



ENERGY AND WATER  
OMBUDSMAN

Victoria **Listen Assist Resolve**



**Empowering change:  
Supporting victim-  
survivors of family  
violence**

# Empowering change: Supporting victim-survivors of family violence

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## ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the Traditional Owners of the lands and waterways on which we work and live.

We acknowledge all Aboriginal and Torres Strait Islander communities and pay our respects to Elders past and present.

## ACKNOWLEDGEMENT OF DIVERSITY

EWOV embraces the diversity of our Victorian communities. Every person, regardless of their race, religion, age, physical attributes or sexual orientation is entitled to be treated with dignity and respect.

## VICTIM-SURVIVORS OF FAMILY VIOLENCE AND FINANCIAL COUNSELLOR ACKNOWLEDGEMENT

We would like to acknowledge the victim-survivors and financial counsellors who shared their experience, expertise and time to provide guidance and feedback about key consumer and market concerns, and to identify areas for sector improvement, through their conversations with EWOV and consultants we have engaged with.

We acknowledge that while most people who experience family violence are women and children, it can impact anyone. We also acknowledge that because of social inequality and discrimination, some groups of people experience significantly higher rates of family violence.

## TERMINOLOGY IN THIS REPORT

We have prepared a guide for understanding the terminology of this report which is available at Appendix B.



# Ombudsman overview

**EWOV CONTINUES TO RECEIVE ENQUIRIES AND COMPLAINTS FROM VICTIM-SURVIVORS OF FAMILY VIOLENCE WHO HAVE EXPERIENCED PROBLEMS WITH THEIR ENERGY AND/OR WATER PROVIDERS. WE TAKE VERY SERIOUSLY THE RESPONSIBILITY TO DIRECTLY SUPPORT THESE VICTIM-SURVIVORS AND TO USE OUR INSIGHTS TO INFLUENCE THESE SECTORS' PRACTICES MORE BROADLY.**



EWOV welcomes the Essential Services Commission's (the Commission) recent announcements relating to work in this area of:

- forming a partnership with key leaders in family violence and economic abuse to develop better practice guides for energy and water businesses to support victim-survivors of family violence (**Safety by Design Partnership**). The Safety by Design Partnership will also incorporate sharing better practice approaches and building capability for change through workshops and engagement with stakeholders; and
- commencing a review of the *Energy Retail Code of Practice 2022* (Vic) which involves reviewing existing rules to take into account advancement in other jurisdictions and sectors, but only to the extent that changes will strengthen existing Victorian protections.

Given the nature and extent of EWOV's case insights, we consider we have an important role to play in ensuring that these important initiatives are delivered in a way that best supports victim-survivors of family violence.

EWOV recognises that this work is complex and evolving, and cooperation between all stakeholders is critical for improved outcomes. In the spirit of this cooperation, we identify in this report:

- the most common and impactful issues we are observing impacting victim-survivors of family violence in their dealings with electricity and water providers;
- potential areas of improvement for policy and regulatory protections impacting victim-survivors of family violence; and
- what we have observed to be provider good practice standards.

We look forward to bringing these insights and recommendations to the Commission's Safety By Design and Energy Retail Code of Practice review work. More broadly, we encourage all stakeholders, in particular energy and water providers to:

- engage with materials and activities stemming from the Safety by Design Partnership including by considering the better practice guidance and participating in relevant workshops; and
- continue to work together to find additional ways for the sector to support victim-survivors of family violence.

EWOV is on its own journey to improve our understanding of the impacts of family violence and how we can best support victim-survivors. This involves engaging with, and seeking training from, industry and subject matter experts, and consistently evaluating and updating our approach.

We are also commencing a consultation process on our updated draft family violence [position statement](#). The draft position statement aims to provide practical guidance for how we will resolve future cases impacting victim-survivors. We welcome feedback from all stakeholders that may assist us in better supporting victim-survivors of family violence in the future.

**Catherine Wolthuizen**  
Energy and Water  
Ombudsman (Victoria)  
and Chief Executive Officer

**"Our enduring priority is to help resolve cases relating to family violence, reflecting the serious nature of potential harm and the prevalence of this issue within the community"**

# About this report

## FAMILY VIOLENCE CONTEXT

Family violence is one of the leading causes of physical and psychological harm in Australia, particularly for women and children.<sup>1</sup> According to the most recent Australian Bureau of Statistics Personal Safety Survey, 27% of women have experienced violence by an intimate partner or family member from the age of 15.<sup>2</sup> In Victoria, the recorded instances of family violence are increasing.<sup>3</sup> Between the 2018/2019 and 2022/2023 financial years, the number of police-recorded family violence incidents in Victoria increased by 12.7%.<sup>4</sup> These trends are largely consistent with EWOV's case data. For example, between 2022 and 2023, there was a 7% increase in victim-survivors of family violence<sup>5</sup> seeking EWOV assistance due to an inability to access sufficient support from their energy or water providers.

We welcome the continuing attempts by governments and other stakeholders to improve outcomes for victim-survivors. In particular, we note the Australian

government's recent release of the *National Plan to End Violence against Women and Children* which, among other things, includes:

- a target of a 25% annual reduction in female victims of intimate partner homicide; and
- paying increased attention to LGBTIQ+<sup>6</sup> communities to help address the high prevalence of violence against LGBTIQ+ people.<sup>7</sup>

Improving how providers of essential services such as energy and water engage with perpetrators and victim-survivors is crucial for achieving this plan. As noted in the 2016 Royal Commission into Family Violence, due to the important function essential services play in daily life, perpetrators of family violence often use them to coerce action and cause harm through economic abuse.<sup>8</sup> EWOV's unique case data provides valuable insights into how and the extent to which this is occurring.

## EWOV INSIGHTS AND IDENTIFIED AREAS OF IMPROVEMENT

Reflecting the value of our insights, in this report we identify:

- the most common and serious issues we are observing that are impacting victim-survivors experiences with energy and water providers;
- likely causes of the identified issues; and
- areas of improvement to better support victim-survivors.

Our identified areas of improvement primarily relate to:

- maximising the impact of family violence training that energy and water providers deliver to relevant staff and agents;
- enhancing the quality and impact of energy and water providers' systems, processes and family violence-related policies;
- strengthening obligations relating to energy and water providers recognising and supporting victim-survivors; and
- removing barriers for victim-survivors accessing relevant protections and entitlements.

At the heart of each of these areas of improvement is encouraging safety by design. Safety by design aims to put consumer safety first by encouraging providers to mitigate potential risks and harms stemming from how they develop and implement their systems and processes.

We recognise that this work is complex and evolving, and cooperation is critical for improved outcomes. In the spirit of this cooperation, we acknowledge the Commission's ongoing commitment to supporting victim-survivors which has involved:

- developing the relevant energy and water Victorian family protection frameworks;
- developing better practice guidance materials to help energy and water providers provide family violence assistance that is safe and effective; and
- taking compliance and/or enforcement action when it has identified serious instances of non-compliance.

