

Department of Social Services

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Submission to the consultation of the Second Action Plan (National Plan to End Violence against Women and Children 2022-2032)

About Economic Justice Australia

Economic Justice Australia (EJA) is the peak organisation for community legal centres providing specialist advice to people on their social security issues and rights. Our Member Centres across Australia have provided people with free and independent information, advice, education and representation in the area of social security for over 40 years.

EJA provides expert advice to Government on social security reform to make it more effective and accessible. Our law and policy reform work:

- strengthens the effectiveness and integrity of our social security system
- educates the community
- improves people's lives by reducing poverty and inequality.

This submission addresses a number of questions from Priority Area 1 and Priority Area 5.

It draws on the experience of EJA Member Centre staff, who regularly support women leaving and/or re-establishing themselves after leaving violent relationships. All case studies are real, although they have been de-identified.

This submission also includes quotes from Member Centre staff and community service providers from around Australia who were interviewed as part of EJA's research into barriers to social security for women in regional, rural, remote and very remote areas.¹

EJA works collaboratively with many organisations to better support victim-survivors of family and domestic violence. We endorse the recommendations made by Community Legal Centres Australia, the Centre for Women's Economic Safety, the Economic Abuse Reference Group and Central Australian Women's Legal Service (an EJA Member Centre).

¹ For more information see EJA's report series [Social Security for Women Outside Our Cities](#).

Summary of recommendations

Recommendation 1: Embed social security in family and domestic violence policy and strategy, including specific reference to social security in Second Action Plan (National Plan to End Violence against Women and Children 2022-2032)(the Second Action Plan)

Recommendation 2: Extend the Crisis Payment claim period to '14 days after the extreme circumstance occurred' (section 1061JH, *Social Security Act*)

Recommendation 3: Extend the Crisis Payment definition of 'home' to reflect the broad range of situations in which people live:

- Replace the word 'home' with a term encompassing a broader range of residential arrangements, for example, 'where the person has been residing' (section 1061JH, *Social Security Act*).

Or

- Extend the definition of 'home' to include a broader range of residential arrangements (section 3.7.4.20, *Social Security Guide*).

Recommendation 4: Repeal the Crisis Payment eligibility requirement that a person has or intends to establish a new home (section 1061JH, (1)(c), *Social Security Act*).

Recommendation 5: Expand eligibility for Special Benefit to include people on all types of temporary visas who have experienced family and domestic violence.

Recommendation 6: Improve access to social security payments by making Services Australia's services accessible and trauma-informed.

Recommendation 7: Improve access to social security payments and provide access to social security debt waiver by increasing funding to community legal centres, noting the need for designated funding to increase social security legal support.

Recommendation 8: Increase strategies to identify and address coercive control and financial abuse occurring through myGov and Centrelink online.

Recommendation 9: Invite Economic Justice Australia to participate in family and domestic violence policy and programming discussions.

Recommendation 10: Improve training to family and domestic violence specialist workers regarding social security entitlements.

Recommendation 11: Develop a mechanism for community workers to engage directly with Services Australia in a timely way to better support their mutual clients.

Overview

1. The National Plan to End Violence against Women and Children 2022-2023 (the National Plan) recognises the social security safety net as integral to Australia's efforts to end family and domestic violence (FADV). That includes 'the social security system support[ing]

victims and survivors to not only leave a violent relationship, but also to establish a life free of violence'.²

2. EJA Member Centres provide essential advice and representation to women experiencing or impacted by FADV, with FADV-related advice comprising a substantial proportion of all cases. That work involves facilitating victim-survivors' access to social security payments, and seeking to get rid of debts resulting from perpetrators' misuse of the social security system. Here we note that perpetrators' actions are often designed to punish the victim-survivor, including actions taken years after a woman has physically removed herself (and her children) from the relationship.
3. The critical role social security has in supporting women to leave violent relationships and rebuild their lives is further borne out in the research that underpins EJA's [Social Security for Women Outside our Cities](#) report series. During open-ended discussions with EJA staff, community workers regularly raised social security issues linked to FADV. In many instances, workers did not have the expertise required to assist their clients with these specific issues.
4. Despite the above, reference to social security in the First Action Plan & Outcomes Framework 2023–2027 (First Action Plan) is decidedly sparse. 'Social security' is specifically mentioned in only two instances, and as a component of a long list of factors (pp.18 & 56). 'Income support' is listed once as part of another long list (p.21).
5. Further, it is difficult to establish where social security reform fits under the First Action Plan. Only a single mention of social security appears under an Action: Action 9, which relates to improving police responses and justice systems. Here social security is mentioned as a system that 'intersects' with 'justice'.
6. This deficit is particularly surprising given the Government's recent audit of Commonwealth systems to identify areas that can be weaponised by perpetrators of FADV.
7. This audit prioritised social security, child support and taxation. It resulted in the allocation of \$182.6 million 'to deliver a series of foundational reforms to address misuse of the child support system'. That includes efforts to minimise the impact of non-payment of child support on victim-survivors' social security payments.
8. The audit also led to important policy and legislative change, including the introduction of capacity for Services Australia to forgive victim-survivors' social security debts where an individual has 'knowingly' provided false information as the result of coercion and financial abuse.
9. The Department of Social Services notes that the audit aligns with Action 5 under the First Action Plan, which aims to strengthen systems to hold perpetrators accountable. EJA

² [National Plan to End Violence Against Women and Children 2022–2023](#), p.60.

suggests that, while it may just fit under that broad heading, little in the description underpinning Action 5 suggests it may be relevant to the social security system.

