

Committee Secretary
Parliamentary Joint Committee on Corporations and Financial Services
By email: corporations.joint@aph.gov.au

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Submission to Parliamentary Joint Committee on Corporations and Financial Services

1. 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 members across Australia have provided people with free and independent information, advice, education and representation in the area of social security for over 30 years.
2. EJA provides expert advice to government on social security reform to make it more effective and accessible. Our law and policy reform work:
 - a. strengthens the effectiveness and integrity of our social security system;
 - b. educates the community; and
 - c. improves people's lives by reducing poverty and inequality.
3. EJA has long had a specific focus on family and domestic violence (FADV) given our members regularly see clients whose Centrelink issue is critically impacted by current or previous FADV. Often the issue includes financial abuse. Our members also see clients experiencing financial abuse from those they have authorised as nominee to enquire or act on their behalf with Centrelink.
4. EJA recognises recent improvements the Government has made to social security system including important changes to the *Social Security Guide*, improving recognition of the impact of domestic violence on relationships, and increased attention to social security in the *National Plan to End Violence Against Women and Children*.
5. EJA welcomes the opportunity to make a submission to the Inquiry. This submission is based on the experience of our members and the 100 interviews we have recently undertaken with community workers around Australia to identify barriers to social security for women in regional and remote Australia.

6. This submission is largely limited to comments relating to Terms of Reference point 5. The role of government agencies in preventing and responding to financial abuse, particularly the role of Services Australia and Centrelink.
7. Here we seek to draw the Committee's attention to the important role Services Australia can play in identifying, preventing and responding to financial abuse, noting social security payments are channelled through banking systems.
8. Further, we ask the committee to turn its mind to ways in which the roles and responsibilities of Services Australia and the banking/finance sector intersect, including how all actors might more effectively work together to prevent and identify instances of financial abuse, and support those seeking to leave financially abusive relationships.

Recommendations

Recommendation 1: That Services Australia increase access to social workers, particularly on-site social workers, to better provide timely support to people experiencing FADV (*consistent with recommendations 10.1, 13.3 and 13.4 of the Robodebt Royal Commission*).

Recommendation 2: That Services Australia increase training and support for frontline staff, particularly Customer Service Officers, so that they are proactive and responsive when assisting people experiencing family and domestic violence (*consistent with recommendations 10.1, 13.3, 23.3 and possibly 23.4 of the Robodebt Royal Commission*).

Recommendation 3: That Services Australia develop a mechanism for community workers to engage directly with Services Australia in a timely way to better support their mutual clients, similar to the largely successful Advocates Channel (*consistent with recommendations 10.1, 12.1 and 23.3 of the Robodebt Royal Commission*).

Recommendation 4: That Services Australia use its information gathering powers to access required documents held by other government departments, including Births, Deaths and Marriages, to proactively assist victim-survivors to satisfy POI and other documentary requirements (*consistent with recommendations 10.1, 13.3 and 23.3 of the Robodebt Royal Commission*).

Recommendation 5: That Services Australia and financial institutions investigate ways to work together to support victim-survivors of financial abuse to source ID that can then be

used to access social security, financial services and other relevant services (*consistent with recommendations 10.1, 13.3 and 23.3 of the Robodebt Royal Commission*).

Recommendation 6: That the Government establish a Digital Allowance (i.e. reworking and expanding Telephone Allowance) to assist all people receiving income support to afford mobile phones and data.

Recommendation 7: That Services Australia always provide non-digital options for people, so that people experiencing FADV can engage with appropriately trained staff to address specific issues (not staff focussed on increasing uptake of digital options) where necessary (*consistent with recommendations 10.1, 13.3 and 23.3 of the Robodebt Royal Commission*).

Recommendation 8: That the Government undertake a review to interrogate financial abuse using Services Australia's digital systems, with the view to develop a mechanism whereby individuals deprived of the social security payments through financial abuse can be compensated for their lost payments and associated losses.

Recommendation 9: That Services Australia increase staffing to include skilled personnel onsite to help people navigate the claims process (*consistent with recommendations 10.1, 13.3 and 23.3 of the Robodebt Royal Commission*).

Recommendation 10: That Services Australia commit to slow their push to digital servicing, recognising that it is a poor fit for some people, and also a poor fit for many people when dealing with difficult circumstances (*consistent with recommendations 10.1, 13.3 and 23.3 of the Robodebt Royal Commission*).

Recommendation 11: That Services Australia investigate ways to identify financial abuse occurring through myGov, including financial abuse occurring through the sharing of devices.

Recommendation 12: That Services Australia adopt as routine a framework that includes a Human Rights Impact Assessment prior to the introduction of new digital or automated systems (*consistent with recommendation 10.1 of the Robodebt Royal Commission*).

Recommendation 13: That Services Australia engage in genuine co-design in the development of digital and automated systems (*consistent with recommendations 10.1, 12.2, 12.3, 13.1, 13.2, 17.2 and 23.3 of the Robodebt Royal Commission*).

Recommendation 14: That Services Australia and the Department of Social Services monitor and report on the 2023 domestic violence related changes to the *Social Security Guide* to EJA and others working to end violence against women (*consistent with recommendation 12.3 of the Robodebt Royal Commission*).

Recommendation 15: That the Government fund research to explore models that move away from relationship status as the basis of assessment for social security eligibility.

Recommendation 16: That the Government:

Amend the *Social Security Act* to allow access to special circumstances debt waiver provisions where the debt results from a false statement, misrepresentation act or omission made as a result of coercion or duress by amending section 1237AAD to read 'the debt did not result wholly or partly from the debtor or another person knowingly and willingly'.

Or

Amend the *Social Security Guide* to provide for statements made under direct threat of violence or coercion to be excluded from considerations of 'knowingly' (s6.7.3.40).

Recommendation 17: That the Government amend section the Social Security Act to allow access to special circumstances debt waiver provisions where the debt results from false statements by a perpetrator who has lied to Centrelink without the victim's knowledge or under significant threat of violence (s1237AAD).

Recommendation 18: That the Government extend the Crisis Payment claim period to '14 days after the extreme circumstance occurred' (s1061JH, *Social Security Act*).

Recommendation 19: That the Government extend the 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' (s1061JH, *Social Security Act*).

Or

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

Recommendation 20: That the Government repeal the requirement that a person has or intends to establish a new home (s1061JH, (1)(c), *Social Security Act*).

