Working with Women Alliance

# Mutual Obligations

*Policy Brief*

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# About WwWA

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.

# Acknowledgment of Country

The Working with Women Alliance acknowledges the Traditional Owners of the land on which we work and live.

We pay our respects to Aboriginal and Torres Strait Islander Elders past and present, and we value the enduring connection Aboriginal and Torres Strait Islander people have to this land.

We value Aboriginal and Torres Strait Islander histories, cultures, and knowledge.

# Mutual Obligation Reform

As identified in the Commonwealth Ombudsman's report and the report from Deloitte (commissioned by the Department of Employment and Workplace Relations) on the Targeted Compliance Framework, the mutual obligations system is complex and the risk of harm to participants, particularly single parents, is significant.[1] These harms are compounded by opaque interactions between Workforce Australia, private employment services and Services Australia.

We recommend a serious overhaul of the system that recognises the unpaid care load undertaken by women, and potential intersections between the mutual obligations system and domestic and family violence. This should begin with extending exemptions to requirements for victim-survivors of domestic and family violence and pausing mutual obligations for parents during school holidays.

# Exemptions

### *Domestic and Family Violence*

The research is clear that exiting domestic violence takes time, and that the experience has a long tail. The National Plan to End Violence against Women and Children 2022-2032 states that "recovery and healing takes time and victim-survivors will, in many cases, *require life-long support* through dedicated and tailored services and interventions" (emphasis added).[2] Studies show that almost all domestic violence victim-survivors experience post-separation abuse[3] with one study pointing out that abuse can *intensify* for years post-separation and recommending that supports need to be accessible for a minimum of two years.[4]

In 2008, the Participation Review Taskforce was commissioned by the Federal Government to examine the participation rules for parents and mature-age job seekers receiving income support payments.[5] The Taskforce made several recommendations in relation to mutual obligation exemptions, including replacing the 16-week case-by-case exemption for parents experiencing domestic violence with an automatic 12-month exemption.

The Government agreed to all and implemented most of the Taskforce's recommendations in relation to parents, however the domestic violence exemption was never extended to 12 months. As a result of the Taskforce's recommendations, 12-month exemptions currently apply for kinship care, large families, caring for a child with disability or medical condition, home schooling and distance education, and foster carers. It is not clear why the domestic violence exemption remains at 16 weeks.

Currently, the exemption category for domestic violence also includes 'relationship breakdown'. There are two perverse consequences of this grouping:

- The equation of domestic violence to relationship breakdown
- Perpetrators can access the same exemption period as victim/survivors of domestic violence.

The Working with Women Alliance strongly recommends implementing a 12-month exemption from mutual obligations for domestic and family violence victim-survivors immediately.

### *School Holidays*

Meeting mutual obligation expectations – of engaging in employment, education or looking for work – while managing the care of school-aged children is difficult and financially onerous, especially for mothers in regions without access to affordable and safe childcare. The suspension of mutual obligations during school holidays is a matter of compassion but also signals the value of the significant unpaid care work that is done predominately by women.

According to the Services Australia website, "there are no exemptions from requirements during school holidays", even if parents lack suitable childcare.[6] However, the Government's Social Security Guide (arguably, a less accessible document for the general public), contradicts this by stating that:

- Principal carer parents are not required to meet any requirements during the fortnight during which the Christmas Day public holiday falls (aside from reporting any earnings)
- Principal carer parents who are undertaking paid work are considered to be meeting their requirements for a period of up to 8 weeks if their employer initiates a shutdown period over the long school holiday Christmas break
- **A principal carer parent should not be required to undertake an activity occurring outside school hours** (that is generally between 9am and 3pm during school terms).[7]

At the very least, this contradictory information should be amended. While there is a certain amount of flexibility that can be applied to requirements during school holidays (for example those looking for employment do not have to accept an offer of work if appropriate childcare is not available), parents are still expected to look for work, engage in other approved activities and report even if there is no available childcare. This denies people the dignity and choice available to those in paid employment; to take time off in the school holidays to care for and spend time with their children.

[1] Commonwealth Ombudsman, 2025, *Automation in the Targeted Compliance Framework*, https://www.ombudsman.gov.au/__data/assets/pdf_file/0017/320750/Automation-in-the-Targeted-Compliance-Framework.pdf
Deloitte, 2025, *Targeted Compliance Framework*, Department of Employment and Workplace Relations, *https://www.dewr.gov.au/download/17099/targeted-compliance-framework-assurance-review-final-report/41163/targeted-compliance-framework-independent-review-final-report/pdf*
[2] Department of Social Services, 2022, *The National Plan to End Violence against Women and Children 2022-2032*, Commonwealth of Australia, page 87, accessed at: https://www.dss.gov.au/system/files/resources/national-plan-end-violence-against-women-and-children-2022-2032.pdf
[3] Hulley, J., et al, 2022, *Continuous Traumatic Stress: Examining the Experiences and Support Needs of Women After Separation From an Abusive Partner*, Journal of Interpersonal Violence, Vol 38(9-10), https://pmc.ncbi.nlm.nih.gov/articles/PMC10052415/pdf/10.1177_08862605221132776.pdf
[4] Kelly, L., Sharp, N., Klein, R., 2014, *Finding the costs of freedom: How women and children rebuild their lives after domestic violence*, Solace Women's Aid, London Metropolitan University, https://repository.londonmet.ac.uk/1483/1/SWA-Finding-Costs-of-Freedom-Report.pdf
[5] Department of Education, Employment and Workplace Relations, 2009, *Participation Review Taskforce Report*, Australian Government, accessed at: https://apo.org.au/sites/default/files/resource-files/2009-05/apo-nid14441.pdf
[6] Services Australia, *Exemptions for principal carers*, Australian Government, https://www.servicesaustralia.gov.au/exemptions-from-mutual-obligation-requirements-for-principal-carers?context=60097#schoolholidays
[7] Australian Government, Nov 2025, *Guides to Social Policy Law: Social Security Guide – 3.11.8 Mutual obligation requirements for principal carer parents*, https://guides.dss.gov.au/social-security-guide/3/11/8#:~:text=When%20a%20principal%20carer%20parent,the%20principal%20carer%20parent%20is