10. Given the critical role social security plays in enabling women to leave violence, EJA calls for the Second Action Plan (National Plan to End Violence against Women and Children 2022-2032)(the Second Action Plan) to clearly embed social security in national strategy to end FADV. Failing this, the social security and FADV responses will remain largely siloed, and both EJA and its Member Centres will mistakenly be considered as peripheral to the FADV response.
 11. There are many ways in which the social security system could be improved to support victim-survivors. To demonstrate the pressing need to ensure the social security is named and embedded in FADV policy, a number of our priorities are outlined below. These include the need to:
 - improve Crisis Payment to ensure it is fit for purpose. That includes extension of the claim period from seven to 14 days, and review of the definition of 'home' to ensure people with access to only substandard accommodation are not excluded.
 - provide equitable access to social security for women on temporary visas to provide a pathway to safety.
 - increase funding to EJA Member Centres to assist victim-survivors of FADV to secure their social security entitlements.
 - improve the FADV sector's capacity to assist victim-survivors to access their social security entitlements, including social security training and referral pathways into Services Australia.
- **Recommendation 1:** Embed social security in family and domestic violence strategy, including specific reference to social security in Second Action Plan (National Plan to End Violence against Women and Children 2022-2032)(the Second Action Plan).

Response to consultation questions

Priority area 1: What service or system responses would make the biggest difference to victim-survivors' safety, wellbeing, healing and recovery?

12. EJA seeks greater attention to social security systems given access to social security support is often fundamental to a woman leaving a violent relationship and having the means to establish a new home, which can underpin decisions whether or not to return to the relationship.

Impact of recent reforms

13. In 2018 and 2021 respectively, EJA released reports that outlined Member Centres' experience supporting clients who had experienced FADV.³ Since then, EJA has been pleased to see many of the recommendations from these reports implemented.
14. These reforms to the social security system have made a tangible difference to many victim-survivors, by recognising the impact FADV has on victim-survivors' choices and decision-making. Examples are included here to drive home the point that the Action Plan should provide a clear mechanism for further social security reforms.

Improvements to Member of a Couple assessments

15. Amendments to Member of a Couple policy, principally through the Guides to Social Policy Law, have been important as they have encouraged Centrelink decision-makers to recognise that domestic violence may indicate a person in a dysfunctional relationship should not be treated as a member of a couple.
16. Changes include articulating how domestic violence may operate under the five factor test that underpins Member of a Couple determinations. They also include clarification that section 24 of the *Social Security Act*, which allows a member of a couple to be treated as single for a 'special reason', can relate to relationships where there is domestic violence.
17. These improvements have allowed victim-survivors to secure basic income support where they would otherwise have been without income, because their partner's abuse includes a refusal to share income. It has also allowed debt waiver where Centrelink alleged a victim-survivor, who derived no financial support from a partner, was not entitled to the social security support they received because they were partnered.

Case study: Mia

When Mia approached an EJA Member Centre, she owed a debt of almost \$40,000 for overpayment of Parenting Payment Single. The debt was raised because Centrelink had determined that Mia and Brent were a couple. Mia had appealed to an Authorised Review Officer (ARO) through Centrelink's internal review process but the decision affirmed the existence of the debt. She had then lodged an appeal to the Administrative Appeals Tribunal, but withdrew the appeal before it was heard as she felt like her situation was hopeless.

In fact, Mia had been a victim of domestic violence throughout her relationship with Brent. She had attempted to escape on several occasions only for him to track her down and move back in. For a period of months, Mia had lived in a refuge with her children, before securing social housing. Mia took out numerous apprehended violence orders against Brent but the abuse

³ Economic Justice Australia, [How well does Australia's social security system support victims of family and domestic violence?](#), 2018; Economic Justice Australia, [Debt, duress and dob ins: Centrelink compliance processes and domestic violence](#), 2021.

continued. Not long after she'd moved into social housing, Brent turned up in front of her property and forced his way into her house and back into her life.

Mia and Brent had four children over the course of their relationship. Brent never provided for the children and there were times when Mia had to rely on local foodbanks for food. Brent often assaulted Mia when she 'displeased' him.

Mia had sought social work support at different times. When Centrelink first suggested she and Brent were a couple, she had described her circumstances and the Services Australia social worker had decided Mia was not living as a member of a couple. Later, that decision was overturned and the large debt was raised.

Recently, after years of paying off her debt, Mia got in touch with an EJA Member Centre, which took the time to establish the facts relating to her case. Her solicitor at the EJA Member Centre believed that, according to section 24 of the *Social Security Act*, Mia should not have been treated as a member of a couple given the extensive violence and coercive control exercised by Brent. Fortunately, there is no time limit to appealing debt decisions, so her solicitor assisted her to appeal the old ARO debt decision to the Administrative Review Tribunal (ART).

The ART considered the evidence of violence provided by a Department of Communities and Justice-funded social worker, who confirmed that Mia had been subject to physical violence and coercive control over a number of years. Weight was also placed on the evidence from FADV counsellors and Mia's own evidence regarding the level of abuse she'd been subjected to.

The ART decided to waive Mia's debts in full, and she was refunded \$11,000 in debt repayments she had made. This refund enabled Mia to purchase a reliable motor vehicle and find employment.

Case study: Chloe

Chloe lived in a small country town. She'd never dated Gianni, although they did hook up from time to time. She was aware that he had children but she'd never met them, or the rest of his family, and they'd never cohabited. Chloe said that Gianni was not interested in a relationship.

Gianni was a known figure within the community, including being known to police. He was very violent and a heavy drinker. There was independent evidence that Gianni would assault Chloe in public and demand money from her when he was drunk.