Recommendation: That in the short term, the Government provide all New Zealand citizens living in Australia on Special Category Visas with access to Special Benefit.

Recommendation: That the Government reform the social security system to grant New Zealand citizens who are long-term residents of Australia access to the social security system, comparable to that available to people from other countries.

Recommendation 23: That, in the short term, the Government extend the list of visa sub-classes that attract Special Benefit, with extended coverage including:

- Bridging Visas, all sub-classes
- Student Visa
- Temporary Resident (Skilled Employment)
- Visa Temporary Work (International Relations) Visa
- Temporary Graduate Visa

Recommendation 24: That the Government amend s737(1) of the Social Security Act to enable full time students to access Special Benefit.

Recommendation 25: That the Government undertake a comprehensive review, involving both social security, women's policy and FADV experts, to reform the social security system to ensure victim-survivors escaping financial abuse access social security entitlements.

Recommendation 26: That the Government cap Centrepay deductions to ensure quarantining of at least 25% of a person's social security payment.

Recommendation 27: That the Government reintroduce a downloadable version of the SA325 form or equivalent.

Recommendation 28: That the Government require business to provide accurate records of all transactions to customers in an accessible and timely manner.

Recommendation 29: That Services Australia develop a mechanism for reviewing deductions to minimise the risk of exploitation and ensure the Centrepay (government run) system upholds people's right to social security.

Recommendation 30: That Services Australia introduce an accessible and transparent Centrepay complaints system.

Recommendation 31: That Services Australia develop a range of products to increase the availability of information about Centrepay to people in the community, particularly explaining how it works, how people can take action to remedy a problem, and how to make a complaint.

Recommendation 32: That the Government consider financial counsellors as a priority group to be granted direct access to Centrelink staff through a process like that currently provided to EJA members through the Advocates Channel. (*consistent with recommendation 12.1 of the Robodebt Royal Commission*).

Services Australia should do more to identify and support victim-survivors of financial abuse

9. In the last financial year, more than 9 million people received a Centrelink payment and/or concession card, requiring regular engagement with Services Australia staff or online systems. The sheer number of engagements points to the critical role Services Australia can play in identifying, preventing and responding to financial abuse.
10. Centrelink staff face a challenging task administering and explaining payments with rigid and sometimes complex criteria to large numbers of people, many of whom are stressed and frustrated by the time they come into contact with staff. Staff members need as much training and support as possible to effectively assist people who have experienced FADV or other forms of financial abuse
11. Centrelink social workers are uniquely equipped to support people with complex needs, including those who have recently experienced FADV or other forms of financial abuse. Their input can be pivotal to securing Centrelink payments which provide essential financial support and may be critical to a victim-survivor not returning to a violent or exploitative relationship. Social workers also fulfil a vital role in recognising financial abuse and supporting victim-survivors to escape FADV.
12. Unfortunately, our members report that many people in crisis struggle to access Centrelink social worker support, often waiting days or longer to speak to a social worker, including when an appointment has been offered during the person's initial

contact with Centrelink. Access has declined since social workers were removed from Centrelink offices.

I recently assisted one of my clients, who was experiencing FADV, to attend her local Centrelink office. She was in a state of crisis and asked to speak to a social worker. She was directed to a phone in the public waiting area and told to call the general line, wait on hold and then ask to speak with a social worker. (Regional NSW)

13. Dismissal of a client's distress and referral to a phone in a public area where a person may wait by themselves within full view of others for an hour or more, to be given an appointment days later, is completely contrary to trauma informed best-practice to assist victim-survivors to escape violence. Even if a person waits to get through on the phone, they are often not comfortable and will not share information about their personal circumstances with someone they feel they do not know. Such procedures reflect a failure of the national FADV response.
14. EJA calls for the re-establishment of Centrelink office social work units, staffed to respond to local need. This would include additional social workers contactable by phone, and face-to-face services noting face-to-face interviews increase the likelihood of disclosure of difficult or traumatic issues given workers are better able to build rapport than during a telephone call, also increasing people's confidence that the social worker understands them and the gravity of their circumstances.
15. Centrelink social workers are well placed to support victim-survivor engagement with banking and other financial institutions where a victim-survivor is unable to untangle or remedy the consequences of financial abuse. That includes support to access information essential to their social security claim and referrals to support organisations to help victim-survivors escape FADV and other forms of financial abuse so that they can secure support regarding their financial rights.

→ **Recommendation 1:** That Services Australia increase access to social workers, particularly on-site social workers, to better provide timely support to people experiencing FADV (consistent with recommendations 10.1, 13.3 and 13.4 of the Robodebt Royal Commission).

16. Adequate social worker staffing removes a burden from front-line staff struggling to manage heightened behaviours of people who are angry or in distress, however, the capacity of frontline staff is also critical.

17. EJA members regularly report that frontline staff are not proactive in the way they engage with people. Centrelink customer service officers at the front counter do not routinely ask questions which would help identify whether someone may be at risk of family violence and consequently support systems are not triggered, including access to appropriate payments and social work support.
18. Our members and other community service providers also commonly report that clients are not aware that Centrelink has social workers as other staff do not tell them.

When my clients, who are experiencing family domestic violence, attend their pre-booked Centrelink appointments, they are automatically directed to the computers in the Centrelink service centre to use them. This can be really difficult when they don't have the skills to do that and are traumatised. Centrelink workers' lack of training in trauma-informed practice is a significant barrier to my clients' engagement with Centrelink and access to social security entitlements. (Rural Queensland)

A single referral to a social worker would have prevented that cascading of events. (Member centre)

19. Frontline staff may realise that a person is unable to engage with Centrelink appropriately as a result of trauma, or they may perceive behaviours arising from trauma as aggression and harassment. These same clients are often referred to online systems with which they repeatedly fail to engage. This can be particularly difficult for clients who are overwhelmed as a result of ongoing violence or the turmoil associated with leaving a violent relationship and establishing a new, separate life.
20. Frontline staff should also have a positive obligation to refer people to a Centrelink social worker and/or appropriate support services.
21. EJA calls for increased training and support of frontline staff to provide a proactive and responsive service to people experiencing FADV and other forms of abuse.
22. Services Australia should prioritise hiring and retaining frontline staff with the relevant experience and education qualifications needed to provide a trauma-informed service for people experiencing FADV and other forms of abuse.

