lejacie

A POLICY BRIEF

The cost of seeking safety

Post-separation coercive control and implications for Australian family-law policy. For Commonwealth family-law policy, legal-assistance funding and justice-system evaluation teams.

INDEPENDENT DEMONSTRATION BY LEJACIE · POLICY BRIEF · DRAFT 2 · NOVEMBER 2026

THIS BRIEF IS FOR YOU IF

- You work in Commonwealth family-law policy
- You work in legal-assistance funding
- You work in justice-system evaluation
- You want the policy questions one published study raises, within that study's limits

HOW TO USE IT

- Start with the recommended decision on page 1
- Part 1 sets out the issue, the evidence and its limits
- Part 2 sets out existing settings, three priorities for a targeted review, and proposed next steps
- Numbers in brackets point to the sources on the last page

Part of the post-separation coercive control collection: a plain-language summary, a practice brief, a team activity and a policy brief, all developed from one published study.

Draft 2, 4 November 2026. Date of the Draft 1 content: October 2026. Purpose: identify policy questions and options arising from Meyer and colleagues' research, not evaluate current reforms. Independent Lejacie demonstration brief. Not commissioned or endorsed by the authors or government. Recommendations are policy options derived from the research, not findings that particular interventions are effective. Legal and policy review of the final brief remains outstanding. Not legal advice.

LEJACIE · POLICY BRIEF

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Post-separation coercive control and implications for Australian family-law policy.

For
Commonwealth family-law policy, legal-assistance funding and justice-system evaluation teams.

Date
October 2026.

Purpose
Identify policy questions and options arising from Meyer and colleagues' research, not evaluate current reforms. Numbers in brackets point to the sources on the last page.

14 accounts

Women reporting adverse financial impacts of coercive control, separation and family-law involvement; six surveys, eight interviews, data from 2021 **[1]**

3 themes

The financial burden of pursuing safety, depletion of financial and emotional resources, and intentional litigation abuse **[1]**

1 decision

Commission a targeted review of whether existing safeguards and legal-assistance settings address cumulative financial harm

RECOMMENDED DECISION

Commission a targeted review

Commission a targeted review of whether existing family-law safeguards and legal-assistance settings address the cumulative financial harm associated with post-separation coercive control.

The review should examine access to protective mechanisms, the timing and practical value of costs responses, continuity of representation, and whether administrative measures adequately capture financial depletion and constrained participation.

This is a proposed policy response developed by Lejacie. The study supports investigating these mechanisms; it does not establish which intervention would work best.

PART 1 · THE ISSUE AND EVIDENCE

Why this matters

Family-law proceedings may provide a route to safer parenting and financial arrangements. They can also create opportunities for an abusive former partner to continue control.

In this qualitative study, women described proceedings consuming savings, increasing debt, disrupting employment and reducing their ability to pursue preferred outcomes. Some reported former partners deliberately prolonging litigation or increasing costs. Others described system processes that compounded harm or failed to interrupt it [1].

The policy concern is **participation**: whether a person can realistically sustain involvement in the process needed to pursue safety and financial security.

What the study examined

Meyer, Reeves, Walklate, Fitz-Gibbon and Chalmers analysed accounts from 14 women reporting adverse financial impacts associated with coercive control, separation and Australian family-law involvement. Six accounts came from survey responses and eight from interviews. Data were collected in 2021; the article was published in 2026. Researchers identified three themes: the financial burden of pursuing safety, depletion of financial and emotional resources, and intentional litigation abuse [1].

What the findings mean for policy

FINDING	POLICY IMPLICATION TO EXAMINE
Some women used savings, assets or family borrowing to fund proceedings.	Assess accessible resources and cumulative costs, not income or asset ownership alone.
Proceedings disrupted employment and financial recovery.	Consider indirect costs, including lost work and care demands, alongside legal fees.
Some women could not sustain pursuit of their preferred outcomes.	Do not assume settlement or withdrawal demonstrates that needs were resolved.
Some reported deliberate cost escalation and prolonged litigation.	Examine whether safeguards identify patterns across a matter, rather than isolated applications.
Some identified system processes as enabling harm.	Evaluate institutional responses as well as individual perpetrator conduct.

Note The findings underpin these questions; the policy implications are Lejacie's interpretation, not tested interventions [1].

> **INTERPRET THE EVIDENCE WITHIN ITS LIMITS**
>
> This selected sample provides detailed insight into experiences and mechanisms, not a prevalence estimate. Most participants were white and many held university qualifications. Survey accounts and interviews offered different levels of detail. The study does not independently adjudicate each reported event or establish that every delay, expense or contested application was abusive [1]. It cannot evaluate reforms introduced after the 2021 data collection.

