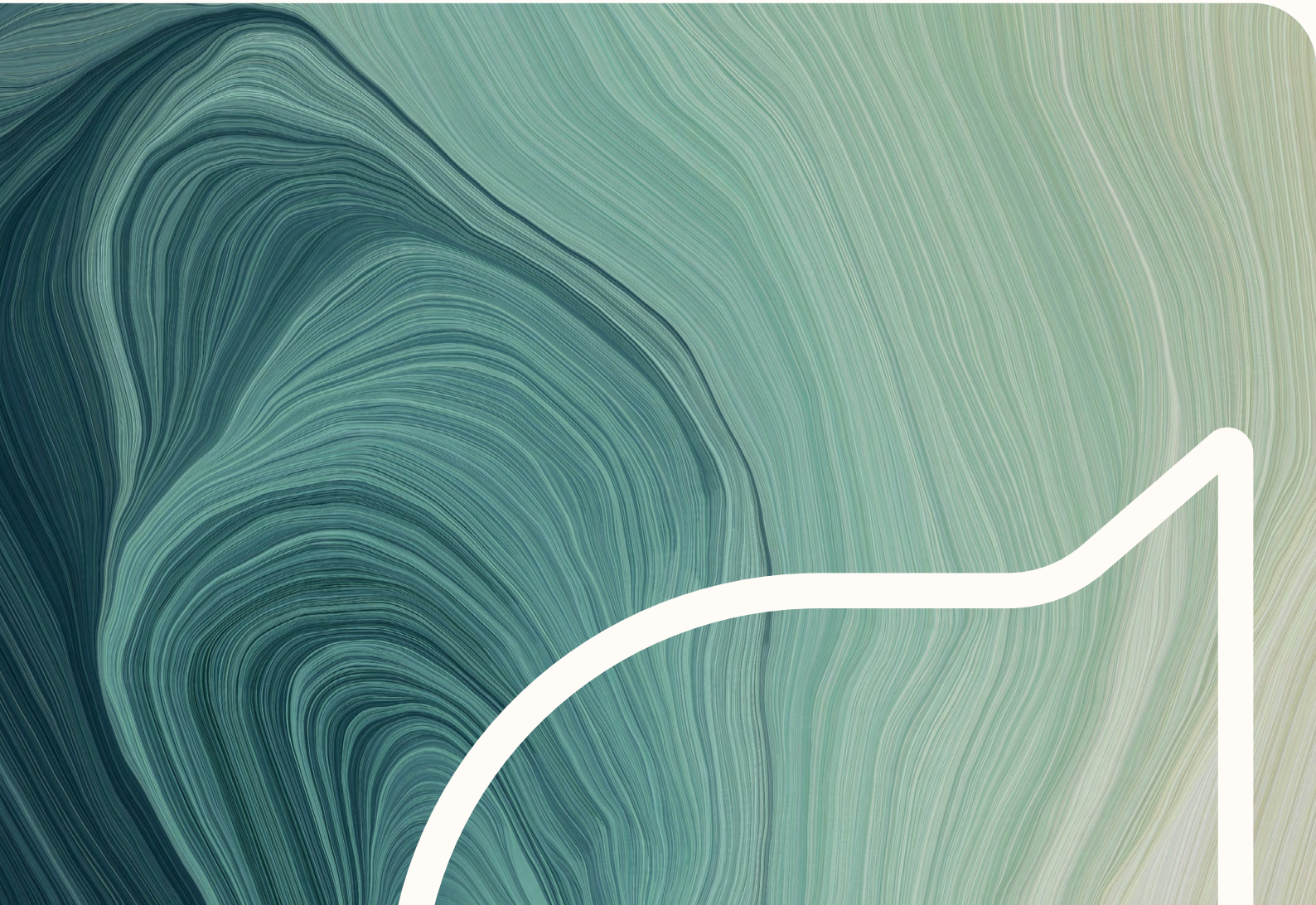


OCTOBER 2026



Child Support and Family Assistance Legislation Amendment (Ending Financial Abuse in Child Support Scheme No. 1) Bill 2026

Submission to the Senate Standing Committee on
Community Affairs Legislation Committee



Committee Secretary
Senate Standing Committees on Community Affairs Legislation Committee
PO Box 6100
Parliament House
Canberra ACT 2600

8 October 2026

Dear Committee Secretary

Thank you for your invitation to make a submission to the Senate Standing Committee on Community Affairs Legislation Committee's inquiry into the Child Support and Family Assistance Legislation Amendment (Ending Financial Abuse in the Child Support Scheme No. 1) Bill 2026 (the Bill).

