



APPG on Access to Justice

Panel Event Briefing

Freedom Curtailed: Coercive Control & Economic Abuse

22 October 2025

Macmillan room, Portcullis House

11.00-12.00

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Agenda

11:00	Welcome and Introductory remarks by APPG Co-Chair
11:05	Jess Phillips, Parliamentary Under-Secretary for Safeguarding and VAWG
11:15	Gina Miller, MoneyShe
11:25	Sam Smethers, Surviving Economic Abuse
11:35	David Challen, Domestic Abuse Advisor, Author and Speaker
11:45	Questions from the floor
12:00	End

Note

This briefing paper has been prepared to provide parliamentarians and other attendees with a broad overview of some of the key issues to consider in relation to the theme of this meeting. This paper does not represent the views or opinions of any of the Members of the APPG on Access to Justice or of LAPG, which provides secretariat services to the APPG.

Speakers

Jess Phillips MP: Parliamentary Under-Secretary for Safeguarding and Violence Against Women and Girls

Jess has a background in frontline support services, having worked for Women's Aid in the West Midlands on programmes addressing domestic abuse, sexual violence, human trafficking and exploitation. She was elected as a local councillor in 2012 and later became Birmingham's first Victims Champion, focusing on improving support for victims of crime.

Since her election as MP for Birmingham Yardley in 2015, she has built a profile as a direct communicator, particularly on issues affecting women and vulnerable groups. She has been vocal on challenging sexist attitudes and advocating for stronger protections and rights for women.

Following Labour's general election victory in July 2024, Jess was appointed Parliamentary Under-Secretary for Safeguarding and Violence Against Women and Girl, having previously served as Shadow Minister for Domestic Violence and Safeguarding.

Gina Miller: Businesswoman, Activist, Campaigner, Author, Founder of MoneyShe

Gina Miller is a trailblazing businesswoman, fearless activist, and passionate advocate for justice whose career is defined by speaking truth to power and standing up for what's right.

Galvanised by the reckless practices that triggered the 2008 Global Financial Crisis, Gina co-founded **SCM Direct** in 2009 - an investment firm that broke with convention. Driven by a contrarian mindset and an unrelenting commitment to transparency, efficiency, and fairness, SCM pioneered a radically different approach where clients' interests came first, and the founders always invested alongside them.

Determined to tackle the gender investment and pensions gaps, Gina founded **MoneyShe** in 2020 to empower woman with financial knowledge, confidence, and advocacy. MoneyShe supports women in building long-term economic security, while challenging structural inequalities that hold them back.

Gina's activism spans more than three decades. It began in 1990 when she fought to improve education for children with special needs, inspired by her own daughter's experiences. Over the years, she has also campaigned against modern slavery, championed domestic abuse survivors (as one herself), and pushed for stronger online safety standards.

To those who say one person can't make a difference, Gina Miller's life is living proof that you can.

Sam Smethers: CEO, Surviving Economic Abuse

Sam is a prominent UK charity leader, speaker, and campaigner specialising in women's rights, gender equality, VAWG, and economic abuse. From 2015 to 2021, Sam was Chief Executive of the Fawcett Society, the UK's foremost feminist campaigning charity.

Sam's work focuses on gender equality and women's rights. As the CEO of Surviving Economic Abuse (SEA), she works to make economic abuse a central focus of domestic violence policy and to drive systemic change across the public and private sectors.

David Challen: Domestic Abuse Advisor, Author and Campaign

David is a domestic abuse advisor, campaigner, author and keynote speaker. He successfully campaigned to free his mother Sally Challen in 2019 in a landmark appeal raising awareness of the lifetime of coercive control she suffered.

David continues to speak out against men's violence against women, coercive control and the impact of domestic abuse on children, as well as men's role in tackling misogyny.

David is an advisor to the Domestic Abuse Commissioner for England and Wales and an Ambassador for the Prison Advice and Care Trust (PACT) and the Employers' Initiative on Domestic Abuse.

Key Information

Definition

Economic abuse involves behaviours that interfere with an individual's ability to acquire, use and maintain economic resources such as money, housing, transport and utilities. It is recognised as a form of controlling or coercive behaviour¹.