→ **Recommendation 2:** That Services Australia increase training and support for frontline staff, particularly Customer Service Officers, so that they are proactive and responsive when assisting people experiencing family and domestic violence and other forms of financial abuse (*consistent with recommendations 10.1, 13.3, 23.3 and possibly 23.4 of the Robodebt Royal Commission*).

23. There are many pathways into support for people experiencing FADV, with community-based organisations serving a critical role supporting people to leave FADV and re-establish themselves. Workers consistently report great frustration that when a victim-survivor is with them, they must ring a general number and often wait over an hour to talk to Services Australia staff or be cut off. These services need better access to Centrelink staff through streamlined communication systems.

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

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)

25. This possibility offers enormous benefits to Services Australia, given a community worker will have an established relationship with their client, will have drawn relevant details from long and complex histories, will help manage their client's sometimes challenging behaviours, and will support their client to understand/implement the information provided by Services Australia. This also helps minimise the risk of re-traumatising clients by requiring them to tell their stories numerous times.

26. These community workers are also well placed to assist clients whose experience of financial abuse has affected banking and other financial services, assisting clients to navigate those systems and the interface with social security claim and payment requirements.

27. EJA has recently had the good fortune to be the pilot organisation for an Advocates Line per recommendation 23.3 of the Robodebt Royal Commission. This trial has

proven highly successful, allowing our members to rapidly and effectively address both urgent and long-term issues for many clients in particularly vulnerable circumstances. We understand that the social security expertise of our member centre staff (social security solicitors) may have contributed to this success, but seek the development of a scalable model to support timely engagement between community workers supporting victim-survivors and Services Australia.

→ **Recommendation 3:** That Services Australia develop a mechanism for community workers to engage directly with Services Australia in a timely way to better support their mutual clients, similar to the largely successful Advocates Channel (*consistent with recommendations 10.1, 12.1 and 23.3 of the Robodebt Royal Commission*).

Assist people experiencing FADV to satisfy POI and documentary evidence requirements

28. EJA acknowledges the importance of proof of identity (POI) processes in protecting the integrity of the social security system, securing individuals' personal information and ensuring payments are made to the correct person.

29. People are required to provide specific POI and sometimes other documentation when claiming a social security entitlement, but these requirements can prove unduly onerous or impossible. In some cases, people delay leaving a violent relationship.

People say, oh I really want to leave but I can't get Centrelink because I don't have access to my bank account, I don't have my ID card, I don't have this, and I don't have that. It's a major barrier. (Regional Queensland)

30. When people do leave, they often leave in a hurry. Some may leave without even basic POI, but many leave without the full range of documentation required to claim or maintain social security payments. Delays and the cost of securing new documents can significantly add to a person's stress and can delay their Centrelink claim, both of which increase a victim-survivor's vulnerability and the likelihood they will return to the violent relationship.

31. Victim-survivors face particular challenges where the perpetrator has tightly controlled access to all documents and records, it is not safe to return to a property to collect documents, or an order prevents contact between the parties. Some perpetrators will deliberately hide or destroy documents.

Some victim-survivors are turned away from Centrelink offices when they do not have required POI. They don't have ID. They go to Centrelink. They're just turned away. (Rural Queensland)

I recently attended a local Centrelink service centre with Susan, my client who's in her 60s, who had fled domestic violence just days prior. Susan was without any income or savings. Centrelink told Susan that she didn't have the correct ID and her claim couldn't be processed until she provided them. We were told to use a computer in the corner of the public waiting room to try to get what she needed. I could see that Susan was becoming increasingly uncomfortable and distressed as she 'isn't great with a computer' and was also uncomfortable trying to access personal information in the public space. We left and basically, I helped her get the documents over a period of weeks which she then provided to Centrelink and her claim was lodged. It's common for women to have to rely on emergency relief payments while gathering correct POI for Centrelink. (Regional NSW)

32. During our discussions with senior SA staff responsible for POI, they have asserted that lack of POI should not prevent a person accessing their social security entitlement as SA has processes available to assist with identification where a person is unable to otherwise satisfy requirements, but that is not born out on the ground.

I often assist women who want to leave violent relationships, but they are locked out of Centrelink payments because they lack POI and other paperwork. They see Centrelink as 'the keepers of the money', and the process of providing evidence as a process whereby they are required to prove they are 'worthy of that money'. (Very remote NT)

33. The POI issue has a major cross over into banking, which also requires POI to establish a bank account. Our members see clients in particularly vulnerable circumstances who lack the POI required to set up a bank account, noting that even if Centrelink payments are secured, they cannot be paid unless the person has a bank account.
34. Without access to Centrelink payments, victim-survivors must make a choice between staying in a violent household or extreme poverty for themselves and their children.

35. POI is also necessary to access a large range of additional services essential to victim-survivors escaping FADV.

- **Recommendation 4:** That Services Australia use its information gathering powers to access required documents held by other government departments, including Births, Deaths and Marriages, to proactively assist victim-survivors to satisfy POI and other documentary requirements (*consistent with recommendations 10.1, 13.3 and 23.3 of the Robodebt Royal Commission*).
- **Recommendation 5:** That Services Australia and financial institutions investigate ways to work together to support victim-survivors of financial abuse to source ID that can then be used to access social security, financial services and other relevant services (*consistent with recommendations 10.1, 13.3 and 23.3 of the Robodebt Royal Commission*).

The shift to online administration of social security payments through MyGov has opened up new routes of financial abuse

36. The social security system is constantly being reshaped by digitisation, affecting both its administration and the way people access Centrelink payments. People are frequently expected to interact with Services Australia through online systems, noting MyGov is regularly pushed as a default mode of interaction. Digitisation has the potential to extend critical services to those who might otherwise be excluded or find it difficult to engage, but it also comes with risks.

37. Automated systems can make victim-survivors more vulnerable to coercive control as perpetrators have access to their social security information.

We've seen ... many examples where the man has total control of finances. They've taken out loans and run up debts. How does an automated system understand all that? It doesn't. On paper women who are dealing with family and domestic violence look like they do have an income – and are ineligible for payment. (Member centre)

38. Digitisation takes people out of Centrelink offices, making it difficult for staff to recognise domestic violence, including financial abuse. It is also locates basic social security administration (the provision and receipt of information into a device) within the home of the victim-survivor and perpetrator, supplemented by

automated decisions that apply scant scrutiny to the specifics of the person's situation.