The Domestic, Family and Sexual Violence Commission (the Commission) welcomes the Bill as an important step towards reducing financial and systems abuse through the weaponisation of the Child Support Scheme. The reforms align with the Commission's calls to strengthen whole-of-government capability to identify and manage domestic, family, and sexual violence (DFSV) risks and ensure government and non-government systems do not enable harm.

The enclosed submission focuses on opportunities to support the safe and effective implementation of the reforms, including the consistent exercise of the Child Support Registrar's expanded discretion, strengthened protections for information sharing, and ensuring new debt and collection protections are accessible to people impacted by violence. Across these areas, the Commission emphasises the crucial importance of implementation and evaluation being informed by people with lived and living experience.

The Commission looks forward to continuing to support Australian Government efforts to strengthen system safety, prevent financial and systems abuse, and improve outcomes for people impacted by DFSV.

Yours sincerely,



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Executive summary

The Domestic, Family and Sexual Violence Commission (the Commission) welcomes the opportunity to provide a submission to the Senate Standing Committee on Community Affairs Legislation Committee (the Committee) Inquiry into the Child Support and Family Assistance Legislation Amendment (Ending Financial Abuse in the Child Support Scheme No. 1) Bill 2026 (the Bill).

The Bill is an important step towards reducing financial and systems abuse through the weaponisation of the Child Support Scheme. The Commission welcomes the reforms, which align with its calls to address economic and systems abuse, strengthen whole-of-government capability to respond to DFSV risks, and ensure systems are not enabling harm.¹

The Commission recommends that the Committee consider four priorities for safe and effective implementation in conducting its inquiry:

- Supporting safe and consistent exercise of the Registrar’s expanded discretion, enabled by clear guidance and decision-making frameworks;
- Ensuring information sharing arrangements are supported by accessible and trauma-informed procedures;
- Testing whether debt collection protections are accessible and workable for people impacted by domestic and family violence (DFV); and
- Establishing monitoring, evaluation and reporting arrangements that demonstrate whether reforms are improving safety and reducing opportunities for financial and systems abuse.

The Commission looks forward to continuing to support Australian Government efforts to improve system safety and prevent harm for people impacted by DFSV.

Issues for consideration

AREA OF FOCUS 1: Support safe and consistent decision-making	• Ensure that sufficient guidance and decision-making frameworks, informed by DFV sector and lived and living experience expertise, are provided to support safe and consistent decision-making. • Establish monitoring processes to identify inconsistent decision-making, emerging forms of systems abuse and unintended consequences, and determine whether reforms are achieving their intended safety outcomes.
AREA OF FOCUS 2: Establish safe and trauma-informed information sharing	• Ensure clear, accessible, and trauma-informed processes are in place to: – Identify and appropriately record safety risks and information sharing preferences expressed by people impacted by DFV; – Support consistent decisions about what information should be shared and how; and – Clearly explain the scope and limits of information sharing, as well as the safeguards to ensure privacy and safety risks associated with information sharing are understood.
AREA OF FOCUS 3: Ensure protections are appropriate for people impacted by DFV	• Ensure that implementation and evaluation of the reforms draw on the expertise of people with lived and living experience of DFV to assess whether the timeframes for accessing new debt and collection protections are workable in practice, including the 13-week pause on the recovery of FTB debts.

Introduction

The Domestic, Family and Sexual Violence Commission (the Commission) welcomes the opportunity to provide a submission to the Senate Standing Committee on Community Affairs Legislation Committee (the Committee) Inquiry into the Child Support and Family Assistance Legislation Amendment (Ending Financial Abuse in the Child Support Scheme No. 1) Bill 2026 (the Bill).

The Commission notes that the Bill is the first stage of reforms announced by the Australian Government in the 2026–2027 Federal Budget.² The Bill is an important step towards making a key government system safer for people impacted by domestic and family violence (DFV). The Commission has consistently emphasised the need to design systems for safety, trust and accountability, recognising that people using violence can exploit system gaps and processes as part of coercive control.

