Opening the black box of child support

Shining a light on how financial abuse is perpetrated

Kay Cook, Adrienne Byrt, Terese Edwards and Ashlea Coen

Publisher:
Swinburne University of Technology
Hawthorn Victoria 3122 Australia
www.swin.edu.au

First published 2024

Design and data visualisations by Ashlea Coen

DOI: https://doi.org/10.25916/sut.26983363
ISBN: 978-1-925761-56-6 (Print)
ISBN: 978-1-925761-57-3 (PDF)

Author affiliations:
Professor Kay Cook, Dr Adrienne Byrt, and Ashlea Coen are researchers at Swinburne University of Technology. Terese Edwards is the CEO of Single Mother Families Australia.

Recommended citation:
K. Cook, A. Byrt, R. Edwards and A. Coen (2024), Opening the black box of child support: Shining a light on how financial abuse is perpetrated, Swinburne University of Technology. https://doi.org/10.25916/sut.26983363

Opening the black box of child support: Shining a light on how financial abuse is perpetrated

Kay Cook
Adrienne Byrt
Terese Edwards
Ashlea Coen

October 2024

Contents

Acknowledgements

We acknowledge the Traditional owners of the lands on which we live and work, and pay our respects to their Elders past and present.

Swinburne University of Technology's Australian campuses are located in Melbourne's east and outer-east on the lands of the Wurundjeri People of the Kulin Nation. Single Mother Families Australia's offices are located on the lands of the Kaurna people of the Adelaide Plains.

We also acknowledge the Traditional owners of the lands across Australia on which the survey participants and readers of this report may be located. These lands were never ceded and always were and always will be Aboriginal land.

We thank the 675 participants who took part in the survey. The survey included many questions, reflecting the complex and often arduous nature of the child support system. We are deeply grateful for each and every response, particularly the detailed comments provided in addition to the closed-ended survey questions. We acknowledge that at times, the questions may have raised troubling memories or emotions, and we thank every participant for contributing however they saw fit.

We hope that our report can do justice to the deeply personal and often traumatic experiences that women reported. There is strength in numbers, and we hope that the strength of these women will be heard by the Australia Government.

We would like to express our gratitude to the countless organisations and individuals who shared the link to our online survey. Without your support, we could not have reached such a significant number of participants in such a short period of time. Your support has helped to elevate the status of this report and enable us to speak truth to power.

We would like to acknowledge Dr Dina Bowman and Dr Chabel Khan who provided a peer review of our draft report. The changes made as a result have strengthened our findings and our message. Your contributions to making change are duly noted.

Glossary

Agency Collect	Services Australia – Child Support receives and transfers child support payments from the payer parent to the payee parent.
Child support	Money paid for the purpose of financially supporting children following parental separation.
Economic abuse	Numerous behaviours, such as financial control or employment sabotage, that are carried out by a perpetrator to control or harm a victim-survivor.
Exemption	Resident parents are exempt from the Maintenance Action Test due to circumstances such as family violence.
Family payments	Government payments provided to families to help with the costs of raising children.
Family Tax Benefit Part A	A means-tested payment based on a family's income to help with the costs of raising children, paid per child.
Family violence	A pattern of controlling behaviour that can include physical, sexual, verbal, emotional and financial violence that can occur during intimate-relationships and post-separation.
Financial abuse	Perpetrators inflicting financial harm upon and control over a victim through numerous tactics, such as restricting access to money or taking out loans in a victim's name.
Jobseeker payment	A Government income support payment that includes job search activity requirements.
Maintenance Action Test	Upon separation, the Government requirement that a resident parent seeks child support payments from the non-resident parent in order to qualify for above-base-rate Family Tax Benefit Part A entitlements.
Maintenance Income Test	Services Australia's use of child support income to reduce a parent's Family Tax Benefit Part A entitlements by 50 cents for every $1 of child support received above an annual threshold, currently $1960.05 for one child (plus $653.35 for each additional child support child under 16 years).
Non-resident parent	The parent who has less overnight care of children compared to the resident parent.
Parenting Payment Single	A Government income support payment for eligible single parents with a resident child under 14 years of age.
Payee parent	The parent who receives child support payments.
Payer parent	The parent who pays child support.
Private Collect	Agreement between the payer and payee parent to transfer child support payments privately without the involvement of Services Australia.
Resident parent	The parent who has more overnight care of children than the non-resident parent.

Acronyms

ATO	Australian Taxation Office
CS	Child Support
CSA	Child Support Agency
DFSV	Domestic, Family, and Sexual Violence
DFSVC	Domestic, Family, and Sexual Violence Commission
DSS	Department of Social Services
EIAC	Economic Inclusion Advisory Committee
FTBA	Family Tax Benefit Part A
JSCAFLS	Joint Select Committee on Australia's Family Law System
MAT	Maintenance Action Test
MIT	Maintenance Income Test
MTAWE	Male Total Average Weekly Earnings
SA	Services Australia
WEET	Women's Economic Equality Taskforce
WLSA	Women's Legal Services Australia

List of tables

List of figures

Executive Summary

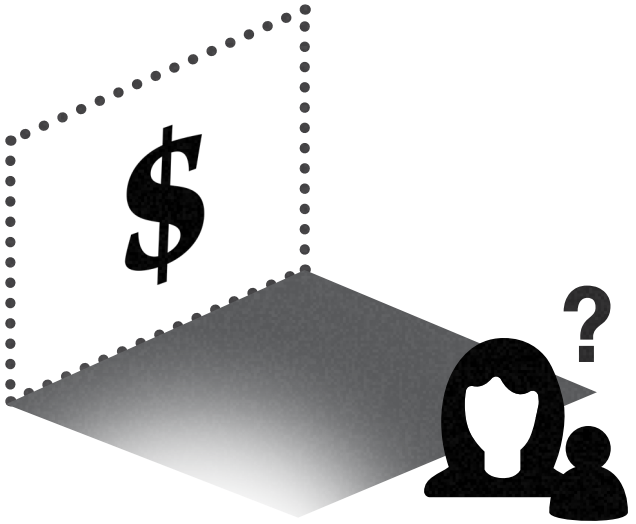
The study

This report draws on the experiences of 675 single mothers who have engaged with the Australian child support system. Their survey responses reveal how violence is the backdrop to women's engagement within each stage of the child support process, from application to collection. Our findings also highlight the compounding impact of violence and poverty (Summers, 2022).

Women face impossible choices, where seeking financial support for their children can expose them to post-separation violence (Cook et al., 2023). The results of our survey show how these impossible choices really provide women with no choice at all. Rather, women are placed into impossible situations. Our findings show how the child support system is failing single Australian mothers, particularly those experiencing family violence.

While our previous *Financial Abuse: The Weaponisation of Child Support* (see Cook et al., 2023) report revealed the staggering rates of violence experienced by women within the child support system and the impact on mothers and their children, what remained unknown was exactly how the child support system was able to be weaponised. At the same time, evidence on financial abuse and the weaponisation of the child support system is continuing to grow (Cook et al., 2023; Stewart et al., 2023; Women's Legal Services Australia (WLSA), 2024), as a range of researchers, advocacy and social welfare organisations take note of the financial and systemic injustices that single mothers face.

Calls for systems-wide intervention into violence against women and children have featured in a range of Government reports (see the recent work of Domestic, Family and Sexual Violence Commission [DFSVC], 2024; Gallagher & Chalmers, 2023), inquiries (see the Joint Select Committee on Australia's Family Law, and the recent financial abuse inquiry, O'Neill & Mascarenhas, 2024) and committees (see Campbell et al., 2024; Economic Inclusion Advisory Committee [EIAC], 2024; ; Interim EIAC, 2023), and build on the *National Plan to End Violence Against Women and Children 2022-2032* (Department of Social Services [DSS], 2022). Evidence that shines a light on the weaponisation of the Australian Child Support System underlines the need for urgent reform to ensure that the objectives of the National Plan, and ultimately women's safety, can be achieved.



Opening the black box

The concept of a 'black box' has two related meanings, both of which are useful to our analysis of the child support system.

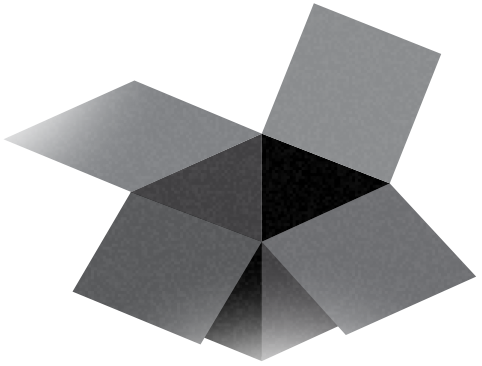
First, a black box describes a phenomenon where the inputs and outputs of a process are known, but where the implementation is opaque. For child support, a complex array of policy settings and procedures are documented. There exists data on the performance of the child support system in terms of the number of users, value of assessments and payments. However, what is unknown is how the system works, or where it might not work. Our survey opens this black box. It looks at how each component of child support's intricate and technical system operates for the women who are typically held responsible for enacting them.

Second, a black box – in the context of an air crash investigation – contains critical data on the performance of the aircraft's systems which shed light on how and why the disaster occurred. Related to child support, while the system is increasingly coming to be seen as a disaster for women experiencing violence, the black box has yet to be recovered or analysed. Our survey retrieves the black box, which lies in the experiences of system users, and sifts through the data to understand exactly how the system fails victim-survivors.

While the use of the child support system to inflict financial abuse is now well understood, what remains unknown is how the system operates to provide perpetrators with such opportunities.

In this report, we systematically step through the child support process to identify the points where women face untenable decisions – often in the context of policy rules and requirements – that place them at financial or physical risk. We open the black box that contains the incredibly complex and technical workings of the child support system to spell out exactly how the system fails women and where abusers can take advantage of loopholes or unsafe processes. These sites of financial abuse exist where women have all of the responsibility and none of the control, and yet single mothers and their children suffer all the negative consequences. Given the paucity of data that exists on how the system operates (DSS, 2024b), we contrast the purported workings of the child support system with the lived experience of women who are subject to it.

Beyond important, but small-scale qualitative research (see for example Natalier 2018; Cook 2021a; Cook 2021b), there is no systematic research that reports women's experiences of how child support works or does not work for them. As a result, there is no way to see inside the black box of the child support system; to shine a light on the ways that the system can be weaponised and make the tactics of financial abuse visible so that solutions can be found. This survey makes the invisible visible to reveal a path towards a system that holds perpetrators to account while upholding children's right to financial support.



Shining a light on the erroneous assumptions embedded in the child support system

While child support may seem relatively straightforward, it is an extremely complicated area of policy. In addition, parents must navigate this complex system without detailed information or advice regarding the implications of their decisions, particularly in the context of ongoing family violence.

The complexity of child support in policy and practice is masked by a number of assumptions that are not based in the reality of women's experiences of navigating the child support system. Here, we identify a number of erroneous assumptions that keep the operation of the child support system in the shadows before testing these using our survey data:

1. Violence ends at the point of separation and non-physical violence is not as harmful as physical violence.

2. Seeking an exemption is an appropriate response to family violence, and a straightforward process that will not retraumatise victim-survivors.

3. Parents will not hide or minimise their incomes.

4. Parents will take up the share of care recorded in their child support agreement.

5. Child support assessments accurately balance payees' costs of children with payers' capacity to pay.

6. Parents can freely agree on the collection type that suits them both.

7. Private collections are arranged between parents who get along, will work together, and will not be used to hide payment outcomes.

8. Payers will provide the assessed amount of child support, and it will be paid on time.

9. Debts will be recovered through Agency Collect, including that it is straightforward for resident parents to switch from Private to Agency Collect to recover debt.

10. Child support collections and shortfalls will not jeopardise women's financial security through Family Tax Benefit Part A (FTBA) shortfalls and debts.

The conclusion to be drawn from these erroneous assumptions is that the child support system will not be weaponised and that remedies for women experiencing family violence are responsive and accessible. This narrative contrasts with advocates' and governments' increased understanding of payers' malicious actions. The loopholes and blind spots created by these erroneous assumptions can be leveraged to inflict harm on child support payees. At the same time, a lack of data obscures these malicious intents and their harmful outcomes.

Our survey seeks to bring these erroneous assumptions out of the shadows and into the light, illuminating how and where the child support system is weaponised.

Methods

Building on our previous research (Cook et al., 2019; 2023), we designed a survey to gain insight into women's experience of the Australian child support system. In this survey, we used the online platform, Qualtrics, to collect anonymous responses from single mothers about their experiences of the system's operations. The survey was open for two months, from 7 June to 16 August 2024. A total of 675 single mothers took part.

The 175-question survey, which took approximately 30 minutes to complete, contained 10 parts, including blocks of questions on income and family characteristics, perceptions of control over child support payments, applying for child support, working out child support entitlements, collection of payments, views on payer compliance, interactions with Family Tax Benefit payments, interactions with other institutions, and demographics. The survey examined how women experienced the child support system from the time of separation to the finalisation of their child support engagement. Our questions focused on how women made decisions about child support, particularly in the context of ongoing financial abuse and family violence.

INCORRECT
Violence ends at the point of separation and non-physical violence is not as harmful as physical.

I.

Key findings

Child support, despite its straightforward and important aim of transferring payments between separated households, is regarded as a complex area of policy and a 'black box' in which there is a lack of data on how the system operates. The system's opacity means that parents' experiences are largely unknown – particularly for half of the caseload who transfer payments privately. Policy and service blind spots and loopholes allow harmful behaviour perpetrated through the child support system to go undetected and unaccounted for. The lack of evidence on the harms that the system enables in turn perpetuates the myth that child support is a benign administrative process.

Violence as a backdrop to women's lives

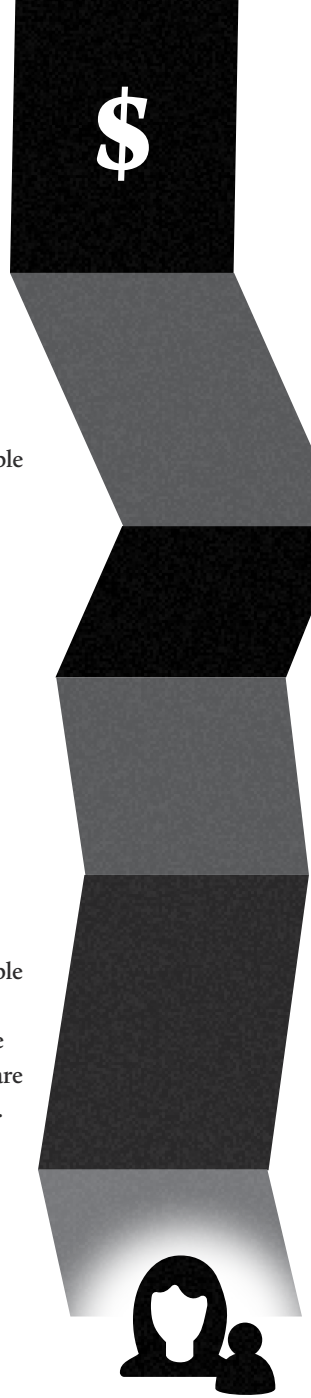
The extreme rates of family violence experienced by single mothers prior to separation is becoming understood (Summers, 2022), as is the use of the child support system to inflict financial abuse post-separation (Cook et al., 2023). Moreover, research identifies the co-existence of violence and poverty within single mother families.

Despite the vulnerability of women caregivers, the child support system is used by men to commit violence against women – to control and create financial duress. How the system can respond has not yet been reckoned with.

Our results confirm the exceptionally high rates of violence experienced by single mothers and shows how the nature of this abuse changes as they enter and move within the child support system. The results expose how the system's logic forces women into untenable situations where they must risk their financial welfare to ensure their safety.

Over three-quarters (78%) of single mothers were experiencing some form of violence at the time of separation. Over half of the sample reported either emotional/psychological (52%) or financial abuse (60%) at the time of the survey.

Given that violence is the backdrop to many single mothers' lives, there is a moral obligation to ensure that this often-mandatory system – one that was originally designed to reduce child poverty – lessens rather than exacerbates financial harm.



Impossible choices or no choices at all

In the context of past and ongoing violence, women faced impossible choices that spanned decision-points that existed across the entire child support system and could go on for decades. Often, women's 'choices' were made in the context of mandatory policy requirements, such as the Maintenance Action Test (MAT) and the Maintenance Income Test (MIT), which are based on erroneous assumptions about separated parents' motivations and behaviours that our findings show do not represent reality.

Approximately half of the sample wanted to seek child support, with the primary motivation being to ensure that their ex-partner financially supported their children. However, seeking child support was also reported to increase women's risk of violence and increase conflict.

As a result, the women in our sample were often placed in impossible situations, where they sought to balance minimising the potential for abuse from their ex-partner with the often-punitive rules of the child support and Family Tax Benefit payment systems; rules that are able to be weaponised to inflict financial harm on victim-survivors.

Women leaving violent partners, which in our sample was four out of every five women, were faced with impossible choices between a series of competing options, each of which entailed their own logistical, physical, financial, legal and/or psychological risks:

1. Identifying their ex-partner as violent to Services Australia, which could expose them to further violence.
2. Proving to Services Australia that their ex-partner posed an ongoing risk, thus exposing them to further violence.
3. Foregoing child support income that their ex-partner would otherwise be required to provide to their children, thus risking harm to their children who will miss out on the benefits of additional income.
4. Foregoing Family Tax Benefit Part A payments above the base rate if child support is not sought, thus risking harm to their children who will miss out on the benefits of additional income.
5. Signing a violent ex-partner up to pay child support, risking further violence.
6. Continually having to re-engage with a violent ex-partner to determine, collect on or modify child support agreements, risking further harm.
7. Relying on a violent ex-partner to provide necessary income on a regular basis, risking unreliable support and the potential of further violence.

How women sought to reconcile these often-competing risks was frequently at odds with formal policy requirements and highly dependent on Services Australia providing women with appropriate information as well as a safe service pathway.

It was shocking that only 10 per cent of women in our sample applied for a Maintenance Action Test exemption from seeking child support in a context where almost 80 per cent of women were experiencing violence at the time of separation.

What is even more shocking is that of these 80 per cent of women, 55 per cent did not know the financial consequences of them failing the MAT by not seeking either child support or an exemption. The result of which was that they would only be eligible to receive the minimum FTBA payment.

Applying for child support following separation

The child support application, which is required to obtain more than the base level of FTBA, occurs at a critical life juncture for women: relationship breakdown. As previously expressed, this period is often contextualised by violence, which renders women particularly financially vulnerable.

Research confirms that if child support is paid on time and in full it can reduce child poverty by 21 per cent (Skinner, et al, 2017). Despite the need for financial resources across the entire sample, only 64 per cent of mothers applied for child support when they first separated. As a result, a third of women were not set up to receive both their full Family Tax Benefit entitlements and financial support for children from their ex-partner at a critical time.

For women experiencing violence, the main reasons for not applying for either child support or an exemption following separation were to:

48%

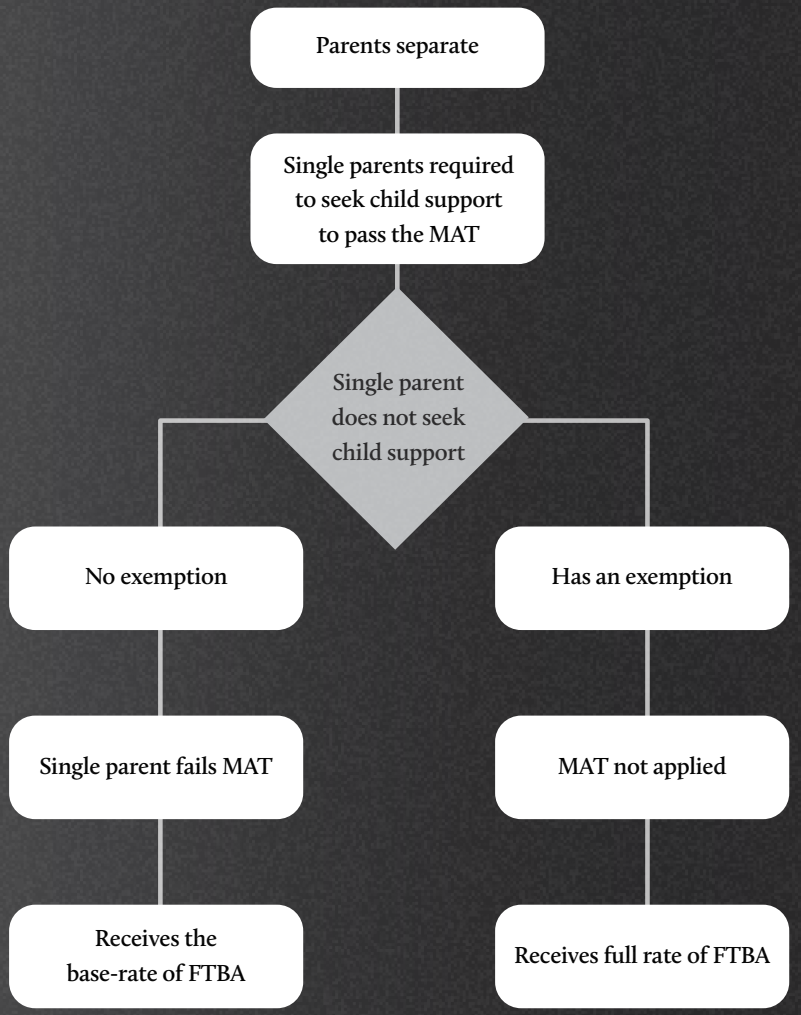
Reduce the risk of conflict with their ex-partner (41%)

25%

or to reduce their risk of violence (25%).

For women leaving violent relationships, the prospect of poverty looms large. Current policy settings fail to provide adequate financial support when women do leave (Summers, 2022), while also withholding most of women's FTBA payments if they are too fearful to apply for child support.

Figure 1: Applying for child support



Almost a third of women (31%) faced an **impossible** situation where Services Australia was pressuring them to apply for child support while their ex-partner was pressuring them not to apply.

Of these women, 85 per cent were experiencing violence at the time of separation.

Only 69 per cent went on to apply for child support,

while just 13 per cent applied for an exemption.

Just over a third of women (38%) were experiencing pressure not to apply for child support from their ex-partner but were not being pressured to apply by Services Australia. A similar proportion of these women (83%) were experiencing violence at the time of separation. These women were the least likely to apply for child support (58%) and were the most likely to fail the MAT by also not applying for an exemption (20%).

The current child support and exemption application process is ill-equipped to support women whose ex-partners are pressuring them to avoid their obligations. Failing the MAT results in financial harms to mothers and children, while financially rewarding abusive ex-partners.

2.

INCORRECT
Seeking an exemption is an appropriate response to family violence, and a straightforward process that will not retraumatise victim-survivors.

INCORRECT
Parents will not hide or minimise their incomes.

3.

INCORRECT
Parents will take up the share of care in their child support agreement.

4.

5.

INCORRECT
Child support assessments accurately balance payees' costs of children with payers' capacity to pay.

Unfair assessments

While approximately two thirds of all women in the sample reported applying for child support following separation, this decision in no way provided an end to the pressure that they experienced from their ex-partner.

The child support formula relies on accurate information on each parent's share of overnight care of children and their taxable incomes. The child support system assumes that the reporting and recording of this information is unproblematic and that each parent will accurately report these in a timely manner. However, our analysis shows that care time and income can be hidden or manipulated to make child support assessments unfair or inappropriate.

More than half of women experiencing financial abuse reported that their ex-partner reduced their child support assessments – and thus the money that flowed to children – by either: legally minimising their taxable income (57%), submitting inaccurate income assessments (55%) or by having their own business (52%).

