



Submission

Senate Committee on the Social Security and Other Legislation Amendment (Technical Changes No. 2) Bill 2025

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Submitted by

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Acknowledgement of Country

The Working with Women Alliance (WwwA) acknowledge the Traditional Owners of the land on which we work and live. We pay our respects to Aboriginal and Torres Strait Islander Elders past, present and future. We value Aboriginal and Torres Strait Islander histories, cultures, and knowledge. We extend our respect to Aboriginal and Torres Strait Islander women who for thousands of years have preserved the culture and practices of their communities on country. This land was never surrendered, and we acknowledge that it always was and always will be Aboriginal land. We acknowledge the strength of Aboriginal and Torres Strait Islander people and communities. We acknowledge that Australian governments have been complicit in the entrenched disadvantage, intergenerational trauma and ongoing institutional racism faced by Aboriginal and Torres Strait Islander people. We recognise that Aboriginal and Torres Strait Islander people must lead the design and delivery of services that affect them for better life outcomes to be achieved.

About Us

The Working with Women Alliance (WwwA) represents two key portfolios: National Women's Safety (NWS) and National Women's Equality (NWE). The WwwA connects the critical areas of gender-based violence prevention and the advancement of women's economic equality and leadership, bridging these important policy fields for greater impact. We work with members and stakeholders, including the Australian Government, to provide expertise and advice on gender equality and women's safety.

<https://wwwa.org.au/>

Introduction

The Working with Women Alliance welcomes the opportunity to provide evidence on the Social Security and Other Legislation Amendment (Technical Changes No. 2) Bill 2025. While the Bill introduces much-needed clarity in social security debt management, it has profound implications for people experiencing domestic, family and sexual violence, particularly those subjected to financial abuse and coercive control. These reforms cannot be seen only as technical amendments. They directly affect the safety, dignity and economic security of women and children who have already been harmed by systemic failures in the past.

Our submission recognises that the Bill contains positive measures, yet we are concerned that without careful amendment it risks embedding injustice for survivors who continue to carry historic debts. The reforms must be framed through a rights-based and trauma-informed lens, with particular attention to equity and accessibility.

Concerns for Victim-Survivors

The retrospective validation of income apportionment is one of the most significant concerns. By legally validating debts that were calculated between 1991 and 2020, the Bill leaves many survivors liable for repayments that arose directly from coercion or abuse. For instance, women who were forced by a violent partner to declare false income or hide financial information now face the possibility that these debts will remain enforceable without the chance of reassessment. In practice, this means that people who have lived through financial abuse may continue to bear the burden of debts created by their perpetrators' control.

The Resolution Scheme is intended to provide closure, but the scale of compensation is modest and non-individualised. Payments ranging from two hundred to six hundred dollars are not sufficient to account for the deep financial hardship or psychological harm caused by these debts. More concerning is the requirement that those who accept a payment must waive their rights to any further legal remedy. This creates a real risk that survivors will be pressured into relinquishing broader claims in exchange for a token payment.

Although the Bill expands the grounds for debt waivers to include circumstances such as coercion, duress and financial abuse, these changes largely apply to new or varied debts rather than historic ones. This approach leaves many survivors without a pathway to relief, especially where the debts have already been validated. Survivors are also likely to struggle

to provide the type of formal evidence that is usually required, since financial abuse often goes undocumented.

Finally, the administrative and psychological burdens cannot be overlooked. Engaging with Services Australia can be daunting for survivors who have previously been retraumatised by bureaucracy or who fear re-engagement because of ongoing abuse. The requirement to navigate complex systems and recount experiences of violence in order to access relief risks further harm rather than resolution.

This bill represents the first time that financial abuse and coercion are formally acknowledged in the debt waiver provisions, a significant step forward in aligning social security law with the lived realities of survivors. The standardisation of small debt waivers for debts under two hundred and fifty dollars will reduce unnecessary stress for many individuals. The creation of a Resolution Scheme provides at least some form of remedy for those affected by historic income apportionment errors, while the inclusion of review rights and Ombudsman oversight improves the transparency of the scheme.