This submission focuses on the measures needed to support safe and effective implementation of the Bill and the outcomes the Australian Government should monitor to determine whether the reforms are working as intended.

About the Commission

The Commission was established in 2022 as a non-statutory executive agency, within the Department of Social Services (DSS), to monitor and report on progress of the National Plan, ensure accountability and maintain a national focus on ending gender-based violence (GBV). The Commission is focused on practical and meaningful ways to measure progress towards the objectives outlined in the National Plan.³

This submission is informed by the Commission's objectives:

1. Promoting National Plan objectives to end GBV and monitoring impact.
2. Amplifying voices of people with lived and living experience for meaningful engagement in shaping policy design and service delivery.
3. Fostering collaboration and coordination across government and communities to enhance connection and reduce fragmentation to improve outcomes.
4. Providing strategic advice to inform strengthened policy and practice, and improved outcomes.⁴

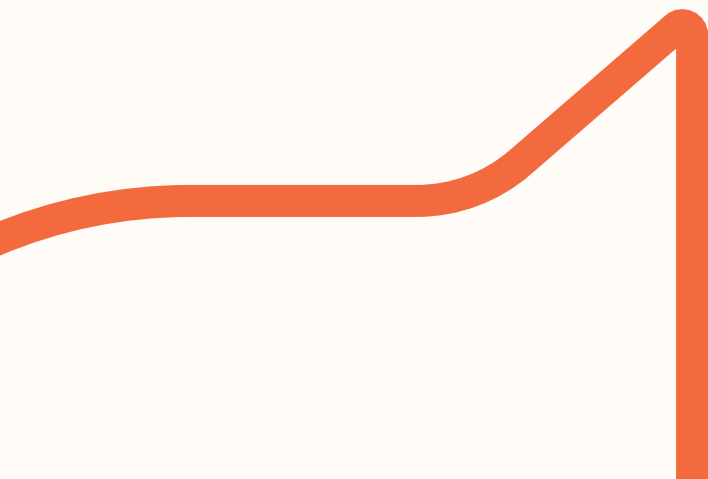
Preventing systems and financial abuse through safer system design

Economic and systems abuse are widespread forms of DFV. One in 6 women (16%) and 1 in 13 men (7.8%) have experienced cohabiting partner economic abuse since the age of 15.⁵ It is well-established that government and non-government systems can also be weaponised to perpetuate coercive control and cause further harm.⁶

The Child Support Scheme is susceptible to financial and systems abuse because it creates an ongoing financial relationship between separated parents.⁷ At the same time, child support is an important enabler of economic security for people impacted by DFV, providing financial support for the care of children and young people. As of December 2025, there was an estimated \$1.95 billion of unpaid child support debt accrued within the Agency Collect system, which comprises just half of all child support arrangements.⁸

People with lived experience have played a vital role in raising awareness of systems abuse and advocating for systems reform to improve safety. The Commission recognises that as systems move towards adoption of Safety by Design approaches, system stewards will more effectively anticipate and mitigate foreseeable harms, rather than placing the burden of managing risk on users.⁹

The Committee's Inquiry coincides with the development of the Second Action Plan under the *National Plan to End Violence against Women and Children 2022–2032* (National Plan). Between June and August 2026, the Commission convened more than 20 roundtables with people with lived and living experience, sector leaders, researchers, government, partners and other subject matter experts. These consultations made clear that people using violence continue to exploit information gaps between agencies and leverage systems to cause harm.¹⁰ A system-wide lens is necessary to anticipate and mitigate this risk. There may be additional opportunities to strengthen government systems and prevent harm through the Second Action Plan development process.



General observations

The Commission welcomes the Bill's focus on preventing financial and systems abuse.¹¹ The reforms seek to:¹²

- Increase the discretion of the Child Support Registrar (Registrar) to stop harmful or unmeritorious applications and objections;¹³
- Protect sensitive information shared through child support processes by removing the mandatory exchange of documents and introducing safer information exchange models;¹⁴
- Strengthen Agency Collect and the recovery of arrears, reducing the need for parents to pursue payments privately and the related risk of conflict;¹⁵
- Reduce financial harm resulting from retrospective child support changes, including temporarily pausing certain Family Tax Benefit (FTB) debt recovery;¹⁶ and
- Improve access to child support for parents living overseas.¹⁷

In this way, the Bill seeks to reduce forced interactions, limit unsafe information sharing, and reduce reliance on private enforcement, while also improving access to vital financial support for parents and children, including those impacted by DFV.