Almost one in five women (17%) experiencing financial abuse reported that their ex-partner claimed a greater share of overnight care of children than they actually did. The result was that women bore a larger share of costs while being assessed to receive a lower share of income.

Only slightly more than half of all women (54%) had a child support assessment for more than $8 per week. Only a quarter of women experiencing financial abuse received a child support payment amount above $8 per week, indicating that abusive ex-partners may minimise their incomes to inflict financial harm.

Almost half of the sample were expecting to receive either no child support, $8 per week or an unknown amount.

The child support assessments reported by mothers in our sample are wildly out of step with the financial reality of children's lives and women's ability to cover these expenses.

Twenty per cent of women who reported that their ex-partner's income was inaccurate ended up having to pay them child support as a result. This happens because each parent's share of child support income is divided according to each parent's share of overnight care. When fathers' taxable income is artificially low, and their share of care time is unchanged, mothers can be required to pay child support despite fathers' wealth being significantly higher.

Collection methods that can harm women

When they first sought child support, a higher proportion of women (57%) than the current caseload reported by DSS (49%) (DSS, 2024b) opted to collect payment via Services Australia, known as Agency Collect. Over time, many women in our sample who had initially opted to collect payments privately, also moved to Agency Collect.

However, seeking to enforce payments by moving from Private to Agency Collect resulted in a range of consequences for women, both emotional (anger: 59%) and financial (reducing child support assessments: 51% or refusing to pay anymore: 31%). Only rarely (14%) did women's ex-partners accept their decision.

6.

INCORRECT
Parents can freely agree on the collection type that suits them both.

7.

INCORRECT
Private collections are arranged between parents who get along, will work together, and will not be used to hide payment outcomes.

For those women using Private Collect, the most common reason that women gave for their collection 'choice' was to bow to pressure from their ex-partner not to pay child support (47%).

Women's reports of their collection 'choices' stands in stark contrast to the assumption circulated in numerous parliamentary inquiries (HRSCFCA, 2003; HRSCSPLA, 2015) and taskforces (Ministerial Taskforce on Child Support, 2005), that parents who transfer payments privately do so because they get along better and will work together in the children's best interests.

For women who opted to move to Agency Collect from Private Collect, reasons included:

- Not wanting to deal with an ex-partner (73%)
- So that child support debts could be collected (65%)
- To improve record keeping of payment receipt (47%)

These reasons all point to women's difficulty collecting payments directly from an ex-partner in the context of high rates of emotional and financial abuse reported by women post-separation.

With the benefit of hindsight and increased understanding of family violence, the promotion of Private Collections can be seen to have kept financial abuse in the shadows and out of public scrutiny.

Receiving due support?

While 16 per cent of women reported being assessed to receive the minimum amount of child support, only 9 per cent of women reported receiving this amount. Rather, most women (56%) received 'nothing' despite only 20 per cent of women expecting to do so.

For women who were experiencing financial abuse at the time of the survey, the results were even more bleak, with over half of the sample (56%) expecting to receive an amount above the minimum payment,

but in reality, almost two thirds (60%) received nothing.

Women who were experiencing financial abuse expected to receive slightly more child support in the previous month than women who were not being financially abused at the time of the survey. However, while they expected to receive slightly more child support than others, women experiencing financial abuse received substantially less.

There is a pernicious assumption in the operation of the Maintenance Income Test that all Private Collect payments are received in full and on time. However, in our sample, the majority of financially abused women using Private Collect (69%), payments were not received in full or at all.

Women in the Private Collect system who were not experiencing financial abuse were much more likely than victim-survivors (5%) to receive more child support than they were expecting in the previous month (12%) and were more likely to receive their correct child support entitlements (42%) than women who were being financially abused (26%).

8.

INCORRECT
Payers will provide the assessed amount of child support, and it will be paid on time.

Given the exceedingly high rates of ongoing violence experienced by women in the child support system, the common-sense assumption that Private Collect results in better payment outcomes, and the policy assumption that payments are paid in full and on time for 100 per cent of the caseload do not hold.

For women using Private Collect who tried to pursue underpayments from their ex-partners, 50 per cent reported that their ex-partner become violent,

with almost two thirds (63%) refusing to pay child support any more.

Women in the Private Collect system who were experiencing financial abuse were much more likely (21%) to expect no child support than those not experiencing financial abuse (7%). Financial abuse victim-survivors in the Private Collect system were also more likely to expect no child support than women in the Agency Collect system (12%). These findings shine light on the until-now hidden reality that women experiencing abuse choose Private Collect as a means of avoiding payments and keeping themselves safe.

These figures show the importance of Services Australia taking responsibility for the collection of child support payments and resultant debts, and further expose the convenient fallacy of fully compliant – and easy to collect – private payments.

However, even for women using Agency Collect, in the context of ongoing violence, there were still significant payment shortfalls. Compared to all women (48%), those who were experiencing financial abuse at the time of the survey were more likely to receive less child support than they were expecting (53%). Women experiencing financial abuse in the Agency Collect system were even more likely to experience a child support underpayment in the previous month (58 %).

Given that single parent families are Australia's most impoverished family type (Davidson, Bradbury & Wong, 2020) and that – when received – child support reduces the likelihood of Australian single-mother-family poverty by 21 per cent (Skinner et al., 2017), it is unacceptable that 71 per cent of women either expected nothing or reported often-significant underpayments.

The scale and scope of non-compliance reported in our sample reveals the fallacy of the assumptions on which the Maintenance Income Test is built. Women often do not receive child support payments on time or in full. Reducing low-income mothers' FTBA payments at the same time is unconscionable.

As a result of the pernicious nature of the MIT, one of the most perverse outcomes of the child support system is the ability of retrospective changes to child support assessments to result in Family Tax Benefit overpayments. Following a legislative change in 2018 (DSS, 2024d), Family Tax Benefit overpayments resulting from backdated child support assessments are now vigorously pursued by the Commonwealth, sustaining the hallmarks of an illegal social security system commonly referred to as Robodebt. While the legislative change purportedly "align[s] the Registrar's ability to recover a child support overpayment from a payee with the methods for recovering a child support debt from a payer" our survey has shown how little effort is placed on collecting child support arrears and the significant debts that accrue to women as a result.

A significant minority of women in our sample (43%) had incurred a Family Tax Benefit debt at some point. Of these women, half (50%) reported that this debt was because of a retrospective change to their child support assessment. The average FTB debt owed to Services Australia by these women was $3,452, which is an extremely significant amount for women with incomes low enough to qualify them for payments.

9.

INCORRECT
Debts will be recovered through Agency Collect, including that it is straightforward for resident parents to switch from Private to Agency Collect to recover debt.

10.

INCORRECT
Child support collections and shortfalls will not jeopardise women's financial security through FTBA shortfalls and debts.

While these women had significant debts owed to the state, which would be automatically deducted from their family payments, these same women were owed an average of $12,172 in unpaid child support. A very high proportion of women (88%) with a FTBA debt owed to the state due to a retrospective child support assessment also had a child support debt.

The legislation to vigorously recoup FTBA overpayments was ushered in under the banner of 'fairness and equality', however, there is a striking inequity in how debts within the child support system are pursued.

The system fails women

The findings reveal how erroneous assumptions and complex rules create insurmountable challenges for women while fostering an opaque understanding of the system's operations.

Women were asked how much control they thought that they, their ex-partner and Services Australia had over how much child support they receive. Women's ratings immediately illustrate the problems inherent in the child support system.

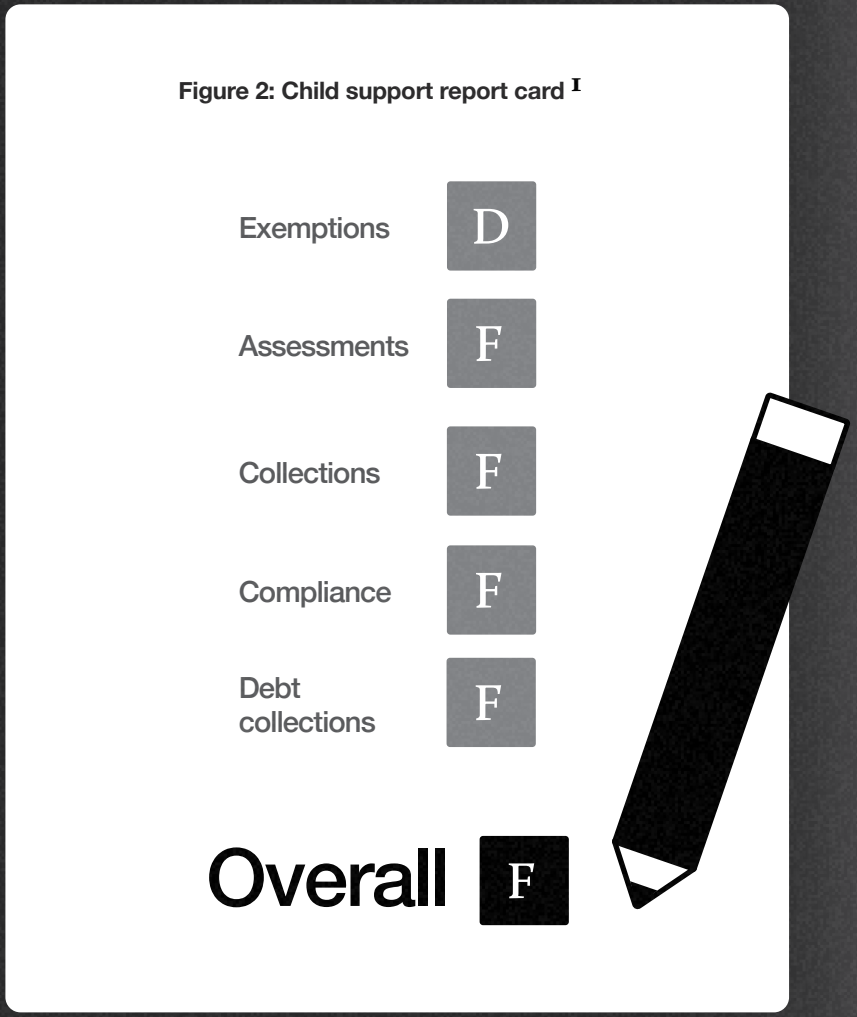
Women reported almost 'no control' while their ex-partners were reported as having almost 'total control', especially when violence was present. Services Australia, by was reported as having only 'moderate' control.

While women are reliant upon their ex-partners to accurately report their income, uphold child contact time agreements and provide payments, they have very little control over whether these things happen.

Women were also asked to rate stages of the child support process, which was then converted to percentages and a corresponding letter grade to provide an assessment of the child support system.

Given the finding that violence was a backdrop to respondents' lives, the grading reflects how violence shapes women's child support interactions and how abuse is perpetrated through the child support system, ultimately failing women.

Figure 2: Child support report card [I]



[I] D grade: Scores of 50-54%; F grade: Scores of 0-39%

Conclusion

The research took a deep dive into the child support system from the viewpoint of single mothers, who were often family violence victim-survivors. It highlighted how child support intersects with key Australian Government initiatives and ambitions, such as the *National Plan to Eliminate Violence Against Women and Children* (DSS, 2022) and *Working for Women: A Strategy for Gender Equality* (Commonwealth of Australia, 2024).

Moreover, and fortunately, the Government has signalled a receptiveness, with a renewed and industrious focus on child support. The release of this research is taking place in a unique political context marked by the Australian Prime Minister's declaration of gender-based violence as a national crisis. This setting has prompted government initiatives and public discourse. For instance, the DFSVC highlighted the use of Australian social support payment systems as tools that could be "weaponised" against women and has commenced an audit of government systems.

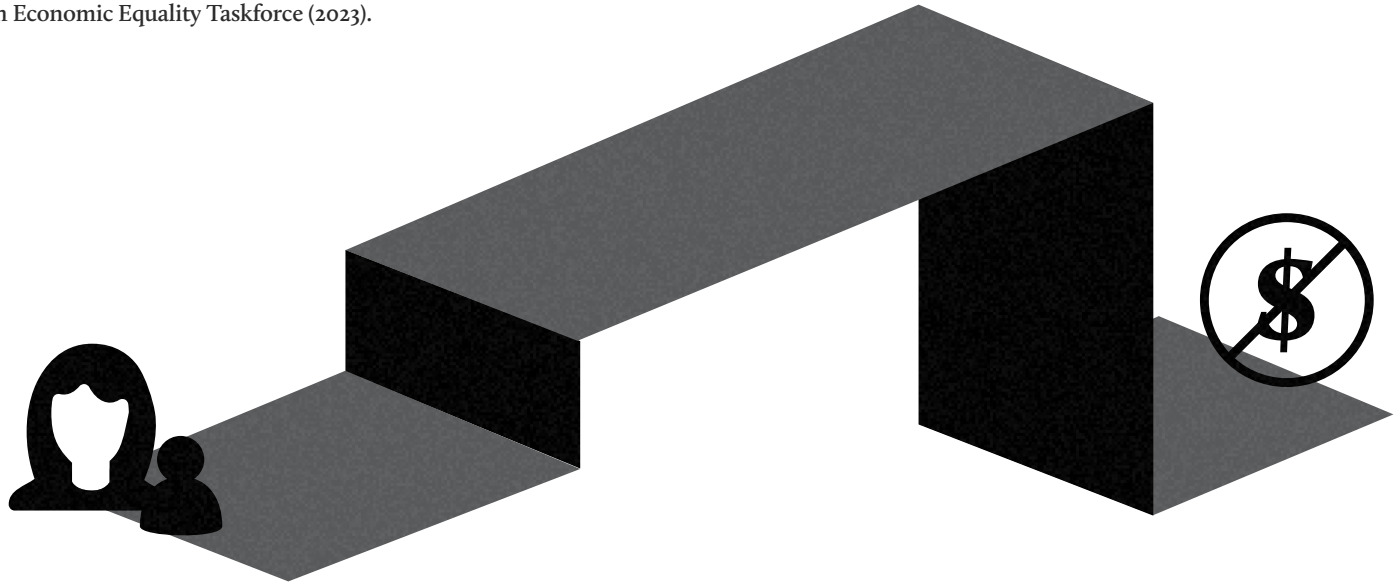
Furthermore, the Minister for Social Security also forecast the child support system as a policy focus and an area susceptible to being weaponised. These statements resonate with recommendations from independent but government-appointed expert bodies such as the Economic Inclusion Advisory Committee (EIAC, 2024; Interim EIAC, 2023) and the Women Economic Equality Taskforce (2023).

Whilst recommendations are still to be formed by the recently established Child Support Expert Panel or the Child Support Stakeholder Consultation Group, this report can inform both bodies.

The role that the child support system plays in exacerbating or facilitating violence requires urgent attention.

The findings in this report underscore the challenges associated with compulsory participation in a program that mandates women's engagement in the child support system in exchange for above-base-rate Family Tax Benefits. This dynamic diminishes women's autonomy and decision-making capabilities.

Our findings suggest that the weaponisation of child support assessments, including their long-term impact on FTBA payments, is an area requiring urgent examination and reform to safeguard the child support process and make it trauma-informed for victim-survivors. However, the research also illustrates a system of inefficacy and complicity in perpetuating harm; a system that inadvertently exacerbates the struggles and challenges encountered by women with caregiving responsibilities.



Recommendations

The recommendations put forth in this report are a direct result of our survey findings and are intended to:

- bring about meaningful improvements;
- empower women with autonomy and choice that is directed by what they want and require for their family; and,
- create a system that is safe for women to engage in.

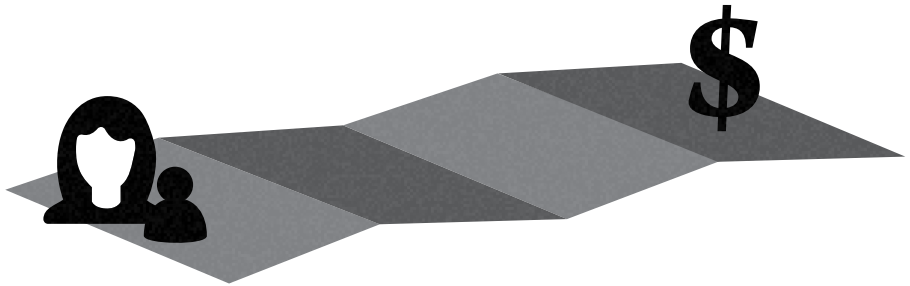
We make four recommendations that would greatly reduce the capacity of the system to be weaponised.

1. Delink family payments from child support by eliminating the Maintenance Income Test.

The separation of child support from family payments simplifies administrative work and system complexity, enhances system safety, and improves the certainty of social security.

2. Co-design family violence processes within the child support system to recognise the high rates of violence experienced by system users.

The positioning of family violence as the norm rather than the exception within the system would ensure that perpetrators are not rewarded through exemptions or non-payments and victim survivors are not re-victimised.



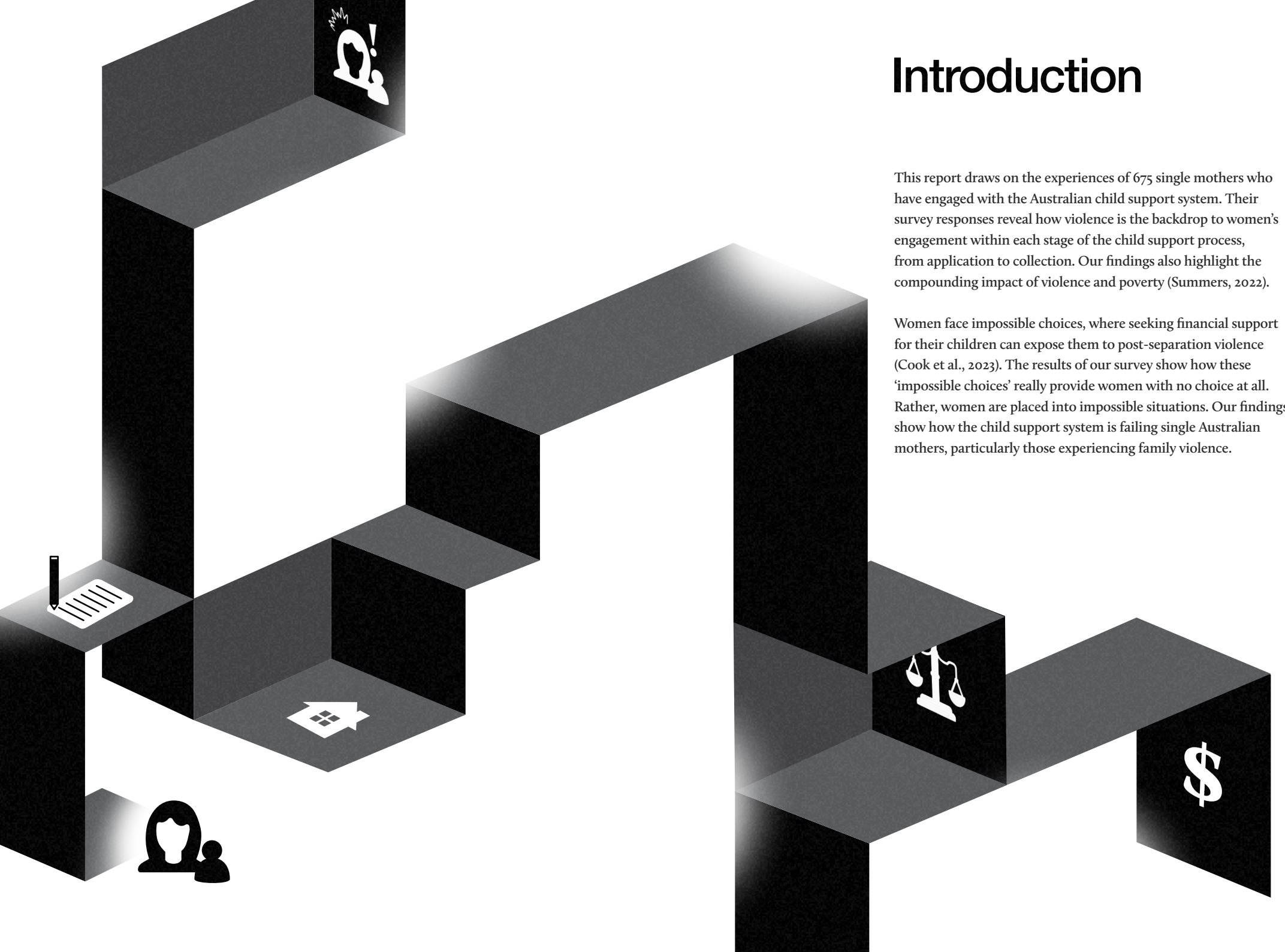
3. Move all child support collections back into the Australian Tax Office.

The ATO is best positioned to collect child support payments, address the $1.7 billion child support debt, close assessment loopholes, and uphold the expectations of timely and paid-in full payment.

4. Make all payment debts owed to and enforced by the Commonwealth.

The principle of the Commonwealth paying women first and pursuing non-compliance second is a superior policy approach and one that would create certainty of payments, reduce administrative burdens and enable the child support system to operate in the best interest of the children.

Enacting these recommendations would provide mothers with autonomy and remove women from the impossible situations that they currently face. Redesigning the system to recognise the trauma experienced by women with abusive ex-partners would hold perpetrators to account and facilitate women's financial and emotional recovery. The Commonwealth has a role to play in women's recovery, by taking on the responsibility for collecting payments, and ensuring that some of Australia's lowest income families receive the money that they are entitled to. In short, the government should provide the safety net that women and children so desperately deserve.



Introduction

This report draws on the experiences of 675 single mothers who have engaged with the Australian child support system. Their survey responses reveal how violence is the backdrop to women's engagement within each stage of the child support process, from application to collection. Our findings also highlight the compounding impact of violence and poverty (Summers, 2022).

Women face impossible choices, where seeking financial support for their children can expose them to post-separation violence (Cook et al., 2023). The results of our survey show how these 'impossible choices' really provide women with no choice at all. Rather, women are placed into impossible situations. Our findings show how the child support system is failing single Australian mothers, particularly those experiencing family violence.

Background

This report is one in a series that examines the Australian child support system. The first report published by Swinburne University of Technology and Single Mother Families Australia (known as the National Council of Single Mothers and their Children at that time), *Debts and Disappointments: Mothers' Experiences of the Child Support System* (Cook et al., 2019), exposed the impacts of child support debt, and its entanglement with Family Tax Benefit Part A (FTBA) payments. The survey of 470 respondents, 99 per cent of whom were women, captured the distress and financial hardship experienced by child support payee parents. The report concluded with a research agenda for quantifying the extent to which the child support system could be weaponised.

In 2023, the second report in the series, *Financial Abuse: The Weaponisation of Child Support* (Cook et al., 2023) shed light on the extent to which the Australian child support system was being used to enact financial harm. The anonymous online survey investigated single mothers' experiences of the child support system, financial safety, and family violence. The first study of its kind to interrogate the withholding of child support to enact financial abuse, the survey presented powerful and irrefutable evidence of the child support system's capacity to be misused and abused by violent ex-partners.

Among the 540 women who participated in the 2023 survey, a staggering 80 per cent reported that financial abuse had replaced physical abuse after separation, while 88 per cent of respondents had endured financial control over years, if not decades. Damning figures revealed that 4 out of 5 women experienced the withholding or non-payment of child support (81%) and the deliberate minimisation of child support liabilities (80%).

