



CANADIAN CENTER
FOR WOMEN'S
EMPOWERMENT

CENTRE CANADIEN
POUR L'AUTONOMISATION
DES FEMMES

To: Financial Consumer Agency of Canada
Department of Finance Canada - Banks' External Complaint Handling System
Supervision and Enforcement Branch
427 Laurier Avenue West, 6th Floor
Ottawa, ON K1R 1B9

From: Canadian Center for Women's Empowerment (CCFWE)
National Task Force for Women's Economic Justice
Ottawa, ON

Re: Submission: Guideline on Complaint-Handling Procedures for Banks and Authorized Foreign Banks

Date: December 10, 2021

Dear Colleagues,

The Canadian Center for Women's Empowerment (CCFWE) is pleased to provide its submission on the Banks' External Complaint Handling System. As a grassroots organization, the CCFWE is a national organization dedicated to empowering domestic violence survivors through advocacy, mentorship, and economic empowerment. Among numerous other efforts, the CCFWE seeks to educate the public on what economic abuse is, how to identify it within the context of domestic abuse, and how to seek help.

The CCFWE works collaboratively with organizations, advocates, policy makers and survivors to develop a comprehensive approach to address economic abuse by generating evidence-based resources. It also addresses critical gaps in policies and systems which are preventing survivors from recovering and becoming economically secure and independent. We advocate for and support the development of new approaches to economic abuse, working with organizations to review existing systems, policies and procedures. Our goal is to economically empower survivors to improve their financial knowledge and strengthen their financial behaviours in order to improve their financial safety and security.

We appreciate the opportunity to comment on the FCAC's Proposed Guideline on Complaint Handling Procedures and how they can be improved to better serve and advance women' rights and interests when dealing with their banks.

We look forward to collaborating with you to ensure that every woman and survivor is equipped with the education, resources, and support necessary to safely and securely manage their finances.

We look forward to hearing from you.

Yours sincerely,

Meseret Haileyesus

A handwritten signature in black ink, appearing to read 'Meseret', with a stylized flourish extending from the end.

CEO, Canadian Center for Women's Empowerment (CCFWE)

Canadian Center for Women's Empowerment's National Task Force for Women's Economic Justice

In late 2020, the CCFWE established the National Task Force for Women's Economic Justice to streamline its advocacy work focused on creating and enhancing policies to achieve survivors' economic rights and justice in Canada. The Task Force's group of community organizations provides support to the CCFWE's mission through advocacy and policy change. Members are drawn from women's community organizations, financial institutions such as banks, local and national government, the criminal justice system, the family justice system, researchers and academics. This Task Force works with policymakers at all levels of government and with financial institutions to create meaningful changes to better support the women who are rebuilding their lives after escaping abusive domestic relationships.

On July 8, 2021 the CCFWE's National Task Force for Women's Economic Justice recommended banks to assign a trained employee to protect survivors and to designate an economic abuse / Domestic violence-trained employee and managers. In addition to this, we recommend the bank design strategy to support mechanisms for their employees who may be themselves victims of financial abuse or otherwise vulnerable, as this helps them to address the situation when dealing with customers in similar situations. Read more about the policy recommendations [here](#).

Background

COVID-19 has exacerbated conditions for family abuse, trapping victims at home and stripping them of options to get help. A new national survey by Women's Shelters Canada offers a glimpse into the experiences of front-line workers and women fleeing violence during the COVID-19 pandemic, with reports of clients facing more violence that is also increasing in severity. Rapid increases in the unemployment rate, which have disproportionately impacted women, increased men's controlling behavior toward romantic partners even after adjusting for unemployment and economic distress at the household level.

A new research study by the Canadian Center for Women's Empowerment published in 2021 in the Ottawa, Gatineau, Hull region, revealed that 93% of women have experienced economic abuse with perpetrators withholding money they needed for food, clothes, paychecks, financial aid cheques, tax refunds, disability or other support payments .

According to the study, 33% of participants ranked financial institutions as "unhelpful" or "very unhelpful", the most of all service providers (police, legal services, hospitals, clinics, womens'

and homeless shelters). This reflects the lack of preparedness that banks have when dealing with victims of abuse, or specifically economic abuse. Even fewer participants ranked financial institutions as being protective of their safety, privacy and security.

Victims of economic abuse are doubly disadvantaged by their exposure to violence, systemic barriers as well as failing to address their challenges by credit providers and financial institutions.

In February 2021, the CCFWE participated in a national consultation of communities for the National Action Plan (NAP) on Gender Based Violence (GBV). Most women indicated that financial institutions and shelters do not have adequate education to identify economic or financial abuse. Service providers reported that, while able to recognize signs of abuse, they do not have the necessary infrastructure in place to respond to or flag these incidents.

Economic Abuse & Bank Complaints

CCFWE recognizes that complaint-handling submissions with financial institutions is an area of serious concern, noting the victims of economic abuse have very little knowledge and power to resolve complaints against their financial institutions.

Even though the proposed guideline sets out the FCAC's expectations with respect to banks, which introduces new or enhanced measures to further empower and protect consumers in their bank dealings, we learned that the complaint reporting system is unclear, and a complex system for reaching out with banks is a critical problem for survivors. Questions that must be answered by such a complaints-handling system are as follows:

- What is the process for survivors to clear debts that were fraudulently or coercively maintained pre or post separation (e.g. if the abuser takes out loans or credit in the victims' names)?
- What is the process for survivors to quickly gain access to their money if they've been locked out of accounts?
- What is the process for survivors to get access to small amounts of credit for legal fees or rent on an apartment if their credit rating has been harmed by economic abuse or they are not currently working?
- What is the process survivors follow to prevent an account from being drained pending an order from a judge?
- What is the process for survivors to establish their own credit and obtain loans and credit cards if they have no or a bad credit rating after economic abuse?
- What is the process for survivors who have had the debts explicitly dealt with in a separation agreement ensure the banks/creditors closing accounts and remove any liability for future debt (i.e. closing the gap between the creditor/debtor contract and family law)?