Notwithstanding the Commission's actions, our case insights and broader observations of provider conduct indicate that more needs to be done to support victim-survivors. Reflecting this, we welcome the Commission's recent announcement relating to it:

- forming the Safety by Design Partnership; and
- commencing a review of the *Energy Retail Code of Practice 2022 (Vic)*.

We encourage the Commission to consider the insights in this report when delivering these initiatives and the broader work it is or will undertake to improve the experiences of victim-survivors.

In addition, we encourage all energy and water providers to continually adopt best practice standards to support victim-survivors. To help facilitate this, we encourage all energy and water providers to:

- engage with materials and activities stemming from the Safety by Design Partnership including by considering the better practice guides and participating in relevant workshops; and
- consider the good practice guidance we have prepared which is available at **Appendix A** and our website.



# Evolving approach to family violence in the energy and water industries

In 2016, the Royal Commission into Family Violence released its report after a year-long inquiry into Victoria's family violence protections and response measures.<sup>9</sup>

One of its recommendations was for the Commission to:

- amend its energy and water codes to increase the likelihood of victim-survivors receiving support when they need it; and
- develop industry guidelines relating to requirements such as training of relevant staff and publication of dispute resolution mechanisms for victim-survivors.<sup>10</sup>

In 2017, the Commission made changes to the water customer service codes that required water providers to:

- develop a family violence policy; and
- meet certain minimum standards including training of relevant staff.<sup>11</sup>

In 2019, the Commission made changes to the *Energy Retail Code of Practice* to:

- require energy retailers to have a family violence policy; and
- meet minimum standards of conduct including training for relevant staff, improving account security and debt management practices.<sup>12</sup>

Since introducing family violence-related obligations into the energy and water codes, the Commission has engaged with experts such as Safe and Equal to create

better practice resources. In addition, it has assessed and/or is assessing the efficacy of relevant protections. For example, in 2023 the Commission reviewed the family violence provisions in the *Water Industry Standards* with a focus on how the provisions were being implemented by the Victorian water businesses<sup>13</sup> Relevant changes to the *Water Industry Standards*, informed by the Commission's 2023 review, were implemented on 1 April 2024. The Commission is now undertaking a similar review related to the *Energy Retail Code of Practice 2022* (Vic).

In 2022, the Australian Energy and Market Commission (AEMC) introduced new family violence obligations on energy providers operating in certain jurisdictions outside of Victoria. Many of the rules are substantially similar to the requirements in Victoria but, in some instances, the approach is different.<sup>14</sup> For example, one of the requirements directly provides that a retailer must not require a consumer affected by family violence or a third-party acting on their behalf to provide any documentary evidence of family violence as a precondition to applying family violence obligations or their policies.<sup>15</sup> Other AEMC-related family violence obligations are considered in the areas of improvement section of this report.

# EWOV's role in supporting victim-survivors

EWOV can help to support victim-survivors by:

- providing free, independent, and impartial dispute resolution services. This assists in reaching fair and reasonable outcomes for individual complaints relating to energy and water providers impacting victim-survivors. To support this function, we can make binding decisions to resolve individual cases which assists in setting fair and reasonable expectations;
- completing systemic issues investigations when we identify an issue, problem or change in a provider's policy or practice that has the potential to impact a number of consumers who are victim-survivors; and
- identifying current and emerging issues and helping to address them by engaging with energy and water providers and sharing our insights with key stakeholders.

Each of our actions are focused on supporting victim-survivors to be able to safely access essential services. To support our approach EWOV:

- has established a dedicated referral partner to ensure supported access to third-party help where it's appropriate;
- has dedicated expertise, in the form of a vulnerability specialist;
- remains committed to providing ongoing, appropriate family violence training to all relevant staff; and
- remains committed to updating our family violence policies and position statement to align with best practice standards.

Reflecting our systemic issue function, since family violence-related obligations came into effect in Victoria, we have completed numerous family violence-related systemic issue investigations. For example, in 2022, we worked with a provider to address problems with its information system, which had been adopted to avoid duplication of accounts but had inadvertently disclosed a victim-survivor's whereabouts to an alleged perpetrator.

# The most common and serious issues impacting victim-survivors' experiences with energy and water providers

In this report we identify what we consider to be the four most common and serious issues impacting victim-survivors' experiences with energy and water providers.

1. **Inappropriate disclosure or potential for inappropriate disclosure of victim-survivors' information.**
2. **Barriers to accessing financial assistance including the Utility Relief Grant (URG) and other entitlements.**
3. **Providers failing to recognise consumers as victim-survivors and applying related entitlements.**
4. **Providers seeking inappropriate information and evidence from victim-survivors.**

We identified these issues by:

- undertaking a thematic review of complaints consumers made to EWOV between May 2022 and May 2023;
- conducting systemic issues investigations when we identified serious and/or widespread concerning practices; and
- engaging with industry sector experts. For example, in 2022 we engaged Enterprise Partnerships and Development Uniting (Uniting) to help inform EWOV's understanding of key consumer and market concerns related to family violence and to identify areas of sector improvements. This involved Uniting running targeted focus groups that were designed to elicit feedback from both consumers and financial counsellors regarding privacy and security issues impacting consumers with lived experience of family violence and their related interactions with energy and water providers. Uniting provided a report to EWOV detailing its key findings. We have used the insights from this report to help inform our recommendations, particularly those that relate to good provider practice in [Appendix A](#).

## 1 INAPPROPRIATE DISCLOSURE OR POTENTIAL FOR INAPPROPRIATE DISCLOSURE OF VICTIM-SURVIVORS' INFORMATION

Any unauthorised disclosure and/or unauthorised access of victim-survivors' information can result in severe outcomes. In some cases, it can enable perpetrators of family violence to discover the location of victim-survivors and continue to or resume perpetrating family violence. To limit the likelihood of this occurring, there are obligations in Victoria relating to energy providers:

- not disclosing or providing access to confidential information about a victim-survivor without their consent (including privacy protections); and
- identifying and using safe and preferred methods of communication.<sup>16</sup>

Similarly, water providers must promote customer safety by securely handling information about those who are affected by family violence, including in a manner that maintains confidentiality.<sup>17</sup>

In the past two years, EWOV completed three systemic issue investigations which identified what EWOV considers to be provider system and process design errors that created the possibility of victim-survivors' residential addresses or other identifying information being disclosed to alleged perpetrators. Our investigations identified that two separate energy providers did not have policies or procedures in place to inform victim-survivors that when they changed their mailing address, this information would be included on:

- other accounts they were linked to, for example, a previous address or a closed account;
- future printed correspondence related to each of the accounts; and
- emails to people authorised on other accounts, such as joint account holders.

These circumstances created the potential for severe harm by directly identifying the victim-survivors' updated mailing addresses to unintended people and were potentially serious breaches of privacy obligations.