The Bill aligns closely with the Commission's previous calls to address economic and systems abuse, strengthen whole-of-government capability to identify and manage DFSV risks, and ensure systems do not enable harm.¹⁸ This submission focuses on implementation, safeguards and outcomes, rather than technical drafting which is best considered by agencies and experts that administer, deliver or interact with existing child support arrangements.

Key implementation considerations

The Commission has identified three key issues for the Committee's consideration in supporting safe and effective implementation of the Bill. The Commission is aware that steps are already being taken to strengthen service delivery and support for parents engaging with the Child Support Scheme.

1. Ensuring the safe and consistent exercise of discretion

An important aspect of the Bill is to give the Registrar new discretionary powers to prevent child support processes being used to cause harm.¹⁹ Schedule 1 enables the Registrar to refuse certain assessment or change of assessment applications because of potential harm, and to summarily dismiss objections with little prospect of success or only marginal impact.²⁰ Importantly, the harm-based discretion expressly extends to harm to the child concerned, recognising that children and young people can experience DFV and its impacts in their own right.²¹

The proposed reforms recognise that people using violence may weaponise administrative processes and system gaps as a tactic of coercive control.²² The amendments would allow the Registrar to refuse a potentially harmful change of assessment application before the notice of the application has been served on the other party, reducing potential distress and avoiding notifications that would unnecessarily draw the other party into the process.²³ Measures to prevent unmeritorious objections from being pursued through alternative review mechanisms reflect an appropriate awareness of the way in which administrative processes and system fragmentation can be exploited to cause harm.²⁴

Implementation considerations

The breadth of these discretionary powers makes implementation critical. The Explanatory Memorandum (EM) applies a broad understanding of harm, noting it may arise in a variety of ways, and does not require the Registrar to find that potential harm constitutes DFV.²⁵ This creates a risk that forms of DFV and systems abuse may not be identified or may be assessed inconsistently. Implementation should therefore be supported by clear guidance, DFV-informed decision-making frameworks and appropriate risk identification and referral processes, informed by the expertise of people with lived and living experience.

Ongoing monitoring will also be important. The EM acknowledges that, where a harm-based refusal is successfully challenged, the subsequent notification of the other party may mean some potential adverse impacts cannot be avoided.²⁶ Similarly, the Economic Abuse Reference Group (EARG) notes the risk of unintended consequences when responding to the weaponisation of complex systems, such as child support.²⁷ Monitoring should identify whether safeguards operate as intended, including any unintended consequences or emerging forms of systems abuse.

Suggested areas of focus:

- Ensure that sufficient guidance and decision-making frameworks, informed by DFV sector and lived and living experience expertise, are provided to support safe and consistent decision-making.
- Establish monitoring processes to identify inconsistent decision-making, emerging forms of systems abuse and unintended consequences, and determine whether reforms are achieving their intended safety outcomes.

2. Strengthening protections relating to information sharing and privacy

Participants in the Commission's Second Action Plan roundtables noted that privacy breaches can give rise to serious risk.²⁸ A similar issue is identified in the EM, which notes that the existing requirement for the open exchange of documents can increase the risk of harm and deter parents impacted by DFV from seeking fairer child support arrangements.²⁹ Addressing this risk would improve the safety of people impacted by DFV, as well as increasing confidence in the child support system.

The Bill removes mandatory document exchange in change of assessment and objection processes, instead enabling relevant information to be provided in ways the Registrar considers appropriate, such as written summaries or redacted documents.³⁰ This measure is consistent with Commonwealth Ombudsman recommendations to reduce the weaponisation of child support, and aim to improve safety and safeguard privacy, while also preserving procedural fairness.³¹

Implementation considerations

A stated goal of the reforms is to enable the Registrar to take into account a parent's wishes to limit communication or information from or about the other parent where the information is not relevant to the decision.³² This will require accessible and trauma-informed processes for people to communicate safety concerns and information sharing preferences to the Registrar, without requiring repeated disclosure of DFV.