39. During our recent research to identify barriers to social security for women in regional and remote areas, community workers noted time and again that phones are shared in many households and in some communities.

40. Poverty remains a significant factor in digital exclusion, with many Centrelink recipients trying to access Services Australia from old phones and devices on which they are unable to install current versions of software. Further, Centrelink recipients' phone access is regularly critically affected by their ability to afford a phone plan, internet plan or pay-as-you-go data.

It's a very white lens to expect that everybody has a phone with credit on it or internet or a laptop and the digital literacy to do all of those things. It's just a wildly inaccessible service and then they just don't seem to be too interested in making it more accessible. It's like it's a punishment to access the payment. (Remote NT)

41. The cost of information and communications technology drastically undermines Centrelink recipients' capacity to maintain reporting requirements (including changes in income, changes in circumstances, and mutual obligations), causing distress as people genuinely struggle to access and retain social security income.

42. EJA is aware that Services Australia is working with multiple partners to address digital exclusion, including ways to increase internet and phone signal coverage, and developing possible options such as phone banks. These should be pursued but unfortunately, will do little to address the real costs incurred by many people on very low incomes needing to access phone and internet systems to maintain their social security payments.

43. While the social security Telephone Allowance can be paid to people on a few select payments, the current rate of \$35.60/quarter does little to meet the cost of even the cheapest mobile phone or internet service plan. EJA calls for the introduction of a digital allowance.

→ **Recommendation 6:** That the Government establish a Digital Allowance (i.e. reworking and expanding Telephone Allowance) to assist all people receiving income support to afford mobile phones and data.

44. Community workers report that some women experiencing FADV feel unsafe using technology in general.

Sometimes people are locked out of their myGov because of the technology abuse. It's not safe for them to use technology. (Rural Victoria)

45. Our members have found that specific groups experiencing financial abuse, such as women from culturally and linguistically diverse (CALD) backgrounds, may be isolated and economically dependent on their partner, experiencing an elevated fear of automated systems when trying to leave because of their concerns about surveillance.

46. Similar issues were reported for First Nations women, based on a range of factors including a sense of government surveillance and distrust in the government.

47. People with limited digital literacy, including older people or people with intellectual disability or cognitive impairment, are particularly vulnerable to financial abuse through digital systems given many are hesitant or unable to digitally engage, handing over significant power to those who interact with Centrelink for them. That includes people acting as nominee.

→ **Recommendation 7:** That Services Australia always provide non-digital options for people, so that people experiencing FADV can engage with appropriately trained staff to address specific issues (not staff focussed on increasing uptake of digital options) where necessary (*consistent with recommendations 10.1, 13.3 and 23.3 of the Robodebt Royal Commission*).

48. Sometimes members of a couple or household share devices or input data into devices for each other. In many cases of financial abuse, the perpetrator controls access to devices within the home and/or what is reported through the victim-survivor's MyGov account.

Some families I've walked beside, their partner has their phone, has hacked their email account, so then goes in and changes the bank account so that the bank account's actually someone else's, changes all the passwords and pretty much locks them out. (Rural Qld)

Obviously if women are 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 her

myGov in case it's part of her plan to leave. A lot of the time, women's phones or laptops are compromised, or they might just not have access to documents or don't want their partner finding out. I think that's why social workers are so important but they're very hard to come by at times or you have to book in to see them as well. (Regional NSW)

49. Services Australia has pushed most of the social security interface online, but has taken no accountability for consequences that extend beyond delivery of people's correct payments, such as financial abuse, escalating violence, and further harms that result from a perpetrator wrongfully taking and spending the victim-survivor's funds.
50. There is no recourse through Services Australia when a person's social security payment is paid to the wrong person because banking details have been wrongfully changed or the money has been taken/stolen. That is, the victim-survivor cannot ask for a particular payment to be repaid to them or seek compensation for losses caused by the financial abuse. For example, homelessness due to eviction from housing due to missed rental payments and associated losses.
51. While there may be options to pursue those funds through protracted criminal law processes, that is neither an appropriate fit in most instances nor an accessible, timely option for most victim-survivors to pursue. There is a scheme allowing people to seek compensation through the Compensation for Detriment caused by Defective Administration (CDDA) scheme (i.e. Services Australia's defective administration). However, this scheme is not a good fit as, in instances of financial abuse, the loss has been caused by a third party albeit using Services Australia's digital systems. In our view, these cases are unlikely to succeed with a CDDA claim.
52. The consequences of losing even one payment (usually a week or fortnight's income) can be severe for people without savings living on meagre social security payments. Amounts beyond this can be catastrophic to both victim-survivors and their dependants.

→ **Recommendation 8:** That the Government undertake a review to interrogate financial abuse using Services Australia's digital systems, with the view to develop a mechanism whereby individuals deprived of the social security payments through financial abuse can be compensated for their lost payments and associated losses.

53. Previously women experiencing domestic violence have tried to navigate perpetrators' control by going into Centrelink or to a Centrelink agent. The default to online services has reduced that option.

They rolled back a lot of the face-to-face help, so much so that they were only allowing that office to do online claims or to help people on the phones. And the whole point of having a service in a community-controlled organisation was that it was culturally safe, and people could come in and talk because they had Aboriginal staff members in those offices. They could report. They could do all of that stuff.

Then, people were going to the Centrelink office and those staff were directed that then you had to put them on a phone. They were coming to get help for their claims and those staff were directed to put them on a computer and show them how to use a computer or set it up on the phone - the phone that they're only going to have for a week because their partner is going to smash it and take it away from them and that's all of their access to get into myGov. (Remote NT)

- **Recommendation 9:** That Services Australia increase staffing to include skilled personnel onsite to help people navigate the claims process (*consistent with recommendations 10.1, 13.3 and 23.3 of the Robodebt Royal Commission*).
- **Recommendation 10:** That Services Australia commit to slow the push to digital servicing, recognising that it is a poor fit for some people, but can also be an obstacle for many for many people when dealing with difficult circumstances (*consistent with recommendations 10.1, 13.3 and 23.3 of the Robodebt Royal Commission*).

54. Community workers are seeing instances of suspected fraud where a person uses another person's phone to change the banking details linked to their Centrelink payments.