The recommendations that followed such startling findings included the need for the Australian Government to:

1. close the loopholes that allow child support payment minimisation and withholding to occur.
2. decouple social security from child support.
3. compel child support payers to lodge tax returns.
4. encourage and reward child support payment by linking credit ratings to non-compliance.
5. Introduce a child support guarantee for payee parents, paid by Services Australia.

While the *Financial Abuse: The Weaponisation of Child Support* (Cook et al., 2023) report revealed the staggering rates of violence experienced by women within the child support system and the impact on mothers and their children, what remained unknown was exactly how the child support system was able to be weaponised. Evidence on financial abuse and the weaponisation of the child support system is continuing to grow (Cook et al., 2023; Stewart et al., 2023; WLSA, 2024), as a range of researchers, advocacy and social welfare organisations take note of the financial and systemic injustices faced by single mothers.

Calls for systems-wide intervention into violence against women and children builds on the *National Plan to End Violence Against Women and Children 2022-2032* (DSS, 2022). Evidence that shines a light on the weaponisation of the Australian Child Support System underlines the need for urgent reform to ensure that the objectives of the National Plan can be achieved.

Momentum for change

Opening the black box

Significant reforms to the child support system over the last two decades have increased men's authority and autonomy within the system (Cook & Natalier, 2013; Cook, 2021), as is described in detail shortly. However, recent attention on domestic and family violence (DSS, 2022) has focused attention on the use of government systems to perpetrate harm.

Creating the black box

1989-90

Child Support Scheme begins

Creation of the Child Support Agency within the Australian Taxation Office. Payments distributed by the Department of Social Security.

1994-98

Weakening government responsibility

Private collections were prioritised and child support was moved out of the ATO

2003-08

'Fairer' formula created levers for abuse

As a result of gendered reform processes, the new formula benefitted high income men and made low-income payees worse off. Income and care time could be used to manipulate child support assessments.

2013-17

Government systems weaponised

Legislative changes meant that women could be disadvantaged when their ex-partner did not lodge tax returns, while FTBA overpayments were to be vigorously pursued.

2019

Recognising the impact of unpaid child support

Debts and Disappointments report captured the distress and financial hardship experienced by child support payee parents

2021-23

Family Law Inquiry and Government response

Ongoing underpayment and/or the non-payment of child support was highlighted as a family violence risk factor.

2023-24

Economic Inclusion Advisory Committee recommendations

Repeated calls to decouple child support from family payments by removing the Maintenance Income Test.

In this context, alongside the publication of our 2019 and 2023 reports and growing academic, service sector and advocacy organisation interest in the weaponisation of the child support system, Government interest in post-separation financial abuse has grown.

MAR 2023

Demonstrating the misuse of the child support system

The Weaponisation of Child Support report shed light on the extent to which the Australian child support system was being used to enact financial harm

MAY 2023-24

Women's Budget Statement

Acknowledged the weaponisation of child support and established the Child Support Stakeholder Consultation Group and Expert Panel.

OCT 2023

Women's Economic Equality Taskforce

Called for the removal of the MIT from FTBA calculations as a means of improving financial certainty for low-income single mothers.

MAR 2024

Working for Women strategy

Lists improving child support collections and preventing future debts as actions to be taken to achieve 'economic equality and security'.

MAY 2024

Rapid Review of Prevention Approaches

Recommends adopting the WEET proposal to reduce the ability for the child support system to be weaponised.

JUN 2024

Financial abuse inquiry

While the final report has yet to be released, submissions to the inquiry report women enduring financial abuse enacted through the child support system as perpetrators withheld payments or reduced their reportable income.

AUG 2024

The Domestic, Family, and Sexual Violence Commission yearly report to Parliament

Notes the ability for Government systems to be weaponised and the need for safety by design principles to ensure 'service provider responsibility; user empowerment and autonomy; transparency and accountability'.

OCT 2024

Detailed account of how the system works to inflict harm

The Opening the Black Box of Child Support report shines a light on how the system fails women and how its harms can be prevented.

Family law inquiry

Ongoing underpayment and/or the non-payment of child support was highlighted as a family violence risk factor in the 2021 Joint Select Committee on Australia's Family Law System recommendations. Calling for an amendment to Section 4 of the *Family Law Act 1975 (Cth)* to include risk factors relating to financial abuse through the child support system, the Committee's findings reflected a broader public shift in understanding of what constitutes financial abuse.

In 2023 in response to the inquiry, the Albanese Labor Government agreed to engage and consult with a forum of child support subject matter experts, a step that reignited optimism around meaningful consultation that had been otherwise quashed by the dissolution of the Child Support National Stakeholder Engagement Group in 2014.

Economic Inclusion Advisory Committee

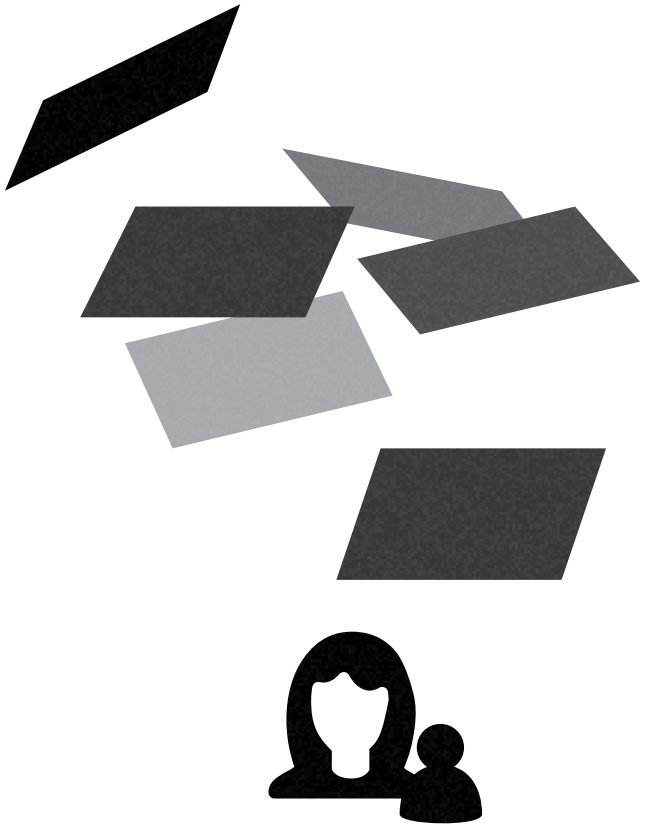
The Economic Inclusion Advisory Committee (EIAC) was established in interim form in late 2022 and legislated in 2023 to provide advice to the Australian Government on economic inclusion and tackling disadvantage. The EIAC is comprised of 13 members from a range of organisations including academia, business, and social service agencies, as well as the Secretaries of the Department of Treasury and the Department of Social Services that oversees child support policy.

The EIAC is required to provide an annual report to the Australian Government at least two weeks prior to the federal budget. Since its inception, the EIAC has released two reports, comprising an Interim EIAC report in 2023 and a report from the legislated Committee in 2024. The EIAC reports have made key recommendations to inform the Australian Government's economic decision making.

On child support, in each of their reports, the IEIAC has recommended that the Government decouple child support from family payments by removing the Maintenance Income Test. For example,

> **...remove the Maintenance Income Test (MIT) from the calculation of Family Tax Benefit Part A (FTBA) for child support customers. Affected families should be provided with a similar amount of family benefits as would have resulted under the MIT. The removal of the MIT would result in more certain FTBA payments for financially vulnerable families, remove the prospect of retrospectively applied FTBA debts, and concurrently close a loophole that allows child support and FTBA to be used as vehicles for enacting financial abuse." (EIAC, 2023, p. 69)**

The EIAC's (2023) recommendations reference the significant level of debt existing within the child support system, the ability for the child support system to be weaponised by perpetrators of financial abuse, and the disproportionate impact of underpayments and financial abuse being borne by low-income mothers and their children.



Women's Budget Statement 2023-2024

The Women's Budget Statement 2023-24 (the Statement) (Gallagher & Chalmers, 2023) acknowledged the potential for financial abuse perpetration via the child support system. In particular, the Statement recognised that payer parents may intentionally withhold payments or delay or avoid lodging tax returns. The Statement's acknowledgement of the weaponisation of child support was strengthen by the introduction of a proposed amendment to child support measures (see *Social Services Legislation Amendment (Child Support Measures) Bill 2023*) in response to recommendations made by the Joint Select Committee on Australia's Family Law System (JSCAFLS, 2021). With respect to child support, the Australian Government committed additional funding to enact the following::

- establish a Child Support Stakeholder Consultation Group to provide a strong voice to Government on issues impacting families,
- commission expert research on the costs of raising children in Australia and consider whether changes are needed to the child support formula to ensure child support payments provide children with an adequate level of financial support,
- review compliance in the child support system, with a focus on collection and enforcement,
- review the interaction between the child support system and Family Tax Benefit to ensure vulnerable single parent families are financially supported after separation,
- undertake an evaluation of separated families to understand what can be done to support parents with caring responsibilities where private collect arrangements have broken down. (Parliament of Australia, 2023, p. 22)

Since the release of the Women's Budget Statement 2023-24, a Child Support Stakeholder Consultation Group (DSS, 2024c) has been established, including members from government and family services organisations. The group contributes to the Child Support Expert Panel (DSS, 2024a).

The scope of the Child Support Expert Panel involves:

- [supporting] the Department to commission cost of children and related research;
- [considering] technical details of the operation of the child support system; and
- [developing] a methodology to review the child support formula more regularly when routine expenditure data is published (such as the Australian Bureau of Statistics' Living Costs in Australia Survey) (DSS, 2024a).

Working for Women: A Strategy for Gender Equality

Further Governmental efforts to achieve women's economic equality include the Working for Women strategy. The Working for Women Strategy builds on the Women's Economic Equality Taskforce's *Working Future: The Australian Government's White Paper on Jobs and Opportunities* report and the *National Plan to End Violence Against Women and Children 2022-2032* (DSS, 2022). The Strategy is shaped around five priority areas: (1) gender-based violence, (2) unpaid and paid care, (3) economic equality and security, (4) health, and (5) leadership, representation and decision-making. Striving for women's access to equal outcomes, access to resources, safety, and autonomy, the Strategy includes goals to:

- end violence against women,
- balance unpaid work,
- close the gender pay gap,
- close the retirement income gender gap,
- achieve gender equity in healthcare access and outcomes,
- and close leadership and representation gender gaps.

To date, the Government has taken steps to achieve progress in each priority area (Commonwealth of Australia, 2024). Turning to the child support system, the Government notes the following changes under actions taken to meet the Strategy's third priority area 'economic equality and security':

> **improved the child support system, implementing legislation to improve the timely collection of child support owed to parents – who are overwhelmingly women – and help prevent future debt among low-income parents. (Commonwealth of Australia, 2024, p. 56)**

Further to the above legislative change, the Government notes future intentions to:

> **consider longer term improvements to the child support scheme, looking at issues like non-compliance as a means of financial abuse, whether the child support formula reflects the current costs of raising children in Australia, and what can be done to support parents where private collect arrangements have broken down (Commonwealth of Australia, 2024, p. 59).**

Evidence shows that the child support system is used as a weapon of financial abuse (Cook et al., 2023; WLSA, 2024), and while the Government's intention briefly mentions such abuse, it has a way to go to fully acknowledge the entanglement of gender-based violence (priority area 1) and the child support system. In addition, the Government's actions to date have failed to acknowledge the value of unpaid care (see priority area 2) undertaken by single mothers, and the need for adequate and on time child support payments to sustain single mother families.

Women's Economic Equality Taskforce

Further measures by the Australian Government to advance gender equality have included the establishment of the Women's Economic Equality Taskforce. The Taskforce included leading women across economic, social, and labour market contexts, who provide critical advice to the Government to ensure that future policy is gender-responsive and prioritises women's financial autonomy. Based on the principle that gender equality can only be achieved alongside economic equality, the Taskforce engaged women, organisations, and Government department leaders across Australia to put forward a 10-year plan to advance women's economic participation.

The WEET highlighted the persistent demands on women to take on the bulk of unpaid caregiving work in a context where women are also more likely to work in low-paid and insecure work than men. Furthermore, the report showed that 80.4 per cent of single parent family households are headed by women (WEET, 2023). The WEET highlighted child support as a significant area in need of policy reform, given its entanglement with Family Tax Benefit Part A and the potential for financially vulnerable families to incur debts owed to the state (WEET, 2023).

On child support, the WEET has called for the removal of the MIT from FTBA calculations as a means of improving financial certainty for low-income single mothers:

> **Remove the Child Support Maintenance Income Test (MIT) from the Family Tax Benefit Part A (FTBA) calculation to establish certainty of FTBA payments for financially vulnerable families and to prevent child support from being used as a tool of financial abuse. (Recommendation 6.5)**

Financial abuse inquiry

The Australian Government's recent efforts to advance understanding of the weaponisation of financial systems has included an inquiry into the Financial Services Regulatory Framework in Relation to Financial Abuse 2024. The purpose of the inquiry was to examine the current capacity of financial institutions to prevent, detect, and respond to financial abuse, as well as opportunities for reform (see O'Neill & Mascarenhas, 2024).

At the time of writing, the public report had yet to be released. However, submissions to the inquiry have reported that women enduring financial abuse enacted through the child support system as perpetrators withhold payments or reduce their reportable incomes.

Rapid Review of Prevention Approaches

In May 2024, the Australian Government commissioned "independent advice on opportunities to expand and strengthen prevention efforts across all forms of violence against women and children" (Campbell et al., 2024). The recent launch of the subsequent report demonstrated the urgent action required across numerous domains to end domestic, family, and sexual violence (DFSV). The report builds on the National Plan and the Working for Women Strategy to accelerate the implementation of prevention strategies across frontline services, Government responses, specific industries (e.g. gambling and alcohol), as well as conducting research and evaluation.

The rapid review, conducted over just 12 weeks, highlighted the significant number of opportunities where reform and response could be improved. Noting that ending violence against women, gender-diverse people, and children must remain a government priority, Campbell and colleagues (2024) called for numerous reforms to enhance women's economic equality.

In relation to the child support system, the report acknowledged the work of the Women's Economic Equality Taskforce, echoing their recommendation for child support reform:

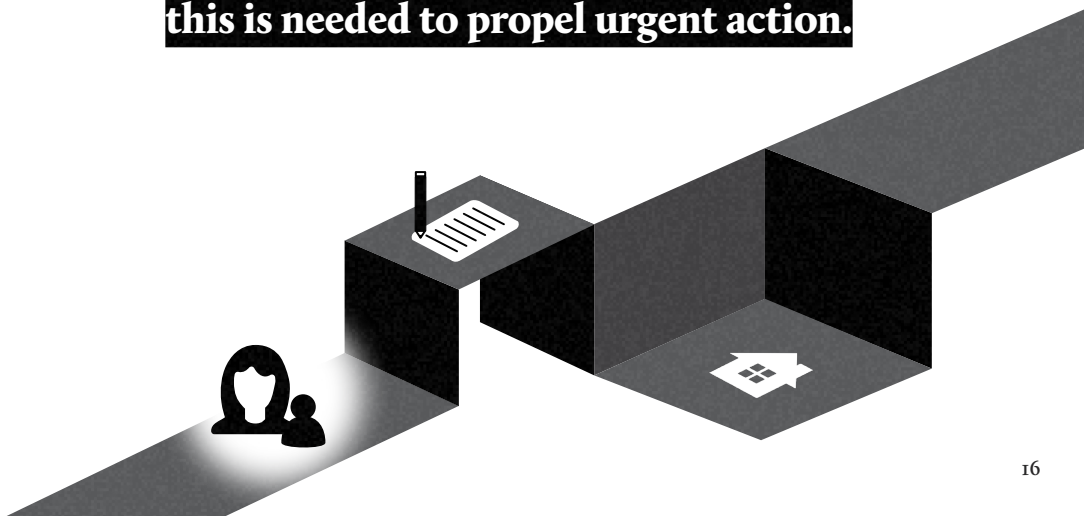
> **b. adopting in full the WEET recommendation to remove a major and escalating form of financial abuse against women seeking child support (recommendation 6.5) (Campbell et al., 2024, p. 17)**

The Domestic, Family, and Sexual Violence Commission yearly report to Parliament

The Domestic, Family and Sexual Violence Commission's annual report, released in August 2024, highlighted grave concerns about the perpetuation of Government-based-systems abuse. The report showed that victim-survivors of family violence are those most vulnerable, and yet government systems can further their experiences of violence. The National Plan outlined actionable objectives that can assist the Government to ensure that systems do not cause further harm to DFSV survivors, however outcomes on progress to achieve harm reduction are yet to be tabled by the Australian Government (DFSVC, 2024).

The Commissioner's report highlighted the benefits of applying safety by design principles across the service sector. Guided by three core tenets "service provider responsibility; user empowerment and autonomy; transparency and accountability" (DFSVC, 2024, p. 90), the safety by design principles are readily actionable in service and policy reform. The Commissioner's insights into the urgency of service reform to improve outcomes for victim-survivors are directly applicable to the transformation of the child support system.

As the evidence shows, the current child support system is used by men as a weapon of financial abuse towards their ex-partners, and ultimately, their children. We know what is needed to advance women's economic equality and stop the weaponisation of child support. The evidence on the need for change is powerful. However, the government lacks a deep understanding of how the child support system is experienced by family violence victim-survivors – and this is needed to propel urgent action.



A moral obligation to act

Child support, often called child maintenance internationally, is enshrined in Article 27 of the United Nations Convention on the Rights of the Child, to which Australia is a signatory. Section 4 of Article 27 sets out government responsibility for securing child support for children.

> **States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.**

However, in Australia, $1.69 billion in child support debts exist (Senate Affairs Legislation Committee, 2022), with Services Australia reporting that in the 2023-24 annual year it collected 96 per cent of payments, or $1.98 billion in child support liabilities from the $2.06 billion of child assessments from the same period (DSS, 2024b). In addition to the shortfall in Service Australia's Agency Collect cases, the total debt figure also excludes the 49 per cent of the caseload who transfer child support privately and whose payments are officially regarded as 100 per cent compliant.

Women's experiences of child support, outlined in extensive government, social welfare sector and industry research conducted over the last two decades (ALRC, 2011; Branigan, 2004; Cook et al., 2023; Cook et al., 2019; WLSA, 2024), has repeatedly shown women's frustration with a system that does not fulfil the Commonwealth's or parents' responsibilities to children. Women's Legal Services Australia (WLSA) (2024) states that "[q]uestions about the allocation and spending of child support are political and often determined by the patriarchy," as payer parents - most often fathers - withhold child support monies with little regard for the consequences for their children.

In addition to the staggering amount of both visible (Agency Collect) and invisible (Private Collect) debts existing within the child support system, the amount to be paid can be easily manipulated by a parent obscuring or hiding their actual income or inflating their percentage of overnight care time. Further, research indicates that women can be pressured into disadvantageous arrangements, such as not applying for child support at all following separation, seeking exemptions which absolve violent ex-partners from payments, collecting payments privately, and not pursuing debts (Cook, 2021a; Natalier, 2018; Patrick et al., 2007). In contrast, Government data lacks the necessary level of granularity, reporting instead on the size of the caseload, its basic characteristics and the total amount assessed and collected via Agency Collect. These figures, which – for example – report only the number of exemptions provided for all reasons, obscure women's experiences of violence perpetrated through the child support system, as threats, control and manipulation are rendered invisible.

Beyond important, but small-scale qualitative research (see for example Natalier 2018; Cook 2021a; Cook 2021b), there is no systematic research that reports women's experiences of how child support works or does not work for them. As a result, there is no way to see inside the black box of the child support system; to shine a light on the ways that the system can be weaponised and make the tactics of financial abuse visible so that solutions can be found. This survey makes the invisible visible to reveal a path towards a system that holds perpetrators to account while upholding children's right to financial support.

What we know about mothers' experiences of child support in Australia

Research shows that the Australian child support system is a complex policy black box (Cook, 2019; WLSA, 2024; Vnuk, Smyth, & Aleema, 2020). Resident parents are more likely to be mothers, taking up the bulk of overnight care time, and with it, the bulk of financial responsibility (Cook & Skinner, 2019; WEET, 2023). Cook and Skinner (2019) showed that resident parents continue to be primarily responsible for meeting their children's needs, as costs such as school fees, extra-curricular activities, and unexpected medical visits are covered by mothers (WLSA, 2024). Child support payments thus take on special meaning, as women prioritise the use of child support monies for their children's requirements and are much less likely to use it for their own needs (Natalier & Hewitt, 2014).

The highly complex child support system is rife with administrative burdens, as mothers contend with tensions and risks as they pursue child support payments, or work to reach agreements with their ex-partners (Natalier, Cook & Pitman, 2016; WLSA, 2024). Cook (2021b) highlighted how burdensome the system is on single mothers, as they are required to supply significant documentation as a requirement of FTBA receipt as well as information on their ex-partners if they wish to contest their child support arrangements. Non-resident parents – most often fathers – are free to provide information if they choose, while mothers remain kept in the dark about the accuracy of fathers' incomes (Cook, 2021b; WLSA, 2024).

An additional, complicating factor embedded in the child support system is non-compliance. Private payments (instituted in 1995) leave parents 'free' to navigate how and when a payer parent pays child support, making compliance a great unknown (Cook, 2019). At the same time Services Australia regard these payments as paid on time and in full. The research shows that child support non-compliance negatively influences women and children's standard of living, and yet Private Collect recipients receive no additional financial support from the Government in cases where payer parents are non-compliant (Natalier, Cook & Pitman, 2016; WLSA, 2024). For parents who arrange child support payments through Services Australia, known as Child Support Agency Collect, compliance is also not guaranteed. In a survey of 470 single parents, Cook and colleagues (2019) found that 43 per cent of resident parents using Agency Collect were owed child support payments. Furthermore, 66 per cent of single mothers using Agency Collect, reported that their ex-partner minimised his income on tax returns.

Women's often negative experiences of the child support system have been made possible or exacerbated by child support policy changes that have occurred since the child support system's inception in 1988. The next section outlines these historical shifts to situate the report's findings and recommendations within the current policy context.

Child support system's inception 35 years ago

In the 1980s, Australia's child support policy was developed in response to increasing concerns about child poverty in single parent headed households, alongside state goals to limit social security expenditure (Cook, 2021a; Cook, McKenzie, & Young, 2015; Edwards et al., 2001; Fehlberg & Maclean, 2009; Graycar, 1989; Parker, 1991)[I]. Following Prime Minister Hawke's famous claim that "no Australian child will be living in poverty", the Labor Government introduced a range of reforms, including a legislated child support system to replace the costly, inaccessibility and ineffective court-based system that previously existed.

The determination of Child Support Scheme principles (e.g. legislative formula, automatic wage withholding, collection through the tax system, inclusion of non-benefit recipient parents) in 1986 was followed by the introduction of child support legislation declaring child support payments as an entitlement. The creation of the Child Support Scheme (1988-89) and the child support formula (1989-90) enabled the Government to reduce their

[I] See 1.3.2.10 Amendments to the CSRC Act for a full history of changes https://guides.dss.gov.au/child-support-guide/1/3/2/10

expenditure on single-parent households (Alexander, 1995; Cook et al., 2023). Implementing a national administration system to collect child support was considered groundbreaking. The Scheme's ambitions were to overcome the limitations of the existing court-based system (Fehlberg & Maclean, 2009) by establishing the collection of payments through the Australian Tax Office, where the Scheme's administrative functions remained until 1998.