## Case study

### Aweena's\* location was inadvertently shared with an alleged perpetrator when she set up a new account

Aweena asked her energy provider to open a new account at a new address. Aweena was a victim-survivor but did not directly state this to her provider. When we reviewed the case, we considered there were indicators of family violence, which the provider should have identified and which should have prompted it to make relevant enquiries. These included Aweena disclosing that she needed to quickly leave the property due to a separation and that there were sensitivities around the circumstances.

Aweena had a linked account for the property that she left when escaping family violence. The provider failed to inform Aweena that, when she updated her details to include information for the new account, the details would be linked to the old account. When the provider emailed the final invoice for the previous property, it included Aweena's new address on the invoice. Aweena did not recognise this. When Aweena forwarded the invoice to the alleged perpetrator for payment, she unknowingly identified her new location. The alleged perpetrator used the information to find Aweena.

*\*Please note, names and identifying information have been changed to maintain privacy*

## 2 BARRIERS TO ACCESSING FINANCIAL ASSISTANCE INCLUDING THE URG AND OTHER ENTITLEMENTS

Accessing financial assistance is often critical for victim-survivors. It can help them to:

- overcome economic abuse;<sup>18</sup>
- establish self-sufficiency and act independently;<sup>19</sup> and
- contribute to achieving financial security and economic wellbeing, which is critical to long-term recovery from family violence.<sup>20</sup>

In Victoria, a victim-survivor is entitled to the URG without needing to satisfy any other eligibility criteria.<sup>21</sup> In addition, energy and water providers must provide practical assistance to help victim-survivors with their URG applications.<sup>22</sup>

Our case insights indicate that there have been issues with energy and water providers delivering appropriate support to victim-survivors with their URG applications including by providing:

- inaccurate information. We have observed instances where victim-survivors were incorrectly told that they are ineligible for the URG. This often relates to circumstances where a provider claimed that a concession card is an essential eligibility criterion irrespective of whether the consumer was a victim-survivor; or

- inadequate support with their URG application. We have identified instances where providers have either failed to send or substantially delayed sending URG application forms to victim-survivors. In addition, in some cases, providers have sent application forms to victim-survivors in an unsuitable format. For example, email links when victim-survivors do not have the capacity to complete the forms electronically.

We have also observed concerning practices relating to providers failing to administer other forms of assistance. In Victoria, providers must recognise family violence as a potential cause of payment difficulty and provide related support.<sup>23</sup> Despite this, we have identified instances where, after consumers have informed their provider or EWOV otherwise considers that their provider should have been aware that they were victim-survivors, providers have taken actions such as:

- attempting to recover debts in full rather than offering sustainable payment plans; or
- large upfront payments when negotiating reconnection of supply after a disconnection.

We have identified further issues where consumers inform providers that they are victim-survivors, which is followed by significant delays in providers eliciting their preferred method of communication. This includes either not asking for their preferred method of communication at all or not providing full details of types of communication that are available.



## Case Study

### Sylvia\* was not provided timely assistance in applying for the URG

Sylvia called EWOV after contacting her energy provider over 10 times to apply for the URG. Sylvia advised her provider on multiple occasions that she was affected by family violence, was expecting a child, and had only recently been able to return to her home.

She advised EWOV that she initially called her provider to speak to its support team and request assistance to complete the URG application over the phone, however, she was told that the relevant team was not available and that she would receive a call back during business hours. The provider didn't call Sylvia back and Sylvia was required to follow up herself. She was required to explain her circumstances to the provider again. Sylvia was worried that her energy debt would accumulate, which would adversely impact her circumstances as she had little savings left.

The provider was unable to assist Sylvia to complete the form over the phone due to a technical error. Instead, her provider promised to send a link to her phone but Sylvia never received the link. Sylvia was again required to follow up the provider herself.

Three months after initially contacting her provider, she had not received appropriate assistance. Our investigation of the case found that, despite Sylvia repeatedly disclosing her circumstances to multiple agents of the provider, it didn't identify that she was a victim-survivor.

After EWOV become involved, Sylvia received assistance with the URG application over the phone and the provider assisted her with a payment plan. She told us that the provider had treated her inconsistently each time she called and the experience made her feel embarrassed.

*\*Please note, names and identifying information have been changed to maintain privacy*

### 3 PROVIDERS FAILING TO RECOGNISE CONSUMERS AS VICTIM-SURVIVORS AND APPLYING RELATED ENTITLEMENTS

It is critical that providers recognise when consumers are victim-survivors and provide required support. In Victoria, there are requirements for energy providers to have in place secure processes to:

- identify when a consumer is a victim-survivor; and
- to avoid the need for victim-survivors to repeatedly disclose or refer to their family violence experience.<sup>24</sup>

Similarly, water providers must provide all relevant staff with appropriate and ongoing training to identify and deal appropriately with customers affected by family violence.<sup>25</sup>

We have identified barriers to providers recognising consumers as being victim-survivors in four primary circumstances.

1. **Consumers directly informing providers they are victim-survivors.**
2. **Victim-survivors facing difficulties contacting their provider.**
3. **Providers failing to make appropriate enquiries.**
4. **Providers' approach to disconnections when another consumer is continuing to live at the property.**

#### Consumers directly informing providers they are victim-survivors

In some cases, despite consumers directly informing their providers they were victim-survivors, the victim-survivors did not receive appropriate support. This contributed to victim-survivors contacting their provider multiple times and repeating their family violence-related experiences.

#### Victim-survivors facing difficulties contacting their provider

We have identified instances where victim-survivors have faced difficulties contacting and communicating with their providers, often at key moments when they required support. The instances involved victim-survivors and/or their advocates making repeated calls to providers but being unable to speak to appropriate people to access entitlements such as the URG. This issue is exacerbated by providers inappropriately referring victim-survivors to certain internal teams. For example, we have identified instances where providers transferred victim-survivors to their credit team instead of their hardship team despite there being indicators of family violence. In one case we investigated, a victim-survivor facing difficulties contacting their provider directly contributed to their electricity being disconnected. We have observed that these issues are most prevalent when victim-survivors are from culturally and linguistically diverse backgrounds (CALD). Often it

wasn't until a consumer advocate stepped in or EWOV initiated an investigation, that the issues were resolved and ongoing assistance was provided. This observation was also noted in the findings of the *Royal Commission into Family Violence*, which found that the availability of professional and independent interpreting services for CALD victim-survivors was inadequate.<sup>26</sup>

### Providers failing to make appropriate enquiries

We understand that victim-survivors are affected in how they process information, communicate and make decisions. In some cases, they are reluctant or unable to directly disclose their circumstances. We have identified instances where a consumer has provided information indicating they may be a victim-survivor and the provider has either failed to ask relevant questions or the nature and quality of questions asked are insufficient. For example, we observed an instance where a provider failed to ask appropriate questions and failed to recognise the consumer as being a victim-survivor despite her:

- indicating they were experiencing issues with the other party on a joint account;
- declining to proceed with an account name change because it required contact with the other party on the joint account; and
- expressing concerns about bill delivery methods and account ownership.