Chloe fell pregnant and found it difficult to secure housing. Gianni was able to arrange accommodation for her. He then began turning up at her place from time to time, physically assaulting and raping her. While some apprehended violence orders were taken out, they were never properly enforced. Chloe had tried to escape the abuse and had evidence that at times she'd lived in other accommodation. Over some years, Chloe and Gianni had four children.

When Centrelink determined that Chloe was living with Gianni as a member of a couple, they raised a Parenting Payment debt of more than \$17,000.

An EJA Member Centre took on Chloe's case and helped her appeal to the Administrative Review Tribunal (ART), arguing that Chloe should not be treated as a member of a couple under section 24 of the *Social Security Act*. Aside from documented long-term abuse, medical evidence established that Chloe now suffered from a number of conditions as a result of Gianni's long-term abuse, including post-traumatic stress disorder, major depressive disorder, general anxiety, and alcohol and substance dependence.

Chloe's appeal was successful. The ART found that no debt existed as Chloe should not have been treated as a member of a couple under section 24, given the extensive violence and abuse and its long-term impacts.

Improvements to 'knowingly' provisions

18. A social security debt may be waived under social security and family assistance law where there are 'special circumstances' (additional to financial hardship) that are unusual, uncommon or exceptional, and it is considered unfair or unduly harsh for the person to have to repay the debt.
19. The process of debt waiver requires the collection and consideration of evidence before a decision-maker considers whether the facts constitute 'special circumstances'. The decision to waive a debt remains discretionary.
20. Until recently, that discretion was not available where a person had 'knowingly' made a false statement or omission, regardless of the circumstances. That included where a victim-survivor had been the subject of documented and extreme physical violence or the perpetrator lied to Centrelink, affecting the victim-survivor's payments.
21. Legislation introduced in late 2025 changed that by allowing consideration of debt waiver where a person 'knowingly' provided false information but those actions were 'justified in the circumstances'. Corresponding policy notes that this section may apply where a person made a false statement or omission because they feared violence from their partner (s 6.7.3.40, Social Security Guide).
22. EJA Member Centres are already having success arguing for application of the new provisions.

Case study: Dara

Dara's relationship with Mark changed when they moved in together. He insisted that Dara had full financial responsibility for herself and her daughter, and that she'd have to pay rent, and pay for half of all utilities and all groceries for herself and her daughter. He would not discuss his finances, so she had no idea how much he earned.

When Dara started filling out a form to let Centrelink know she had moved, Mark warned her to be careful what she wrote down as her finances were her problem. He threatened to kick Dara

and her daughter out, convincing Dara that misrepresenting their relationship to Centrelink was her best option – so she told Centrelink they were not in a relationship. Over time, Mark became increasingly abusive and Dara became isolated from friends and family.

When Dara and her daughter finally left, she was unable to secure stable accommodation. They moved several times, sometimes sleeping in her car and then eventually at emergency accommodation. Dara remained in financial hardship, which was worsened by medical expenses.

Centrelink then asked Dara to fill out a form regarding the relationship she'd had with Mark. She completed it honestly, except she said that her relationship with Mark had started at a later date. Next, Dara got a letter from Centrelink telling her she owed almost \$30,000; her payments for the entire period. That included a combination of Parenting Payment, Family Tax Benefit, Child Care Subsidy and Pensioner Education Supplement.

Dara unsuccessfully appealed the decision to Centrelink before she approached an EJA Member Centre for help. Her solicitor helped her prepare a statement and collect evidence to explain the coercive control within her relationship with Mark, that she had not financially benefited from the relationship, and that both she and her daughter continued to suffer impacts on their physical and mental health as result of these circumstances. They appealed to the Administrative Review Tribunal (ART) and asked that, given the special circumstances, Dara's debt be waived because her actions in misrepresenting her living arrangements were 'justified in the circumstances'.

The ART determined that Dara had been a member of a couple and that she had made false representations to Centrelink about her living arrangements, knowing the information was misleading, but that her actions had been justified in the circumstances given she was isolated and the subject of coercive control. The ART recognised: "coercive control is insidious and can adversely affect a person's ability to function." They accepted that Dara had been convinced by a person she trusted, who she described as clever and articulate, that giving misleading information to Centrelink was 'the best thing to do'. They also accepted that she'd faced the loss of secure housing for herself and her daughter if she did not do what Mark told her to do.

Dara's debt of almost \$30,000 was waived.

Case study: Brooke

Brooke grew up in a violent household and was made homeless at a young age. She dropped out of school and started using drugs. She continued to be intermittently homeless throughout her teens and was also the subject of abuse by a series of predators, including Tyson.

Police records list 52 incidents of domestic violence against Brooke. Many of these incidents were perpetrated by Tyson, two of which occurred prior to her 17th birthday. Brook was also

admitted to hospital twice after being assaulted by Tyson while pregnant. Brooke had two children, both of whom were removed by child protection services.

Brooke was under the influence of drugs for much of the period, and was slow to notify Centrelink that she'd lost care of her children. Subsequently, Centrelink raised a debt of more than \$30,000 for payment of Parenting Payment Single and Family Tax Benefit.

In her mid 20s, after several attempts, Brooke successfully completed a rehabilitation program. She has not used drugs since. She now lives in stable accommodation and has recently had another child.

Brooke approached an EJA Member Centre for help with her debt, explaining that she was financially struggling given her debt repayments. Rather than only requesting reduced debt repayments, her solicitor suggested she appeal the debt.