The institutionalisation of the Australian child support system and child support formula, managed at the time by the Child Support Agency (CSA) and housed within the Australian Taxation Office, saw single parent poverty decrease from 41 per cent to 23 per cent by the end of the 1990s (Cook, 2021a; Wilkins, 2007). Despite the decrease in albeit still high poverty rates, child support compliance was subpar and child support debts remained high (Cook, Mackenzie, & Young, 2015). By 1994, the principles agreed upon in 1986 were deprioritised, as private agreements were supported amid payer's frustrations over wage-withholding and autonomy, noted in The Joint Select Committee on Certain Family Law Issues (1994) report.

Significant reform two decades ago

In 2003, in response to significant lobbying from fathers' rights groups (Smyth, 2005; Smyth & Henman, 2010), the Howard Coalition Government convened a House of Representatives Standing Committee (HRSC) inquiry into the child support system. However, the inquiry failed to address the concerns of child support recipients, who were predominantly women (Cook & Natalier, 2013). Notions of fairness dominated a Ministerial Taskforce (made up of six men and only two women), and a new formula was devised. The outcome of the 'fairer' formula benefited high-income payers, while negatively impacting low-income payees (Cook & Natalier, 2013; Smyth & Henman, 2010).

In response to the inquiry and subsequent Ministerial Taskforce on Child Support report (2005), the Howard Government introduced reforms, implemented between 2006 and 2008, that granted payers more control over how child support payments were spent by payees. The changes were spruiked under the guise of 'fairness' and ensuring parental involvement in a child's life post-separation (Cook & Natalier, 2013). Graycar (2012) highlighted that fathers' experiences of the child support system were privileged over mothers' and children's needs and experiences amid the policy reforms. As a result, fairness for men and men's financial wellbeing were central to the overhaul of the system (Fehlberg & Maclean, 2009; Cook & Natalier, 2013; Smyth & Henman, 2010). Men with higher incomes and more frequent overnight care benefitted financially from the changes. Natalier and Cook (2013) argued that the 2005 changes undermined and removed any actionable powers to limit non- or underpayment of child support.

With agreement, payers could provide all child support in-kind on a prescribed range of items, such as school fees or health care costs. However, even without agreement, payers were able to provide up to 30 per cent of child in-kind (Ministerial Taskforce on Child Support, 2005). Alongside the increased control provided to child support payers, tightening of payment eligibility and growing welfare conditionality impacted Parent Payment Single (PPS) recipients (Summerfield et al., 2010). These changes meant that new PPS recipients whose youngest child was over 8 were increasingly compelled to participate in welfare-to-work activities and moved onto the lesser Newstart payment (now JobSeeker Payment) - a payment designed for short-term use by jobseekers and not caregivers. Mothers already receiving Parenting Payments prior to 1 July 2008 were eligible or a grandfathered' model, retaining eligibility until their youngest child turned 16. The Gillard Labor Government controversially removed this provision in 2012. What was most significant for low-income child support recipients was the shift in the eligibility and conditions of receiving PPS. These changes, particularly for new PPS recipients, resulted in greater need for Family Tax Benefits, particularly Part A payments.

Increasing weaponisation one decade ago

In 2013, under the banner of "strengthening compliance for child support", the Australian Government altered the method for estimating payer income in circumstances where payers did not lodge tax returns (Commonwealth of Australia, 2011, p. 197). Prior to the change, when payers had not lodged tax returns for two years or more, the figure equating to two thirds of the Male Total Average Weekly Earnings (MTAWE) was imputed into the child support formula to calculate liabilities. The new method instead imputed the income reported in the payer's last known tax return, indexed for

growth in real wages. A consequence of this change in payer income estimation was that, over the course of the following four years, single mothers Family Tax Benefit Part A payments from the Australian Government were estimated to be reduced by $78.7m due to higher child support assessments (Commonwealth of Australia, 2011).

In 2017, the Morrison Government cemented the financial damage caused by previous reforms, as Family Tax Benefit overpayments were fervently pursued (Klapdor & Grove, 2018). In cases where child support payers lodged late tax returns, parents would have their child support entitlements retrospectively calculated. Coupled with the assumption that payers had paid full entitlement amounts, FTBA entitlements were also retrospectively calculated for women using Private Collect. Whether payers had met their entitlements or not, payees could face FTBA debts owed to the Australian Government. The Morrison Government estimated that it would save $23m as a result of this reform, while commentary at the time noted that these provisions were unnecessary.

> **While some of these changes address important issues raised by key stakeholders and families involved with the child support program, others appear to address anecdotal concerns raised during the committee process and little evidence has been presented in support of the changes. In particular, aligning debt recovery provisions for payee overpayments with those that currently apply to payers has not been supported by evidence showing that the existing recovery provisions for overpayments are not working or that there is a significant problem of payers not being reimbursed any overpayments (Klapdor & Grove, 2018, p. 3)**

As a result of changes to the child support system since its inception, it has become increasingly possible for abusive ex-partners to use the child support system as a tool to enact financial abuse. A reason why the system has been able to be weaponised is that its technical workings have been largely hidden from view and are rarely subject to scrutiny. In this report, we open the black box that is child support, to shine light on problematic practices that need to be rectified.

Opening the black box

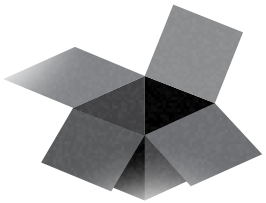
The concept of a 'black box' has two related meanings, both of which are useful to our analysis of the child support system.

First, a black box describes a phenomenon where the inputs and outputs of a process are known, but where the implementation is opaque. For child support, a complex array of policy settings and procedures are documented, and there exists data on the performance of the child support system in terms of the number of users, value of assessments and payments. However, what is unknown is how the system works, or where it might not work. Our survey opens this box. It looks at how each component of child support's intricate and technical system operates for the women who are responsible for enacting them.

Second, a black box – in the context of an air crash investigation – contains critical data on the performance of the aircraft's systems which shed light on how and why the disaster occurred. Related to child support, while the system is increasingly coming to be seen as a disaster for women experiencing violence, the black box has yet to be recovered and its data analysed. Our survey retrieves the black box, which lies in the experiences of system users, and sifts through the data to understand exactly how the system fails victim-survivors.

While the use of the child support system to inflict financial abuse is now well understood, what remains unknown is how the system operates to provide perpetrators with such opportunities.

In this report, we systematically step through the child support process to identify the points where women face untenable decisions – often in the context of policy rules and requirements – that place them at financial or physical risk. We open the black box that contains the incredibly complex and technical workings of the child support system to spell out exactly how the system fails women and where abusers can take advantage of loopholes or unsafe processes. These sites of financial abuse exist where women have all of the responsibility and none of the control, and yet single mothers and their children suffer all the negative consequences. Given the paucity of data that exists on how the system operates (DSS, 2024b), we contrast the purported workings of the child support system with the lived experience of women who are subject to it.

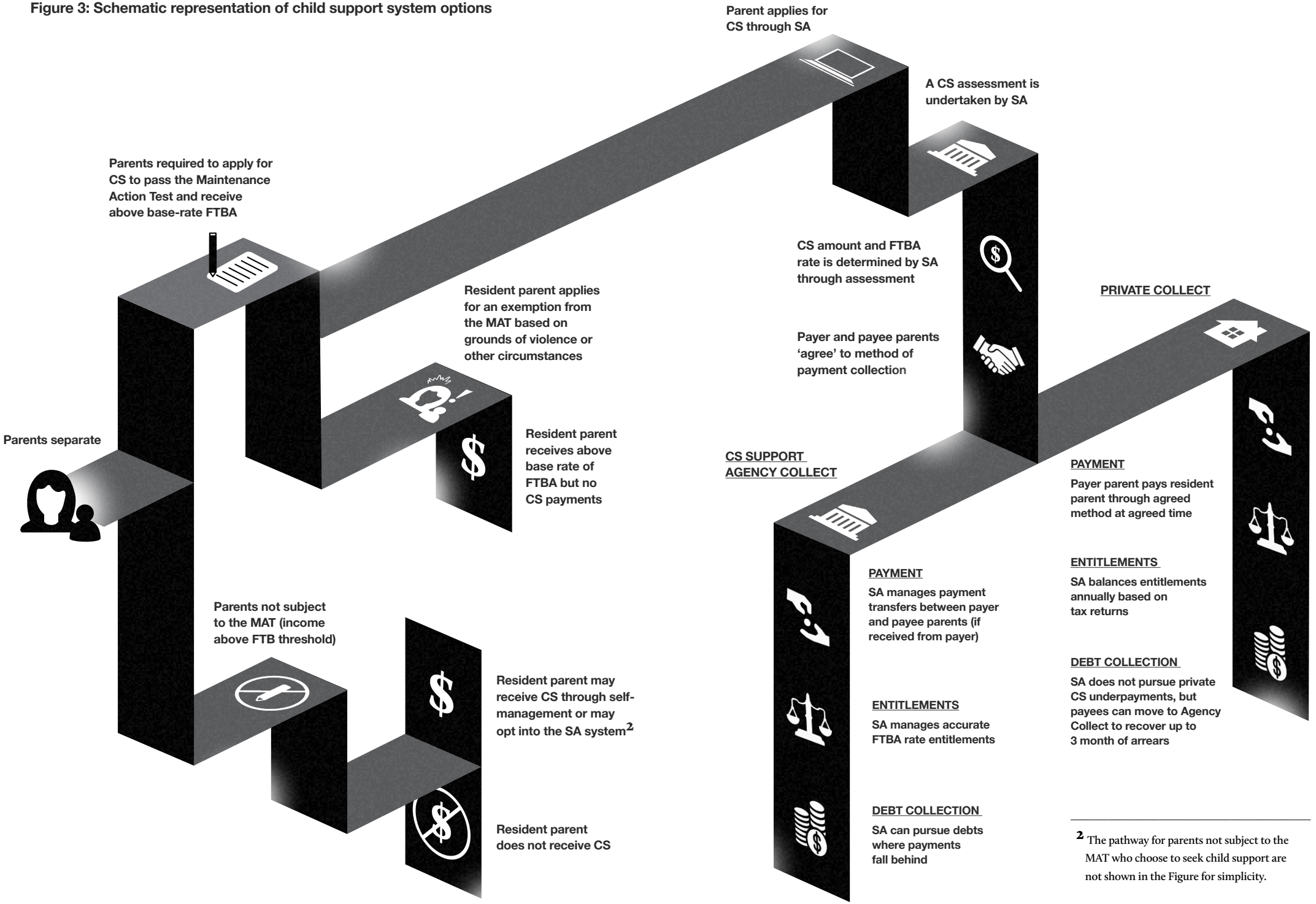


Child support process and opportunities for financial abuse

While child support may seem relatively straightforward, it is an extremely complicated area of policy. In addition, parents must navigate this complex system without detailed information or advice regarding the implications of their decisions, particularly in the context of ongoing family violence.

The child support system involves several decision-points for women, including choosing whether to pursue child support, how to collect payments, how child support will interact with their family payments, and how or whether to pursue arrears. These decision-points are set out in Figure 3 and described with respect to the legislated options available to women, as detailed in the remainder of this section.

Figure 3: Schematic representation of child support system options



[2] The pathway for parents not subject to the MAT who choose to seek child support are not shown in the Figure for simplicity.

Maintenance Action Test

When Australian parents separate, a determination is made as to whether resident parents need to apply for child support through Services Australia. For parents who earn an income above the Family Tax Benefit (FTB) threshold, an application for child support is not required. These parents may 'self-manage' child support payments, in which case Service Australia is not involved in such agreements unless parents 'opt in'. All other resident parents who earn under the FTB threshold must apply for child support through Services Australia to receive above the base rate of FTBA. This requirement is known as the Maintenance Action Test.

For resident parents to receive FTBA above the base rate, they must seek child support from their ex-partner, or be granted an exemption. However, not all eligible parents do so, thereby 'failing' the MAT. The highest proportion of families who failed the MAT (14%) were those with Indigenous children, and those with very young children (EIAC, 2023). If resident parents do not seek child support from their ex-partner, they can only receive the FTBA base rate, unless an exemption has been provided.

Exemptions from the MAT may be granted for reasons including, for example, a history of family violence, fears that applying for child support following separation might result in harm, or if the identity of the other parent is unknown (see also DSS, 2024f). Exemptions are not granted when "the individual does not want any involvement with the payer" (DSS, 2024f). Exemptions require significant documentation to be granted.

Assessments

For parents who do not have an exemption, child support assessments are carried out by Services Australia following the 8 steps that make up what is known as the 'Basic Formula':

1. Work out each parent's child support income.
2. Work out the parents' combined income.
3. Work out each parent's income percentage.
4. Work out each parent's percentage of care.
5. Work out each parent's cost percentage.
6. Work out each parent's child support percentage.
7. Work out the costs of children.
8. Work out the child support amount.

Working out each parent's child support income relies on an annual tax return, which in turn can be legally minimised through business deductions, family trusts and salary sacrificing. These options are less available to single mothers who are more likely than separated fathers to be in low-waged employment or reliant on income support payments following separation (de Vaus et al., 2017).

In cases where payer parents have not lodged a tax return in the previous year, or when they are self-employed, Services Australia calculates a provisional income based on either their last lodged tax return, adjusted for inflation, or, on two-thirds of the male total average weekly earnings

as income, currently approximately $68K (DSS, 2024g). The highest resulting income is used to calculate the payer parent's provisional income. Recent data shows that as of June 2024, just under one third (28%) of payer parents were using a provisional income (DSS, 2024b).

Each parent's percentage of care is calculated using the number of nights that children are agreed to spend at each parent's house. The proportion of each parent's overnight care is then used to calculate the percentage of costs assigned to each household, as presented in Table 1.

Table 1: Care and cost percentages within the child support formula

Percentage of care	Cost percentage
0 to less than 14%	Nil
14% to less than 35%	24%
35% to less than 48%	25% plus 2% for each percentage point over 35%
48% to 52%	50%
More than 52% to 65%	51% plus 2% for each percentage point over 53%
More than 65% to 86%	76%
More than 86% to 100%	100%

Source: (DSS, 2024e)

Should the actual number of nights vary from what has been agreed, parents can seek a Change of Assessment or return to Family Court to have agreements updated; however, these are burdensome processes that may limit modifying child support care time percentages.

Following assessment and the determination of the child support amount, the collection pathway is 'agreed' upon by parents.

Collections

Once a child support assessment has been completed, parents can opt for either Agency Collect or Private Collect. Agency Collect means that Services Australia manages payments including transfers between payer and payee parents. Services Australia spruiks the benefits of this approach, such as their recording keeping of payments and ongoing management of accurate FTBA entitlements (Services Australia, 2024). Within Agency Collect, Services Australia can only transfer payments if they are received from the payer.

For parents who opt for Private Collect, Services Australia assumes 100 per cent compliance with respect to child support payments. Private Collect thus results in the full amount of child support being used to calculate FTBA payments. In circumstances where Private Collect payers fail to lodge tax returns a provisional income is applied. This lower income estimate may subsequently lead to a payee FTBA debt when tax returns are later lodged, incomes and thus child support assessments are retrospectively revised upwards – and assumed to have been received in full at that time – resulting in FTBA overpayments (Services Australia, 2024; EIAC, 2023).

Compliance and debt recovery

For parents using Agency Collect, Services Australia can pursue child support arrears through income support payment deductions, intercepting tax refunds, using third party, employer or bank account deductions, litigation or prosecution. Despite these avenues for pursuing child support arrears, Services Australia provides no guarantees on how successful their efforts will be or how long child support enforcement efforts will take (Services Australia, 2024).

Private Collect differs in that Services Australia cannot pursue child support arrears unless the payee parent nominates to move to Agency Collect. In these circumstances, Services Australia can pursue three months of overdue payments, or in exceptional circumstances, nine months of payments.

Shining a light on the erroneous assumptions embedded in the child support system

While child support may seem relatively straightforward, it is an extremely complicated area of policy. In addition, parents must navigate this complex system without detailed information or advice regarding the implications of their decisions, particularly in the context of ongoing family violence.

The complexity of child support in policy and practice is masked by a number of assumptions that are not based in the reality of women's experiences of navigating the child support system. Here, we identify a number of erroneous assumptions that keep the operation of the child support system in the shadows before testing these using our survey data:

1. Violence ends at the point of separation and non-physical violence is not as harmful as physical violence.

2. Seeking an exemption is an appropriate response to family violence, and a straightforward process that will not retraumatise victim-survivors.

3. Parents will not hide or minimise their incomes.

4. Parents will take up the share of care recorded in their child support agreement.

5. Child support assessments accurately balance payees' costs of children with payers' capacity to pay.

6. Parents can freely agree on the collection type that suits them both.

7. Private collections are arranged between parents who get along, will work together, and will not be used to hide payment outcomes.

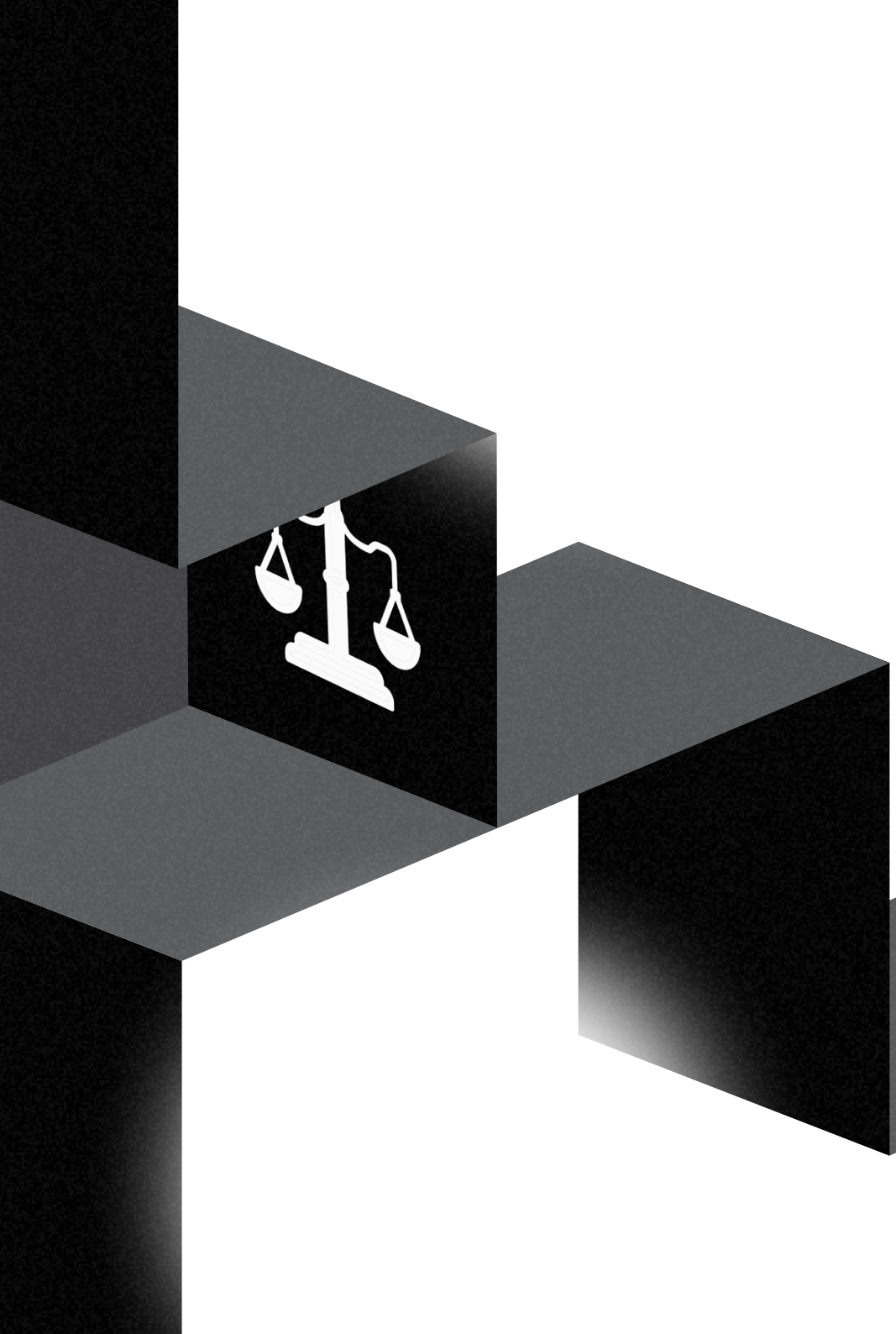
8. Payers will provide the assessed amount of child support, and it will be paid on time.

9. Debts will be recovered through Agency Collect, including that it is straightforward for resident parents to switch from Private to Agency Collect to recover debt.

10. Child support collections and shortfalls will not jeopardise women's financial security through Family Tax Benefit Part A (FTBA) shortfalls and debts.

The conclusion to be drawn from these erroneous assumptions is that the child support system will not be weaponised and that remedies for women experiencing family violence are responsive and accessible. This narrative contrasts with advocates' and governments' increased understanding of payers' malicious actions. The loopholes and blind spots created by these erroneous assumptions can be leveraged to inflict harm on child support payees. At the same time, a lack of data obscures these malicious intents and their harmful outcomes.

Our survey seeks to bring these erroneous assumptions out of the shadows and into the light, illuminating how and where the child support system is weaponised.



Methods

The survey builds on the work of our previous two reports, the first being *Debts and Disappointments: Mothers' Experiences of the Child Support System* (Cook et al., 2019), that surveyed 470 respondents (99% women) to better understand financial hardship experienced as a consequence of child support interaction. The report concluded with a research agenda for quantifying the extent to which the child support system could be weaponised.

The second report, *Financial Abuse: The Weaponisation of Child Support in Australia* (Cook et al., 2023), surveyed 540 respondents and showed the ways in which the child support system is used to enact financial abuse. The survey set out to unpack how the child support system is working (or not) for women, and where abusers can take advantage of loopholes and processes.

The current survey delves deeper into the processes that women experience when seeking to be exempt from, establish, manage and enforce their child support orders. The purpose is to reveal how the system may be weaponised so that these blind spots can become visible, and loopholes can be closed.

Ethics approval

Prior to distributing the survey, the project was reviewed and endorsed by the Swinburne University of Technology Human Ethics Sub-Committee for low-risk applications, approval number 20247997-18786. As part of this process, the survey questions were reviewed and piloted by a small group of single mothers to ensure clarity and appropriateness of the questions and response options.

To ensure the rigour of the findings reported here, a draft of the results was peer reviewed prior to publication, with amendments made to the final content as a result.

Data collection

In this survey, we again used the online Qualtrics platform to collect anonymous responses from single mothers, this time regarding their experiences of the workings of the Australian child support system. The survey was open for two months, from 7 June to 16 August 2024.

The 175-question survey, which took approximately 30 minutes to complete, contained 10 parts, including blocks of questions on income and family characteristics, perceptions of control over child support payments, applying for child support, working out child support entitlements, collection of payments, views on payer compliance, interactions with Family Tax Benefit payments, interactions with other institutions, and demographics. The survey examined how women experienced the child support system from the time of separation to the finalisation of their child support engagement. Our questions focused on how women made decisions about child support, particularly in the context of ongoing financial abuse and family violence.

The survey questions explored women's experiences, with 'skip logic' directing women only to the questions of relevance to their situation. Wherever possible, the response option 'Other' allowed women to provide further details and report experiences that lay outside of our preconceived categories.

Recruitment

The survey was distributed by Single Mother Families Australia through their LinkedIn and Facebook pages and on-shared by other social welfare and advocacy organisations.

In total, 800 respondents commenced the survey. However, after removing records where no questions at all were answered, a total of 696 surveys were received. Of these, just over 1 per cent (n = 10) of participants responded 'no' to the first question that asked if they were a single, sole or re-partnered parent with care of a dependent child or student. These respondents were then exited from the survey and also our analysis.

