use of property proceedings as a vehicle for systems abuse, improve access to information, referral to specialist support, and prevent victim-survivors being left with unresolved liabilities after proceedings end.

Recommendation 6: Develop safe court-triggered mechanisms to implement court-ordered director and ASIC register changes

Court orders can provide an important pathway to resolve coerced directorships where a court has determined that one party should assume control of a company and the other should be removed as director. However, where implementation depends on the cooperation of the person using violence, orders can create further opportunities for delay, retaliation, financial burden and systems abuse.

EACH's clients have experienced their former partner refusing to complete the necessary documents, delaying lodgement, ignoring registry obligations or using implementation steps as another mechanism of control. This can leave the victim-survivor exposed to ongoing directorship responsibilities, regulatory obligations and potential liabilities and further costs to rectify, despite a court order intended to end that exposure.

The Second Action Plan should support development of a safe, court-triggered mechanism that enables court-ordered director changes and associated ASIC register updates to be implemented directly, without requiring further cooperation from the person using violence.

It should also consider whether ASIC, the ATO or other relevant Commonwealth agencies should be notified, consulted or joined in appropriate proceedings, where orders directly affect company records, directorships, tax liabilities or regulatory obligations. This would help ensure orders are practical, enforceable and capable of implementation, while protecting victim-survivor safety, privacy and procedural fairness.

This reform would reduce delays, legal costs, ongoing liability exposure and safety risks and ensure court outcomes deliver practical protection for victim-survivors.

Priority Area 2: Prevention and Early Intervention

BREA is often visible and identifiable long before victim-survivors reach family violence, legal or financial counselling services. Warning signs can arise when business structures are created, directorships changed, tax records lodged, assets transferred, trusts established, loans signed, guarantees provided, bank accounts opened or insolvency advice sought.

Prevention and early intervention must therefore reach the professional, financial and regulatory systems through which BREA is enabled, hidden or detected. The Second Action Plan should engage accountants, tax agents, financial advisers, mortgage brokers, banks, commercial lenders, insolvency practitioners, regulators and authorised community professionals as part of a coordinated national BREA response.

Recommendation 7: Engage the professional services sector as an early-identification and prevention channel

The Second Action Plan should **implement PJC Recommendation 37** by funding BREA guidance, training and referral pathways for accounting, tax, financial advice, mortgage broking, insolvency, commercial lending and banking professionals.

These professionals can identify warning signs before victim-survivors reach specialist services, including unexplained changes in directorships, business ownership, guarantees, loan arrangements, trust structures, tax lodgements, asset transfers and financial decision-making.

EACH's partnership with CPA Australia and New Zealand demonstrates both the profession's willingness to respond and the feasibility of developing practical, sector-specific tools. However, awareness raising alone will not protect victim-survivors. Professionals should not be expected to become frontline domestic and family violence workers. They need clear guidance, safe referral pathways and a funded national specialist BREA service to receive referrals when concerns are identified.

The National Advisory Network for Business-Related Economic Abuse created and convened by EACH, brings together major banks, ASIC, the ATO, ARCA, the Australian Banking Association, COBA, ASBFEO, CPA Australia and New Zealand, FAAA, Norton Rose Fulbright, Gadens and specialist community sector partners. Network members are calling for a funded national specialist BREA service so professionals who identify warning signs have a safe, expert referral pathway for victim-survivors.

This would identify BREA earlier, reduce inadvertent facilitation of coercive control through routine transactions or advice, and strengthen a coordinated national response.

Recommendation 8: Provide free and timely access to relevant government registers for accredited community professionals

The Second Action Plan should provide free and timely access to relevant government registers for accredited community professionals assisting victim-survivors of BREA. This would enable frontline services to screen for BREA at the point of service entry, identify hidden business-related risks earlier, and connect victim-survivors to specialist support before liabilities escalate.

Free and timely register access would transform BREA screening. Accredited community professionals could identify directorships, company associations, PPSR interests, insolvency records, land title interests, asset concealment and other indicators at service entry, rather than relying on victim-survivors to know, disclose or pay to uncover arrangements that may have been hidden from them. Registry access is also essential to safe practice: EACH's director annulment protocols require searches to identify relevant parties and assess whether it is safe to proceed.