Social security policy states debts can be waived where there are special circumstances, which may include financial abuse and coercion, the person's mental capacity, homelessness, or serious dependence on drugs and alcohol. Given the complex circumstances in which the debt was incurred, including domestic violence, her solicitor argued Brooke's actions were 'justified in the circumstances'.

The Administrative Review Tribunal agreed, acknowledging the extreme circumstances applying to Brooke's case, including the ongoing impact of debt repayments on her ability to provide for the child in her care. Her debt of more than \$30,000 was waived.

The need for further reforms

23. A victim-survivor of domestic violence may be eligible for Crisis Payment if they have been forced to leave their home or they have remained in their home after their partner left or was removed due to domestic violence. Paid at the equivalent of a single week of the person's normal social security payment, this modest payment can make a critical difference to a person in crisis.
24. Unfortunately, a number of provisions prevent payment of Crisis Payment to women in particularly vulnerable circumstances.

Crisis Payment claim period is too short

25. Crisis Payment has a seven-day claim period, which is a poor fit for people who have recently experienced a traumatic event. People often remain in 'fight or flight' mode for some time after escaping domestic violence. Those who leave may have to find alternative accommodation, move their belongings, change children's schools, attend medical appointments, arrange police interviews, etc. Those who have had a partner removed can face a host of decisions, appointments and associated trauma.
26. Many victim-survivors are unaware of the short Crisis Payment claim period and/or lack access to their online account or face difficulty contacting Centrelink by phone.

27. Issues resulting from the short claim period are well-established. The Department of Social Services monitors the frequency of claim rejections as a result of claims exceeding the time limit, and has tried to 'stretch' the claim period through policy.
28. Crisis Payment would not be payable in the following scenarios:

Jai was already planning to leave her violent partner but after one particularly violent assault, she left with her baby and a bag of clothes in the middle of the night and took an Uber to her brother's house. After a particularly threatening call from her partner the following day, her brother arranged and paid for her to get to her cousin's house in a different state so that her partner would not be able to find her. When she arrived, Jai was extremely distressed, in a town she didn't know with only a few basic provisions, no savings, and no idea what she could do next. Then she caught the flu and was in bed for four days while her cousin's wife looked after the baby. When Jai finally got a lift to Centrelink with her cousin, she was told she was too late to claim Crisis Payment as she'd left her home nine days ago.

Amira had tried to leave her violent husband many times before but when she finally left, she was unable to take her children with her to her sister's house. She had no money but spent the next week desperately trying to work out where she could stay longer term, how she could see her children, how she could seek custody of her children, getting treatment for her injuries and obtaining new copies of documents she'd left behind. Her sister finally convinced her to prioritise sorting out her Centrelink payments as she was now separated. Her claim for Crisis Payment was rejected as she had separated eight days earlier.

- **Recommendation 2:** Extend the Crisis Payment claim period to '14 days after the extreme circumstance occurred' (section 1061JH, *Social Security Act*)

Crisis Payment definition of 'home' locks out people in substandard housing

29. Crisis Payment can only be paid if a person is forced to leave their home (s 1061JH, *Social Security Act*), or they remain in their home after the perpetrator is removed (section 1061JHA, *Social Security Act*). However, definitions of home are too narrow, and exclude people living in substandard accommodation. This used to lock out a small number of victim-survivors in particularly vulnerable circumstances, but is now of broader concern given the current housing crisis.
30. The Social Security Guide defines 'home' as a 'house or other shelter that is the fixed residence the person would have lived in for the foreseeable future', including 'a house, apartment, on-site caravan, long-term boarding house or moored boat' but not a 'refuge, overnight hostel, squat or other temporary accommodation'. This excludes people who have been living in substandard accommodation, including a caravan on private property or a tent, even when they have lived there long-term.

31. EJA suggests the intention of this provision was never to exclude people who are particularly financially vulnerable or unable to secure housing, but instead to provide support for people forced to move and/or re-establish themselves.
32. Crisis Payment could be more effectively targeted if 'home' were replaced with language such as 'the place where the person has been living' or 'has been residing'.

Case study: Nina

Nina has lived with her violent partner for more than 10 years. Recently he forced her and their two small children from the family home, saying if she couldn't keep the house clean, she could look after a smaller place – the caravan in their backyard. He gave her 10 minutes to pack and took her house keys. She found herself stuck in the un-air-conditioned caravan with two kids, no food, and without the kids' school uniforms. The following day, she tried to claim Crisis Payment but was knocked back as Centrelink maintained she had not left 'home'.

33. Crisis Payment would also be improved if the nexus to 'home' were removed and/or people were not required to provide evidence of their living arrangements, noting EJA Member Centres have also supported people who have been refused Crisis Payment after being forced to leave transitory accommodation (such as a tent) because of domestic violence.

Case study: Marla

Marla is a 19-year-old Aboriginal woman who was living with her partner Braiden's family. Their three-bedroom housing department home is overcrowded as there are currently seven adults and five children living there. Marla's family live around 600 kilometres away in an outlying community.

Braiden's violence towards Marla began not long after she moved into his family's home, with his family members largely accepting of it. After a particularly severe beating, Marla said she was going to the police but Braiden's sister threatened her with further physical violence if she got her brother in trouble with the law.

Marla decided not to go to the police but left the home. She went into Centrelink to apply for Crisis Payment but was knocked back because she could not provide proof of residence. She was at a loss about what to do given she wasn't listed on the tenancy agreement, and didn't have any bills in her name that tied her to that address.