Of the remaining 686 respondents, 98 per cent identified as female, although we acknowledge the contributions of eight men (1%) and two non-binary and one 'other' sexed person who also completed the study. To avoid conflating these 11 respondents' answers with women's experiences, we excluded these surveys from the analysis. We encourage further research to continue the work of Gahan (2019) and others (Power et al., 2010) to conduct specific research with non-binary parent cohorts who are disproportionately likely to experience violence (DSS, 2022).

As a result of these exclusions, our final sample was 675. However, the number of responses for each question reported in our results was often far lower than 675 for three reasons. First, 'skipping logic' omitted questions that were deemed irrelevant given a respondent's previous answers. Second, it is typical for the number of responses to decline over the course of a survey, as respondents exit the survey without completing it. Third, respondents were free to skip questions, such as if they deemed them irrelevant, too personal or traumatic. For these reasons, the number of responses for any given question was often lower than the total possible.

In addition to the three reasons why the number of people responding to a question may be lower than the total sample, in our analysis, we often focus in on a sub-sample of respondents. For example, at times, we may report only on the experiences of those respondents who collected child support privately, or who had experienced violence prior to separation, or both. In such cases, the number of participants includes only a sub-set of all women who completed the survey.

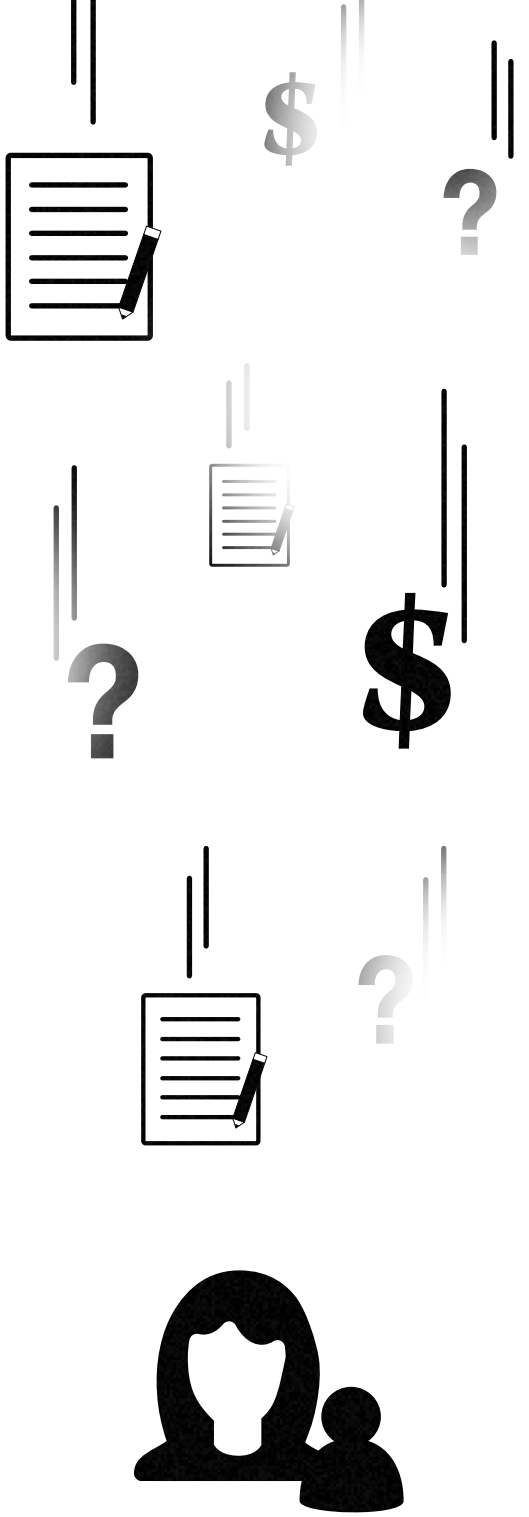
Limitations

A number of factors limited the breadth and depth of our data. First, given the length of time required to complete the survey, we were not able to ask all questions that were important to women's experience of the child support system. For example, while we asked about action women took to rectify what they deemed as an incorrect child support assessment, we did not ask follow-up questions about their success, or lack thereof.

Second, other than two questions asking about the forms of violence women experienced upon separation and currently, we did not ask detailed questions about the nature of abuse, as we did in our previous survey (Cook et al., 2023). The omission of these questions served to limit the length of the questionnaire as well as the emotional burden placed on respondents. However, future research should have a dual focus on the administrative processes that abuse exacerbates as well as their impacts.

Third, our survey did not extend to other legal or administrative systems that are connected to the child support system, such as the Family Court and Australian Tax Office. Again, given the time commitment required of participants, we focused exclusively on the child support system governed by the Department of Social Services and operated by Services Australia.

Finally, despite our large sample size, in this report we were unable to apply an intersectional lens to our analysis, such as by disaggregating the findings for those women most likely to experience family violence, such as Indigenous women, women with a disability, recently arrived migrants, and women living rurally and remotely. Further analyses of our qualitative and quantitative data on particular issues will shed light on the specific administrative burdens faced by these women, which we will report separately.



Findings

Participants

Our sample is not representative of all single mothers who are engaged with the child support system. Rather our findings should be read as indicative of the subset of women for whom the system is not working. In particular, our findings report on the experiences of women experiencing violence at the time of separation, and for whom violence is an ongoing backdrop to their child support engagement.

90%

of respondents were single, sole or re-partnered parents with at least one dependent child under age 18, with a further 9% of respondents only having children over 18.

67%

of women had two or fewer children

83%

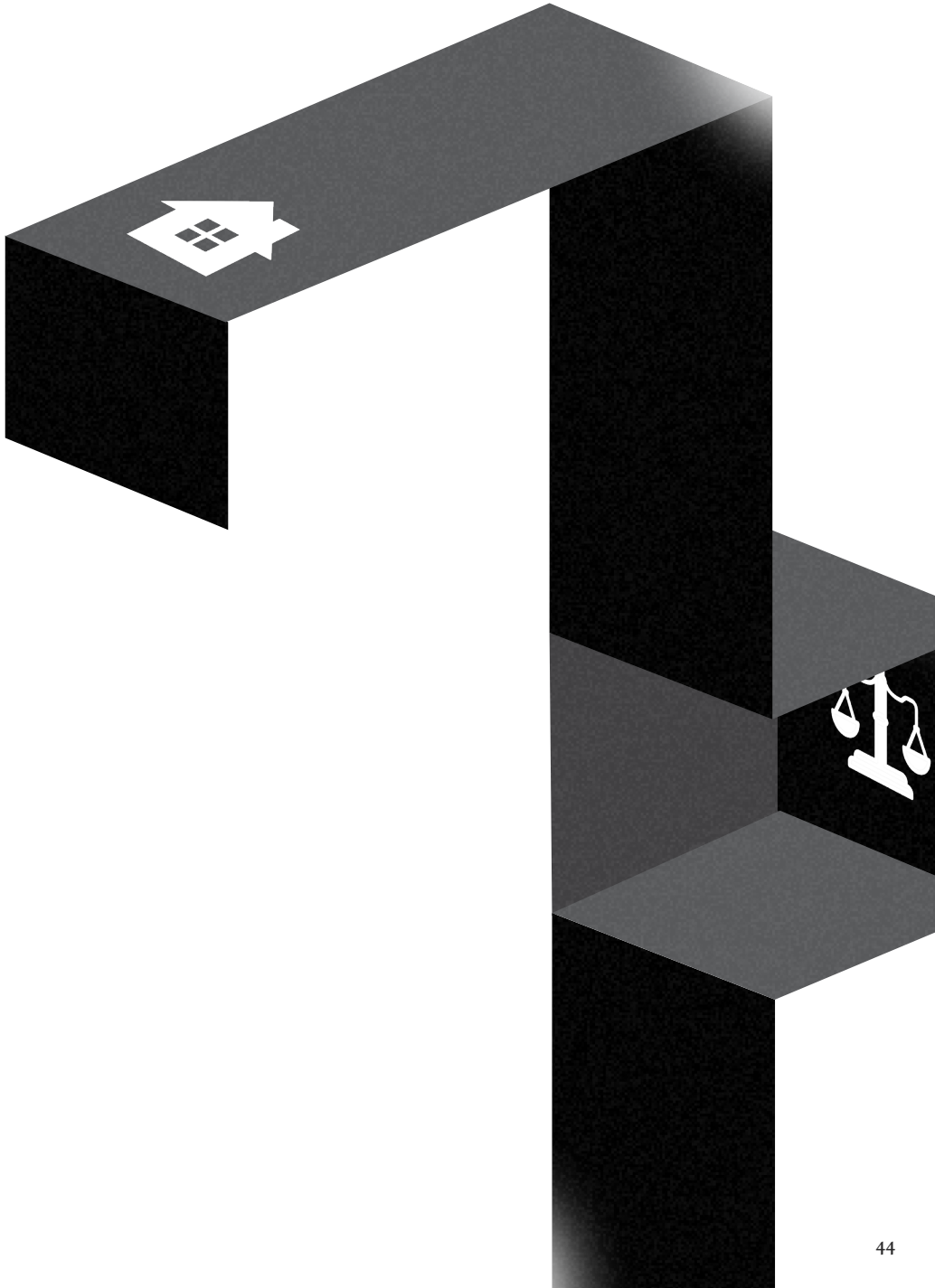
of respondents were born in Australia

4%

of mothers identified as Aboriginal or Torres Strait Islander, and 7% of children[3]

90%

spoke mainly English at home



[3] The proportion of First Nations participants in our sample is consistent with the proportion in the Australian population, although it is acknowledged that First Nations people are often uncounted in official statistics, so the reported population percentage may be an underestimation (Australian Human Rights Commission, 2024).

Disability

35%

of respondents had at least one child living with a disability.

20%

of respondents had a disability themselves, aligning with national disability prevalence (21.8%) (see ABS, 2024).

Income

72%

of respondents reported wages or salary as their main source of income, with 26% most reliant on government payments.

74%

Of those in employment, most (74%) were in permanent or ongoing positions, with 11% on contracts, 8% employed casually and 6% self-employed.

33 hours

The average number of hours worked per week by all women was 33.

$1018 per week

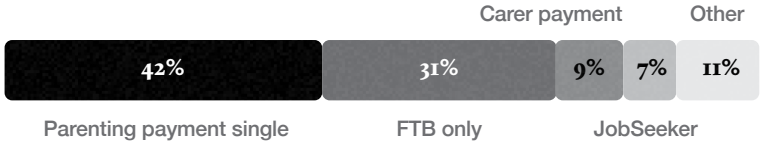
Women's median total income, after tax was $1018 per week, equating to an annual after-tax income of approximately $53,000 per annum.

Centrelink payments

77%

of respondents received some sort of Centrelink payment.

Of those receiving payments, 42% received Parenting Paying Single, while 31% received FTB only, 9% received a Carer Payment, and 7% received JobSeeker.



54% of respondents had received payments for more than 5 years, with another 31% receiving payments for 1-5 years.

Child support characteristics

On average, women had been separated from their children's parent living elsewhere for approximately 9 years, with 23 per cent of the sample having separated between 2014 and 2016. The most recent separations occurred in 2023 (2% of respondents) with the least recent occurring in 2000 (0.4%). Less than 2 per cent of the sample separated during or earlier than 2005, while 22 per cent of the sample separated during or after 2020.

Child support agreements

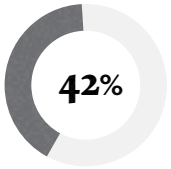
Of all women, almost half (49%) stated that applying for child support following separation was something that they wanted to do. A third (33%) of women said that they didn't want to apply, and a further 19 per cent[4] noted 'other' motivation, which included women who were payers of child support, and many who chose 'other' while indicating that they wanted to apply for child support but were conflicted about balancing their children's right to support with the potential repercussions.

> Yes because he has a financial responsibility but had significant fear of applying because I knew it would lead him to be more abusive and controlling, which is exactly what happened.

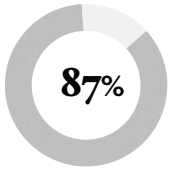
> Yes [I wanted to apply for child support]- in a sense. The non custodial parent should absolutely contribute to the cost of raising the children they make. The exemption *might* have prevented or minimised 6 years of ongoing legal abuse and the use of technology to stalk and harass me (still current). However, it is not a guarantee that the abuser would/will leave us alone. The loss of FTB against child support assessments assumes the paying parent will pay and the provision for FTB to be distributed according to what is received leaves the weekly budget in ruins if a long-standing CS debt is eventually paid via tax return garnishment.

4 Reported statistics may not sum to 100 due to rounding.

The main reason why women applied for child support was to ensure their ex-partner supported their children (63%), which was consistent with children's right to receive support from both of their parents and the government's responsibility to facilitate such transfers (UNCRC, Article 27(4)).

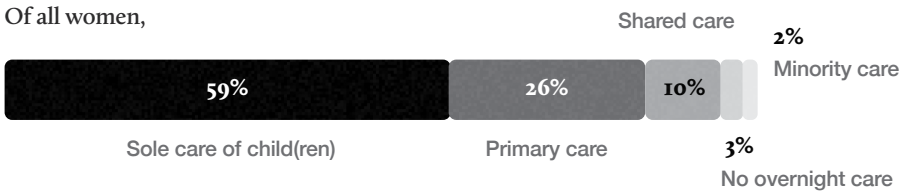


Women's primary motivations not to apply for child support were to avoid increasing conflict with their ex-partner (42%) and to reduce their risk of violence (31%).



For those women who had a child support agreement, the vast majority of women (87%) had one agreement in place. For those women with multiple agreements, almost all (85%) had two, with a further 12 per cent having three. The subset of women who had multiple child support agreements were asked to complete the remainder of the survey with reference to the agreement relevant to their oldest child aged under 18.

Overnight care



59 per cent of mothers had sole care of their child(ren), with another 26 per cent having primary care (65-99% of overnight care), and 10 per cent having a shared care or joint parenting arrangement (35-64% of overnight care). Three per cent of mothers had no overnight care of children, with a further 2 per cent having minority care (1-34% of overnight care).

80 per cent of women reported that Services Australia considered them a child support recipient, with 6 per cent payers and 15 per cent as neither.

Almost half (48%) of women reported that their percentage of overnight care of children had changed since they first separated. Of these women, a slightly smaller proportion (47%) reported that the change was with their agreement, compared to the 52 per cent who reported that the change was made unilaterally by their ex-partner.

Of the women whose contact patterns were changed, both with and without agreement, a third of children spent increased time with their mother while a third decreased overnight care with their mother. However, when mothers' overnight care-time increased, the qualitative data revealed that often child support orders did not provide mothers with more resources to cover their increased share of children's costs.

> **Although we have orders in place which grants my ex-husband fortnightly Access, He has not bothered to come and collect my son. So even though I have full care, The [child support] equation is based on fortnightly access.**

> **Chose to reduce contact to almost nothing. I have not protested this because he was abusing the children on court ordered, unsupervised visits so him deciding not to bother is the best outcome.**

When fathers' share of care increased, however, women often remarked in the qualitative comments that this resulted in a change of child support arrangements to either stop payments to the mother or require the mother to pay the father.

> Stole the children so he wouldn't have to pay Child Support as they caught up to his fraud.

> Refuses to follow court orders - has contraventions over many years. Does not facilitate or support my court ordered parenting time in order to continue financial abuse and earn child support.

Child support assessments

Of those who responded to the question, the majority of women (54%) had a child support assessment calculated using the formula, rather than their ex-partner being prescribed to pay the minimum assessment amount that is currently $8 per week (16%). A larger proportion of women than those who were expecting the minimum payment expected to receive no child support at all (20%), with a further 9 per cent reporting not being sure of what they were assessed to received, or working it out with their ex-partner as needed (2%). Across the entire sample:

- the average amount of child support assessed to be paid in the previous month was $546.
- the average amount received in the previous month was $298.

Child support receipt

4% Some women (4%) received more child support than they were expecting,

25% while a quarter (25%) received the same amount as they were expecting.

48% Almost half of all women (48%) received less child support than was owed in the previous month,

66%

with two thirds of these women (66%) receiving none of the money that they expected to receive.

23% Finally, just under a quarter of women (23%) expected to receive – and did receive – nothing in the previous month.

Less than 30 per cent of the women in our study reported receiving the amount of child support they were entitled to, or more. The majority experience, however, was women reporting receiving less or none of what was owed, or of not expecting anything at all.

While Government statistics report it collected $1.98b in liabilities from the $2.06b in assessments (DSS, 2024b), the 96% collection rate only includes Agency Collect. At the same time, research continually reports extreme levels of underpayment and non-compliance (Cook, 2019; Cook et al., 2019; Cook et al., 2023; JSCAFLS, 2021). There is an enormous discrepancy between women's lived experiences and official accounts of how the system operates.

Ensuring payments are received is the most pressing issue for the public's confidence in the system, and yet child support compliance has been routinely removed from the terms of reference of parliamentary inquiries (HRSCFCA, 2003), Ministerial taskforces (Ministerial Taskforce on Child Support, 2005), as well as the current Child Support Expert Panel's remit (DSS, 2024a).

Ensuring children's right to receive support from both of their parents is what mothers want. And yet there are many barriers that mothers face in ensuring their children's entitlements. Our findings identify these barriers and ways that the system can be reformed.

> To support me and my children as the father refused to provide any financial support.

> To provide a residential standard of care for my child which would mean I didn't have to work full time and my child got to have at least one parent home.

> To ensure fair and equitable provision of necessary expenses for the children as we have 50/50 care and he earns almost double my wage.

> So the children's father was contributing to the children's wellbeing.

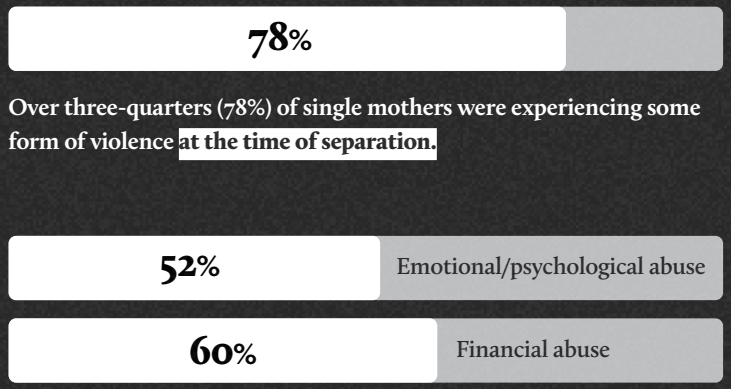
> I have a disability and I was the [sole] provider and I couldn't afford to live without the help of Child Support.

> Because I believe children deserve to be fairly supported financially so they are not disadvantaged.

> Because why should I pay for everything? With the system as it is, it's unlikely I'll get paid. But he should be accountable too. Everything is left to the woman.

> To afford to care for my kids and support them.

Violence as a backdrop to women's lives



> Due to highly volatile situation with my ex, I waited to apply for child support after months of him not paying anything as he [insisted] on a private arrangement, and was psychologically abusing me if I brought the subject up. When I finally applied for child support, I was subjected to ongoing verbal abuse and intimidation.

> a Centrelink social worker changed my son's father to unknown so I wouldn't be murdered.

> Multiple reasons; conflict, violence by ex and threatening to take kids or kill us if I tried to get child supp and knowing that my ex would have full control over how much he paid cs as he would just take cash payments from his business or only pay himself a minimal amount to alter his tax. I didn't want to, I called and explained my ex was abusive. They called him and told him what I said. This in turn led to him arriving on my door step threatening me. Thanks child support. After that I chose private collection, because then he didn't have to pay it and left me alone.

> I didn't realise you could apply for an exemption. The father of my child can see my taxable income via child support (private collect) and uses it as a weapon to not pay any child support in the past 1.5 years. Even prior, he claimed to earn less than $30K p.a and had to only give me around $2K p.a towards our son in my sole care.

The rates of violence that women experience must be held front-of-mind when interpreting the survey findings regarding how the child support system is experienced.

Of the 78 per cent of women who were experiencing violence at the time of separation, almost all (96%) were experiencing emotional/psychological abuse. Worryingly for women's often-mandatory inclusion in the child support system, many (84%) were already experiencing financial abuse at the time of separation.

For those women who reported experiencing violence at the time of separation, the rates of abuse lessened after separation. However, the majority of women were experiencing either financial or emotional/psychological abuse at the time of the survey (Table 2).

1.

INCORRECT
Violence ends at the point of separation and non-physical violence is not as harmful as physical.

Table 2: Types of abuse experienced

	Upon separation	After separation
Emotional/ psychological	96%	52%
Financial abuse	84%	60%
Physical abuse	54%	1%
Sexual abuse	37%	<1%
Technology facilitated abuse	33%	11%
Religious/ spiritual abuse	12%	2%

A similar proportion of victim-survivors (46%) compared to the entire sample (49%) wanted to seek child support, with 61 per cent of each cohort noting their primary motivation as ensuring that their ex-partner financially supported their children. This similarity is unsurprising given the high incidence of violence within the overall sample.

As for victim survivors' reasons for not seeking child support, these were again similar to the entire sample, with the main reasons being not wanting to increase conflict with their ex-partner (41% compared to 42% for the entire sample) and to reduce their risk of violence (36% compared to 31% for the entire sample).

However, while a similar proportion of victim-survivors wanted to seek child support, this did not necessarily translate into equal proportions of victim-survivors and non-survivors apply for, or receiving payments.

2.

INCORRECT
Seeking an exemption is an appropriate response to family violence, and a straightforward process that will not retraumatise victim-survivors.

A MAT exemption provides women leaving violent partners with relief from ongoing violence, but it is inconsistent with the principles of the *National Plan to End Violence Against Women and Children 2022-2032* that seeks to hold perpetrators to account. In its present form, the MAT financially rewards perpetrators by letting them keep money that would otherwise be paid to support their children living elsewhere.

Impossible choices or no choices at all

In the context of past and ongoing violence, women faced impossible choices that spanned decision-points that existed across the entire child support system and could go on for decades. Often, women's 'choices' were made in the context of mandatory policy requirements, such as the Maintenance Action Test (MAT) and the Maintenance Income Test (MIT), which are based on erroneous assumptions about separated parents' motivations and behaviours that our findings show do not represent reality.

To better understand the impact of violence, much of the subsequent analyses will compare women's experiences of the child support system for those who were and were not experiencing financial abuse, either at the time they were making decisions about how child support would be arranged, or currently with respect to how they manage the debts and payments and subsequent benefit system interactions.

The purpose is to highlight the points in the system where women are placed in impossible situations where they seek to minimise abuse by their ex-partner. Women's options are constrained by the often-punitive rules of the child support and Family Tax Benefit payment systems; rules that are able to be weaponised to inflict financial harm on victim-survivors.

The Maintenance Action Test

Women leaving violent partners, which in our sample was four out of every five women, were faced with impossible choices between a series of competing options, each of which entailed their own logistical, physical, financial, legal and/or psychological risks:

1. Identifying their ex-partner as violent to Services Australia, which could expose them to further violence.
2. Proving to Services Australia that their ex-partner posed an ongoing risk, thus exposing them to further violence.
3. Foregoing child support income that their ex-partner would otherwise be required to provide to their children, thus risking harm to their children who will miss out on the benefits of additional income.
4. Foregoing Family Tax Benefit Part A payments above the base rate if child support is not sought, thus risking harm to their children who will miss out on the benefits of additional income.
5. Signing a violent ex-partner up to pay child support, risking further violence.
6. Continually having to re-engage with a violent ex-partner to determine, collect on or modify child support agreements, risking further harm.
7. Relying on a violent ex-partner to provide necessary income on a regular basis, risking unreliable support and the potential of further violence.