This is a safety and recovery barrier. Without access to records, victim-survivors and the professionals supporting them may be unable to assess risk, identify liabilities, challenge abuse-created debts, see claims against assets, make informed decisions or plan safely. The current system places the burden on victim-survivors to navigate fragmented registers and pay for searches, often after abuse has left them without income, identification, banking access or documents. Community organisations assisting victim-survivors do not receive free access or dedicated funding to obtain these records, despite free tiered access having been made available to journalists.

The practical impact of this barrier is significant, as illustrated by the following de-identified case example.

Case study – Mary*

Mary was a victim-survivor of BREA. She needed director, company, PPSR and land title records to understand the extent of economic abuse and make informed decisions about her safety, legal options and financial recovery. However, the abuse had left her without identification, a bank account, savings or income, so she could not obtain or pay for the records.

Before Mary could access the records, she had to obtain new identification, overcome Centrelink declining benefits due to business involvement she knew nothing about, open a bank account and wait for a bank card so she could pay for searches. This took three months. During that time, critical information about directorships, secured interests, land title claims and her former partner's bankruptcy remained inaccessible.

The burden of obtaining essential evidence fell entirely on Mary, delaying legal, financial and safety planning and increasing her exposure to ongoing harm. Without authorised access pathways for trusted community professionals, government registers can inadvertently compound economic abuse by placing critical information beyond the reach of victim-survivors who need it most.

*Pseudonym

Building on the Treasury Laws Amendment (Business Registries Stabilisation and Uplift) Act 2026 (Cth), the Second Action Plan should support a **whole-of-government authorised access model** across ASIC, AFSA - the PPSR and insolvency registers, state and territory land title systems and related registers. Victim-survivors should not be forced to reconstruct abuse-created liabilities one agency and one paid search at a time.

EACH has recently been awarded a modest amount of innovation funding through the Financial Counselling Industry Fund for our innovation: **VERA: Verified Evidence and Records Access**, VERA

provides an immediate opportunity to scope how an integrated authorised access model could operate for the financial counselling and community legal sectors.

Access should be subject to safeguards, including accreditation, consent, privacy protections, audit controls, family violence-informed practice guidance and referral pathways to specialist BREA support. This would enable earlier identification of financial abuse, fraud, asset concealment and business-related systems abuse, while ensuring victim-survivors are not left to obtain essential evidence alone.

Priority Area 3: Children and Young People in Their Own Right

Children and young people are directly affected by BREA. In EACH's casework, child support avoidance through business and trust structures is the biggest recurring cause of BREA. This includes income minimisation, asset concealment, delayed settlements and the use of business entities to avoid financial obligations. These tactics reduce children's financial security and housing stability, prolong post-separation abuse and undermine recovery from family violence.

BREA also harms children by reducing the protective parent's capacity to secure housing, meet essential costs, maintain employment and recover financially. It should therefore be recognised as both a post-separation abuse tactic and a child wellbeing issue.

The Second Action Plan should recognise the impact of BREA on children and young people, particularly where business and trust structures are used to avoid child support, conceal income or deprive children of economic security. These impacts should be captured in BREA data indicators, child support reform and the national data framework that is proposed in Recommendation 11.

Priority Area 4: People Who Use Violence

Current domestic and family violence economic abuse responses often focus on supporting victim-survivors to recover after harm has occurred. Equal attention must be given to preventing people using violence by weaponising business, tax, corporate, insolvency, financial and family law systems, and to ensuring appropriate accountability when they do.

In EACH's BREA casework, **accountability for people using violence is rare**. Victim-survivors may be released from debts or liabilities in some circumstances, but responsibility is not consistently transferred or pursued against the person who caused the harm. Financial institutions may waive debts without pursuing the person using violence; tax systems may continue to treat the victim-survivor as liable because they are the person recorded in the system; and family law orders may provide indemnification without preventing future enforcement by third parties. This creates a prevention failure - without consequences for the person using violence, there is little deterrent for perpetrators.

What does accountability for \$12 million of BREA over five years look like?

Conviction for misleading a Commonwealth agency -12 month suspended sentence, \$2,000 bond.

Bankruptcy discharged, while victim-survivor continues to navigate consequences 4 years later.

No financial restitution to the victim-survivor or creditors.