- What policies are in place to ensure survivor privacy is upheld when dealing with bank staff and that a followup call or letter won't reach the abusive partner?
- Who assists in closing the gap between the family court services and accounts with the financial institutions?

What would a Trauma-Informed, Survivor-Centered Complaint Assistance Program look like?

Domestic abuse victims and survivors relate that banks and financial institutions often move away from shame-based approaches. To protect victims and survivors of economic abuse and domestic violence, the CCFWE recommends that the Complaint Handling System include:

1. **Develop Financial Abuse Code of Conduct:** to protect survivors from Economic Abuse and to support survivors. The code includes, raising awareness, complaint handling, disclosure, referral, assigning a specialist or focal person, Banking Protocol.
2. **Specific Policies for Victims of Economic Abuse and Domestic Violence:** Develop effective policies, procedures and controls for complaint handling. According to the guideline, the first and second stage of the complaint process encourage customers to speak with a representative at the bank branch. The application procedure says "You can also talk to someone from your financial institution's call centre or its online chat function". We already know that there is a lack of a system to support survivors of domestic abuse. We recommend having an assigned staff member to domestic abuse cases who can follow up with the court and abuser to close off all portions of the separation agreement.
3. **Economic Abuse and Domestic Violence Training for Staff:** Designate a Trauma-Informed trained officer or employee to implement complaint-handling policies and procedures for victims of Economic Abuse and/or Domestic Violence. The Complaint handlers must be trained on the complex issues of family violence to detect and respond to Economic Abuse in collaboration with CCFWE and Intimate-Partner Violence (IPV) organizations. This expert must understand legal separation agreements and follow up with the victim, so the burden does not lie on the survivor/victim to follow up.
4. **Education & Resources:** A complaint assistance program should include resources and legal education to help women understand their rights and responsibilities. These resources should be easily accessible in a variety of formats (online, phone, in-person) as victims of domestic violence often have small windows of opportunity to speak to their financial institutions. This education should include highlighting additional external sources of help available to them, such as independent legal advice, specialist help, debt advice and financial management help.
5. **Establish a Helpline for Economic Abuse and Domestic Violence Survivors:** We urge the FCAC to also consider establishing a call center for survivors of economic abuse to empower survivors to manage their daily finances, gain control over their debt and create a financial safety plan that can help them leave.
6. **Expedite Complaint Process for IPV victims:** In 2019, a review of banks' complaint-handling procedures proposed to process all complaints within 56 days following the day it is received. Victims and survivors of domestic violence require faster processing for their safety.

7. **Increased Cultural Competence Training:** Ensure that an intersectional lens to all stages of application comes to provide equal services for all survivors. Survivors need trauma informed services, particularly BIPOC and women with disabilities who may have specific needs. All dispute resolution procedures and locations should be accessible in various languages.
8. **Data Driven Continuous Monitoring Improvement:** Gather data collection, including disaggregated data, in order to better understand survivors complaints and ensure continuous improvement of complaint assistance.
9. **Compassion & Courtesy:** As a 'valued customer', when Survivors make a complaint they should be treated with respect, courtesy, fairness, listened to, and made to feel understood. Women need a meaningful apology from the organization if it is at fault - including details of how the situation is being fixed.

This document has been reviewed by the Policy and Finance Sector Committees of the National Task Force for Women's Economic Justice.

National Task Force for Economic Justice Finance Sector Committee

- Cathy Cowan, Volunteer Director of Communications and Chair of National Taskforce at the Canadian Center for Women's Empowerment (CCFWE)
- Debbie Owusu-Akyeeah, Executive Director at the Canadian Centre for Gender and Sexual Diversity
- Brenda Bolton, Director at the Ministry of Indigenous Relations and Reconciliation
- Jacqueline Buchanan, Sergeant, Community Relations, Edmonton Police Service
- Laurie Campbell, Director of Client Financial Wellness at Bromwich & Smith
- Andréa Coutu, Founder and CEO of Trustmode Marketing
- Glenna Harris, Manager of Learning and Training at Prosper Canada
- Jen Lawrence, Divorce Coach and Owner of Designed Divorce
- Carla Leon, New Initiatives Manager of Embracing the Spirit at the United Church of Canada
- Alia Abaya-Mannell, Director of Community Impact and Member Experience at Alterna Savings

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- Meseret Haileyesus, CEO, Canadian Center for Women's Empowerment (CCFWE)
- Grace Ajele, Family Lawyer at Calgary Legal Guidance
- Janet Dean, Policy, Projects and Outreach at Status of Women Council of the Northwest

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- Lieran Docherty, Manager of Programs at the Women Abuse Council Of Toronto
- Ray Eskritt, Executive Director at Harmony House Women's Shelter
- Ellen Faulkner, Ph.D. Social Justice Education
- Michelle Jay, Coordinator of the Purple Ribbon Campaign Against Violence at the Prince Edward Island Advisory Council on the Status of Women
- Allyson Marsolais, Chief Operating Officer at the Canadian Observatory on Homelessness
- Robin Pianosi, Research and Policy Analyst at the Provincial Advisory Council on the Status of Women, Newfoundland and Labrador
- Naomi Sayers, Lawyer and Notary Public
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