Coercive control does not always involve physical violence. Many perpetrators dictate choices and control everyday actions, escalating to threats or violence if demands are refused. Other common tactics used to create financial dependence and/or instability include:

- Coerced debt - forcing or coercing someone into debt
- Generating economic costs – creating additional costs to absorb available income or freeloading
- Employment sabotage – intentional interference with someone's ability to secure or maintain a job
- Stealing victims' money or property

The effect is to make the victim economically unstable and/or dependent on the abuser, limiting their ability to escape and access safety. It is designed to intimidate, isolate and entrap².

Economic abuse seldom happens in isolation. Most perpetrators use a combination of abusive behaviours – physical, psychological, sexual – to reinforce and maintain control.

Economic abuse is expressly included in the Domestic Abuse Act 2021. The definition goes beyond money and finances to cover wider resources that money can buy, including housing, possessions and clothing. Financial abuse is also recognised in Section 42(3) of the Care Act 2014.

Surviving Economic Abuse (SEA) defines three main categories of perpetrator tactics: economic restriction (blocking access to money and resources); economic exploitation (stealing or appropriating assets, coerced debt); and economic sabotage (undermining employment, credit files, housing).

Importantly, economic abuse often continues after separation. Financial control may be exerted through the Child Maintenance Service or through misuse of family court processes.

Prevalence

Perpetrators deliberately weaponise systems including benefits, banking, credit referencing, the Child Maintenance Service (CMS), and the family courts to entrench control, often long after separation.

¹ <https://survivingeconomicabuse.org/what-is-economic-abuse/>

² Ibid.

This type of “system abuse” amplifies harms for women facing structural disadvantage such as migration status, institutional discrimination, and disability.

The findings of SEA’s research from July 2025 present the scale of issue and the groups that are most often affected³:

- 1 in 7 UK women experienced economic abuse from a current or ex-partner in the last 12 months (around 4.1 million women).
- Nearly 2 in 5 affected women are aged 18 to 24 (around 1.01 million).
- 23% of disabled UK women had experienced at least one form of economic abuse compared to 13% of non-disabled UK women.
- 29% of Black, Asian or otherwise ethnically minoritised (around 1.1 million) had experienced at least one form of economic abuse, compared with 13% White UK women.
- Mothers are around three times as likely to experience economic abuse as women without children. London shows the highest recent prevalence (25%).

Despite the scale, 42% of survivors did not seek any support. Awareness correlates with help seeking (nearly 6 in 10 who had heard of economic abuse reached out, compared with 41% who had not).

Impact

72% of survivors said the perpetrator’s economic abuse caused harm. This rises to 93% where other abuse co-occurs.

- Mental health: 36% reported anxiety, depression, panic attacks or suicidal thoughts (around 1.5 million women).
- Financial destabilisation: 34% in financial difficulty, 19% borrowing to cover essentials (around 772,000), 17% left with unmanageable debt, 10% forced into multiple jobs.
- Homelessness: 11% became homeless (around 470,000 women).
- Entrapment: 23% prevented from leaving by the abuser’s control (around 940,000 women).
- Income: Divorce further strains women’s financial security, with women’s income decreasing by 33% post-divorce compared to 18% for men. This financial setback is even more critical with 25% of divorces occurring after age 50.

³ Surviving Economic Abuse (SEA), *Counting the Cost*, July 2025

- Pension Poverty: After property, pensions are often the largest asset in divorce proceedings.⁴ Pension assets are not a compulsory part of divorce proceedings.⁵ NOW: Pensions reported in 2024 that over 70% divorces do not result in any pension division.⁶

Legal Advice and representation

Domestic (including economic) abuse survivors are dependent on legal advice and representation to access family court proceedings to safely separate from an abuser⁷. For many survivors, divorce and financial remedy proceedings are the only route to safely and fairly separating joint money and assets shared with an abuser, so they can independently rebuild their lives and meet their children's needs.

