

Dear Australian Energy Market Commission

Re: RRC0042 – Protecting Customers Affected by Family Violence

Thank you for the opportunity to make a submission in response to your consultation paper, *Protecting Customers Affected by Family Violence* (‘the Consultation Paper’).

The Tasmanian Council of Social Service (TasCOSS) is the peak body for the community services industry in lutruwita/Tasmania. Our Vision is of one lutruwita/Tasmania, free of poverty and inequality, where everyone has the same opportunity. Our Mission is to challenge and change the systems, behaviours and attitudes that create poverty, inequality and exclusion, to ensure all Tasmanians have equal opportunity to live a good life.

Our membership includes individuals and organisations active in the provision of community services to Tasmanians on low incomes or living in vulnerable circumstances. TasCOSS represents the interests of our members and their service users to government, regulators, the media and the public. Through our advocacy and policy development, we draw attention to the causes of poverty and disadvantage, and promote the adoption of effective solutions to address these issues.

TasCOSS supports policies which are designed to provide greater levels of support and assistance to victim-survivors of family violence. The Consultation Paper recognises the high rates of financial abuse in Australia, and the ways in which perpetrators can use energy services as a means of control and harm. The Consultation Paper also acknowledges the importance of financial security in developing and upholding the safety of victim survivors.

The Consultation Paper outlines the objective of the proposed rule change as better protecting customers affected by family violence. TasCOSS provides the following as a non-exhaustive list of recommendations to ensure proposed changes align with this objective:

1. TasCOSS recommends that any proposed rule change is informed by contemporary understanding of family violence issues and current best practice in addressing family and domestic violence. This includes ensuring the rule change process includes an understanding of the lived experience of victim-survivors and hearing from them what helped their situation.

2. TasCOSS supports policies which include a wide definition of the relationships in which family violence can occur. This is particularly important in the Tasmanian context, where certain protections (for example, a Family Violence Order) are only available for victim-survivors in an intimate partner relationship with the perpetrator. TasCOSS acknowledges that family violence occurs in a much broader context than intimate partner relationships, and supports practices which are designed to provide support to victim-survivors of non-intimate-partner family violence (such as elder abuse).
3. While TasCOSS supports, in principle, a requirement for retailers to develop and publish family violence policies, we stress the importance of consistency in approach between retailers, as well as the need for policies to include a set of minimum standards and for embedded accountability measures (including mechanisms for complaint and redress).
4. TasCOSS agrees that the safety of victim-survivors and their families must be a priority in any and all interactions with energy retailers. Any policies and retailer requirements must not further contribute to violence, systems abuse or leave customers vulnerable to further trauma.
5. TasCOSS strongly encourages energy retailers to engage in comprehensive training for all staff, ideally with community-based organisations who have specialist experience and expertise in the area of family violence. This training should include safe and appropriate interactions with victim-survivors, how to respond to disclosures, practical tips for how to better protect sensitive information, and information about referrals to other support services. We also recommend retailers develop specialist teams to respond to family violence.
6. TasCOSS agrees that family violence should be explicitly recognised as a cause of financial hardship. However, we also recommend a process where any debts can be automatically waived once a disclosure of family violence has been made. Debts involving victim-survivors of family violence should not be sold or escalated to debt collectors – if the debt was sold before the disclosure of family violence, the retailer should immediately take steps to repurchase and manage the debt.

7. TasCOSS strongly discourages retailers from requiring documentary evidence of family violence at any stage, including relating to potential disconnections. We highlight the wealth of evidence, including lived experience from victim-survivors advocates, which acknowledges the insidious and often 'silent' nature of family violence, as well as difficulties in obtaining documentary evidence. We consider this requirement to place an unfair burden on victim survivors.

Yours faithfully



Adrienne Picone
Chief Executive Officer