We consider that when these factors are examined collectively, they are a strong indicator of potential family violence. In these circumstances, we expect providers to take an appropriately sensitive approach, be reasonably flexible, explore options with care, and provide appropriate assistance.

### Providers' approach to disconnections when another consumer is continuing to live at the property

We have observed instances where providers have failed to take what we consider to be appropriate steps when:

- a consumer requests disconnection of supply;
- the provider is aware that another consumer will continue to live at the premises after the proposed disconnection date; and
- there are indicators of potential family violence.

One of the key types of financial and economic abuse includes situations where perpetrators threaten or organise to have electricity, gas or water disconnected.<sup>27</sup> Given this, in the circumstances described above, we would expect providers to have in place appropriate processes to identify victim-survivors and provide avenues for continuity of supply for those who will continue to live at a property after disconnection. This may include actions such as the provider ending the supply contract with the individual who requested disconnection but maintaining a supply option for the remaining potential victim-survivor under a deemed contract. If the remaining resident commences to take supply, and a deemed contract arises, the provider can commence the occupier notification process required under the applicable energy laws.<sup>28</sup> This allows the remaining resident and potential victim-survivor the option to establish a new account and gives notice of the provider's intention to otherwise disconnect. This maintains privacy and enables contact to be consumer-led and victim-survivor-led where it is required.

In one case we investigated, the alleged perpetrator had contacted their provider, indicating that they had separated from their partner and requested disconnection of the energy supply. The alleged perpetrator provided information indicating that the:

- relationship had ended under difficult circumstances; and
- alleged perpetrator had limited concerns for the wellbeing of their ex-partner.

The provider became aware that the ex-partner was still residing at the property but made no attempt to enquire whether they were a potential victim-survivor or required the continuity of supply. It is instances like this that allow alleged perpetrators to continue to weaponise utilities in the context of family violence.

## Case Study

### Preeti\* experienced extensive delays in being recognised as a victim-survivor

Preeti contacted her energy provider three times over four months to apply for the URG and update her account details. She repeatedly disclosed to her provider that she was a victim-survivor. Despite this, no representatives flagged her account as being that of a victim-survivor.

The relevant account was in Preeti's name but had the alleged perpetrator's email address as the preferred contact method. Even after identifying Preeti's account as being that of a victim-survivor, the energy provider did not ask Preeti to update her contact details and/or preferred contact method. As a result, instead of sending the URG application form to Preeti, the energy provider sent it to the alleged perpetrator. The URG application form included allegations of family violence. This allegedly contributed to further instances of family violence being perpetrated and Preeti wanting to move to another energy provider because she felt unsafe. We helped to resolve this case by:

- ensuring the provider removed the joint account holder from the account;
- working with the provider to uplift their training approach and family violence policy; and
- facilitating the provider waiving the consumer's debt for both their electricity and gas accounts, which were in excess of \$20,000.

*\*Please note, names and identifying information have been changed to maintain privacy*

## 4 PROVIDERS SEEKING INAPPROPRIATE INFORMATION AND EVIDENCE FROM VICTIM-SURVIVORS

Ensuring providers are only seeking relevant information and evidence from victim-survivors in appropriate circumstances is critical to:

- not unduly limiting victim-survivors accessing related entitlements and protections;
- limiting the burden on victim-survivors when evidence is not readily accessible;<sup>29</sup> or
- limiting potential impacts on victim-survivors when the information may be graphic, re-traumatising or embarrassing.<sup>30</sup>

To reduce the likelihood of providers seeking inappropriate information, there are some obligations in place in Victoria. These obligations stop energy providers seeking documentary evidence from victim-survivors, unless it is reasonably required for debt management and recovery or related to disconnections.<sup>31</sup> There are no specific obligations in place relating to documentary evidence for water providers.

Victim-survivors and their advocates have reported instances to EWOV where providers have sought evidence for other reasons, such as to access payment assistance entitlements.

## Case Study

### Susan\* was asked to provide documentary evidence to access payment assistance and support

Susan contacted EWOV in August 2023 to seek our assistance due to a customer service experience with her water provider. When she sought payment assistance and support, both initially and during the EWOV investigation, the water provider asked Susan to provide documentary evidence that she had been affected by family violence. Susan was able to do this but informed EWOV that the situation caused her to feel stressed. She considered other victim-survivors may not have been able to comply with the water provider's request. As part of our investigation, we identified that the water provider's policy required it to seek documentary evidence from victim-survivors before they accessed related payment assistance and support. As a result of our investigation, the provider changed its policy to remove this requirement.

*\*Please note, names and identifying information have been changed to maintain privacy*

# Likely underlying causes of the most common and serious issues

We consider there are four primary factors that are likely driving the most common and serious issues impacting victim-survivors' experiences with energy and water providers.

1. **Inadequate provider knowledge of family violence and related victim-survivor entitlements.**
2. **Issues with providers' systems, processes and family violence-related policies.**
3. **Lack of enforceable obligations when a provider has failed to identify a consumer is a victim-survivor.**
4. **Obligations allowing provides to seek evidence from victim-survivors.**

## 1 INADEQUATE PROVIDER KNOWLEDGE OF FAMILY VIOLENCE AND RELATED VICTIM-SURVIVOR ENTITLEMENTS

Our case insights indicate that providers have insufficient knowledge of family violence and related victim-survivor entitlements.

We consider this is evidenced by issues we have identified where providers are:

- failing to recognise indicators of family violence, making appropriate enquiries and providing related support to victim-survivors;
- failing to provide accurate information and support relating to family violence entitlements such as the family violence URG; and
- seeking information and evidence in inappropriate circumstances.

## 2 ISSUES WITH PROVIDERS' SYSTEMS, PROCESSES AND FAMILY VIOLENCE-RELATED POLICIES

Issues with providers systems, processes, and family violence-related policies primarily relate to the system problems we have identified. These problems have created the possibility of victim-survivors' identifying information being disclosed to alleged perpetrators. For example, providers not having policies and procedures in place to inform victim-survivors that when they change mailing address, this information would be emailed to people authorised on accounts such as joint account holders.

More broadly, our assessment of provider policies indicates that, in some cases, there are discrepancies in their likely impact. For example, some policies we have observed largely replicate minimum assistance requirements prescribed by relevant energy and water codes, while others make stronger commitments, such as providing specialist family violence-related training to relevant staff.

## 3 LACK OF ENFORCEABLE OBLIGATIONS WHEN A PROVIDER HAS FAILED TO IDENTIFY A CONSUMER IS VICTIM-SURVIVOR

There are currently no enforceable obligations when a provider has failed to identify a consumer is a victim-survivor and adapt their approach accordingly. Further details of this issue are considered in the 'Areas of improvement' section of this report on page 11.

We consider this issue has contributed to problems we have identified of:

- victim-survivors repeatedly disclosing their family violence-related experiences; and
- delays in victim-survivors receiving appropriate support.