Debts should be repaid by those who incurred them.

Recommendation 9: Create a clear process to identify and hold people using violence accountable for BREa

The Second Action Plan should create a clear, coordinated process so Commonwealth agencies, regulators and connected financial systems can identify when business, tax, corporate, insolvency, banking, child support or family law systems are being used to perpetrate BREa.

This process should enable agencies and institutions to safely share relevant information, identify patterns of abuse, assess who caused the harm, and determine whether debts, liabilities or obligations should remain with the victim-survivor or be waived, transferred, reattributed or pursued against the person using violence.

This should draw on the principle underpinning state family violence information-sharing reforms, such as MARAM in Victoria: victim-survivors should not have to repeatedly explain or prove abuse when agencies already hold relevant information. A comparable Commonwealth BREa process would help identify people using violence “in plain sight” across tax, corporate, insolvency, registry, child support, family law, banking and commercial lending systems, while maintaining safety, privacy and procedural fairness.

The process should require relevant agencies, regulators and connected systems to:

- identify BREa warning signs across tax, corporate, insolvency, child support, family law, banking and commercial lending systems;
- refer matters involving suspected coercion, fraud, false information, asset concealment or non-consenting business involvement for specialist assessment;
- determine whether debts, liabilities or obligations should be waived, transferred, reattributed or pursued against the person who caused the harm;
- create safe information-sharing and referral protocols between Commonwealth agencies, regulators and relevant financial institutions;
- ensure professional enablers, including accountants, tax agents, advisers or brokers, can be referred to appropriate regulators where misconduct is identified; and
- improve prosecution, regulatory and institutional responses where Commonwealth, banking or commercial systems have been deliberately weaponised.

Current systems often focus on resolving the victim-survivor’s exposure, if at all, without identifying or pursuing responsibility for the person who caused the harm. This is left to the victim-survivor. Where fraud is committed by a stranger, it may be treated as a criminal or regulatory matter. Where similar conduct is committed by a partner or family member, victim-survivors are often left to resolve the consequences through civil, tax, corporate, insolvency or family law systems.

Creating this process would reduce the incentive to weaponise business, tax, corporate, insolvency and financial systems, improve deterrence, and ensure victim-survivors are not left solely responsible for disproving or repairing liabilities created through coercive control, fraud or systems abuse.

Priority Area 5: System Integration and Workforce

A coordinated BREa response requires a funded national specialist pathway that operates on a **no wrong door** basis. Victim-survivors, debt helplines, family violence services, financial counsellors, legal services, professional services, financial institutions and government agencies need one clear pathway for specialist BREa assessment, support, referral and secondary consultation.

Australia does not currently have this infrastructure. No existing workforce or service model provides a national response to the intersection of family violence, financial counselling, business structures, taxation, corporate regulation, insolvency, trusts, child support and family law property matters. The Second Action Plan implementation should commence closing this gap by funding specialist workforce capability, intake and assessment, warm referral coordination, supervision, safe access to records and data systems that capture hidden need.

Recommendation 10: Invest in specialist BREA workforce capability

The Second Action Plan should invest in specialist BREA workforce capability as part of the national specialist BREA response proposed in Recommendation 2. Specialist BREA capability is essential to ensure the national pathway is operational and able to provide direct support, secondary consultation, workforce development and system reform expertise.

EACH supports the recommendation of the Centre for Women's Economic Safety and Financial Counselling Australia to invest in a specialist economic abuse workforce, including dedicated capability to respond to business-related economic abuse.

Existing specialist BREA capability remains extremely limited. Current responses include EACH's self-funded Above Board pilot with one BREA financial counsellor, specialist assistance provided through the Financial Abuse Service in NSW with one company and tax lawyer, and BREA tax expertise available through the UNSW Tax and Business Advisory Clinic for NSW. Despite the growing recognition of BREA, access to specialist expertise remains fragmented, geographically limited and reliant on short-term or locally funded initiatives rather than a coordinated national workforce. This highlights the need for sustainable investment in specialist capability and national service infrastructure.

Specialist BREA capability cannot be created through generalist workforce training alone. In EACH's experience, it can take approximately two years of casework for practitioners to develop the full expertise required to identify, assess and respond safely to complex BREA matters. The complexity of BREA spans family violence, financial counselling, taxation, insolvency, business structures, corporate regulation, trusts, child support and family law property matters. Generalist financial counselling, small business financial counselling and family violence services cannot safely absorb this work without specialist support, supervision, practice tools and secondary consultation.