We hear that a lot. Sometimes it's family members because they're using shared devices and so they're able to log in. Centrelink's answer is always - go online, go online. But for a lot of reasons, including very legitimate reasons, some people don't want to do online. (Remote NT)

55. Community workers are also seeing issues with advance payments. Advance payments describe an advance made at a person's request, which is slowly paid off

through a set deduction from the person's regular fortnightly social security payments. Advance payments range from \$500 to almost \$1600 depending on the type of payment a person usually receives.

56. EJA is aware of financial abuse by partners, other family members and others in small communities targeting advance payments. This occurs when the abuser changes the banking details on a person's device and has the advance paid into the abuser's account.

We see a lot of people's Centrelink loans [advance payment] being taken out in other people's names using myGov. It happens a lot, the financial abuse. It is a huge problem - the tech facilitated abuse and Centrelink seems oblivious to it. (Remote NT)

- **Recommendation 11:** That Services Australia investigate ways to identify financial abuse occurring through myGov, including financial abuse occurring through access to shared devices.

57. The use of digital services and automation in government services engages human rights including the right to social security and an adequate standard of living, the right to non-discrimination and equality, and the right to an effective remedy.

58. The day-to-day fallout of digital systems needs to be taken more seriously, including how these systems undermine human rights. This issue should be addressed by adopting a standardised and systematic approach, for example, undertaking a human rights impact assessment of all proposed (and current) digital and automated systems.

- **Recommendation 12:** That Services Australia adopt as routine a framework that includes a Human Rights Impact Assessment prior to the introduction of new digital or automated systems. *(consistent with recommendation 10.1 of the Robodebt Royal Commission).*

59. Specific steps must also be taken to ensure all people can access the social security safety net. That includes consultative systems design, which should always include input from, and testing by, users.

- **Recommendation 13:** That Services Australia engage in genuine co-design in the development of digital and automated systems. *(consistent with recommendations 10.1, 12.2, 12.3, 13.1, 13.2, 17.2 and 23.3 of the Robodebt Royal Commission).*

The social security ‘member of a couple rule’ can exacerbate financial abuse and affect women’s ability to leave violent relationships

60. Centrelink payments are directly affected by whether a person is considered single or a member of a couple.
61. Centrelink assesses whether a person is a member of a couple based on criteria outlined in Section 4 (2) of the *Social Security Act* – financial aspects of the relationship, nature of the household, social aspects of the relationship, sexual relationship between the persons, commitment to each other. These criteria are not a checklist but must inform considerations before a subjective decision is made.
62. In 2023, the Government has made significant changes to the *Guide to the Social Security Act*, describing what domestic violence might look like under each criteria (including financial abuse), specifying that the presence of domestic violence may mean the person should not be considered a member of a couple, and providing direction that there may be some (unusual) cases where a person is a member of a couple but due to domestic violence the victim-survivor should be treated as a single person.
63. The value of these changes must not be minimised, noting they have the potential to ensure some women living with a violent partner may be able to access appropriate Centrelink payments, and others may be able to get debts waived when it is shown that the circumstances of their relationship do not satisfy the member of a couple test.
64. Given the recency of these changes, it is vital that Services Australia and the Department of Social Services monitor and report on their application to provide EJA and other invested parties with details about their effect.

→ **Recommendation 14:** That Services Australia and the Department of Social Services monitor and report on the 2023 domestic violence related changes to the *Social Security Guide* to EJA and others working to end violence against women. (*consistent with recommendation 12.3 of the Robodebt Royal Commission*).

65. Earlier research by EJA, and the experience of our member centres, suggests that the member of a couple rule is, itself, problematic, with relationship status the basic determinant of social security entitlement – a paradigm based on an outdated social security system set up to respond to the traditional gender roles of male breadwinner and dependent female.

66. So many issues of financial abuse and barriers to women escaping domestic violence would not exist if each person was considered independent and not paid a lower basic rate when assessed as a 'member of a couple', with their ongoing rate of payment unaffected by their partner's income and assets.
67. Women would not be forced into financial dependency on an abusive partner whose income precludes the woman's social security entitlement, and also prevents them securing a social security payment to help them prepare to leave. They would not face risk of prosecution if they do secure a social security payment but fail to declare an abusive partner's income/assets or claim to be single under duress. They would not face being told by Centrelink that they need to repay the income support payments they and their children survived on despite not receiving any financial support from their abusive partner. They would also not be exposed to the ongoing risk of being controlled by their abuser, with the threat of being doxxed in for social security fraud.

→ **Recommendation 15:** That the Government fund research to explore models that move away from relationship status as the basis of assessment for social security eligibility.

Victim-survivors are being held liable for social security debts incurred as the result of coercion or false information provided by a perpetrator

68. A social security debt can be waived under social security and family assistance law where there is financial hardship and 'special circumstances' that are unusual, uncommon or exceptional, if it is considered unfair or unduly harsh for the person to have to repay the debt. This process requires the collection and consideration of evidence before a decision maker considers the facts, with the decision to waive discretionary. From time to time, this discretion is applied by Services Australia delegates or the Administrative Appeals Tribunal where domestic violence has played a part in accrual of a debt.
69. The impacts of coercive control and financial abuse were not within the purview of Parliament when special circumstances waiver provisions were introduced. As the legislation now stands, special circumstances waiver provisions cannot be applied where a victim-survivor has not complied with their social security obligations as a result of threat, coercion or violence - regardless of special or exceptional circumstances. That is because, discretionary debt waiver is not available if a debtor has 'knowingly made a false or misleading statement or failed to comply with an obligation under social security law' (s1237AAD, *Social Security Act*).

70. Discretionary debt waiver is not available where a victim-survivor has been forced or coerced into making statements regarding their own or their partner/other abuser's circumstances, including where those payments were their only source of income or the perpetrator stole those funds.

71. Debt waiver would not be possible in this scenario:

Maggie has three kids with Brett who is violent; assaulting her so badly that she has required medical treatment on a number of occasions. Brett also has a gambling habit. He refuses to put any money towards food, rent, clothing or utilities – gambling away all of his income. He regularly takes Maggie's debit card and withdraws funds from her account – her Parenting Payment and Family Tax Benefit. She often visits local charities for food and utilities vouchers.