Implementation should recognise that information that appears innocuous may reveal a person's location, workplace, or patterns of activity, particularly when combined with other information.³³ People impacted by DFV also need clear information about what can and cannot be kept confidential to enable informed decision-making.

Suggested areas of focus:

Ensure clear, accessible, and trauma-informed processes are in place to:

- Identify and appropriately record safety risks and information sharing preferences expressed by people impacted by DFV;
- Support consistent decisions about what information should be shared and how; and
- Clearly explain the scope and limits of information sharing, as well as the safeguards to ensure privacy and safety risks associated with information sharing are understood.

3. Reducing potential conflict and financial burdens

Schedule 2 contains several reforms that may reduce financial and safety risks associated with Private Collect, which has higher levels of payment non-compliance than Agency Collect.³⁴ Concerns relating to a lack of oversight over private collection arrangements have been raised by the EARG and organisations providing evidence to the Parliamentary Joint Committee on Corporations and Financial Services inquiry into financial abuse.³⁵

The Bill expands both payers' and payees' access to Agency Collect, enables recovery of certain arrears and overpayments arising from retrospective changes, and prevents the Registrar from moving cases from Agency Collect to Private Collect without consultation.³⁶ These changes may reduce the need for private enforcement and direct interaction between parties, improving safety for people impacted by DFV.

Schedule 2 also addresses FTB debts that can arise when child support for past Private Collect period is retrospectively increased.³⁷ People using violence may weaponise FTB debts by failing to submit tax returns for an extended period, leading to child support liability being retrospectively recalculated, often resulting in an FTB debt for the receiving parent.³⁸ The Bill pauses the recovery of certain such debts for 13 weeks, giving the person time to consider options including Agency Collect or applying for a Maintenance Action Test Exemption.³⁹

Schedule 3 also seeks to reduce barriers for potential child support recipients in specified overseas jurisdictions to apply directly to the Registrar, while also retaining safeguards against conflicting maintenance arrangements.⁴⁰

Efforts to reduce potential conflict and contact between parents, and improve access to child support, will likely improve safety and economic security for people impacted by DFV.⁴¹

Implementation considerations

Advocates have raised concerns about the impact of debts arising from the weaponisation of the Child Support Scheme on people impacted by DFV. In evidence to the Parliamentary Joint Committee on Corporations and Financial Services, the Centre for Women's Economic Safety (CWES) highlighted the stress caused to people impacted by DFV by interactions between Child Support payments and FTB.⁴² Organisations such as Single Mother Families Australia (SMFA) have reinforced the importance of understanding the impact of legislation through lived experience feedback.⁴³

Lived and living experience perspectives will be important in assessing whether a 13-week pause on the recovery of FTB debt is sufficient. Consistent with the observations above, people with lived and living experience have told the Commission about the administrative burden of navigating complex systems. This pause should be accompanied by targeted support and clear communication relating to available options.

The practical accessibility of the Bill's new protections will also depend on other application timeframes. For example, applications to recover amounts from certain retrospective variations generally must be made within three months of notification of the variation, extendable to nine months where the Registrar is satisfied there are exceptional circumstances.⁴⁴ Research by Women's Legal Services Australia (WLSA) reinforces the administrative burden and complexity navigated by custodial parents seeking child support or resolving child support disputes.⁴⁵ Given the barriers that people experiencing DFV may face, implementation and evaluation should test whether these timeframes allow affected people to access the protections in practice.

Suggested areas of focus:

- Ensure that implementation and evaluation of the reforms draw on the expertise of people with lived and living experience of DFV to assess whether the timeframes for accessing new debt and collection protections are workable in practice, including the 13-week pause on the recovery of FTB debts.

Conclusion

The Bill is an important step towards reducing opportunities for financial and systems abuse through the Child Support Scheme. Its impact will depend on safe and consistent implementation, including clear guidance, meaningful engagement with people with lived and living experience, and ongoing monitoring of safety outcomes and unintended consequences. The Commission looks forward to continuing to support efforts to strengthen system safety and prevent government systems from enabling harm.