Funding must therefore cover the infrastructure required to build and sustain a specialist BREA workforce, including:

- specialist intake and assessment;
- warm referral coordination;
- professional supervision and vicarious trauma support;
- governance;
- manageable caseloads that allow for secondary consultation and communities of practice;
- professional development;
- community engagement; and
- information technology systems, case management and practice tools.

Intake and assessment should be funded as a core function

BREA matters require substantial early work to identify legal and financial liabilities, directorships, tax risks, business structures, secured debts, asset concealment, family violence risk and immediate safety concerns before the right pathway can be determined. Intake and assessment should therefore be funded as specialist casework, not treated as an administrative function.

A national no-wrong-door BREA pathway

A national no-wrong-door BREA pathway, such as the proposed Above-Board service, would enable debt helplines, family violence services, financial counsellors, legal services, professional services, financial institutions and government agencies to refer directly to specialist support. This would reduce fragmented referrals, build workforce confidence and prevent victim-survivors from repeatedly retelling their story while trying to find a service able to respond.

A no-wrong-door pathway should include virtual service provision as a default option. This would ensure victim-survivors can access specialist BREA support regardless of location, privacy constraints, disability, caring responsibilities, safety risks or the availability of place-based services.

Recommendation 11: Develop a national BREA data framework and improve visibility of BREA across systems

The Second Action Plan should develop a national economic abuse data framework that includes a specific BREA category and indicators.

BREA is not currently visible in the National Plan's data architecture and is likely to remain miscategorised, undercounted or invisible across family violence, financial counselling, legal, tax, corporate, child support, insolvency and family law systems. Existing BREA government and regulatory data are also not consistently visible or publicly reported. For example, information on non-consenting directors reported to Treasury is not made public.

Without transparent data, governments, services and researchers cannot assess prevalence, identify trends, direct funding or determine whether reforms are reducing harm.

A national BREA data framework should capture indicators including coerced directorships, non-consenting business involvement, tax liabilities, Director Penalty Notices, trust misuse, asset concealment, income minimisation, child support avoidance, insolvency, PPSR interests, personal guarantees, business debts and property settlements involving business structures.

The framework must **capture unmet need as well as unmet demand**. Victim-survivors experiencing BREA are often redirected, declined, miscategorised or never reach an appropriate service. In BREA matters, low demand data reflects the absence of a service pathway, not the absence of need.

The framework should be developed with specialist BREA services, financial counselling peaks, family violence experts, people with lived experience, regulators and relevant Commonwealth agencies. It should support consistent identification, referral, workforce planning, funding decisions, public reporting and reform monitoring across connected systems.

A national BREA data framework would make hidden harm visible, support earlier identification and referral, inform specialist service design and ensure children's financial safety impacts, including child support avoidance through business and trust structures, are captured in national reform work.

Conclusion

The Second Action Plan provides a critical opportunity to recognise BREA as a distinct form of economic abuse, systems abuse and post-separation family violence, and to move from recognition to implementation.

BREA is already visible in specialist casework, frontline services, government reform processes, tax and corporate policy discussions, banking practice and financial counselling practice. What remains missing is immediate funding for a national specialist BREA response, like Above Board to convert recognition into practical safety, liability relief and economic recovery for victim-survivors before existing specialist capability is lost.

Without this recognition, an integrated national specialist BREA pathway, enforceable whole-of-government liability relief, safe access to records, specialist workforce investment, meaningful data collection and stronger perpetrator accountability, victim-survivors will continue to fall through the gaps between systems that are not designed to respond to BREA.

EACH urges the Australian Government to ensure the Second Action Plan recognises, measures and funds BREA as a distinct implementation priority, including immediate establishment funding and ongoing recurrent funding for a national specialist BREA support service.

This would convert emerging Commonwealth awareness into practical action: preventing avoidable bankruptcy, reducing abuse-created liabilities, improving housing stability, strengthening children's financial safety, supporting economic recovery and sending a clear message that weaponising Commonwealth systems as tools of coercive control will not be tolerated.



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