## 4 OBLIGATIONS ALLOWING PROVIDERS TO SEEK EVIDENCE FROM VICTIM-SURVIVORS

The regulatory environment allows providers to seek evidence of family violence from victim-survivors in certain circumstances.<sup>32</sup> We consider this likely contributed to the case study we identified in relation to a water provider, where it adopted a policy to seek documentary evidence from victim-survivors before they could access related payment assistance and support. More broadly, based on our engagement with consumers and their advocates, we consider requirements for victim-survivors to provide evidence to access the family violence-related URG are likely contributing to victim-survivors not receiving this support.

# Areas of improvement

EWOV recognises that responding to family violence issues is complex. We consider a range of measures including better industry practice and policy and regulatory improvements could be effective in addressing family violence-related issues.

In relation to better practice, we welcome the ESC's announcement of its Safety by Design Partnership. We consider this work represents an important opportunity to help address a range of issues we have identified, particularly in relation to system design problems that have contributed to the risk of harm, such as the inappropriate disclosure of victim-survivors' information.

In relation to potential policy and regulatory changes, we have identified four key areas where we consider improvements may be appropriate.

1. **Maximising the impact of family violence training that energy and water providers deliver to relevant staff and agents.**
2. **Enhancing the quality and impact of energy and water providers' family violence-related policies.**
3. **Strengthening obligations relating to energy and water providers recognising and supporting victim-survivors.**
4. **Removing barriers for victim-survivors accessing relevant protections and entitlements.**

In identifying these areas of improvement, we welcome the Commission's continued support to ensure family violence obligations contained within the water and energy industry codes and standards are clear, effective and appropriate to allow:

- providers to clearly understand their obligations;
- EWOV to facilitate resolutions to consumer complaints that are fair and reasonable; and
- the Commission to hold providers accountable and ensure compliance when it considers it be appropriate.

## **1 MAXIMISING THE IMPACT OF FAMILY VIOLENCE TRAINING THAT ENERGY AND WATER PROVIDERS DELIVER TO RELEVANT STAFF AND AGENTS**

Currently, in Victoria, energy providers are required to ensure that training is provided to any person acting on its behalf who:

- may engage with a victim-survivor;
- is a manager of a person who may engage with a victim-survivor; or
- is responsible for systems and processes that guide interactions with consumers.<sup>33</sup>

Obligations require that the training addresses certain topics such as the nature and consequences of family violence and how to engage appropriately and effectively with victim-survivors.<sup>34</sup> Similarly, water providers must give all relevant staff appropriate and ongoing training to identify and deal appropriately with victim-survivors and apply their family violence and related policies.<sup>35</sup>

Critically, the obligations, particularly for energy providers, are focused on training being provided rather than the impact of the training. This creates a risk of energy providers being compliant with their training obligations, even when the training they provide does not cause relevant people to have requisite knowledge in required areas. Reflecting this, we consider there are potential opportunities to strengthen training-related obligations.

One option for strengthening training-related obligations could be to impose more outcome-based requirements. We note that the AEMC has recently adopted this approach for energy retailers operating in certain jurisdictions outside of Victoria by requiring that providers ensure that any person with authority or capacity to act on their behalf understands the nature and consequence of family violence and can assist victim-survivors in accordance with their obligations and policies.<sup>36</sup>



The AEMC noted that this approach:

- arguably places a higher bar on providers; and
- requires providers to engage with family violence issues on an ongoing basis.<sup>37</sup>

Similar approaches are also used in other industries. For example, the Australian Banking Association's *Banking Code of Practice 2021* includes provisions such as commitments from providers to:

- train their staff to act with sensitivity, care and compassion if a consumer appears to be in a vulnerable situation, including being a victim-survivor;<sup>38</sup> and
- take extra care with consumers who are experiencing vulnerability, including victim-survivors.<sup>39</sup>

Alternatively, family violence training-related obligations could be expanded to include additional requirements.

For example, the likely standard of training could be increased by requiring that training be carried out by family violence experts and/or be delivered in a particular way, such as being trauma informed.

## 2 ENHANCING THE QUALITY AND IMPACT OF ENERGY AND WATER PROVIDERS' VIOLENCE-RELATED POLICIES

Currently, in Victoria, energy providers are required to:

- have a family violence policy that is accessible on their website; and
- review their policy no less than once every two years.<sup>40</sup>

Similar obligations apply in relation to water providers (although there are more extensive requirements about what needs to be included in the family violence policies).<sup>41</sup>

There are no requirements relating to:

- the policies being reviewed or approved by third parties such as family violence experts; or
- implementing regular updates or amendments so policies align with best practice. This means that even if issues or better practice are identified, providers are not strictly required to address them by making relevant improvements to their family violence policies.

We consider there are multiple options for potentially enhancing the quality and impact of providers' family violence-related policies including:

- requiring providers' family violence policies to be approved by the Commission or a third-party expert. This would create greater accountability and could

help to improve provider understanding of good industry practice standards. We note that a similar obligation currently requires the Commission to approve energy providers' financial hardship policies;

- requiring providers to consult with family violence experts when creating and/or amending their family violence policies. Issues relating to family violence are complex and evolving and often require nuanced consideration. Mandating consultation with family violence experts would likely improve understanding of key family violence issues and encourage providers to adopt policies that closely align to current best practice standards; and/or
- imposing obligations that require providers to regularly update their policies to align with best-practice standards.

We note that the AEMC has recently adopted the latter approach for energy providers operating in certain jurisdictions outside of Victoria by requiring them to review and update their family violence policies to reflect changes in circumstances or maintain consistency with leading practice. The AEMC considers the benefits of this approach to be encouraging sharing of best practice approaches and providers having meaningful engagement with relevant reform opportunities such as key public inquiries and reviews.<sup>42</sup> We also note that adopting this approach could increase the impact of EWOV's systemic issue investigations and/or compliance enforcement action by the Commission. Other providers would be encouraged to monitor the outcomes of these actions and when relevant, consider updating their own policies to align with new best practice standards they generate.

We consider there is an additional potential issue relating to the application of energy providers' family violence policies. While obligations in the relevant water codes directly require water providers to implement their family violence policies, no explicit provision exists in the *Energy Retail Code of Practice 2022* (Vic). In comparable jurisdictions outside of Victoria, there are express requirements for energy providers to implement, maintain and comply with their family violence policies.<sup>43</sup> While we consider the obligation is likely implied, to improve victim-survivor understanding of their entitlements, we consider it is appropriate for regulatory change to make it expressly clear that this obligation exists.

### 3 STRENGTHENING OBLIGATIONS RELATING TO ENERGY AND WATER PROVIDERS RECOGNISING AND SUPPORTING VICTIM-SURVIVORS

Currently, energy providers in Victoria must have a secure process designed to avoid the need for victim-survivors to repeatedly disclose or refer to their experience of family violence by providing:

- a method for readily identifying the account of a consumer who has been identified as a victim-survivor; and
- effective ongoing engagement with a victim-survivor.<sup>44</sup>

Water providers must include similar provisions as part of their family violence policies.<sup>45</sup>

These requirements focus on providers having processes in place and not:

- the quality of the processes;
- the outcomes of those processes; or
- providers applying those processes in specific circumstances.