How women sought to reconcile these often-competing risks was frequently at odds with formal policy requirements and highly dependent on Services Australia providing women with appropriate information as well as a safe service pathway. For our respondents, half of the sample (52%) did not know that their Family Tax Benefits would be reduced to the minimum if they didn't apply for child support or an exemption.

Of the women who received or applied for family payments at the time of separation, two thirds (65%) applied for child support at this time. Of the remainder who were subject to the MAT but who did not apply for child support, 11 per cent applied for an exemption, while 15 per cent did not apply for either child support or an exemption. A further 10 per cent reported 'Other' actions, almost all of such comments regarded not applying for either child support or an exemption for months, years or indefinitely in the context of threats and family violence. As such, approximately 25 per cent of the sample took no child support action when they first separated.

> The violence my children and I were experiencing wasn't worth it to apply for child support, I still haven't applied and I pay for all expenses, nothing from their father.

> it took one year of continuing financial control and poor legal advice to be told it [an exemption] was an option -lawyers need to understand the system better.

> I had no time or energy to apply sooner for child support due to DV and did not know that it is not backdated. I also had little or nil documentation with me for the application.

These women likely 'failed' the MAT, at least for the period before which they either sought child support or an exemption. Of the 25 per cent of women who either did not apply for child support or an exemption or made some 'other' arrangement, 44 per cent did not know that their Family Tax Benefits would be reduced to the minimum payment.

Our survey figures are broadly consistent with those reported by Services Australia (DSS, 2024b) data in which 15 per cent of separated parents were exempted from the MAT (for all reasons, not solely family violence) while a further 16 per cent 'failed' the MAT by "not taking reasonable action to obtain child support". These parents lose child support owed to their children, and any Family Tax Benefit payments they may have otherwise been entitled to above the base rate.

> Due to highly volatile situation with my ex, I waited to apply for child support after months of him not paying anything as he insisted on a private arrangement, and was psychologically abusing me if I brought the subject up. When I finally applied for child support, I was subjected to ongoing verbal abuse and intimidation.

It is shocking that only 10 per cent applied for a Maintenance Action Test exemption in a context where almost 80 per cent of women were experiencing violence at the time of separation. What is even more shocking is that of these 80 per cent of women, 55 per cent did not know about the financial consequences of them failing the MAT.

> **I still don't understand this system! I had no idea I could have received more FTB. I've at times been living on as little at $72 a week of FTB as my sole income to feed, house, clothe and educate myself and 2 children. I don't understand how that is possible.**

The disconnections between women's experiences, the information and assistance that they are provided by Services Australia, and the outcomes they experience illustrate the failure of the child support system to provide an effective response to post-separation violence. The opacity of the system and women's vulnerable – yet often mandatory – position within it fails to keep women financially, psychologically, physically, mentally and legally safe while also holding perpetrators accountable for their violence and upholding fathers' financial obligations to their children.

> **If I didn't have an exemption, I'd be owed $44,472.**

There were a range of reasons why women chose not to apply for either child support or an exemption, which differed based on whether women were experiencing any form of violence, or not, at the time of separation (Table 3).

Table 3: Reasons for not applying for either child support or an exemption following separation

	No violence	Any violence
To not upset family court proceedings	6%	4%
Wouldn't get anything anyway	6%	2%
To reduce risk of violence	6%	25%
To not increase conflict with ex	61%	41%
The process was too hard	-	2%
Didn't know I had to	11%	14%
Other	10%	12%
TOTAL	100%	100%

Most women (61%) who were not experiencing violence primarily reported not taking any child support or exemption action to avoid increasing conflict with their ex-partner. In contrast, a quarter of women experiencing violence (25%) did not take action as a way to reduce their risk of harm, with a further 41 per cent looking to reduce conflict.

The decision about whether to apply for child support, or not, was often stressful. On a scale from 1 (not at all stressful) to 5 (extremely stressful), women rated the stress of applying for child support following separation as 'moderately stressful'. There was no difference in how stressful the decision to apply for child support was for women who were experiencing violence at the time of separation, or not.

For almost half (45%) of all victim-survivors, the stress stopped them from applying for child support following separation, either for a while (36%), or completely (8%). However, of the victim-survivors who did not apply for child support at all or immediately, 40 per cent did not know they might be eligible for an exemption, 21 per cent did not feel they needed an exemption, 21 per cent initially received one but later had to apply for child support, while just 11 per cent received an exemption.

In our survey, despite the high rates of violence at the time of separation, most women did not achieve an exemption from seeking child support (Table 4). For those women who did receive an exemption, they remained eligible for above-base-rate Family Tax Benefit payments but lost the child support they would have otherwise been eligible to receive from their ex-partner. In addition, when women received an exemption, perpetrators were financially rewarded by not having to provide payments.

Table 4: Proportion of women with an exemption

Sample	Currently has an exemption (%)	Had an exemption, which later ended (%)
All women	8	11
Women subject to the MAT	9	12
All women experiencing violence upon separation	9	12
Women subject to the MAT experiencing violence upon separation	10	13

> I later removed the exemption as it's a free pass for fathers to not pay for children they are responsible for.

> I applied for it and when ex partner was notified, he committed assault. Was told I had to apply for exemption but only three months was given.

Of those women subject to the MAT, representing three-quarters (75%) of women in the survey, applying for child support was something that half (50%) wanted to do. This figure includes women who were subject to violence. An overwhelming theme in the qualitative data collected was that these women wanted their ex-partner to be held financially responsible for their children. However, they also wanted the violence to stop. The child support system in its current form was unable to achieve either of these outcomes.

As our results show, the child support system enables – and condones through wilful or convenient ignorance – ongoing financial, psychological and legal harm. An exemption from seeking child support is an unhelpfully blunt instrument that rewards perpetrators, fails to uphold the state's responsibility to facilitate transfers between parents, and diminishes victim-survivors' financial wellbeing.

> It's a lot easier to get him exempt from paying than to get him to pay. Whether or not a parent receives cs [child support] should not dictate if they receive family tax benefits, as having Services Australia threaten to reduce or cut it off, is triggering for victims of domestic violence, who have been repeatedly threatened by their ex to stop paying child support or to pay less, to take the children if they claim child support, to take your own benefits, to kill you and the kids if you claim child support. Services Australia aren't often sensitive enough to what some parents face from their ex partners and the stress, risk and effort placed on us, to receive and continue receiving cs. I was given an exception [sic] but my ex only paid when he saw the children, and thinks he doesn't have to pay to see them. My ex sexually assaulted our children so I will never attempt to claim [child support] again because he thinks payment of child support means he has a right to see them.

INCORRECT
Violence ends at the point of separation.

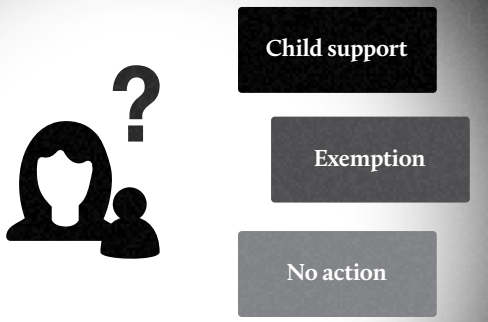
I.

Irreconcilable forces

In current policy, women are compelled to seek child support in order to pass the MAT and be eligible to receive FTBA above the base rate. As such, Services Australia could be expected to urge women to seek child support in order to maximise women's FTBA and child support entitlements. In our sample of women subject to the MAT, which excludes women as child support payers, 61 per cent reported feeling pressure from Services Australia to apply for child support.

However, at the same time, research tells us that women often experience pressure from their ex-partners to avoid or opt-out of the child support system (ALRC, 2011; WLSA, 2024). **In our sample, 71 per cent of women with abusive partners reported that their ex-partner was pressuring them not to apply for child support.**

The extent to which women must reconcile pressure being put on them to do opposite things – apply for child support or not – is an issue that Services Australia has not engaged with to date. An assumption within the child support system is that all women can either apply for child support, or an exemption. However, our analysis shows that this is not the case.



Pressure to apply from Services Australia? Yes

Pressure not to apply from ex? Yes

31%

Impossible

Almost a third of women (31%) faced an impossible situation where Services Australia was pressuring them to apply for child support while their ex-partner was pressuring them not to apply.

Pressure to apply from Services Australia? Yes

Pressure not to apply from ex? No

9%

Acceptance

Only 9 per cent of women subject to the MAT reported experiencing the policy as it is designed: to be compelled to seek child support as a requirement of receiving FTBA without pressure from their ex-partner not to do so, which we describe as acceptance. The shockingly low proportion of women in this group points to a significant mismatch between how the system is described as working on paper and how it actually works for women.

When there is violence – which our data shows is very often the case – the MAT assumes that an exemption can be unproblematically sought.

Pressure to apply from Services Australia? No

Pressure not to apply from ex? Yes

38%

Avoidance

Over a third of women (38%) felt pressured to not apply for child support by their ex-partner. However, these women felt no compulsion to make a child support application by Services Australia, despite this having potentially negative consequences for their FTBA payments. As will become evident when we present the child support application outcomes for each group later in the report, we describe the experience of women in this group as avoidance.

Pressure to apply from Services Australia? No

Pressure not to apply from ex? No

22%

Autonomy

Only one in every five women (22%) described a lack of pressure from either Services Australia or their ex-partner, which we describe as women having a degree of autonomy over their decision to pursue child support, or not. These women's relative autonomy depends on them having access to the system and accurate information to inform their decisions.

In the next section, we follow the child support application and payment outcomes for women in each of these groups.

Applying for child support following separation

Across the entire sample, only 64 per cent of mothers applied for child support when they first separated. As a result, a third of women were not set up to receive both their full FTBA payments and financial support for children from their ex-partner at a critical time. For women leaving violent relationships, the prospect of poverty looms large amid a policy context that fails to provide adequate financial support when women do leave (Summers, 2022). The risk of poverty is also heightened by withholding FTBA payments if women do not – or are too fearful to – apply for child support – often due to reasonable fear of violent repercussions from their former partners.

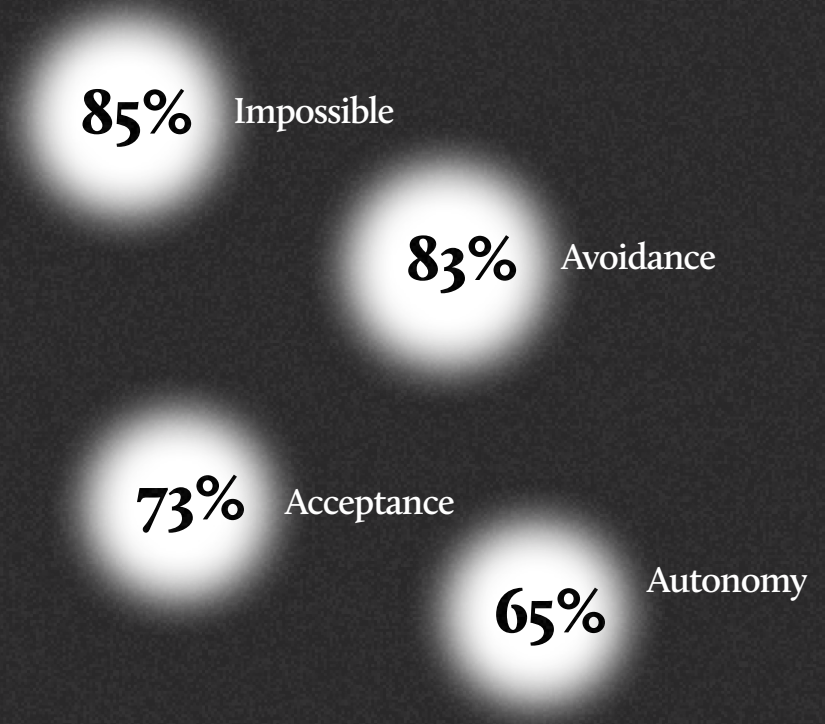
While 10 per cent of the sample applied for an exemption from seeking child support and thus received increased FTBA payments, 16 per cent of the sample did not apply for either an exemption or child support. A further 10 per cent of women reported doing something 'other' than these options, with qualitative comments revealing that this typically entailed waiting months, if not years following separation, until it was physically, financially, psychologically or legally safer for them to contemplate either applying for child support or an exemption.

2.

INCORRECT
Seeking an exemption is an appropriate response to family violence, and a straightforward process that will not retraumatise victim-survivors.

> Services Australia allow 12 weeks after a DV incident to decide if you want to apply for either child support or an exemption. I took 11 weeks & 5 days before deciding to apply for child support in fear of retaliation. The day after his first (garnished) payment 3 months later, the legal abuse started. I applied for child support but due to his abuse taking me through the court arguing our child's name, it took 7 months to be able to apply for financial support from both Centrelink and child support, about 9 months to actually receive anything.

Figure 4: Proportion of women subject to the MAT experiencing violence at the time of separation



It is not surprising that the highest rates of violence experienced by women at the time of separation were for those being pressured by their ex-partners not to apply for child support, in the impossible (85%) and avoidance (83%) groups (Figure 4). These women fall into a black hole in the child support system which assumes that they can unproblematically apply for child support or an exemption without repercussion. However, this was most certainly not the case.

Figure 5 (overleaf) shows the child support application outcomes for women in each of these groups, focusing solely on those experiencing violence at the time of separation, and thus making decisions about child support.

For women subject to the MAT, there were different child support application outcomes depending on whether they felt pressured or not to apply from Services Australia, and pressured or not by their ex-partner not to apply. Unsurprisingly, those feeling pressured not to apply by their ex-partner (the 'impossible' and 'avoidance' groups) had the lowest rates of child support applications.

Those women who did not receive any pressure to apply for child support from Services Australia (avoidance and agency groups) had the highest rates of not taking any action, whether this be in the form of a child support application or an exemption.

For women subject to the MAT, applying for child support or not will have a significant impact on their post-separation financial wellbeing. If child support is not sought, and no exemption is in place, women receive only the base rate of FTBA. If child support is sought but not paid within a Private Collect arrangement, women lose not only the value of their child support, but half the value of FTBA through the MIT.

For women leaving violent ex-partners, exemptions cause them to forego what could be valuable child support income. Taken together, women must weigh competing financial, physical and psychological risks when deciding who to placate and which battles to fight. In all cases, women often forego financial welfare for their safety.

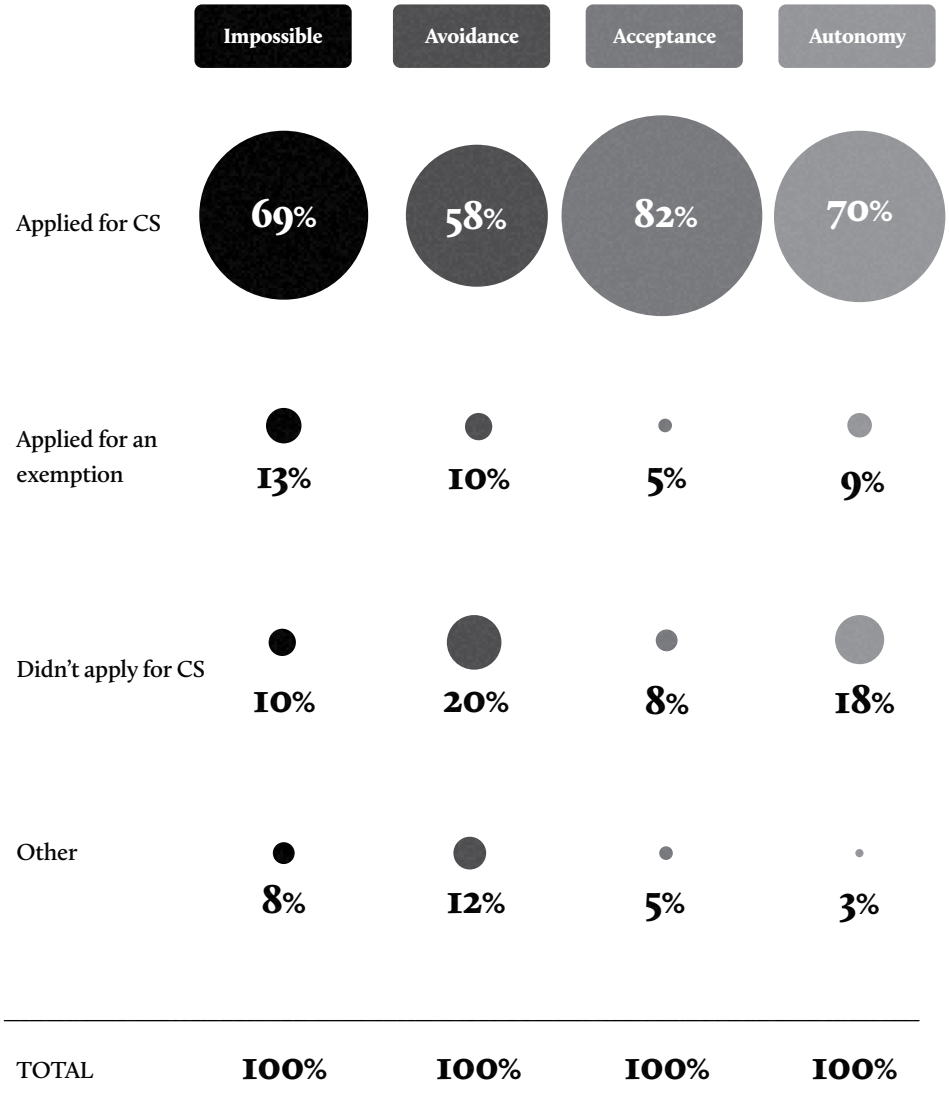
> It was a chaotic and dangerous time. We were fleeing. Services Australia were unsupervised, obstructive and increased the danger we were in. Child support frankly didn't give a shit. I've concluded that dead women and children are not a burden on the state, so it's the state's preferred outcome.

> I had relocated and was concerned that my ex might attempt to force me to go back to Sydney through the court.

> To reduce the risk of violence by my ex, I knew he wouldn't pay and more so he would choose WHEN to pay to further control me so I chose family tax benefit [at the base rate] so I had a stable source of income without conditions.

> He wanted private collect so I couldn't see his true income, after his financial abuse I applied to Child Support and copped even more financial abuse as this then exposed this true income and increased his payments. He has a sick greed for wealth, status and admiration from others trying to show off his wealth to others, while trying to make me homeless and put me on the streets.

Figure 5: Child support application outcomes for women experiencing violence at the time of separation



The highest rate (82%) of applications for women experiencing violence at the time of separation were for those who reported feeling pressure from Services Australia to seek child support but no pressure from their ex-partner not to do so. These women experienced the system as intended – where applying for child support following separation is assumed to be unproblematically accepted. As these women were not facing pressure from their ex-partner to forego child support, it is not surprising that they also had the lowest proportion (5%) of women seeking an exemption.

Conversely, the lowest rate of child support applications (58%) was for women experiencing violence who did not feel pressured by Services Australia to apply, but whose ex-partners were pressuring them to avoid the child support system.

> I was advised not to apply [for child support] at the time because of the family violence and he had made threats to kill me so was recommended i didn't give him any reason to act on this so I went without child support for some period of time.

Concerningly, while one in ten women in the avoidance group made an application for an exemption, double this number did not apply for either child support or an exemption. These women lost not only child support income, but also above-base-rate FTBA payments as a way to manage the demands of their abusive ex-partner.

Keeping perpetrators in view (DSS, 2022), one in three abusive ex-partners were financially rewarded by pressuring the victim-survivors not to apply for child support. This is completely at odds with the National Plan. Government systems should not reward perpetrators or financially penalise victim-survivors through a loss of child support or FTB payments, or both as a result of trying to keep themselves safe by appeasing an abusive ex-partner.

Women experiencing impossible pressure to apply for child support from Services Australia and simultaneous pressure not to apply from their ex-partner recorded the second lowest rate of child support applications (69%). This group also had the highest rate of applications for an exemption (13%) demonstrating the preferred way that victim-survivors managed the competing demands they faced regarding whether to apply for child support or not.

While an exemption provides women with above-base-rate Family Tax Benefits, it also accepts the perpetrator's demand, officially freeing them from taking any financial responsibility for their children – ultimately rewarding them for their ongoing threats and violence.

While the impossible group had the highest rate of exemptions, the fact that only 13 per cent of women who were all experiencing violence at the time of separation applied for a one illustrates the shocking disconnect between the violent reality of women's lives at the time of separation, women's desire to uphold their ex-partner's financial responsibility to children, and the simultaneously inaccessible and often-inappropriate 'safety' responses for women that are contained within the child support system.

Finally, the group of women experiencing violence at the time of separation without pressure to make any particular decisions about child support provide important insights. These women, who were all subject to the MAT, could be regarded as having a higher degree of autonomy than women in other groups to make their own decisions within the system. These women had the second highest rates of child support application (70%) and the second highest rate of not taking any action (18%). In this respect, women with relative autonomy appeared to be similar to women who were avoiding the system. Over a quarter of women in both groups either did not receive child support due to an exemption, or did not receive child support and FTBA above the base rate as a result of not making a child support application.

What apparent 'autonomy' looks like in the child support system for women escaping violence is financial self-sacrifice in order to keep themselves safe. Because of the system's design, however, women's safety simultaneously financially rewarded perpetrators and absolved them of their responsibility to children. This is contrary to the intention of the National Plan.

> I was advised not to apply [for child support] at the time because of the family violence and he had made threats to kill me so was recommended i didn't give him any reason to act on this so I went without child support for some period of time.

> I didn't want to [apply for child support] at first because I had been financially abused he was living in family home and I was worried he wouldn't pay loan or rates because I would be hassling for money. So I waited roughly two years until things had been separated legally before applying I did not apply CS because he threatened that he will fight custody with me, if i ask for more $.

Exemptions

Across the entire sample, 8 per cent of all women had an exemption from seeking child support, with a further 1 per cent reporting they had exemption requests under review. Of all women, 82 per cent reported that their exemption application was based on family/domestic violence or fear of violence.

One in ten women in the sample reported that they had initially had an exemption but had since been required to apply for child support. Of these 61 women, 92 per cent reported that they were currently experiencing violence perpetrated by their ex-partner. The most common forms of violence that these 61 women were experiencing were financial (67%), emotional/psychological (54%), and technology facilitated (20%) violence. In comparison, only 3 per cent of these women whose exemptions had been revoked reported physical violence.

The low rate of physical violence reported by women with rejected exemptions contrasts with the 47 per cent of women who were granted exemptions that were experiencing physical violence at the time of separation. Of the women who were only experiencing financial or emotional/psychological violence at the time of separation, just 7 per cent received an exemption.