Yet, survivors continue to face significant barriers to accessing legal advice and representation. Private family law for domestic abuse cases remains within the scope of the legal aid scheme, but many survivors are unable to access necessary legal aid support for a number of reasons. These include:

- the current means test thresholds which are yet to be amended in practice following the 2022 Means Test Review;
- unclear guidance on how professionals can evidence survivors' experience of abuse to access legal aid in family court proceedings; and
- a dearth of practitioners willing and able to take on cases at legal aid rates.

At present, legal aid is restricted to cases where domestic abuse can be evidenced through narrow, prescribed forms. This framework operates as a blunt instrument: it identifies only those women who can provide the right paperwork to a provider with capacity to take on the work, rather than those in most need and at highest risk⁸. For example, a survivor may appear on paper to have a good income but if the perpetrator has racked up lots of debts in her name she may not be able to afford legal advice on top of servicing the debts she has been coerced into.

Frontline family legal aid providers are often highly skilled at recognising patterns of coercive control, including economic abuse, which often go undetected elsewhere. Their ability to identify these dynamics early and integrate them into legal arguments is critical for safeguarding women and children.

However, legal aid rates in private family law have remained stagnant since 1996, with a further cut in 2011. This has driven a large exodus of providers from a hugely demanding and complex area of work. Without rebuilding capacity in family legal aid, survivors have fewer opportunities to access specialised support, and practitioners cannot deliver support that is effective.

⁴ Pensions Advisory Group, A Guide to the Treatment of Pensions on Divorce. The Report of the Pensions Advisory Group, July 2019, pii

⁵ Scottish Widows, 2021 Women and Retirement Report, 2021, at p.21.

⁶ NOW: Pensions, The gender pensions gap report 2024, February 2024, p24

⁷ Denied justice: How the legal aid means test prevents victims of domestic abuse from accessing justice and rebuilding their lives. 2021. Surviving Economic Abuse

⁸ Domestic Abuse in Financial Remedy Proceedings. Resolution. 2024

Restoring broader legal aid coverage for private family law is therefore not only about access to justice, it is essential to rebuilding capacity in the system. Expanding the reach of providers will strengthen early intervention, reduce risk, and provide survivors with a safe route to assert their rights.

These barriers result in many survivors of domestic abuse being forced to face their abusers in court without legal advice, support or representation. In 2023 nearly 29% of domestic abuse survivors in the family court represented themselves, up from only 15% in 2011.⁹ In the second quarter of 2024 alone (April-June), 1,555 of 7,720 domestic abuse applications were made without legal representation.¹⁰

In private family law cases in England and Wales, 80% of proceedings involve at least one party who is unrepresented. In 2024, 39% of private law cases were unrepresented by both parties, a striking rise from 13% in 2013. These trends point to a growing justice gap, where survivors lack the legal support necessary to navigate complex court processes.¹¹

The Law Commission's 2024 Scoping Report on Financial Remedies On Divorce has found that the proceedings themselves also need reform, as they are not fit for purpose for any divorcing couple, with no guarantee of a consistent or fair outcome.¹² Survivors face even greater barriers to justice, when abusers weaponise these proceedings and outcomes, as a form of post-separation coercive control, exploiting every available opportunity to stalk, harass, and maintain control over survivors.

Common tactics include delaying proceedings and incurring costs by filing repeated and vexatious applications or appeals, or failing to submit required forms. Abusers may also under-declare and hide income and assets to ensure survivors and their children cannot access their fair share of money and assets. As a result, survivors face not only emotional and physical risk of harm, but also financial harm and destabilisation.

When survivors are prevented from accessing vital legal advice and representation in these cases, their only viable and minimally safer option is to settle for an unfair and unjust outcome, which does not reflect their needs or the abuser's conduct. Even where survivors can access legal support and representation, a severe lack of domestic, including economic, abuse awareness and understanding, both amongst legal representatives and judges, means the impact of this abuse may be inconsistently and inadequately considered when determining a fair outcome or safeguarding against abuse of the justice process.