We consider there are multiple options for strengthening obligations. One option could be to impose more outcome-based obligations. For example, an obligation could be introduced requiring that when a provider is aware or ought to be aware that a consumer is a victim-survivor that they must ensure that they:

- take extra care;
- provide support that is respectful, sensitive and effective; and
- apply other victim-survivor entitlements and protections.

We note that this approach has been adopted in other industries. For example, the Australian Banking Association's *Banking Code of Practice 2021* requires for extra care to be taken with customers who are experiencing vulnerability.<sup>46</sup>

Another option could be to impose more prescriptive obligations in certain circumstances. For example, an obligation could be imposed that requires providers to flag consumers' accounts as being those of victim-survivors within a specified period when victim-survivors consent to this occurring. We note that similar obligations are currently in effect to protect life support customers in Victoria.<sup>47</sup>

Further, we consider there are potential opportunities to explore other ways to improve provider sensitivity and responsiveness to reasonable indicators for family violence. For example, obligations could be introduced that restrict providers recovering debt from victim-survivors when there have been clear failures to recognise consumers as victim-survivors and provide related support.

### 4 REMOVING BARRIERS FOR VICTIM-SURVIVORS ACCESSING RELEVANT PROTECTIONS AND ENTITLEMENTS

The primary burden we have observed for victim-survivors relates to providing evidence. Currently, energy providers in Victoria can seek documentary evidence of family violence when considering debt management or recovery or restrictions on disconnection.<sup>48</sup> There are no specific obligations in place relating to documentary evidence for water providers. However, as noted in the Commission's *2023 Water Industry Standards Family Violence Review Findings Report*, providers do not need to seek evidence from victim-survivors to provide relevant support.<sup>49</sup> More broadly, the Department of Families, Fairness and Housing (DFFH) currently requires victim-survivors to provide evidentiary substantiation in order to access the family violence-specific URG.<sup>50</sup>

Requiring victim-survivors to provide documentary evidence of family violence can:

- be cumbersome and may risk their safety when it is not readily available;
- be re-traumatising or embarrassing for victim-survivors when they are forced to re-live and re-explain challenging experiences; and
- cause shame and guilt for victim-survivors when they seek support related to their family violence situation.<sup>51</sup>

One option for reducing evidence-related burden for victim-survivors is to introduce express requirements that prevent:

- energy and water providers seeking documentary evidence from victim-survivors as a precondition to applying relevant support;
- energy and water providers withholding family violence-related protections and entitlements due to failures to provide documentary evidence; and/or
- relevant entitlements such as the family violence-related URG being contingent on victim-survivors providing evidence.

Including express requirements would likely assist in providing clear and unambiguous direction to providers. We consider this is particularly important given the issue we have identified in Susan's\* case study on page 9 of this report. Even though the water industry standards do not refer to victim-survivors needing to provide documentary evidence, our investigation identified that the water provider's policy required victim-survivors to do so before the provider applied relevant protections and entitlements.

Adopting an approach where documentary evidence of family violence is prohibited, except for in limited circumstances, will likely have the ancillary benefit of helping to reduce the identified issue of providers seeking evidence in inappropriate circumstances. If there are direct restrictions relating to seek evidence as a precondition to applying support, there is less room for provider confusion as to when evidence can or should be sought.

We note that the AEMC has recently introduced new rules for energy providers operating in certain jurisdictions outside of Victoria that prevent energy providers from making victim-survivors supply documentary evidence of family violence as a precondition of applying relevant rules and their family violence policies.<sup>52</sup> This approach is similar to actions occurring in other industries. For example, changes have recently been made to the *Residential*

*Tenancies Act 1997* (Vic) that aim to improve safety and security for victim-survivors in rental housing. Many provisions in the Act that relate to family violence have significantly reduced evidence requirements for victim-survivors, and some provisions have removed evidence requirements altogether. These changes are designed to reduce barriers for victim-survivors accessing rental housing<sup>53</sup> and are just as necessary to reduce barriers to access utilities.

More broadly, another option could be to remove or limit evidence requirements for the family violence-related URG. While we recognise that this has the potential to increase the likelihood of consumers initiating fraudulent claims, we consider the risk is minimal. We are currently not aware of any evidence suggesting consumers are falsely identifying themselves as victim-survivors in the energy and water or other markets.

## Next steps

In the spirit of cooperation, we encourage the Commission to consider the insights and materials in this report as part of its:

- actions stemming from its Safety by Design Partnership, particularly developing better practice guides;
- review of the *Energy Retail Code of Practice 2022* (Vic); and
- other initiatives to support victim-survivors including its compliance and enforcement activities.

In addition, we welcome continued engagement and collaboration with all stakeholders, in particular energy and water providers. Reflecting this, we:

- welcome feedback on EWOV's updated draft family violence position statement; and
- encourage energy and water providers to consider the good practice guidance that is available at **Appendix A** and on our website.

# Appendix A

## Provider good practice guidance

Through our assessment of our case insights and broader engagement with providers and industry experts (such as Uniting), we have identified five key areas where we consider good practice approaches have been particularly effective in improving outcomes for victim-survivors.

We encourage all energy and water providers to adopt each of these practices. The practices relate to the following themes:

1. **Secure handling of victim-survivors' information.**
2. **Provider engagement with victim-survivors.**
3. **Training approaches for provider staff and agents.**
4. **Provider approaches to reducing barriers for consumer advocates, in order to assist victim-survivors.**
5. **Designing safe and flexible processes to limit disconnection of supply being used as a form of economic and/or financial abuse.**

### 1 SECURE HANDLING OF VICTIM-SURVIVORS' INFORMATION

Good practice approaches we have observed or otherwise identified relating to the secure handling of victim-survivors' information involve providers engaging with victim-survivors to understand their individual preferences and then adapting approaches accordingly. Depending on victim-survivors' preferences this can involve taking actions such as:

- reducing barriers for victim-survivors separating joint accounts with alleged perpetrators;
- introducing additional security measures such as two-factor authentication codes, passwords or PINs. For example, we have observed that certain victim-survivors have responded positively to offers from providers to set up passwords before proceeding with phone calls. This approach involves a consumer providing a password to the provider and the provider using that password at the beginning of each call. Certain victim-survivors have indicated that this approach creates comfort and certainty that they are speaking to their provider;
- restricting provider staff and agent access to personal victim-survivor information, such as their address. This can limit potential security issues where an alleged perpetrator knows a staff member or agent at the victim-survivor's provider;
- proactively contacting victim-survivors and alerting them of all relevant information related to their account, such as what systems and documents their personal information is recorded in and steps they can take to mitigate risk. This is particularly relevant when victim-survivors have joint accounts and/or multiple linked accounts with alleged perpetrators; and
- proactively identifying potential issues and offering relevant support to victim-survivors. This is particularly important for helping to protect victim-survivors who may be unwilling or unable to proactively seek out help.