Marla struggled for around three weeks as she had no money to get back to her community. Then someone suggested she visit an EJA Member Centre for help to apply for the Leaving Violence Payment. During her interview with the financial counsellor, she mentioned that she had been denied Crisis Payment. The financial

counsellor contacted Centrelink and asked them to review the decision to deny her payment. The financial counsellor confirmed that Marla had been a previous client of their centre, and that the address listed on her client intake form was the same address as the one she'd provided Centrelink. A Services Australia social worker supported the process, and eventually Marla was paid Crisis Payment.

➤ **Recommendation 3:** Extend the Crisis Payment definition of 'home' to reflect the broad range of situations in which people live:

- Replace the word 'home' with a term encompassing a broader range of residential arrangements, for example, 'where the person has been residing' (section 1061JH, *Social Security Act*).

Or

- Extend the definition of 'home' to include a broader range of residential arrangements (section 3.7.4.20, *Social Security Guide*).

Requiring establishment of a new home denies Crisis Payment to people in flux

34. Eligibility for Crisis Payment requires that a victim-survivor of domestic violence has not only left their home but has established, or intends to establish, a new home. The requirement is unnecessary given section s1061JH of the *Social Security Act* already requires that a person cannot return to their home and it is unreasonable to expect them to do so.
35. The requirement also applies counter to the reality that many victim-survivors are forced out of their home and in crisis but hope to reconcile with their partner, or to have their partner removed so they can return to their home. Further, section 1061JH requires evidence that a person has or is looking for new permanent accommodation – which is completely out of reach of many, given the current housing crisis.

Case study: Natasha

Natasha's ex-boyfriend, Mike, had only just been released from prison on parole when he started being violent to her again. His drug use causes him to experience psychosis, which can be very frightening for Natasha and her three children. His actions have included keeping Natasha in a locked room for several days.

Police recently issued an apprehended violence order and charged Mike with several offences. Concerned that the police action would provoke him, Natasha fled her home with her three children to stay in another town until she could develop a safety plan and pull together enough funds to install security cameras at her home. Natasha wanted to return to her home, which she rents from an Aboriginal controlled organisation, as soon as it was safe to do so. Her support network and her children's school are located in that area so it would not be feasible for her to relocate to another area.

Natasha put in a claim for Crisis Payment but it was knocked back because not only did Mike not 'live with her' during the domestic violence, but Natasha intends to return to her home once it is safe so do so. Natasha approached an EJA Member Centre for help, but they were unable to assist her with her claim as the rules clearly lock her out of payment.

Natasha's life has been put on hold. She has taken unpaid leave from work, her children are not attending school, and she is struggling to afford the unforeseen costs which are additional to her usual rent. She is also struggling to put a workable safety plan in place, which would include having security systems installed in and around her rental property.

- **Recommendation 4:** Repeal the Crisis Payment eligibility requirement that a person has or intends to establish a new home (section 1061JH, (1)(c), *Social Security Act*)

Women on temporary visas escaping violence cannot access income support

36. Victim-survivors are regularly locked out of payments where they hold a temporary visa that allows them to work, study, and potentially live in Australia for an extended period, sometimes indefinitely. That includes where the person cannot feasibly return to their home country and/or they have Australian citizen children they do not want to leave.

The majority of the clients that I see, about 80 per cent of them can't actually get Centrelink because of their visa status.

Rural Queensland

37. Even where a victim-survivor can access Special Benefit, they are often locked out of Family Assistance Payments and Child Care Subsidy, so are forced to survive on significantly lower funds than other victim-survivors in comparable situations.

I have supported clients on temporary visas who receive Special Benefit by virtue of the citizenship of their young children. They are faced with a terrible choice of having to choose between receiving Special Benefit or receiving the Child Care Subsidy. This leaves women and their family in a cycle of poverty as they are unable to work, and their children do not receive the benefits of childcare.

Statewide Victoria

38. While the Leaving Violence Program fills a gap, it does not include income support, so people cannot access regular income that allows them to get on with their lives. Consequently, the only option for many victim-survivors on temporary visas who find themselves unable to work is dependence on charities for an indefinite period.
39. Women from New Zealand are treated particularly harshly as a result of the automatic issuing of Special Category Visas on arrival. This visa type allows a person to stay in Australia indefinitely, without any prompt to address its temporary nature. Consequently,

some women don't become a 'permanent resident' despite living here for years. As a result, EJA Member Centres see women in crisis who are unable to access social security even after living here, working, paying tax, and accruing superannuation for years.

I see women from New Zealand in [regional town] refugees who have just run away from horrible partner violence, and they can't get any payments at all.

Statewide Western Australia

40. Despite Australia's detailed FADV response, the collision between social security and immigration legal systems results in many women on temporary visas having no clear pathway to safety. Where they are able to leave, some continue to work – while injured and/or traumatised. Others cannot work so have no income.

Her bridging visa has no work rights. She's been homeless for years. We're not a homeless service. We can't provide accommodation. We cannot do anything. But you see as an asylum seeker with a bridging visa, she doesn't have work rights, and no Centrelink. I don't know why they provide an asylum seeker a visa with no work rights. What's the point?

Rural Queensland

41. Lack of access to income can subsequently place women's immigration status at risk. Visa applicants are often required to pay significant fees in connection to their application, including police checks, health checks, and appeal costs.

We often see that clients are unable to pay these costs for reasons including recovery from financial abuse, lack of work rights, and inability to work due to health/caring responsibilities. Yet we know that progressing with the application is critical to a victim-survivor's recovery from family violence.

Statewide Victoria

42. Lack of access to visa pathways also sees women return to violent relationships and other high-risk situations.

What's supposed to happen when they're not eligible to claim any payments? So what happens?