Legal Remedies - Legal Services Payment Orders and Legal Services Orders

Legal Services Payment Orders (LSPOs) or Legal Services Orders (LSOs) were introduced alongside the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) to mitigate

⁹ https://www.lawsociety.org.uk/contact-or-visit-us/press-office/press-releases/legal-representation-out-of-reach-for-many-survivors-of-domestic-abuse?utm_source=chatgpt.com

¹⁰ Ibid.

¹¹ <https://www.nuffieldfjo.org.uk/data-tracker>

¹² The Law Commission (2024). [Financial Remedies on Divorce Scoping Report](#)

the removal of legal aid from approximately 80% of private family law cases.¹³ As an interim measure, an LSPO can be made by the court, compelling one spouse to pay the other's legal costs to ensure they can access representation and pursue their case, especially when the reduction in legal aid eligibility under LASPO would otherwise prevent it. However, LSPOs have been considered an underutilised tool, with applications and grants being low, though they remain a potential way to bridge the gap left by LASPO's cuts to legal aid.¹⁴

In practical terms, these orders are inaccessible to many of those eligible for legal aid – particularly those who are experiencing economic abuse. Limitations on access to money, transport and utilities often mean that economic abuse survivors lack the means to approach a solicitor or pay for the initial advice needed for an LSPO.

An LSPO application will only be made where all of the following conditions are met:

- the applicant has minimal assets in their own name;
- the respondent has sufficient assets to fund the applicant's legal fees but is refusing to do so, sometimes blocking the applicant's access to marital assets to fund their legal fees whilst using them to fund their own;
- a litigation loan is unavailable, which is usually due to family assets being abroad, concealed, held on trust or otherwise inaccessible.

There is significant overlap between LSPO applications and situations of economic abuse. Stakeholders have raised concerns that the likelihood of economic abuse is not sufficiently considered in these applications, and that the processes around them, including the court's approach, may unintentionally reinforce coercive control and exacerbate existing power imbalances. In this way, LSPOs risk facilitating economic abuse.

These challenges are compounded by low levels of awareness of economic abuse and weaknesses in the legal aid system. Where provision does exist, survivors often face delays of weeks or months before a court date, during which time harm may become entrenched.

Risks

Current risk assessment tools, namely DASH (Domestic Abuse, Stalking and Honour – based abuse) primarily recognise physical abuse and overlook coercive and controlling behaviours and economic abuse. However, research shows that coercive control and economic abuse, is a stronger predictor of domestic homicide than physical violence.

Dr Jane Monckton-Smith's 2022 research for the Home Office, *Preventing Domestic Abuse Related Homicides and Suicides*, reviewed a series of 'near-miss' cases which informed the

¹³Legal Aid, Sentencing and Punishment of Offenders Act 2012, available at: <https://www.legislation.gov.uk/ukpga/2012/10/section/49>

¹⁴ <https://www.33bedfordrow.co.uk/insights/articles/legal-services-payment-orders-an-underutilised-tool#:~:text=an%20underutilised%20tool?-,Legal%20Services%20Payment%20Orders%20%E2%80%93an%20underutilised%20tool?,&E2%80%A6>

development of her nine-stage domestic homicide timeline, for which coercive and controlling behaviours are listed as a fundamental element of stage three.¹⁵ Recent Home Office analysis found that financial abuse was an aggravating factor in over a third of domestic-abuse related deaths reviewed between September 2021 and October 2022.¹⁶

Over 1 in 4 survivors experienced threats to hurt or kill them from a current or ex-partner alongside economic abuse, according to SEA's Counting the Cost report.¹⁷

Without significant changes to policy, the legal aid system stands to perpetuate the most under-recognised and under-protected forms of abuse, which in turn facilitates domestic homicide.

Government action to protect children from abusive parents

Whilst not strictly the subject of today's panel event, we warmly welcome yesterday's (Tuesday 21 October 2025), announcement that the Government intends to repeal the presumption of parental involvement from the Children Act 1989. The presumption, which holds that a child's welfare is normally best served by the involvement of both parents, can in some cases, particularly where abuse is present, compromise children's safety.