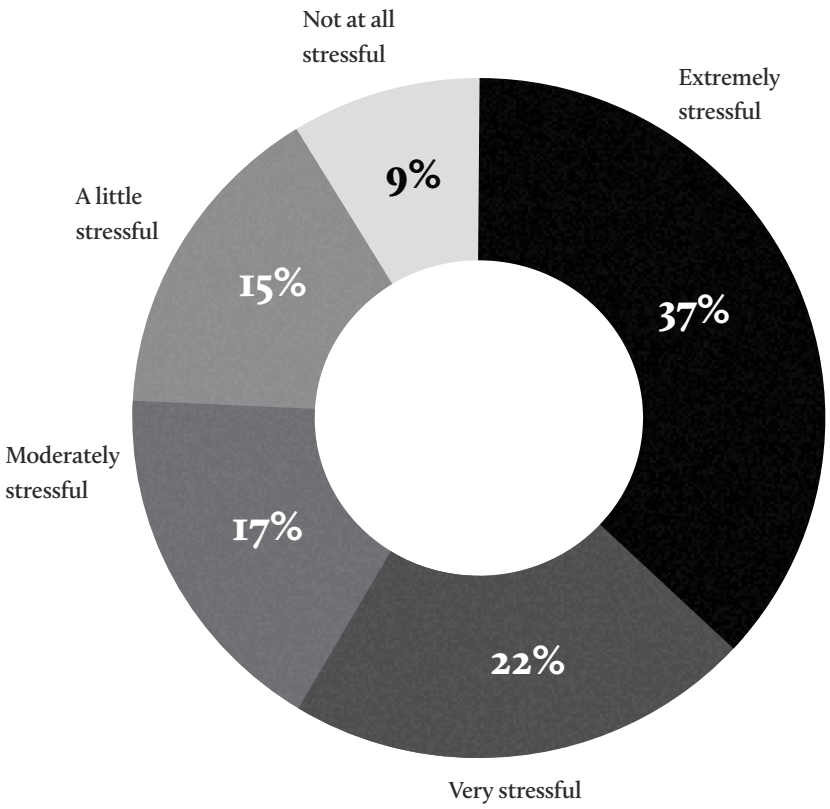
Services Australia seems less able to recognise women's experiences of non-physical forms of family violence, and less able to assess the danger that seeking child support poses for women in these situations.

INCORRECT
Violence ends at the point of separation.

I.

The stress of applying for an exemption was immense, with almost two thirds (60%) of women reporting the experience as either 'extremely' or 'very' stressful.

Figure 6: Stress of applying for an exemption



For more than a third of women (37%), the stress of applying for an exemption caused them to delay or stop their applications.

> I withdrew my application to avoid further conflict by telling CSA there was a private agreement but there isn't and he doesn't pay anything.

While the application process was stressful, half of women (52%) felt that their decision to apply for an exemption was supported by Services Australia. A minority of women, however, felt pressured to apply for an exemption (8%) or to apply for child support instead of an exemption (12%).

> Former partner contacted child support and threatened staff and myself. Child support contacted me and asked me to go to a safe location due to his threats. They then granted me an exemption based on his behaviour Initially made me feel like crap. Social worker I spoke to second time was good however I'm now told I still don't have an expedition [sic] even though she said she was giving me one.

> I was both pressured into applying for child support and supported in applying for an exemption by different people at Services Australia.

INCORRECT
Violence ends at the point of separation.

1.

Two thirds of women (68%) indicated that they needed to provide evidence to support their exemption application.

> Supporting document/form from my psychologist. Letters from doctors, psychologists etc. I had to go through detailed accounts of abuse and they confirmed the events via a witness interview.

While the vast majority (86%) did not experience any issues with the administration of their submissions, 14 per cent of women reported that Services Australia lost their documentation during the exemption process.

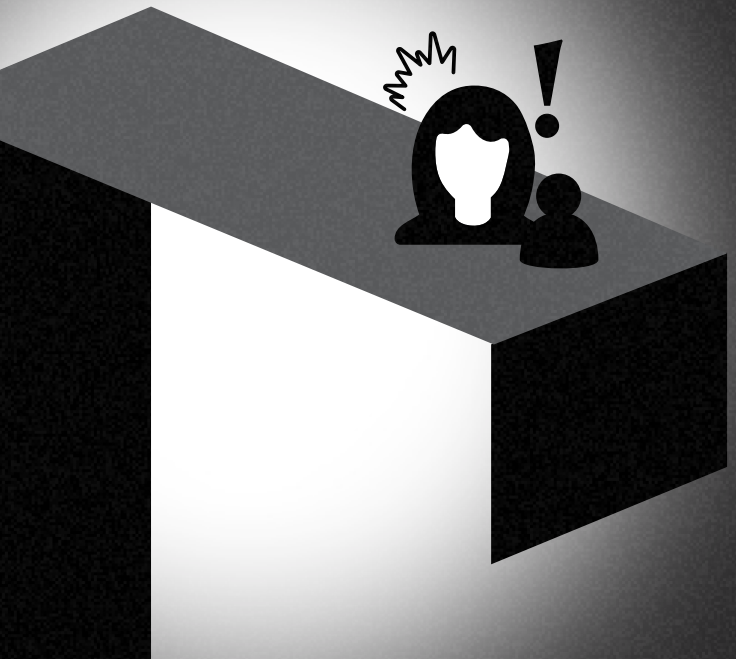
2.

INCORRECT
Seeking an exemption is an appropriate response to family violence, and a straightforward process that will not retraumatise victim-survivors .

> Have been told twice since November 2022 that I have an exemption. Called last week and told I don't have one. Social worker asked me for someone to verify violence. They still haven't called them. I also uploaded a letter to my account from Victims Services in February, social worker back then said received. New social worker said can't see it. So I guess I don't have or will ever have an exemption.

While over half of the women (55%) reported that it did not cost them anything, almost a third of women reported that they had to spend money to obtain the evidence required to support their applications. For these women, the median cost was $300, comprised of such costs as postage, photocopying, phone calls and lost wages, for example.

> I lived with my parents and returned to work on a casual basis so that I could spend some days dealing with Centrelink. Dollars and emotional stress, trauma.



With respect to lost wages, just over a quarter of women (27%) reported that they needed to take time off work to gather the documentation required to support their exemption application. Four out of every ten women (41%) submitting exemptions indicated that the time required to complete the exemption process either delayed their application (19%) or delayed the processing of their application once it was submitted to Services Australia (22%).

> The exemption took time. Was lifted after my ex called SA [Services Australia] and agreed to pay child support, he opened a letter that was sent to our home address when SA were under strict instructions not to send correspondence there. It was a DV safety issue. I had applied for an exemption for coercion and financial control. I had no access to money to had to agree to a private arrangement in order to access basic necessities.

2.

INCORRECT
Seeking an exemption is an appropriate response to family violence, and a straightforward process that will not retraumatise victim-survivors.

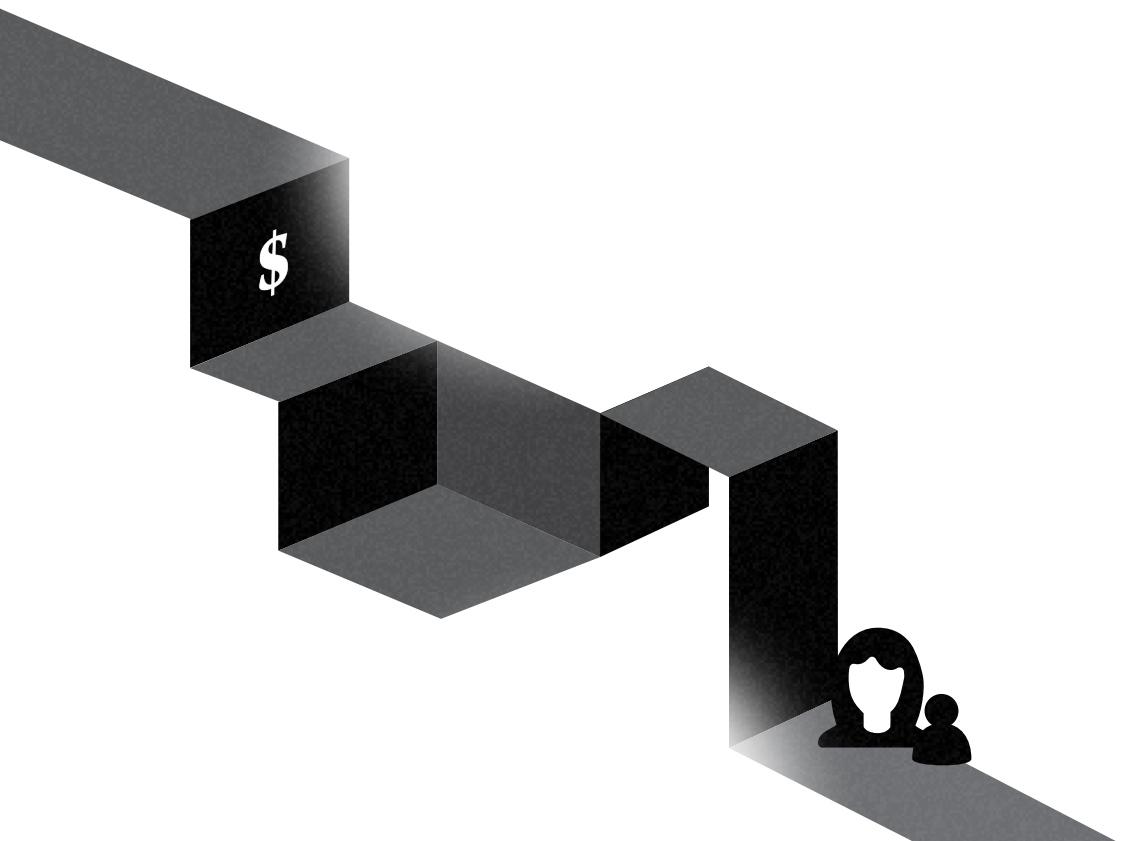
> Have given up now. Too difficult. And not realistic to take my child into an office to wait. ASD, Level 3 and doesn't go well out and about currently.

Services Australia needs to improve its processes for identifying the different ways that violence occurs post-separation. This includes processes that recognise and respond to the needs of women who are often placed in impossible situations as they try to stay safe, maintain financial stability, and recover from intimate partner abuse.

Unfair assessments

While approximately two thirds of all women in the sample reported applying for child support following separation, this decision in no way provided an end to the pressure that they experienced from their ex-partner.

The child support formula relies on accurate information on each parent's share of overnight care of children and their taxable incomes. **The child support system assumes that the reporting and recording of this information is unproblematic and that each parent will accurately report these in a timely manner. However, our analysis shows that care time and income can be hidden or manipulated to make child support assessments unfair or inappropriate.**



The median amount of child support that women were assessed to receive in the previous month was $232, equating to approximately $50 per week. However, the median figure obscures the full picture of what women are assessed to receive.

Table 5: Child support assessment amounts

Amount (%)	All women	Women subject to the MAT	MAT and DFV at time of separation	MAT and current FA
Nothing	20	20	20	19
The minimum amount	16	16	17	18
More than the minimum	54	54	54	55
Not sure	9	8	8	7
We work it out between ourselves as needed	1	2	1	1
Total	**100**	**100**	**100**	**100**

3.

INCORRECT
Parents will not hide or minimise their incomes.

Only slightly more than half of all women (54%) had a child support assessment for more than $8 per week. Almost half of the sample (45%) were instead expecting to receive either nothing, $8 per week or an unknown amount (Table 5).

Focusing only on those women who were expecting to receive a regular and above-zero amount of child support each month, these women typically rated the accuracy of their child support assessment with respect to the **costs of children** as 'extremely inaccurate' with the most women (72%) selecting this option. For the accuracy of their assessment with respect to their ex-partner's **capacity to pay**, two thirds of women (65%) regarded their assessments as 'extremely inaccurate'.

Of those women who reported that their assessments were 'extremely inaccurate' with respect to the costs of children, the median amount that women with above-zero assessments were assessed to receive was $380 per month. Almost a third of women (28%) reported that their child support assessment was for the minimum ($8) amount, which likely informed their evaluation of these as 'extremely inaccurate'.

With respect to **capacity to pay**, the median amount of child support that those women reporting 'extremely inaccurate' assessments were assessed to receive was $301 per month. Of these women, just under a third (29%) reported the minimum assessment.

INCORRECT
Child support assessments accurately balance payees' costs of children with payers' capacity to pay.

5.

Twenty per cent of women who reported that their ex-partner's income was inaccurate ended up having to pay them child support as a result. This happens because each parent's share of child support income is divided according to each parent's share of overnight care. When fathers' taxable income is artificially low, and their share of care time is unchanged, mothers can be required to pay child support despite fathers' capacity to pay being significantly higher.

3.

INCORRECT
Parents will not hide or minimise their incomes.

While women reported on their current child support assessment, there was considerable variability in how much child support they expected in any given month.

Figure 7: Changes to child support assessments

How often does your child support assessment change due to your ex-partner reporting income or care time changes?

All the time	11%
Every month	2%
A few times a year	27%
Every year	24%
Every few years	4%
Hardly ever	10%
It has stayed the same since the beginning	7%
Other	15%
TOTAL	100%

For 38 per cent of women, their assessment changed each year or less often, likely as a result of indexation to minimum payments, in response to wage rises, or following the lodgement of tax returns. For 7 per cent of women, their assessment had never changed. Almost half of these women (48%) were assessed to receive the minimum amount or did not have a child support assessment.

For a significant minority of women (39%), their child support assessments changed at least a few times a year. More than one in ten women (13%) had assessments that changed at least each month, making their ability to budget on a limited income extremely difficult.

For the 15 per cent of women who reported 'other' changes, their qualitative comments illustrate the vulnerability produced by their lack of control within the child support system. At the same time, payers are afforded significant autonomy which they can wield to minimise their child support incomes and avoid making payments.

3.

INCORRECT
Parents will not hide or minimise their incomes.

> When the child support application was lodged he quit his job and declared $0 per year in earnings. He had accrued a debt from his job and not paying and he asked for a reduction due to financial hardship as he was not earning an income. This continued for about 4 years when evidence surfaced that he was working cash in hand. The [Australian Tax Office] ATO intercepted and as a result a tax return was done. Since then CSA have calculated child support off those earnings but he has not lodged a return since and continues to work cash in hand. So his actual income has always been unknown.

> Whenever there is conflict he goes and underestimates his income then does not lodge a tax return.

> It's changed twice in 6 months … But my ex doesn't consistently pay. This was a regular occurrence, and every time Centrelink would stop paying me as they needed me to call every time to put me back on Disbursement method, so I was left short with no backpay at least 4 times a year until I could call Centrelink and sort it out. He did it because he knew this was a method of finance abuse. I asked Centrelink not to change my method of Disbursement every time he changed his assessment (and never paid). They said they couldn't.. he could literally leave me short before birthdays and Christmas and Mother's Day... this continued for 18 years non-stop.

Child support minimisation

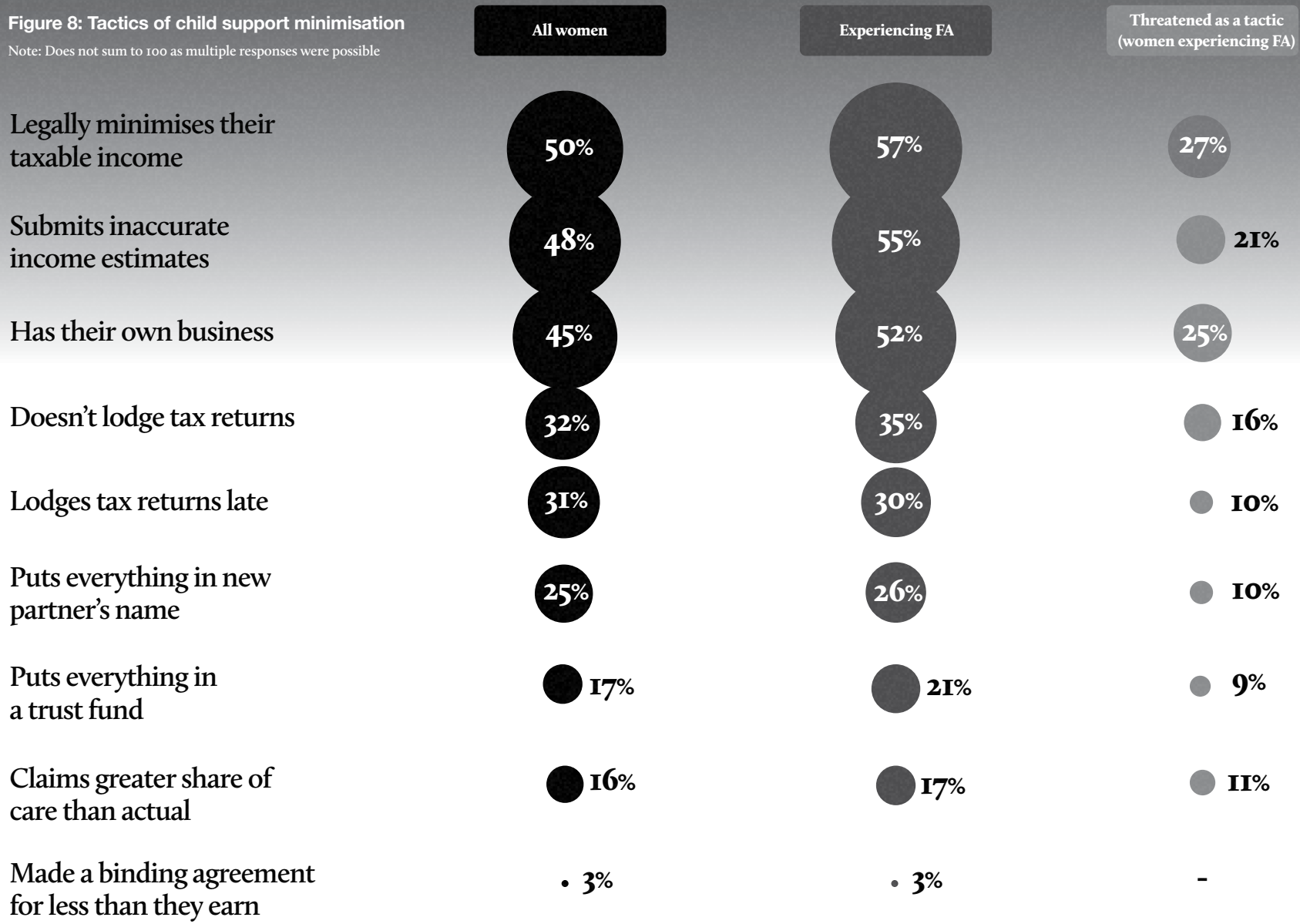
Of women who reported that their child support was 'somewhat' or 'extremely' inaccurate, they reported a range of tactics that their ex-partners used to minimise their assessment.

3. **INCORRECT**
Parents will not hide or minimise their incomes.

4. **INCORRECT**
Parents will take up the share of care recorded in their child support agreement.

Figure 8: Tactics of child support minimisation

Note: Does not sum to 100 as multiple responses were possible



In addition to these options, 39 per cent of all women and those currently experiencing financial abuse reported 'other' tactics that their ex-partner used to reduce their child support liability, primarily including working cash in hand, quitting or reducing their employment, or living or working overseas.

For each tactic to reduce child support that women experienced, approximately half of women who were currently experiencing financial abuse reported being told by their ex-partner that they were going to use the tactic to reduce their child support. **This shows the deliberate use of the system as a weapon of financial abuse, and the system's inability to identify or intervene in these abusive behaviours.**

5.

INCORRECT
Child support assessments accurately balance payees' costs of children with payers' capacity to pay.

> Told me all of it, verbally abused me and tells me "you won't get a cent of my money ya dog".

> Laughed and said he has a great new tax agent.

> Told me he and his family would do whatever it took so that I received nothing.

> Has told me now they plan to put the new business in a trust so I'll get nothing at all, threatening me if I do another Change if Assessment I'll get nothing.

> Told me he would do whatever he could to ensure I received nothing.

For women who regarded their child support assessment as inaccurate, only 5 per cent of women reported contacting Services Australia to provide information to correct the record. Instead, women indicated that there was very little action that they felt able to take.

Of the women who regarded their assessments as inaccurate, Table 6 lists the actions taken.

Table 6: Actions taken by women who felt their child support assessment was inaccurate

	All women with inaccurate assessments	Women with inaccurate assessments experiencing FA
Called Services Australia (Child Support)	21%	44%
Applied for a Change of Assessment	9%	17%
Collected evidence about ex's income	8%	11%
Collected evidence about ex's capacity to pay	11%	19%
Collected evidence about ex's share of care	6%	6%
Reported ex-partner to ATO	6%	8%
Returned to the Family Court	-	-

Note: Multiple responses were possible

While there were fairly low rates of action being taken to improve the accuracy of child support assessments by women overall, the rates were typically higher for those women experiencing financial abuse at the time of the survey. Unfortunately, our survey did not ask about the outcome of women's actions. In addition, it would have been useful to know what remedy women were seeking when they called Services Australia. Further research should work with women, particularly those experiencing financial abuse, to ascertain what actions they want Services Australia to take.

For those women who did not take action to try to improve the accuracy of their child support assessment, the top three reasons for their inaction were:

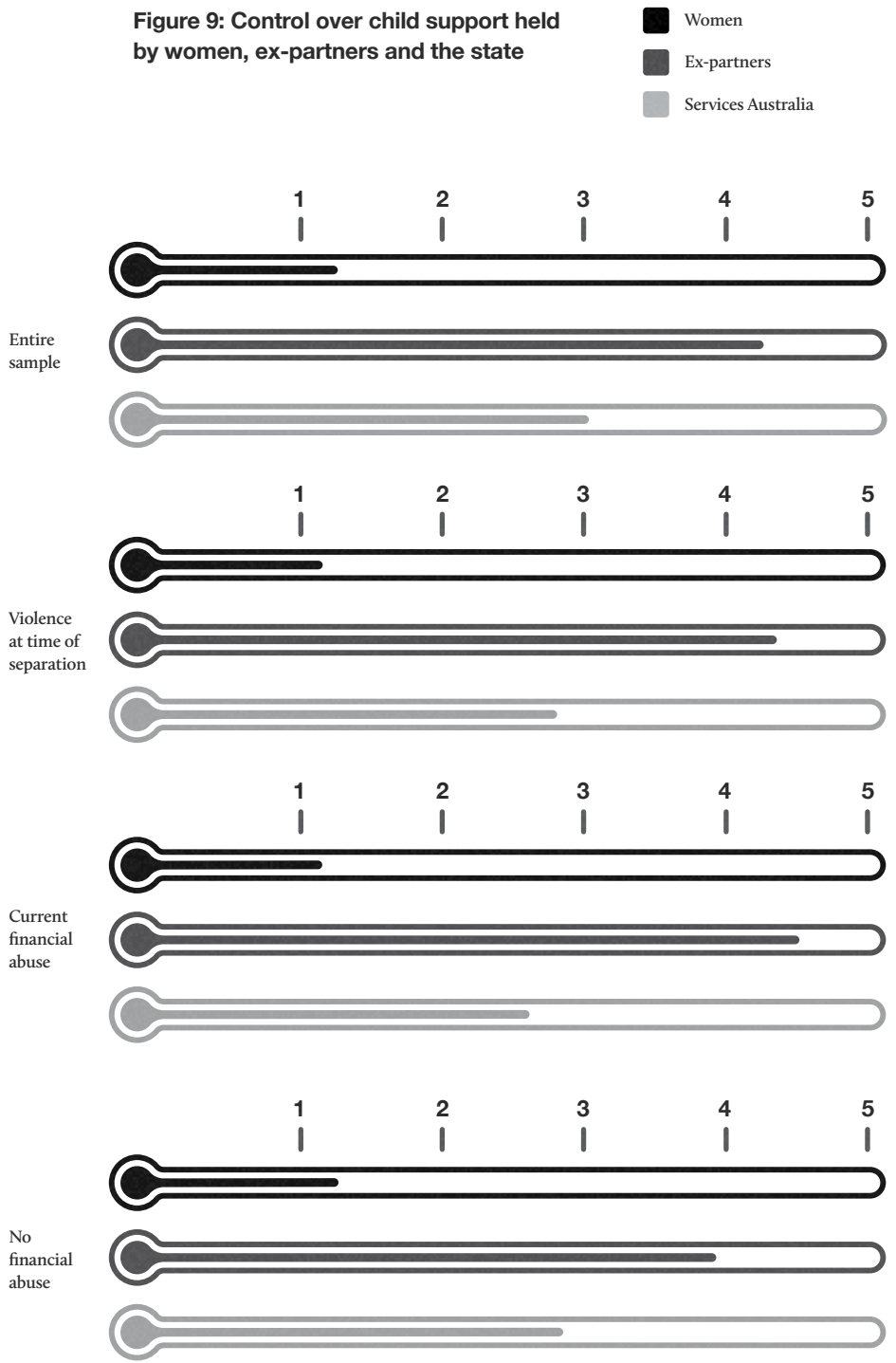
1. to reduce their risk of violence
2. to reduce children's exposure to conflict; and
3. because it was too stressful.