These elements show that the Bill is moving in the right direction. However, unless the shortcomings are addressed, it will remain a partial solution that does not fully deliver justice to the people it most affects.

Recommendations

1. Expand Automatic Waiver Provisions

- Problem: Current provisions only apply to new or varied debts, leaving thousands of historic debts untouched even where they were caused by coercion or financial abuse.
- Recommendation: Extend automatic access to the updated “special circumstances” waiver regime to all debts validated under income apportionment (1991–2020).
- Implementation:
 - Require Services Australia to proactively identify debts linked to DFSV indicators.
 - Mandate that where there is evidence of coercion, duress, or financial abuse, debts are waived without the survivor needing to reapply.
 - Establish a presumption in favour of waiver unless there is clear evidence of deliberate fraud.

2. Ensure Adequate Redress

- Problem: Resolution Scheme payments (\$200–\$600) are modest, non-individualised, and may pressure survivors into waiving broader rights for inadequate compensation.
- Recommendation: Introduce a tiered compensation framework that recognises the seriousness of harm and financial disadvantage caused.
- Implementation:
 - Scale payments according to length of debt, financial impact, and evidence of DFSV.
 - Ensure that accepting a payment does not automatically extinguish broader legal rights, unless the survivor provides informed, independent consent.
 - Explore options for additional reparations (e.g. hardship grants or debt forgiveness) where coercive abuse can be shown.

3. Embed Trauma-Informed Practice

- Problem: Survivors risk retraumatisation when navigating debt disputes in adversarial or bureaucratic processes.
- Recommendation: Mandate trauma-informed, survivor-centred service delivery.
- Implementation:
 - Require compulsory training for Services Australia staff in recognising coercive control, financial abuse, and trauma impacts.
 - Establish dedicated DFSV liaison officers within Services Australia to support applicants.
 - Provide survivors with choice of application format (online, written, in-person, supported by advocate) to reduce barriers.

4. Broaden Evidentiary Standards

- Problem: Survivors often lack police reports or court findings to prove coercion or abuse.
- Recommendation: Accept a wide range of supporting evidence, with survivor testimony central.
- Implementation:
 - Statutory declarations, letters from support services, community leaders, or health professionals should be sufficient.

- o Allow pattern-based evidence (e.g. financial statements showing repeated withdrawals by perpetrator) to support waiver claims.
- o Prohibit rejection of claims solely due to absence of formal legal evidence.

5. Strengthen Accessibility and Equity

- Problem: Many vulnerable groups (First Nations, CALD, LGBTQ+, disability, regional and remote communities) risk exclusion due to lack of outreach or systemic barriers.
- Recommendation: Fund targeted outreach and independent advice to ensure equitable access.
- Implementation:
 - o Resource community legal centres, financial counsellors, and women's services to assist applicants with scheme navigation.
 - o Develop culturally appropriate communication materials in multiple languages, including Easy English.
 - o Partner with First Nations organisations and disability advocacy bodies to co-design supports and ensure equitable implementation.

6. Independent Oversight and Review

- Problem: Without ongoing scrutiny, the scheme risks repeating systemic failures seen in Robodebt.
- Recommendation: Establish strong independent oversight and require statutory review.
- Implementation:
 - o Mandate Ombudsman oversight of scheme delivery, with annual reporting to Parliament on uptake, outcomes, and complaints.
 - o Require a statutory review within three years focused on the impact for DFSV victim-survivors, including intersectional cohorts.
 - o Embed survivor-led advisory mechanisms to ensure lived expertise informs ongoing adjustments.

The Bill represents an important step in reforming social security debt management. However, without stronger safeguards, many victim-survivors risk being left behind

carrying debts linked to coercion or accepting inadequate compensation that forecloses future justice.

Parliament has an opportunity to ensure this reform not only delivers legal certainty, but also advances fairness, safety, and dignity for those most harmed by financial abuse and administrative failure.