Remote Queensland

43. For more detailed information regarding these issues, EJA refers the Department of Social Services to chapter two, 'Residency and migration status', in EJA's report [Social Security for Women Outside our Cities: Intersectional Issues](#); and the National Advocacy Group on Women on Temporary Visas Experiencing Violence's 2026 *Blueprint for Reform: Security safety for Victim/Survivors of Domestic and Family Violence who are on temporary visas*.

- **Recommendation 5:** Expand eligibility for Special Benefit to include people on all types of temporary visas who have experienced family and domestic violence.

Priority area 1: What helps people access support earlier, and what barriers prevent people from seeking help or engaging with systems and services?

Accessing support through Centrelink

44. Many victim-survivors require greater assistance from Services Australia staff to navigate the social security system, including flexibility regarding proof of identity when trying to claim a payment.

A lot of the women we see are either planning to leave a relationship or have left, and they're seeking those Crisis Payments or they're trying to work out child support, and it's not going well.

Rural New South Wales

I think a lot of women, by the time they come to us, they've been dealing with a family violence situation for a long time and a lot of my clients will minimise the family violence, and have a hard time explaining their situation. So that, that's a challenge. They don't necessarily think it's bad enough, even though they could be at the very high end of the high risk, but it's quite hard to advocate for yourself.

Statewide Victoria

45. During EJA's research to identify barriers to social security, service providers regularly called on Services Australia to implement a 'No Wrong Door' policy to guide women to the assistance they need, instead of turning them away. They also stressed the need for increased:

- expert and accessible face-to-face services
- FADV training for frontline Centrelink staff
- support from social workers and other outreach staff
- support for digital access or alternative means of contact
- privacy in Centrelink service centres, as well as organisations that house Agents and Access Points
- flexibility/protections where technology-facilitated abuse is known or likely.

46. Since then, Services Australia has implemented a number of significant improvements, including a notable increase in the number of Services Australia social workers (noting their critical role in the FADV space), and a system that allows people to pre-book an appointment with a Centrelink officer.

47. Issues of access are elaborated on in chapters one to three of [*Social Security for Women Outside Our Cities: Service Delivery Barriers*](#) and chapter one of [*Social Security for Women Outside Our Cities: Intersectional Issues*](#).

- **Recommendation 6:** Improve access to social security payments by making Services Australia's services accessible and trauma-informed.

Accessing support through EJA Member Centres

48. EJA supports Community Legal Centres Australia's call to urgently reduce the number of victims-survivors turned away from community legal centres by investing an extra \$95 million per year, from 2026-27.
49. In particular, EJA argues that funding should flow to all community legal centres that support victim-survivors of family and domestic violence, including EJA Member Centres.
50. Despite the broadly recognised value of EJA Member Centres' work, successive changes to the legal assistance funding framework have reduced community legal services' capacity to deliver specialist social security legal advice and representation. This in turn limits access to justice and undermines the integrity of the social security system.
51. EJA calls for a specialist \$5 million national funding stream within the National Access to Justice Partnership for social security legal assistance to support EJA Member Centres' work.

Spotlight on EJA Member Centre, Welfare Rights Centre NSW

52. Social security advice relating to FADV is often critical. For example, in the last year EJA Member Centre Welfare Rights Centre has assisted 188 clients experiencing or at risk of FADV. This work has included assisting them to secure \$449,160 in life-changing funds to which they were legally entitled.
53. Welfare Rights Centre, like other EJA Member Centres, also endeavours to increase victim-survivors' confidence and capacity to navigate the social security system and to make life-changing referrals to health, housing, and support services.
54. Two case studies are included below to demonstrate recent work by Welfare Rights Centre to support victim-survivors of FADV.

Case study: Laila

Laila was referred to Welfare Rights Centre by her caseworker at a local domestic violence service. She had experienced severe violence over many years but was living in the same home as her former partner due to her financial circumstances.

Laila's former partner struggled with alcoholism and displayed unpredictable and controlling behaviour. Laila had reported the violence to police on multiple occasions and had obtained an apprehended violence order three times. She was also caring for three school-aged children.

Laila and her children were surviving on payments from Centrelink when Centrelink determined that Laila was still a member of a couple and raised debts of more than \$45,000 for Parenting Payment Single and Family Tax Benefit.

Laila's Welfare Rights Centre solicitor undertook a detailed review of her situation and gathered evidence about the history and impact of the violence she had experienced. The solicitor prepared submissions to Centrelink explaining how domestic violence, coercive control and the practical realities of Laila's living arrangements affected her ability to separate safely from her former partner.

As a result of this advocacy, Laila's outstanding debts were waived, relieving her of more than \$45,000 in liabilities. Centrelink also accepted that Laila was separated from her former partner and restored her entitlement to be paid as a single person (which is paid at a higher rate than payment made to a member of a couple). The outcome provided Laila with financial security for herself and her children and removed a significant barrier to rebuilding her life free from violence.

Case study: Karly

Karly, a 16-year-old Aboriginal student, was referred to Welfare Rights Centre by a doctor at an Aboriginal medical service in rural NSW. She had left her mother's home due to drug use and violence and was moving between the homes of friends, her father and her grandmother. An Apprehended Violence Order (AVO) had been issued to protect her from her mother.

Karly had been granted ABSTUDY but was receiving only \$42 per fortnight. No one was receiving Family Tax Benefit (FTB) for her because her living arrangements were so unstable and no single person was providing her with ongoing care. Welfare Rights Centre identified that her ABSTUDY rate had been assessed using her father's income, despite the fact that she was not living with him or any other carer on a regular basis.