Although the current law includes safeguards to restrict involvement where it's detrimental to a child's welfare, removing this law sends a clear signal that the Government is placing the wellbeing and safety of children at the forefront of decision making.

The change forms a core part of the Government's Plan for Change, a comprehensive strategy to strengthen child protection, put victims at the centre of justice system reform, and restore public trust in family court proceedings.

The decision also honours the long-standing campaign of Claire Throssell, MBE, whose children, Jack and Paul, were killed by their abusive father 11 years ago this week. Her tireless advocacy has been instrumental in driving these vital changes.

Context and Additional Measures

This announcement is part of a wider set of reforms to improve the experience and outcomes for children in the family courts. Earlier this year, the Government expanded the Pathfinder pilot programme, a new approach to managing private law family cases, particularly those involving allegations of domestic abuse. These courts focus on early information gathering, reducing adversarial conflict, and prioritising the voice and welfare of the child throughout proceedings.

¹⁵ Preventing Domestic Abuse Related Homicides and Suicides: Learning Lessons from 'near-miss' cases, University of Gloucestershire, 2022, Available at: <https://eprints.glos.ac.uk/11360/>

¹⁶ [Key findings from analysis of domestic homicide reviews: September 2021 to October 2022 \(accessible\) - GOV.UK](#)

¹⁷ [Counting-the-Cost-report-Surviving-Economic-Abuse-July-2025.pdf](#) p20

In addition, new measures will further restrict the ability of offenders to exercise parental responsibility. Where an individual is convicted of a serious sexual offence against a child and sentenced to four years or more, automatic restrictions will apply to their ability to make decisions about that child's life.

Further Information

1. You can find the Review of the Presumption of Parental Involvement online.
2. The definition of parental involvement in the Children Act 1989 refers to any involvement of a parent in a child's life, whether direct (such as the child seeing the parent face-to-face) or indirect. Direct involvement for these purposes might be supervised or supported (such as via a contact centre) or unsupervised.
3. It is the decision of the court whether a parental involvement should be restricted in individual cases – based on.
4. The Ministry of Justice will legislate to repeal the presumption of parental involvement when Parliamentary time allows.
5. On the new restriction of the exercise of parental responsibility measures, convictions of serious sexual offences against a child must come with a sentence of four years or more.

Policy recommendations from key stakeholders

To ensure that survivors of domestic abuse (including economic abuse) are properly safeguarded, stakeholders working in this area have put forward the following recommendations:

- **Strengthen risk assessment:** SEA and SafeLives recommend the revision and expansion of the DASH questionnaire to include specific questions on economic abuse and coercive and controlling behaviour as standard. They add the need to ensure that professionals using DASH receive comprehensive training on identifying and responding to coercive control, including economic abuse, so they can carry out effective risk assessments and provide both short- and long-term support.¹⁸
- **Invest in training:** SEA and LAPG recommend providing targeted funding to train practitioners and the judiciary to recognise and respond to economic abuse as a form of coercive control more efficiently and effectively.¹⁹

¹⁸ <https://safelives.org.uk/news-views/risk-pathways-and-position-on-dash/>

¹⁹ <https://www.fca.org.uk/news/blogs/hidden-cost-domestic-financial-abuse-working-together-improve-outcomes>

- **Raise public awareness:** SEA recommends delivering public-facing education campaigns to build society-wide understanding of economic abuse and its serious, long-term impact on survivors.²⁰
- **Improve access to legal aid:** LAPG, Resolution and SEA recommend removing the legal aid means test for survivors of domestic abuse. They advocate updating the legal aid evidence regulations and guidance to make it easier for survivors to provide evidence of economic abuse, including through financial services, debt advisers and other relevant stakeholders.
- **Strengthen legal aid provision:** Rights of Women, LAPG and SEA recommend rebuilding the supply of legal aid practitioners. Decades of underfunding has led to workforce shortages, and the steady loss of providers across the sector, particularly in rural communities and for Black, Asian, and minoritised women. LAPG campaign around the need for long-term funding and fairer fee structures as being essential to ensure providers can operate sustainably, and meet demand. This would better allow survivors to access the legal aid support they need.²¹
- **Remove evidential barriers:** Rights of Women and LAPG recommend amending and expanding the domestic abuse gateway evidence criteria and empowering legal aid providers to certify applicants as compliant, so that survivors are not delayed by rigid evidential requirements or wasted time securing documentation with unnecessarily specific wording.²²
- **Modernise cohabitation law:** Rights of Women also recommend the delivery of cohabitation reforms that reflect the needs of survivors of domestic abuse. This should include a clear cross-government commitment to work with specialist organisations, such as Rights of Women and Surviving Economic Abuse, to design measures that protect survivors and reduce opportunities for abusers to cause further harm.²³