PART 2 · POLICY RESPONSE AND IMPLEMENTATION

Start with existing settings

The policy task is not to assume safeguards are absent. The *Family Law Amendment Act 2023* introduced harmful proceedings orders, intended to restrict further applications without leave where the statutory requirements are met and reduce opportunities for harmful use of proceedings [2]. Changes commencing in June 2025 more clearly recognise economic or financial abuse as family violence, require consideration of the economic effects of family violence in property decisions where relevant, and clarify costs provisions [3].

These reforms are relevant to the study's concerns, but their existence does not establish accessibility or effectiveness. The study cannot show whether they have reduced harm.

THREE PRIORITIES FOR A TARGETED REVIEW

1 Examine whether safeguards intervene before resources are exhausted

Review how concerns about repeated or harmful proceedings are recognised, raised and addressed. **Questions include:**

- What practical barriers affect access to available mechanisms?
- What assistance is needed to raise concerns with adequate evidence?
- How long does a response take?
- What costs are incurred while seeking protection?

Safeguards must preserve procedural fairness and legitimate access to court. Repetition, unsuccessful applications or allegations of abuse should not automatically determine the response.

2 Examine costs and funding as participation issues

Parties generally pay their own legal costs, although the Court may order otherwise. A potential later costs order and present ability to fund participation are different policy questions [4]. **Assess:**

- Whether available costs responses provide timely, practically recoverable relief.
- How funding eligibility, assistance limits and continuity of representation interact with lengthy matters.
- Whether report costs and other disbursements create additional barriers.
- How employment disruption, debt and housing insecurity affect continued participation.

This review should distinguish legal fees, court-related expenses, indirect costs and costs orders rather than treating them as one category.

3 Evaluate more than finalisation and settlement

Include measures capable of examining:

- Time and resources required to obtain a response to reported litigation abuse.
- Changes in representation during proceedings.
- Financial strain and unmet assistance needs.
- Participants' understanding of, and reported constraints on, settlement decisions.
- Safety and financial stability after proceedings, where feasible and ethically appropriate.

Do not treat faster settlement, fewer applications or lower service use as evidence of success without examining why those changes occurred.

SOURCE AND STATUS

Based on Meyer et al. (2026), Experiences of Post-Separation Coercive Control: Family Law-Involved Victim-Survivors' Perspectives on Coercion, Litigation Abuse and Financial Impacts, Violence Against Women, DOI: 10.1177/10778012261484130 [1]. Independent Lejacie demonstration brief. Not commissioned or endorsed by the authors or government. Recommendations are policy options derived from the research, not findings that particular interventions are effective. Legal and policy review of the final brief remains outstanding.

Proposed next steps

ACTION	PROPOSED RESPONSIBILITY
Map current powers, procedures, funding settings and existing evaluation work.	Commonwealth Attorney-General's Department, with relevant courts and legal-assistance bodies.
Develop a focused review with victim-survivor expertise and diverse participation.	Policy and evaluation teams with appropriately supported lived-experience contributors.
Identify operational barriers before proposing legislative amendments.	Joint policy and practice working group, respecting judicial independence.
Pilot selected changes with safeguards and independent evaluation.	Relevant service and programme owners, subject to authority and funding.

These responsibilities are proposed, not agreed commitments. No costed implementation plan is supplied. Any proposal should assess expenditure, workforce capacity, privacy, unintended effects and distributional impacts before adoption.

SOURCES

	DOCUMENT	WHERE TO FIND IT
[1]	Silke Meyer, Ellen Reeves, Sandra Walklate, Kate Fitz-Gibbon and Jaclyn Chalmers, Experiences of Post-Separation Coercive Control: Family Law-Involved Victim-Survivors' Perspectives on Coercion, Litigation Abuse and Financial Impacts, Violence Against Women (2026), DOI 10.1177/10778012261484130.	doi.org
[2]	Family violence, Attorney-General's Department	ag.gov.au/families-and-marriage/family-violence
[3]	Family law changes June 2025: information for family law professionals, Attorney-General's Department	ag.gov.au/families-and-marriage/publications/family-law-changes-june-2025-information-family-law-professionals
[4]	Legal costs, Federal Circuit and Family Court of Australia	fcfcoa.gov.au/fl/pubs/legal-costs

Brief by Chami Rupasinghe · Admitted Australian lawyer (non-practising) · Founder, Lejacie.

VERSION

Draft 2, 4 November 2026: the Draft 1 content of October 2026 (file dated 22 October 2026), set in Lejacie's current design.

Feedback. If something is wrong, out of date or hard to understand, email **info@lejacie.com** with the page number.

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