Welfare Rights Centre worked with Karly to secure evidence from her Department of Communities and Justice case manager. The case manager confirmed that Karly was moving between multiple households and that no one person could reasonably be regarded as her primary carer for FTB purposes. He agreed to provide Centrelink with updated information about her living arrangements.

Welfare Rights Centre then approached a Services Australia social worker who determined it was unreasonable for Karly to live at home. When the ABSTUDY team reconsidered the matter, they backdated this status.

As a result, Karly became entitled to the independent rate of ABSTUDY, increasing her payment to \$670.37 per fortnight. She also received more than \$13,200 in backpay. This outcome provided Karly with a stable source of income while she continues her education, giving her greater independence while she navigates significant family violence and housing instability.

55. Welfare Rights Centre has a critical funding shortage, with their telephony records showing a substantial proportion of calls are never answered due to resourcing

constraints. This funding shortage is preventing victim-survivors from securing their social security entitlements.

56. Funding shortages apply to all EJA Member Centres, to varying degrees, resulting in unmet need. EJA calls on the Government to remedy the situation to ensure victim-survivors are able to access their social security rights, which can be critical to escaping violence.

➤ **Recommendation 7:** Improve access to social security payments and provide access to social security debt waiver by increasing funding to community legal centres, noting the need for designated funding to increase social security legal support.

Priority area 1: What current or emerging issues should the Second Action Plan address, including in relation to coercive control and technology-facilitated abuse?

57. EJA remains concerned about misuse of Services Australia's online systems to facilitate technological abuse. While intended to improve accessibility, digitised systems have inadvertently created new avenues for privacy breaches and technology-facilitated abuse. These issues disproportionately affect vulnerable populations, and particularly women experiencing domestic violence and women in smaller communities.

58. myGov provides secure access to Government services and links multiple Government services under one login; operating as a central authentication portal and providing a secure means for people to access various Government services, including Centrelink online.

59. Access to myGov is usually accessed via phones or computers owned by individuals that are kept within their home. Where that home is shared by a perpetrator, opportunities for abuse are rife.

60. Perpetrators may gain access to their partner's myGov accounts, monitor their activities and potentially sabotage attempts to seek help or leave dangerous situations. This digital intrusion can pose significant safety risks to victims of FADV.

Women have [the] ability to manage the money but they're not allowed to ... even though it is her money but she's under control of someone else. That happens a lot [with the husband] having access to myGov and the ATM card. And then the woman cannot pay all the bills and then the man has already spent all the money.

Rural Queensland

Sometimes safety is an issue [with myGov]. Obviously if women are still on and off with a partner or if he's got access to her myGov and she's applying for a payment, we don't want him to be able to see that in case it's part of her plan to leave.

Regional New South Wales

He had full control over her myGov and her email.

Rural Queensland

61. Although there is little publicly accessible information available, technology-facilitated abuse in the context of Services Australia online systems appears to be alarmingly prevalent. EJA Member Centres continue to see the insidious practice of abusers exploiting access to family members' or partners' myGov accounts to take out advance payments (colloquially known as 'Centrelink loans') in their name and without their consent.
 62. This form of financial abuse not only saddles women with debt, it establishes further financial barriers to leaving the abusive relationship. The ease with which accounts can be accessed and manipulated in this way highlights a critical vulnerability in the system. This digital form of coercive control extends the reach of abusers, making it increasingly difficult for victims to seek help or plan their escape without detection.
- **Recommendation 8:** Increase strategies to identify and address coercive control and financial abuse occurring through myGov and Centrelink online.

Priority area 5: What would make the biggest difference in creating a more coordinated and connected system response for people affected by violence against women and children and other forms of gender-based violence and people using violence?

63. As noted above, EJA urges greater attention to the central role access to social security support plays in the capacity of victim-survivors to leave violent relationships and establish the basic financial circumstances that make it possible to not return.
64. Over the last few years, EJA and others have seen the results of improved integration of the FADV and social security portfolios. That includes stronger engagement with civil society experts and interagency collaboration across Government; and increased reference to social security, family assistance and child support in women's policy, including in the National Plan to End Violence Against Women and Children.
65. In-depth systems analysis was undertaken through the audit of the weaponisation of Government systems/services, coordinated by the Office for Women. EJA and other stakeholders have also had increased opportunity for dialogue with Ministerial, Parliamentary, Services Australia and Department of Social Services staff regarding:
 - practical measures likely to improve Centrelink's service delivery to victim-survivors of family and domestic violence. For example, Services Australia invited EJA to a full-day workshop to develop ideas raised within an EJA briefing. The open dialogue event, attended by Services Australia staff from all relevant program areas, generated a commitment from Services Australia to pursue many opportunities to

improve social security access for victim-survivors, some of which have already been implemented.

- the financial abuse of victim-survivors who continue to be the subject of abuse post-separation through manipulation of child support liabilities, which undermines victim-survivors' financial security by disrupting their social security/family assistance payments. That includes numerous discussions with Departmental staff, and an invitation to join the Child Support Stakeholder Focus Group.
- the law reform required to make special circumstances debt waiver available where a victim-survivor has not complied with their social security obligations as a result of threat, coercion or violence, or the debt results from a perpetrator lying directly to Centrelink (see above). That includes the opportunity for input regarding the legislation and what is needed in the Social Security Guide to make the law reform as effective as possible.

66. EJA is a member of numerous community sector interagency groups focused on improving Australia's response to FADV, including the Economic Abuse Reference Group and the National Advocacy Group on Women on Temporary Visas Experiencing Violence.