Conclusion

If we are to truly safeguard women and halve the amount of violence against women and girls in the next nine years, we must take another look at the tools we rely on to protect them. Without reform, the state risks failing to protect those at greatest risk of domestic homicide. A recalibration of legal aid, provider capacity, and recognition of coercive control is essential to safeguard survivors and deliver justice.

²⁰ <https://survivingeconomicabuse.org/news/economic-abuse-at-national-emergency-levels/>

²¹ [Rights of Women's Evidence to Justice Committee Inquiry on Access to Justice](#), September 2025 (accessed 17 October 2025)

²² *ibid*

²³ <https://www.rightsofwomen.org.uk/cohabitation-rights/>

About the APPG on Access to Justice

The All-Party Parliamentary Group on Access to Justice is the result of a merger between the APPG on Legal Aid and the APPG on Pro Bono and Public Legal Education. You can find out more information about both the APPG on Legal Aid and APPG on Pro Bono and Public Legal Education by contacting Rohini.Jana@lapg.co.uk.

The APPG on Access to Justice provides bespoke training to MPs and their caseworkers on a range of subjects through Member Services. Studies and research have shown that as a consequence of the LASPO cuts there has been a huge increase in the number and complexity of legal problems that MPs are encountering in their surgeries. Our training is designed specifically with caseworkers in mind and provided by industry experts.

To date, we have provided training in the following areas:

- Legal Aid,
- Immigration,
- Housing Law,
- Disability and Discrimination Law,
- Employment Law,
- Anti-Social Behaviour Orders and
- Special Education Needs.

Sessions are run both online and in-person. Do get in touch with APPGA2J@lapg.co.uk or Member Services for more details.

Each month, we publish a bulletin with up the most recent Access to Justice news, insights from Westminster, and updates from key stakeholders within the Legal Aid and Pro Bono world. You can view previous bulletins via appg-access-to-justice.co.uk/bulletins.

If you would like to be added to our mailing list, from which you will receive our monthly bulletins, exclusive updates and invitations to future events, please contact APPGA2J@lapg.co.uk. For more information, visit our website at appg-access-to-justice.co.uk.

To keep up to date with the work being done by the APPG on a weekly basis, follow our LinkedIn account: linkedin.com/company/appg-access-to-justice.



About LAPG

Legal Aid Practitioners Group (LAPG) is a membership body for firms and organisations with a contract to conduct legal aid work in England and Wales.



Our members are private practice firms, not for profit organisations, barristers, and costs lawyers. Our members conduct all areas of civil and criminal legal aid work and cover the entire range of business models from smaller, niche and/or sole principal firms to many of the largest providers of legal aid services.

We have over 40 years experience of supporting practitioners and advocating for a sustainable, effective and accessible legal aid scheme. We are one of three bodies that consults with the Legal Aid Agency and Ministry of Justice on all legal aid contracting issues.

We engage formally with a wide range of organisations and public bodies on broader access to justice issues, such as through our representation on the Civil Justice Council, advice sector panel of the Administrative Justice Council, MOJ Legal Support Policy Delivery Group, HMCTS JPEGS, Law Society Access to Justice Committee, and the boards of AdviceNow and Advice Services Alliance. We also provide secretariat services to the All-Party Parliamentary Group on Access to Justice, which provides a platform in parliament to discuss legal aid, pro bono, public legal education and access to justice.

For more information, access the LAPG website via lapg.co.uk.