Endnotes

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- 3 Australian Government, *National Plan to End Violence against Women and Children 2022–32* (National Plan), DSS (National Plan, 2022) <<https://www.dss.gov.au/system/files/resources/national-plan-end-violence-against-women-and-children-2022-2032.pdf>>.
- 4 DFSVC, *Annual Report 2023–24* (Annual Report, 2024) <<https://www.dfsvc.gov.au/sites/default/files/2024-11/DFSVC%202023-24%20Annual%20Report%20-%20Final%20Accessible%20Digital.pdf>> 3.
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- 6 Explanatory Memorandum, Child Support and Family Assistance Legislative Amendment (Ending Financial Abuse in the Child Support Scheme No 1) Bill 2026, 35–36 (“EM”). See also Commonwealth Ombudsman, *Weaponising Child Support: When the system fails families* (Inquiry Report, June 2025) <https://www.ombudsman.gov.au/_data/assets/pdf_file/0022/318460/Weaponising-Child-Support-when-the-system-fails-families.pdf>; Economic Abuse Reference Group (EARG), *The non-payment of child support as a form of economic abuse* (Policy Position, June 2025) <<https://earg.org.au/our-publications/the-non-payment-of-child-support-as-a-form-of-economic-abuse/>> 1–3.
- 7 Commonwealth Ombudsman, above n 6, 6; Economic Inclusion Advisory Council (EIAC), *Economic Inclusion Advisory Committee 2026 Report to Government* <<https://www.dss.gov.au/system/files/documents/2026-04/economic-inclusion-advisory-committee-2026-report-government.pdf>> 86.
- 8 EIAC, above n 7, 88. See also DSS, Budget 2026–27, “A safer and more effective child support system”, *Department of Social Services* (Fact Sheet, May 2026) <<https://www.dss.gov.au/system/files/documents/2026-05/budget-26-27-child-support-reform.pdf>> 4 (“Budget Fact Sheet”).
- 9 eSafety Commissioner, “Safety by Design”, eSafety (Web Page) <<https://www.esafety.gov.au/industry/safety-by-design>>.
- 10 DFSVC, Second Action Plan Submission, above n 1, 22.
- 11 EM, above n 6, 35.
- 12 Ibid, 4–5 (Statement of Compatibility with Human Rights).
- 13 EM, above n 6, 49.
- 14 Ibid 1.
- 15 Ibid.
- 16 Ibid.
- 17 Ibid.
- 18 DFSVC, 2025 Yearly Report, above n 1, 22, 115; DFSVC, Second Action Plan Submission, above n 1, 6, 22.
- 19 EM, above n 6, 40.
- 20 Ibid 6–7; 49–53; 67–69; 91–99; Child Support and Family Assistance Legislative Amendment (Ending Financial Abuse in the Child Support Scheme No 1) Bill 2026, Schedule 1, Items 4, 9, 26 (“Child Support Bill”).
- 21 Child Support Bill, Schedule 1, Item 9; EM, above n 6, 67–70, 133–136.
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- 25 EM, above n 6, 69.
- 26 Ibid 235; Child Support Bill, Schedule 1, Item 33, 42.
- 27 EARG, above n 6, 2–3.
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- 30 Ibid, 100–110, 143–153, 205–215; Child Support Bill, Schedule 1, Items 10, 19, 27.
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- 32 EM, above n 6, 144.
- 33 Ibid 110, 142; Child Support Bill, Item 10, 27.
- 34 EM, above n 6, 287. See also DSS, Budget Fact Sheet, above n 8, 4.
- 35 EARG, above n 6, 2; Parliamentary Joint Committee on Corporations and Financial Services (PJC), *Financial abuse: an insidious form of domestic violence* (Inquiry Report, December 2024) <https://parlinfo.aph.gov.au/parlInfo/download/committees/reportjnt/RB000471/toc_pdf/Financialabuseaninsidiousformofdomesticviolence.pdf> 134–146.
- 36 Commonwealth, *Hansard*, House of Representatives, 17 September 2026 (the Hon Tanya Plibersek MP) (“Reading Speech”); EM, above n 6, 12–14, 17–20, 294–300.
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- 40 EM, above n 6, 23, 25.
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- 43 Single Mother Families Australia, *Submission to the Inquiry by the Senate Community Affairs Legislation Committee into the Social Security and Other Legislation Amendment (Technical Changes No. 2) Bill 2025* (Submission, 25 September 2025), 3.
- 44 EM, above n 6, 297, 300–302, 423–434; Child Support Bill, Schedule 2, Item 33, 36.
- 45 WLSA, above n 41, 9.