67. EJA is also regularly involved in discussions and consultations with Services Australia and the Department of Social Services regarding social security and its overlap with child support (including those that are specifically FADV focused).

68. Where we see a gap is the exclusion of EJA from Government-led consultations that are FADV-specific. Consequently, social security expertise is not always 'in the room' and social security is de-prioritised.

69. EJA seeks a seat at the table where FADV strategy is being discussed to ensure social security expertise and synthesis of FADV priorities in social security advocacy to Government.

- **Recommendation 9:** Invite Economic Justice Australia to participate in family and domestic violence policy and programming discussions.

Priority area 5: What workforce capabilities, supports, or conditions are most needed to strengthen prevention, early intervention, response and recovery?

70. EJA suggests the FADV response could be greatly strengthened by greater support to specialist staff to understand social security rules.

Stronger knowledge of social security among FADV workers

Community worker training

71. Not all FADV workers have a strong understanding of relevant social security laws and policy. For example, the Social Security Guide includes provisions that effectively extend the statutory seven-day claim period for Crisis Payment in particular circumstances. They

operate so that the seven-day countdown commences not from when a victim-survivor leaves her home, but from when she decides she cannot return home, if that is later.

72. This nuance is not always well-understood by service providers, and EJA is aware of instances where a victim-survivor has been told by a support worker that she is out of time and to instead focus on claiming support from the Leaving Violence Program, when she could have claimed both. Importantly, the processing of payments through the Leaving Violence Program takes longer than the processing of Crisis Payment claims, so a victim-survivor is without emergency funds for longer.
 73. EJA Member Centres endeavour to conduct social security training for frontline FADV workers where possible but have very limited capacity due to lack of resources.
 74. In 2021, Welfare Rights Centre NSW was able to secure funding from a philanthropic funder to provide social security training to community workers, hoping to offset some of their unmet casework demand. They have since run the Family and Domestic Violence and Centrelink training program, and FADV-focused Migrant, Refugees and Centrelink training sessions; as well as face-to-face FADV-focused workshops for community workers working with Aboriginal and Torres Strait Islander communities in Western Sydney, Sydney's Inner West, and the Central Coast of NSW. Those events have attracted more than 1500 community worker participants. Videos of those training sessions have been viewed an additional 830 times.
 75. Evaluation of the program has demonstrated that, on average, workers who attend those sessions go on to support seven to eight clients each month. Funding for this program ceases in August 2026.
 76. EJA questions why training of FADV frontline workers in social security law has fallen to the community sector, especially as Member Centres are generally inadequately funded to do so. EJA urges Services Australia to deliver targeted training; or for Government to fund EJA Member Centres to deliver targeted training to the FADV sector.
- **Recommendation 10:** Improve training to family and domestic violence specialist workers regarding social security entitlements.

Better access to Services Australia to resolve client issues

77. Community-based organisations play a critical role in supporting people to leave FADV situations and to re-establish themselves. These services need better access to Centrelink staff through streamlined communication systems. Service providers consistently report great frustration that, when a victim-survivor is with them, they must ring a general number and then wait for an extended period to talk to Services Australia staff or be cut off. At

times the wait is so long the call must be abandoned as they move onto their next client appointment.

78. Often a client's issue would be simple to resolve if the worker could provide a single piece of information, but delays caused by the inability to contact Services Australia in a timely manner means resolution can take weeks and the client's vulnerability may increase significantly in the meantime.

I've had the experience myself of trying to phone [Centrelink] on behalf of a client and in the end, you just give up. It goes on for hours and hours and I don't know how people tolerate it because I couldn't. And yeah, just dreadful.

Rural Queensland

If only we had that point of contact for our clients who are at highest risk or in crisis. Ideally, that contact would be local so they understand the context.

Regional Queensland

I would like a more direct access point to social workers. I think in terms of our victim service - look, I appreciate that you can't give everyone direct access, but even if there was some advocacy line that I use to call a social worker to be able to say, "I've got a vulnerable woman who's just rocked up at my door, who's going to be homeless tonight, who has just fled domestic violence. Let's help her now." I think if we were able to have an advocacy line like we do with Service NSW when I'm ringing revenue and there's an advocates' line that I can call. Whether or not there's some way that I can get that access to social workers.

Regional New South Wales

79. The possibility of a more direct pathway for service providers to speak with Services Australia staff regarding individual clients also offers enormous benefits for Services Australia, given a community worker will have an established relationship with their client, will have drawn relevant details from long and complex histories, can assist to manage any of their client's challenging behaviours, and will support their client to understand/implement information provided by Services Australia.

It's not a question of whether Centrelink is working with women experiencing violence. They are working with a lot of women experiencing violence right now. And I mean personally I've spent hours, hours of my life on the phone with Centrelink, even their Indigenous line with clients, with people I work with, family members trying to communicate because they don't understand my client or my friend and my family member.

Remote Northern Territory

80. Recently, EJA has facilitated the launch of ASSIST, a nationally coordinated telephone service for community workers seeking information about social security. The line is staffed by EJA Member Centres.

81. The ASSIST line is an 18-month pilot and, if successful, EJA will be seeking ongoing funding to operate the line. EJA will be reporting on the operation of the line, including its utility assisting community workers assisting victim-survivors of FADV.

82. It is presently unclear the degree to which the operation of ASSIST will replace the need for Services Australia to open up lines of communication with frontline FADV workers.

- **Recommendation 11:** Develop a mechanism for community workers to engage directly with Services Australia in a timely way to better support their mutual clients.