Maggie wants to tell Centrelink that Brett lives with her and that he sometimes works, but Brett has told Maggie that if she tells Centrelink he's living there, he will kill her. When she receives a form asking for updated details, she shows it to Brett and again says that she has to tell Centrelink he lives there. He punches and chokes her, resulting in injuries that require hospitalisation.

The hospital social worker helps Maggie arrange accommodation in a refuge and two weeks later, she leaves with the kids. Brett trashes the house (leased in Maggie's name), then leaves a voice message on Maggie's phone saying he's rung Centrelink to tell them she's been living with 'someone'. Maggie subsequently gets a letter from Centrelink saying she owes \$62,000 as she has been a member of a couple while receiving a single rate of payment.

72. This is a recent case example from our member centre.

Hana fell pregnant 6 months after she started dating Silo. Just before the baby was born, Silo moved in but refused to provide any financial support for her and their child, then or at any point after that. When Hana updated Centrelink about the child's birth, she asked Silo again to let her update her living arrangements. He refused and told her that if Centrelink found out, she

would be in trouble and charged with fraud as she had been on the wrong rate of payment for more than year.

Hana found some work and was reporting her income but Silo kept telling her to stay home and look after their baby, and in the end it was easier to stop work than to listen to his verbal harassment. She kept hoping he'd change his mind and they could really live together as a couple. Towards the last 18 months of their relationship, he became physically violent. He also bought a property in his name, telling her he wouldn't have been able to borrow much if the bank knew he had a partner and children. He made it clear that the property was his. After 4 years together, Hana left. Then she got a letter telling her she had a Centrelink debt of over \$65,000.

→ **Recommendation 16:** That the Government:

Amend the *Social Security Act* to allow access to special circumstances debt waiver provisions where the debt results from a false statement, misrepresentation act or omission made as a result of coercion or duress by amending section 1237AAD to read 'the debt did not result wholly or partly from the debtor or another person knowingly and willingly'.

Or

Amend the *Social Security Guide* to provide for statements made under direct threat of violence or coercion to be excluded from considerations of 'knowingly' (s6.7.3.40).

73. Discretionary debt waiver is also unavailable where a debt arises as the result of a false statement or omission by another person. That includes where a perpetrator lies or provides false documents directly to Centrelink (for example in relation to their income), but the social security payment is made to the victim-survivor, for example, the partner income test is applied to a person's Parenting Payment.

74. Discretionary debt waiver is not available irrespective of whether the victim-survivor knew the statements were false or had access to any of the funds, e.g. it was paid into her account, but he controlled all spending.

75. Debt waiver would not be available in the following scenario:

Darren has recently started working casually as a tradie, sometimes for cash, while Mina looks after their young kids. Mina receives Parenting Payment and Family Tax Benefit, while Darren is on JobSeeker Payment. The family lives on Mina's payments because Darren says he's saving the JobSeeker Payment

and any money he gets from work. Mina has no idea how much money is in his account. He will not consider using any of his money and when she tells him she doesn't have money for bills, he says she'll need to get better at budgeting. Sometimes she needs to get food from the foodbank.

Darren tells Mina that he's called Centrelink and told them he is getting casual work. Mina tells Darren that she also must tell Centrelink about his casual earnings because of her Parenting Payment which has a partner income test, and that she needs to see his payslips to work out the gross income because that's what Centrelink wants. Darren loses his temper and assaults her, throwing furniture and smashing walls. He says that he'll deal with the myGov reporting because she will stuff it up. He says he'll use her phone to report his income on MyGov from now on.

Two years later, Mina receives a Centrelink "account payable" notice saying she's been overpaid Parenting Payment and owes \$18,000. After seeking advice, she learns that Darren has been misreporting his casual earnings to Centrelink and has also been lying to her. When Mina confronts him, he assaults her so badly that the police are called. Mina and the kids move into a refuge and Darren is eventually jailed for the assault. The \$18,000 Centrelink debt remains Mina's debt because of the impact of Darren's income on her payments.

- **Recommendation 17:** That the Government amend section the Social Security Act to allow access to special circumstances debt waiver provisions where the debt results from false statements by a perpetrator who has lied to Centrelink without the victim's knowledge or under significant threat of violence (s1237AAD).

Victim-survivors are not able to access Crisis Payment

76. 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.
77. Unfortunately, Crisis Payment has a 7-day claim period which is a poor fit for people who have experienced a traumatic event. People often remain in 'fight or flight mode for some time', while trying to find alternative accommodation (sometimes in hiding), move their belongings, change children's schools, attend medical

appointments and/or police interviews, etc. Those who have had a partner removed can face a host of decisions, appointments and associated trauma. Many are unaware of the short claim period and lack access to their online account or face difficulty contacting Centrelink by phone.

78. This issue is well established. The Department of Social Services monitors the frequency of claim rejections as a result of claims exceeding the time limit, and has also tried to 'stretch' the claim period through policy, however, this nuance is not always well understood by frontline Centrelink staff or victim-survivors, who may not claim after seven days, be turned away or have their claim rejected.

79. Crisis Payment would not be payable in the following scenarios:

***Jai's** violent partner would not allow her access to either of their bank accounts, giving her \$100/week to cover groceries. He handled all their bank accounts and MyGov accounts. She was planning to leave but after one particularly violent assault, she took only her baby and a bag of clothes in the middle of the night and caught a bus 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. When she arrived, she was extremely distressed, in a town she didn't know, with only a few basic provisions, no money, no savings, and no idea what she could do next. Then she caught the flu and was in bed for 4 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 10 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 chaotically 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 8 days ago.*

→ **Recommendation 18:** That the Government extend the Crisis Payment claim period to '14 days after the extreme circumstance occurred' (s1061JH, Social Security Act)

80. Crisis Payment can only be paid if a person is forced to leave their home (s1061JH), or they remain in their home after the perpetrator is removed (s1061JHA), however definitions of home are too narrow, excluding people living in substandard accommodation. That locks out people in particularly vulnerable circumstances. It is particularly problematic given the current housing crisis.
81. 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.
82. EJA suggests the intention of this provision was never to exclude people who are particularly financially vulnerable, but instead to provide support for people forced to move and/or re-establish themselves. 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'.
83. The following recent case was provided by an EJA member:

***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 unairconditioned caravan with two kids, no food or the kid's school uniforms. The following day, she tried to claim Crisis Payment but was knocked back as Centrelink maintained she had not left 'home'.*

84. The issue would also arise in the following scenario:

***Ann** was living rough with her partner in her tent in a camp on the outskirts of town. He always went with her to the ATM her each fortnight when their social security payments came through and then controlled how the money was spent. After a particularly violent incident, one of the other people at the camp said they'd give her a lift into town because 'no one should have to live like that'. She went to an emergency service, who suggested she apply for Crisis Payment and try to find somewhere else to stay. She knew she couldn't go back to her tent*

because the perpetrator would find her. Crisis Payment was denied because Centrelink maintained the tent had been 'temporary accommodation' that didn't fit the definition of home.