### 2 PROVIDER ENGAGEMENT WITH VICTIM-SURVIVORS

Good practice approaches we have observed or are otherwise aware of relating to provider engagement with victim-survivors include providers:

- having specialist teams or specific staff allocated to the accounts of victim-survivors who have specialised knowledge of family violence and/or other relevant areas such as understanding of the cultural views and experiences of particular victim-survivors and how family violence may be interpreted differently in these cultures;
- engaging with victim-survivors in a way that makes them feel safe and secure and removing the need for victim-survivors to repeat their experiences unnecessarily;
- treating each victim-survivor as an individual person and tailoring approaches to reflect their specific circumstances rather than making assumptions about their needs;
- recognising that trauma can cause victim-survivors to have difficulties in processing information and accounting for this by simplifying information and making sure it is clear, accessible and inclusive;
- recognising that victim-survivors can often have a mistrust of institutions and authorities and accounting for this by being patient and taking proactive steps to build trust over time;
- demonstrating empathy through active listening, asking open questions, and using a calm and patient tone;
- proactively taking steps to assist victim-survivors with URG applications and other financial assistance, including by offering interpreter services; and
- providing meaningful opportunities for victim-survivors to give feedback about the provider's engagement with victim-survivors.

More broadly, good practice approaches we have observed or are otherwise aware of relating to providers making relevant information available to victim-survivors include providers:

- having dedicated webpages that are easily accessible and linked to the homepage of their website, including clear family violence-related information about how the provider and other support services can help victim-survivors; and
- making information in their family violence policies simple and easy to understand for victim-survivors. For example, not simply repeating legal obligations and practically explaining how they approach situations such as disconnecting supply.

### **3 TRAINING APPROACHES FOR PROVIDER STAFF AND AGENTS**

Good practice approaches we have observed or are otherwise aware of relating to provider training of staff and agents involve:

- providers tailoring training approaches to provide better responses for victim-survivors overall, as well as to address circumstances where inappropriate action occurs (such as requesting unnecessary documentary evidence);
- providers delivering training to all relevant staff including staff who are responsible for building products and systems. This encourages consumer safety and family violence-related sensitives being incorporated into the product and system design;
- training being delivered by people with specialist expertise in family violence and trauma-informed care. These approaches often incorporate:
  - details of how to swiftly identify family violence circumstances;
  - details of how to speak to people who are experiencing trauma and multiple intersecting vulnerabilities;
  - details of how to alleviate the need for victim-survivors to have to explain or justify their situation; and
  - highlighting and raising awareness around how family violence can affect different people in the community, for example training that helps to improve understanding of how family violence affects LGBTIQ+ population groups; and
- training that empowers agents and staff to make relevant family violence enquiries and recognises important factors associated with family violence including that victim-survivors:
  - are experts in understanding their own safety and risk;

- may feel ashamed or afraid to disclose their experiences; and
- will experience different risks based on their personal circumstances.

### **4 PROVIDER APPROACHES TO REDUCING BARRIERS FOR CONSUMER ADVOCATES IN ORDER TO ASSIST VICTIM-SURVIVORS**

Good practice approaches we have identified or are otherwise aware of relating to providers engaging with consumer advocates of victim-survivors involve providers:

- making it clear and simple for victim-survivors to utilise available support, including by making it easier for financial counsellors to assist victim-survivors; and
- clearly understanding and supporting the role of consumer advocates and allowing them to access the account when authorised.

### **5 DESIGNING SAFE AND FLEXIBLE PROCESSES TO LIMIT DISCONNECTION OF SUPPLY BEING USED AS A FORM OF ECONOMIC AND/OR FINANCIAL ABUSE**

Good practice approaches we have identified primarily relate to actions when a disconnection request is raised and a provider is aware, or ought to be aware, that someone will continue to reside at the property after the proposed disconnection. In these circumstances, we consider that good practice approaches involve:

- making safe and appropriate enquiries to assess whether the remaining resident is a potential victim-survivor or is likely to require continued supply;
- ending the supply contract with the person who requested disconnection but not immediately disconnecting supply from the premises;
- providing safe and confidential avenues for the remaining resident to access continued supply, such as maintaining supply options and creating the opportunity for a deemed contract to arise;
- where a deemed contract arises, the provider issues disconnection notices as required under the *Electricity Industry Act 2000* (Vic) and the *Gas Industry Act 2001* (Vic) which provide the remaining resident with:
  - access to information about entering a supply and sale contract with the provider to ensure supply is continued; and
  - appropriate notification of the provider's intention to disconnect supply if a supply and sale contract is not entered into.



# Appendix B

## Guide for understanding the terminology in this report

The language used to describe experiences of family violence is complex and evolving. As such, the language in this report may not apply to everyone. We acknowledge that those affected by family violence as well as professionals may identify and use different terms.

### FAMILY VIOLENCE

The *Family Violence Protection Act 2008 (Vic)* defines family violence as behaviour by a person towards a family member of that person if that behaviour.

- is physically or sexually abusive;
- is emotionally or psychologically abusive;
- is economically abusive;
- is threatening;
- or is coercive; or
- in any other way controls or dominates the family member and causes that family member to feel fear for the safety or wellbeing of that family member or another person.<sup>54</sup>

It also includes behaviour by a person who causes a child to hear or witness, or otherwise be exposed to the effects of the behaviour referred to in the points above.<sup>55</sup>

Family violence can arise in a variety of circumstances and impact a range of people. For example, research indicates 61% of LGBTIQ+ people experience some form of violence from intimate partner and/or family relationships in their lifetime.<sup>56</sup>

We note that family violence can have different meanings in different cultures. For example, Indigenous definitions of family violence are often broader and more encompassing than mainstream definitions and can incorporate spiritual and cultural factors.<sup>57</sup> For the purposes of this report, our understanding of family violence is primarily focused on the definition in the *Family Violence Protection Act 2008 (Vic)*.

### VICTIM-SURVIVOR

The term 'victim-survivor' is used throughout this report as a term to describe people who have direct, first-hand experience of family violence from all population

groups. As noted by the Victorian Government's *Family Violence Lived Experience Strategy*, "the term acknowledges the ongoing effects and harm caused by abuse and violence as well as honouring the strength and resilience of people with lived experience of family violence."<sup>58</sup>

### ECONOMIC ABUSE

The *Family Violence Protection Act 2008 (Vic)* defines economic abuse as behaviour by a person (the first person) that is coercive, deceptive or unreasonably controls another person (the second person), without the second person's consent:

- in a way that denies the second person the economic or financial autonomy the second person would have but for that behaviour; or
- by withholding or threatening to withhold the financial support necessary for meeting the reasonable living expenses of the second person or the second person's child, if the second person is entirely or predominantly dependent on the first person for financial support to meet those living expenses.<sup>59</sup>

### PRIVACY BREACH

A privacy breach happens when personal information<sup>60</sup> held by an organisation is accessed or disclosed without authorisation<sup>61</sup> or in breach of the applicable privacy laws.