→ **Recommendation 19:** That the Government extend the 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' (s1061JH, *Social Security Act*).

Or

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

85. 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. It also denies the fact that many victim-survivors are forced out of their home and in crisis but hope to reconcile with their partner. Further, s1061JH 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.

86. Under current provisions, Crisis Payment would not be payable in the following circumstances:

Tina was happy in her relationship. Her husband controlled their finances, but she didn't mind as she was busy with her TAFE course and she'd 'never been very good at that kind of thing'. He'd convinced her to get an advance on her Austudy so he could get his car repaired, which had worked out well. One night she told her husband about her friend getting cheap tickets to Bali and he 'lost it'. He violently assaulted her, saying she didn't appreciate him and everything he was doing for her. She was completely caught off-guard. When he went to work the following day, she left the house with a small bag and caught the train to a friend's house four hours away. Her friend took her to the hospital for medical treatment, then said she could stay on her couch for a few days. Mia was struggling to function but managed to ring Centrelink to ask if she could claim Crisis Payment as she had spent the last of her Austudy on the train fare. She told them what had happened and that she didn't know what she was going to do

next. She still loved him, and it had never happened before. She was told by Centrelink that she was not eligible for Crisis Payment as she had not shown an intention to 'establish a new home'.

→ **Recommendation 20:** That the Government repeal the requirement that a person has or intends to establish a new home (s1061JH, (1)(c), *Social Security Act*).

Victims of financial abuse and other forms of violence are locked out of social security support due to residency/visa status

87. People from New Zealanders are treated particularly harshly by the social security system. This is a byproduct of the default Special Category Visa (subclass 444) through which most enter Australia. Apart from a small number of circumstances, New Zealanders are locked out of our social security system, even when they have lived in Australia for decades, worked throughout this period, paid tax, and generally participated in the Australian community.
88. EJA's members regularly provide legal advice and assistance to New Zealanders in Australia experiencing financial hardship. These people, who have lived in Australia for significant periods of time, experience financial hardship often for reasons outside of their control such as unemployment due to ill health or injury. It is not uncommon for some New Zealanders to not realise they hold a special category visa, as it is generally automatically issued at passport control when they entered Australia.
89. Exclusion from the social security safety net is particularly dire for victim-survivors of FADV and other forms of financial abuse, because it acts as a barrier to leaving a relationship and/or makes it almost impossible to establish themselves independently. People cannot access social security payments even when they cannot work because they are caring for young children, or they are ill or injured.
90. Last year, the Government simplified the pathway for New Zealanders on Special Category Visas wanting to obtain Australian citizenship by allowing them to meet eligibility requirements if they satisfied the four-year residency requirement. This subsequently provided a pathway for New Zealanders in Australia to access our social security safety net. However, this is a complex and inequitable process. It insists on a higher standard than for people from other countries – New Zealanders are required to obtain citizenship rather than the more readily attainable permanent residency. It also does not address the critical issue for people needing to escape

FADV or other forms of financial abuse, who have been in Australia for less than four years, or who have not obtained Australian citizenship for other reasons.

→ **Recommendation 21:** That in the short term, the Government provide all New Zealand citizens living in Australia on Special Category Visas with access to Special Benefit.

→ **Recommendation 22:** That the Government reform the social security system to grant New Zealand citizens who are long-term residents of Australia access to the social security system, comparable to that available to people from other countries.

91. Most temporary visa holders are not eligible for social security income support despite their visas allowing them to work, study, and potentially live in Australia for long periods, including indefinitely. That includes people on Bridging Visas, Student Visas, Temporary Graduate Visas, Temporary Resident (Skilled Employment) Visas, and a Temporary Work (International Relations) Visas.

92. Despite the Government's detailed FADV response, the frequent incompatibility between social security and immigration legal systems remains a major barrier to victim-survivors escaping violence, noting that often ineligibility for social security also makes them ineligible for social housing.

93. Barriers to social security often remain after a victim of financial abuse is granted permanent residency because of the Newly Arrived Residents Waiting Period (NARWP), which sets the amount of time a person must wait after they have been granted permanent residency before they can access social security – usually four years.

94. While exemptions to the NARWP do exist, including in some cases involving domestic violence including financial abuse, obtaining a waiver of the NARWP can be difficult to achieve. The victim-survivor needs to first know about the possibility of a waiver, go through the onerous process of applying for a waiver, supply evidence of domestic violence, and establish that the violence commenced after they were granted permanent residency. Our members report that often the victim-survivor will have been forced to leave Australia by the time that decision is made.

95. Further, waiver of the NARWP enables access only to Special Benefit, a single social security payment with harsh conditions attached.

- **Recommendation 23:** That, in the short term, the Government extend the list of visa sub-classes that attract Special Benefit, with extended coverage including:
- Bridging Visas, all sub-classes
 - Student Visa
 - Temporary Resident (Skilled Employment)
 - Visa Temporary Work (International Relations) Visa
 - Temporary Graduate Visa
- **Recommendation 24:** That the Government amend s737(1) of the Social Security Act to enable full time students to access Special Benefit.
- **Recommendation 25:** That the Government undertake a comprehensive review, involving both social security, women’s policy and FADV experts, to reform the social security system to ensure victim-survivors escaping financial abuse access social security entitlements.

The systemic financial abuse being perpetrated through Centrepay

96. The final area addressed in this submission is the systemic financial abuse being perpetrated through the Centrepay system.

97. EJA is supportive of the Government’s commitment to reform Centrepay, which has long been misused by businesses as a vehicle for economic abuse. We strongly urge the Government to fulfill their commitment to Centrepay reform and proactively execute its duty to protect the users of this government system.