An energy or water company may also breach a person's privacy by failing to protect customer safety or failing to securely handle personal or confidential information about customers affected by family violence, in breach of obligations under the relevant energy and water codes.<sup>62</sup>

### EWOV'S SYSTEMIC ISSUE INVESTIGATIONS

EWOV defines a systemic issue as a problem with, or change in an energy or water provider's policy, practice or conduct that adversely affects, or has the potential to adversely affect, a number of customers. EWOV investigates these issues in accordance with our Charter and Systemic Issue Policy.

# Endnotes

- 1 Royal Commission into Family Violence. (2016). [Summary and Recommendations](#).
- 2 Australian Bureau of Statistics. (2023). [Personal Safety, Australia](#).
- 3 Crime Statistics Agency. (2023). [Family Violence Dashboard](#).
- 4 Ibid.
- 5 Referred to as victim-survivors for the remainder of the report.
- 6 The term LGBTIQ+ is used to refer to lesbian, gay, bisexual, transgender, intersex, queer, asexual people or people otherwise diverse in gender, sexual orientation and/or innate variations of sex characteristics.
- 7 Australian Government Department of Prime Minister and Cabinet. (2023). [New Action Plans include concrete steps and targets to end gender-based violence](#).
- 8 *Royal Commission into Family Violence*. (2016). [Summary and Recommendations](#).
- 9 Ibid.
- 10 Essential Services Commission. (2019). [Energy Retail Code Changes to Support Family Violence Provisions for Retailers](#), p.1.
- 11 Ibid, p.2
- 12 Essential Services Commission. (2019). [Energy Retail Code Changes to Support Family Violence Provisions for Retailers: Final Decision](#).
- 13 Essential Services Commission. (2022). [Family violence standards in water review 2022](#).
- 14 AEMC. (2022). [National Energy Retail Amendment \(Protecting customers affected by family violence\) Rule 2022 No. 1](#).
- 15 National Energy Retail Rules version 40, Part 3A clause 76I. The National Energy Retail Rules have not been adopted in Victoria.
- 16 *Energy Retail Code of Practice 2022* (Vic), clause 150.
- 17 For example, *Water Industry Standard – Urban Customer Service 2023* (Vic), clause 11.1(a)(iii).
- 18 Cortis, N & Bullen, J. (2015). [Building Effective Policies and Services to Promote Women’s Economic Security Following Domestic Violence: State of Knowledge paper](#).
- 19 Fawole, O. (2008). ‘Economic Violence to Women and Girls: Is It Receiving the Necessary Attention?’ *Trauma Violence Abuse*, 9(3), p. 167.
- 20 Braaf, R & Meyering, I. (2011). [Seeking Security: promoting women’s economic wellbeing following domestic violence](#).
- 21 Department of Families, Fairness and Housing. (2024). [Utility Relief Grant Scheme](#).
- 22 *Energy Retail Code of Practice 2022* (Vic), clause 128 and *Water Industry Standard – Urban Customer Service 2023* (Vic), clause 10.1(viii).
- 23 *Energy Retail Code of Practice 2022* (Vic), clause 153 and *Water Industry Standard – Urban Customer Service 2023* (Vic), clause 11.1(v).
- 24 *Energy Retail Code of Practice 2022* (Vic), clause 151.
- 25 *Water Industry Standard – Urban Customer Service 2023* (Vic), clause 11.1(a).
- 26 *Royal Commission into Family Violence*. (2016). [Summary and Recommendations](#), p.34.
- 27 Victims of Crime. (2023). [Recognising violence and abuse in families and relationships](#).
- 28 Section 40SQ of the *Electricity Industry Act 2000* (Vic) and section 48DS of the *Gas Industry Act 2001* (Vic) set out the occupier notification and disconnection requirements when a deemed contract arises.
- 29 Australian Energy Market Commission. (2022). [National Energy Retail Amendment \(Protecting Customers Affected by Family Violence\) Rule 2022](#), p. 28.
- 30 Ibid, p. 29.
- 31 *Energy Retail Code of Practice 2022* (Vic), clause 155.
- 32 For example, clause 155(1) of the *Energy Retail Code of Practice 2022* (Vic).
- 33 Ibid, clause 149.
- 34 Ibid.
- 35 *Water Industry Standard – Urban Customer Service 2023* (Vic), clause 11.
- 36 AEMC. (2022). [National Energy Retail Amendment \(Protecting customers affected by family violence\) Rule 2022 No. 1](#).
- 37 Australian Energy Market Commission. (2022). [National Energy Retail Amendment \(Protecting Customers Affected by Family Violence\) Rule 2022](#), p. 28.
- 38 *Australian Banking Association Banking Code of Practice 2020* (Cth), clause 37.
- 39 Ibid, clause 38.
- 40 *Energy Retail Code of Practice 2022* (Vic), clauses 157 and 159.
- 41 *Water Industry Standard – Urban Customer Service 2023* (Vic), clause 11.
- 42 Australian Energy Market Commission. (2022). [National Energy Retail Amendment \(Protecting Customers Affected by Family Violence\) Rule 2022](#), p. 19 and 26.
- 43 *National Energy Retail Rules* version 40, clause 76A(c).
- 44 *Energy Retail Code of Practice 2022* (Vic), clause 151.
- 45 *Water Industry Standard – Urban Customer Service 2023* (Vic), clause 11 (iii).
- 46 *Banking Code of Practice 2021*, clause 38.
- 47 *Energy Retail Code of Practice 2022* (Vic), clause 165.
- 48 Ibid, clause 155.
- 49 *Essential Services Commission*. (2023). [Water Industry Standards Family Violence Review Findings Report](#), p. 52.
- 50 Department of Families, Fairness and Housing. (2024). [Utility Relief Grant Scheme](#).
- 51 Australian Energy Market Commission. (2022). [National Energy Retail Amendment \(Protecting Customers Affected by Family Violence\) Rule 2022](#), p. 30.
- 52 *National Energy Retail Rules* version 40, 76I.
- 53 *Commissioner for Residential Tenancies*. 2022. [Update to Tenants Victoria family violence protection resource](#).
- 54 *Family Violence Protection Act 2008* (Vic), section 5.
- 55 Ibid.
- 56 Australian Institute of Health and Welfare. (2024). [Family, domestic and sexual violence](#).
- 57 Victorian Indigenous Family Violence Taskforce. (2003) [Victorian Indigenous Family Violence Task Force Final Report](#).
- 58 Victorian Government. (2024). [Preferred terminology](#).
- 59 *Family Violence Protection Act 2008* (Vic), section 6.
- 60 *Privacy Act 1988* (Cth), section 6; See also the Office of the Australian Information Commissioner’s [What is personal information?](#)
- 61 Office of the Australian Information Commissioner [Notifiable data breaches](#); Office of the Victorian Information Commissioner [Data breaches and you](#).
- 62 EWOV has jurisdiction to consider privacy complaints about scheme participants that are bound by the *Privacy Act 1988* (Cth), and complaints about a scheme participant’s conduct or service that is not otherwise excluded under the [EWOV Charter](#).

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