98. Centrepay is described as a voluntary bill paying services for Centrelink customers, which allows regular deductions for goods and services from a person’s Centrelink payment. It can be an excellent budgeting tool and our members advise that many clients find Centrepay helpful, experiencing no issues.

99. However, there are still far too many Centrepay users being locked into payment deductions as the result of unscrupulous business practices and systemic flaws that make it difficult to stop deductions.

100. Businesses continue to engage in predatory and exploitative practices, particularly in regional, rural and remote communities where ‘rent to buy’ arrangements, often in breach of consumer credit laws, are still the norm rather than the exception. EJA has been in the community when a large and well-known payday lender has arrived

in remote NSW in a brightly painted bus to sign people up for payday loans and/or to purchase second-hand good, including through Centrepay deductions.

101. People are servicing high interest loans and/or fees directly from their social security payment. Meanwhile they are unable to pay for essentials, with some depending on emergency relief and food vouchers.

→ **Recommendation 26:** That the Government cap Centrepay deductions to ensure quarantining of at least 25% of a person's social security payment.

102. Services Australia is responsible for ensuring that customers using Centrepay understand what it is, and what deductions are being taken from their payment, but some Centrepay users do not realise that regular deductions are being made, and if they do then they do not understand where the money is going.

103. The system must be reformed to ensure people understand and agree with all deductions, and how to stop unwanted deductions. Customers should be able to easily share this information with independent financial counsellors when necessary.

104. The shift to digital systems has adversely affected clients accessing Centrepay arrangements. Hard copy Centrepay application forms (the 'SA325') were previously downloadable from the Services Australia website, and used to set up deductions. Financial Counsellors used them to help clients with limited phone/internet access to set up manageable deductions. This option is no longer.

105. In fact, one of our members was recently advised by Services Australia that the best option was for clients with limited phone/internet access is to approach the business they want to pay and ask the business to set up the deductions. Similarly, the first option on the Services Australia webpage for setting up deductions is 'by asking the business you want to pay, to set it up for you'. This exposes vulnerable clients with limited financial literacy to predatory practices.

→ **Recommendation 27:** That the Government reintroduce a downloadable version of the SA325 form or equivalent.

106. Currently people have no record of their purchases through the Centrepay system, making it difficult for them to track and assess the Centrepay process, and to return goods if defective. There must be a requirement for businesses using Centrepay to

include details of what was purchased as an attachment to the Centrepay Agreement, Customers must also have the right to return goods if defective.

→ **Recommendation 28:** That the Government require business to provide accurate records of all transactions to customers in an accessible and timely manner.

107. People frequently have Centrepay arrangements with retailers such as grocers, furniture stores and other basics providers but it is not uncommon for those seeking legal and financial assistance to be unsure what their Centrepay arrangements are.

108. Clients explain that they have been told that they can go into a retailer where Centrepay is used, and access it 'like a credit system', so they can buy whatever they need without needing to pay out of their pocket. It is not a credit system. They are in fact paying 'out of pocket' and it is coming directly from their Centrelink payment.

We have one shop in town that sells clothes and other homeware-related items. I think I've only bought two items from there in 15 years because they're just so expensive. I have homeless clients who have Centrepay arrangements there and they talk about it like they have a running sheet there. They sign this form and just 'come in and book your stuff up and we'll just take a payment out of your Centrelink. My clients from remote communities will come in to purchase items through Centrepay for Sorry Business, which the shop has specifically stocked, like white shirts and trousers for funerals, fake flower arrangements, that kind of thing. Then this stuff will only last a short time because it is of such low quality. My clients will then not be able to come back into town for a long time and forget their Centrepay keeps coming out and going to that shop. (Remote SA)

109. EJA is aware of people's Centrepay deductions continuing indefinitely without that person's knowledge. This includes Centrepay deductions continuing at a business for years after a person has moved away and has no memory of agreeing to the deduction, and Centrepay deductions continuing for months after the person had passed away. In the latter case, the business refused to acknowledge they had continued to receive payments (for goods never purchased) after the person's death.

→ **Recommendation 29:** That Services Australia develop a mechanism for reviewing deductions to minimise the risk of exploitation and ensure the Centrepay (government run) system upholds people's right to social security.

110. The barriers posed by access to technology issues cannot be overstated, as many people find it difficult or impossible to check, vary or cancel their Centrepay deductions.
111. Community services in regional and remote areas report that clients have problems with internet and phone reception, do not own a phone with internet capabilities, and do not have basic digital literacy. Many struggle with transport, including not owning a car in an environment where there is no or extremely limited public transport to come into a Centrelink office.
112. Centrepay requires a specific complaints line for Centrepay, with the onus on Services Australia to investigate businesses doing the wrong thing.
113. The complaints line should be supplemented by a transparent and accessible complaints process that allows Services Australia to track complaints, timely notification regarding the outcome of the complaint, and recognition of financial abuse even when it is not immediately obvious to the person making the complaint.
- **Recommendation 30:** That Services Australia introduce an accessible and transparent Centrepay complaints system.
114. As long as the Centrepay system remains opaque to those using it, or considering using it, it will remain ripe for exploitation.
115. Significantly more information needs to be publicly available, including online information in plain English and other languages. This should address problematic business practices (such as refusal to refund overpayments), and systemic issues administered by Services Australia (such as delays in applying or ceasing deductions). This information could then be replicated by agencies working with people accessing Centrepay arrangements.
116. The high uptake of Centrepay arrangements by people with limited digital access means that information needs to be made accessible, beyond digital means. Services Australia should develop accessible media to explain Centrepay to people without readily available access to the internet, including, but not limited to, factsheets and visual works targeting people from First Nations communities, and people from CALD communities.

→ **Recommendation 31:** That Services Australia develop a range of products to increase the availability of information about Centrepay to people in the community, particularly explaining how it works, how people can take action to remedy a problem, and how to make a complaint.

117. Financial counsellors remain one of the first lines of defence for people experiencing problems with Centrepay. Highly skilled and working within clearly defined professional boundaries, their capacity to assist clients is currently undermined by lack of direct access to Services Australia staff.

→ **Recommendation 32:** That the Government consider financial counsellors as a priority group to be granted direct access to Centrelink staff through a process like that currently provided to EJA members through the Advocates Channel (*consistent with recommendation 12.1 of the Robodebt Royal Commission*).

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