In addition to the risks posed by seeking to remedy inaccurate child support assessments, one explanation for the low rates of action may be explained by the women's poor assessment of their, or Services Australia's ability to affect change.

Responsibility and control within the child support system

Women were asked how much control they thought that they, their ex-partner and Services Australia had over how much child support they receive. Their responses immediately illustrate the problems inherent in the child support system.

Figure 9: Control over child support held by women, ex-partners and the state



While women are reliant upon their ex-partners to accurately report their income, uphold child contact time agreements and provide payments, they have very little control over whether these things happen.

3.

INCORRECT
Parents will not hide or minimise their incomes.

> He hides money and income (he always has) and that means that it isn't a level playing field. I do everything that is fair and legal and he doesn't. It's just wrong, it's incredibly unfair and it's so stressful when he gets away with it. It's not unlike reliving the financial abuse on an ongoing basis. I thought it was necessary. However, it caused a great deal of DV directed towards me. Also has encouraged him to act fraudulently and reduce his income through running a business. This continuing the financial DV.

At the same time, women can face the consequences of reduced child support and/or Family Tax Benefits based on their ex-partner's non-compliance. Despite requiring women to enter the child support system and determining child support assessments, Services Australia was regarded as having only 'a moderate amount' of control over child support payment outcomes.

When comparing women's assessments of the child support system for those experiencing any violence at the time of separation, or currently experiencing financial abuse, their assessments were even more bleak. Victim-survivors experienced virtually 'no control' over their child support payment outcomes, while financially abused women in particular thought that their ex-partners enjoyed almost 'total control'. Services Australia was regarded as having only a moderate amount of control over these outcomes, with the best assessments coming from the entire sample and those that were not experiencing financial abuse. The worst assessments of Services Australia were reported by victim-survivors.

> The father stated that he would continue to repeatedly make applications for reassessments, objections, tribunals etc unless I agreed to a lower amount than the CSA determined.

Given women's low confidence in their or Services Australia's ability to influence assessment – and subsequently payment – outcomes, it is no wonder that only one in five women who felt that their assessment was inaccurate called Services Australia (see Table 6).

It is important to note that women experiencing current financial abuse were twice as likely to initiate action to improve the accuracy of their assessments than those who were not. However, reflecting on women's fear of repercussions either for themselves, or for children's exposure to conflict, the requirement that women intervene to improve their child support assessments places women in an untenable situation.

> He wanted to control the whole process.

The control that child support payers have over assessments represents a significant flaw in the child support system. This is a flaw that exists along gender lines and has gendered effects.

As reported earlier, 77 per cent of our sample received some sort of Centrelink payment. These women are required to provide accurate income assessments to Services Australia annually to retain access to their payments. There are strict eligibility criteria for payments, and women are afforded very little autonomy over how they can structure their financial affairs or when they report their incomes.

By contrast, fathers are far less likely to be in receipt of benefit payments than mothers following separation (Spallek et al., 2020). As such, fathers are more likely to experience autonomy in how and when they report their incomes within the child support system, and how their income is received and managed, such as through a business, trust or investment structure.

> **Did not know [that I had to apply for child support upon separation], and Centrelink did not update my details even though I went to the shop front and told them I was now single. Ex didn't have a digital footprint with Centrelink, so it was me they chased. Left me with a $15,000 [Family Tax Benefit] debt I have only just now, years later, paid off.**

The black box of a child support assessment that purportedly 'balances the interests of the parents' (Ministerial Taskforce on Child Support, 2005, p. 3) obscures the power imbalance that exists between parents regarding how their income is recorded and when it is reported.

INCORRECT
Child support assessments accurately balance payees' costs of children with payers' capacity to pay.

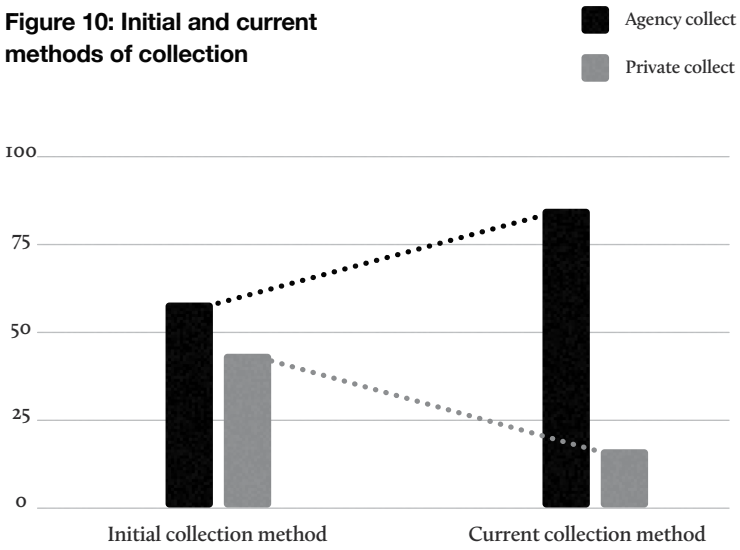
5.

It is no wonder then that women report virtually 'no control' over payment amounts but consider that their ex-partners have significant control. Given the legislative formula that Services Australia must enact, it is also no wonder that women regard them as having only moderate influence over their assessments.

Collection methods that can harm women

When they first sought child support, a higher proportion of women in our sample (57%) than the current caseload reported by DSS (49%) (DSS, 2024b) opted to collect payment via Agency Collect. Over time, many women in our sample who had initially opted to collect payments privately, also moved to Agency Collect.

Figure 10: Initial and current methods of collection

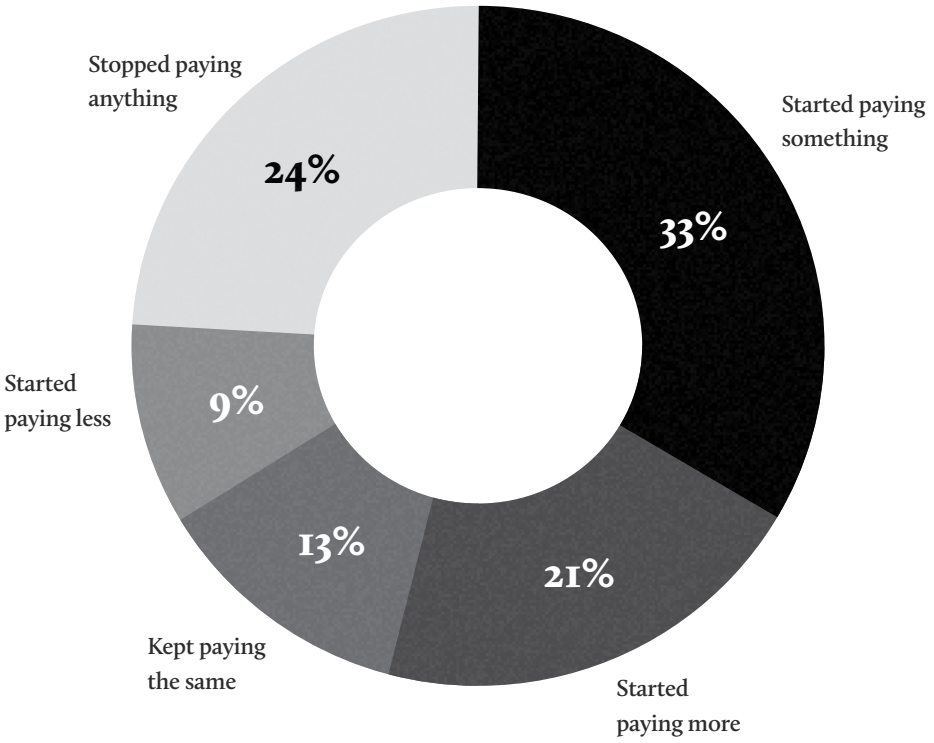


Of those moving to Agency Collect, 77 per cent were experiencing violence at the time of separation, with the same proportion experiencing violence at the time of the survey.

As a result of moving to Agency Collect, women faced changes to their payment outcomes.

When women moved from Private Collect to Agency Collect, more than half (54%) started receiving more, or any child support. However, for almost a quarter of women (24%) the move to Agency Collect resulted in their ex-partner no longer paying any child support.

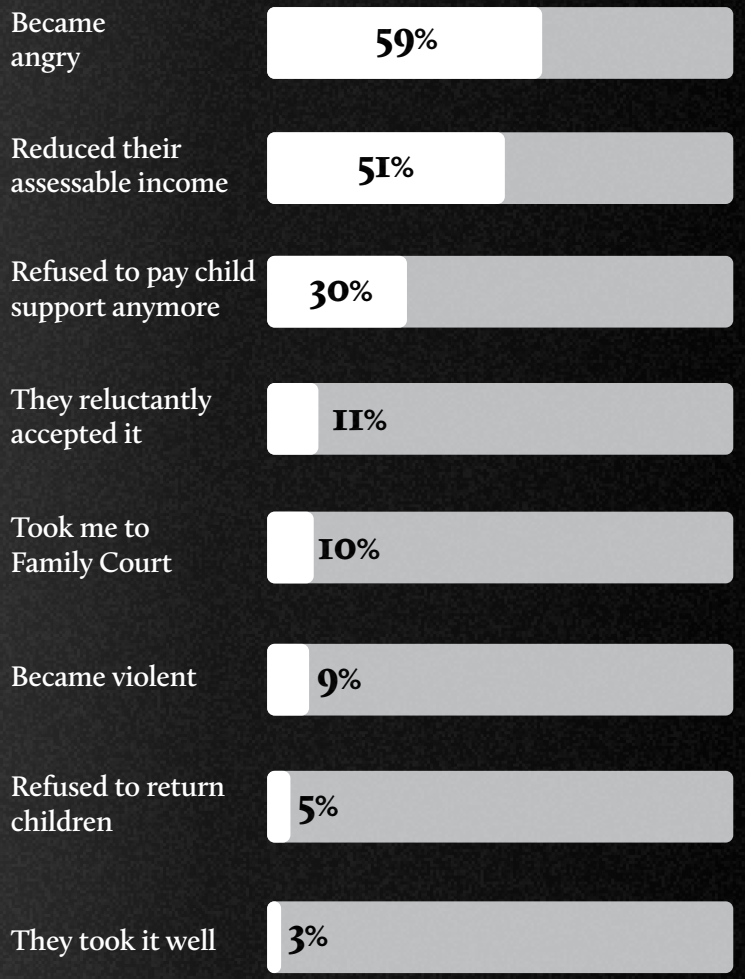
Figure 11: Payment outcomes after moving to Agency Collect



Shining light into the black box of outcomes that women experience when moving to Agency Collect, we asked women how their ex-partners reacted to the change.

Figure 12: Reactions after moving to Agency Collect

Note: Does not sum to 100 as multiple responses were possible



INCORRECT
Parents can freely agree on the collection type that suits them both.

6.

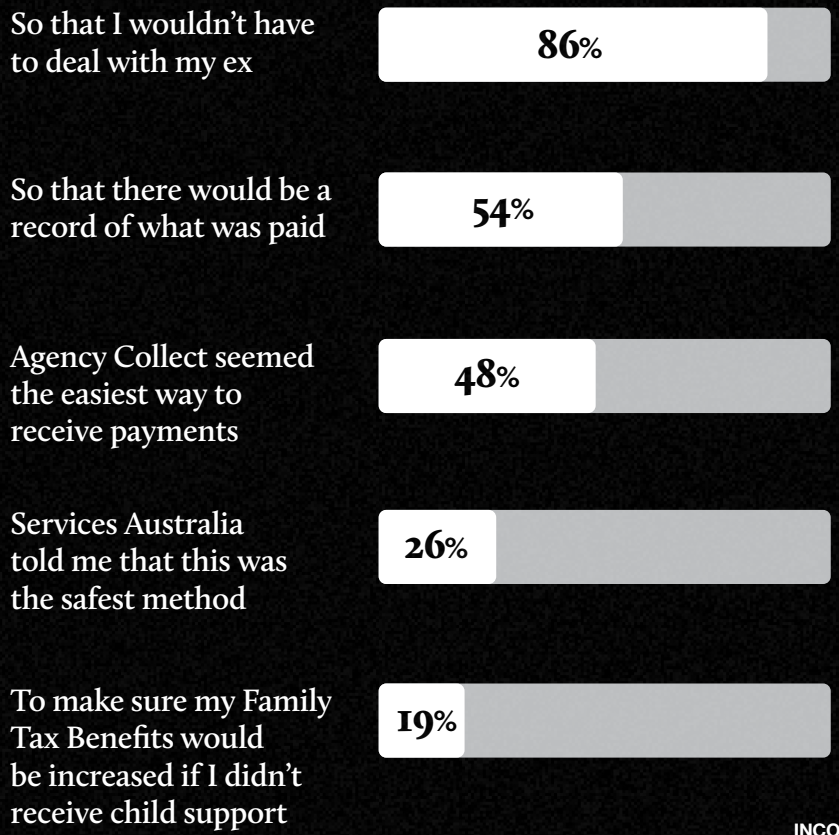
Seeking to enforce payments resulted in a range of consequences for women, both emotional (anger: 59%) and financial (reducing child support assessments: 51% or refusing to pay anymore: 31%). Only rarely (14%) did women's ex-partners accept their decision.

Agency versus Private Collect

When they first entered the child support system, the overwhelming reason for choosing Agency Collect was so that women would not have to deal with their ex-partner (86%).

Figure 13: Women's reasons for initially choosing Agency Collect

Note: Does not sum to 100 as multiple responses were possible



For those choosing Agency Collect, 79 per cent reported experiencing violence at the time of separation. Given the high rates of violence experienced by women prior to separation, the choice to have Services Australia manage child support on their behalf is understandable.

INCORRECT
Parents can freely agree on the collection type that suits them both.

6.

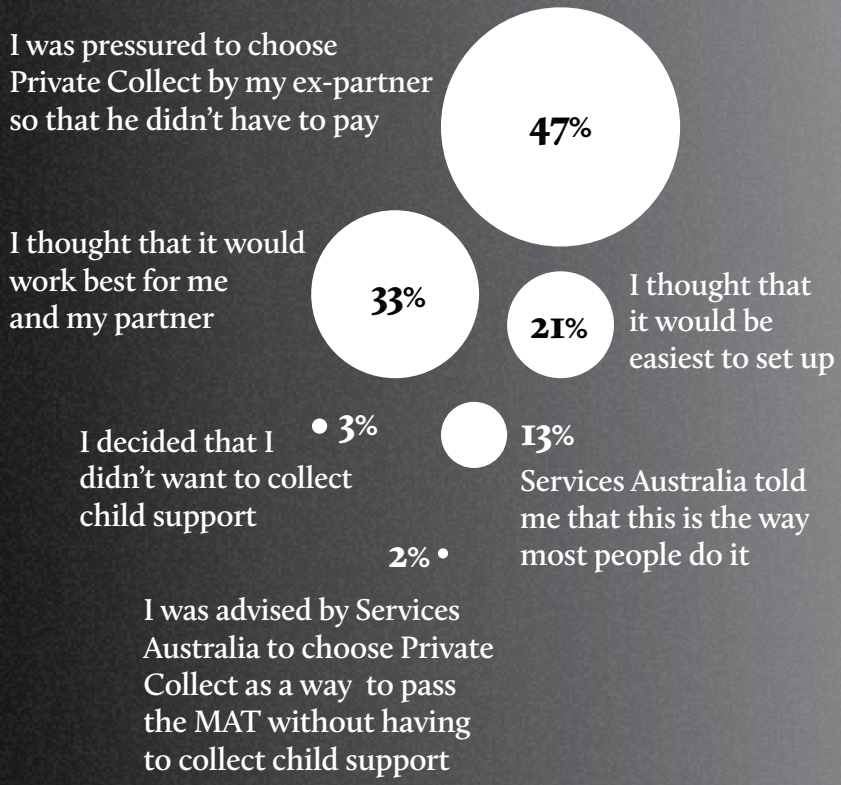
INCORRECT
Private collections are arranged between parents who get along, will work together, and will not be used to hide payment outcomes.

7.

For those women who chose to collect child support privately, just over half (56%) reported experiencing abuse at the time of separation. This is significantly lower than the level of abuse reported by those women who chose Agency Collect (79%) and the sample overall (76%). While the lower rate may seem to give credence to the enduring policy rhetoric that parents who make Private Collect arrangements are more able to work together in children's best interests (Ministerial Taskforce on Child Support, 2005), the reality was that one in two women who 'chose' to collect payments privately were experiencing violence at the time they were being asked to make decisions about how, or whether, to collect money from their ex-partner. As such, women's 'choices' were often significantly constrained, with over half of the sample either feeling pressured by their ex-partner to avoid payments (47%) or using Private Collect as a way not to collect payments (5%).

Figure 14: Women's reasons for initially choosing Private Collect

Note: Does not sum to 100 as multiple responses were possible



There was no overwhelming reason why women chose Private Collect, with the most popular response appealing to slightly less than half (47%). However, the fact that almost half of women who set up private collections felt pressured to do so by their ex-partner to aid non-compliance is an indictment on the system. Given the high rates of violence experienced by single mothers, as reported here and corroborated by other research (Cook et al., 2023; Summers, 2022), the coercion of women in the Private Collect payment stream needs urgent investigation.

6.

INCORRECT
Parents can freely agree on the collection type that suits them both.

> I thought I could trust him to the right thing for the interests of his children. I was wrong.

> I was too scared to go collect as it would anger him.

> He wanted private collect so I couldn't see his true income, after his financial abuse I applied to Child Support and copped even more financial abuse as this then exposed this true income and increased his payments. He has a sick greed for wealth, status and admiration from others trying to show off his wealth to others, while trying to make me homeless and put me on the streets.

> I just wanted to avoid being in the system, hoping we could work out payments that were fair and based on our child, not some formula. I never wanted any money to compensate for my lost salary or super, just for him to contribute about half towards costs.

Soon after the establishment of the child support system in 1989, lobbying by fathers' rights groups began which sought to remove automatic wage withholding and payments through the Australian Tax Office. The argument was that wage withholding was an intrusion into private family affairs. Private Collections, it was thought, would provide families with greater autonomy to choose how payments would be made.

7.

INCORRECT
Private collections are arranged between parents who get along, will work together, and will not be used to hide payment outcomes.

With the benefit of hindsight and increased understandings of family violence, the promotion of Private Collections can be seen to have kept financial abuse in the shadows and out of public scrutiny.

For almost a decade the Australian Government has publicly acknowledged that recording private collections as 100 per cent compliant is erroneous (House of Representatives Standing Committee of Social Policy and Legal Affairs, 2015). However, based on this acknowledged erroneous assumption, women's Family Tax Benefits payments are reduced. Even more egregiously, in 2017, the Morrison Government changed the way that family payment overpayments were recouped to make the treatment of child support and family payment overpayments 'fairer' for child support payers and recipients. Both policies have been blind to the high rates of family violence evident in Australia, and the use of the child support system to deliberately enact financial abuse well beyond the end of an abusive relationship.

By continuing these policies, the Australian Government is remaining wilfully ignorant, and even complicit, in women's post-separation financial abuse.

A significant proportion of our sample moved from Private Collect to Agency Collect, which is consistent with qualitative research reporting women's child support system experiences (Cook, 2019; 2021; Douglas & Nagesh, 2021; Natalier, 2018). However, given that Departmental data reports a consistent proportion (50%) of cases within the Private Collect system, a greater share of new orders must commence in this payment type. Safeguards must be put in place to ensure than women experiencing pressure from their ex-partner are not coerced into collecting child support privately. In such cases, Services Australia could be regarded as enabling ongoing financial abuse.

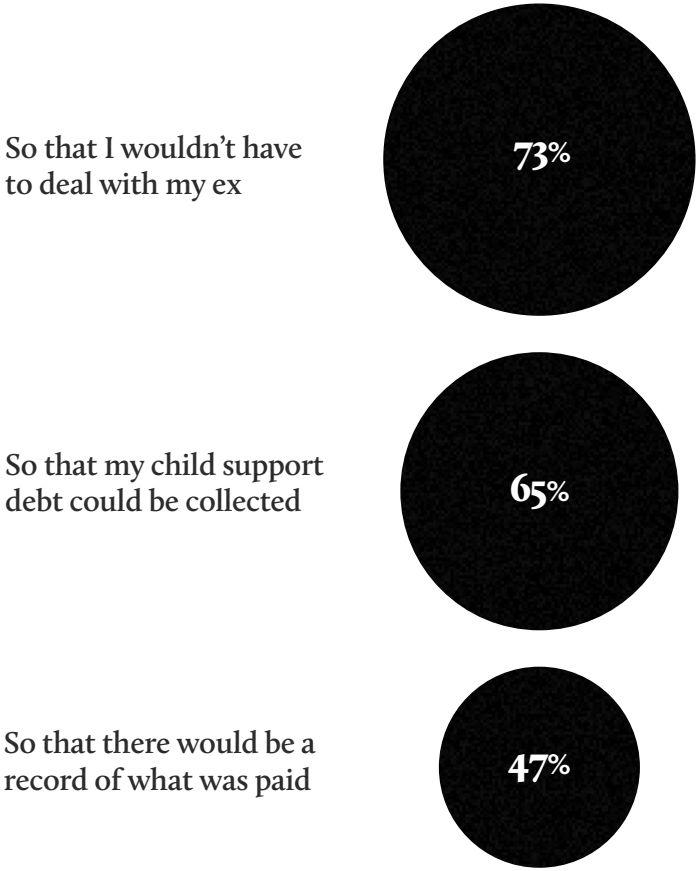
> [I moved to Agency Collect] because my ex under paid me $4000 and I could not recoup that because I had chosen private collect. It made me so angry that he was still enabled to commit financial abuse against me and my children.

> History of domestic violence. It became a controlling financial abuse.

For women in our sample who began with Private Collect arrangements, they had the following reasons for moving to Agency Collect:

Figure 15: Reasons for changing to Agency Collect

Note: Does not sum to 100 as multiple responses were possible



These reasons all point to women's difficulty collecting payments directly from an ex-partner in the context of high rates of emotional and financial abuse reported by women post-separation.

> Because I was sick of being told I shouldn't have to pay you.

> Ex was refusing to pay, went on for months.

> The threat of imminent violence was reduced.... I finally felt he needed to support his own children and cost of living pressures.

> My ex was continually late paying, and after years of failing to pay on time and care for the kids properly, he told me he couldn't take them at all for his weekends. I ended up with 100% care and thought at least [with] govt collect I may receive some money in the future.

However, when women moved to Agency Collect, the move was not typically welcomed by their ex-partner:

> ex partner became agitated and started sporadically paying child support to control and manipulate me.

> He called me at my work and abused me over the phone.

> He became very aggressive/ abusive in text messages.

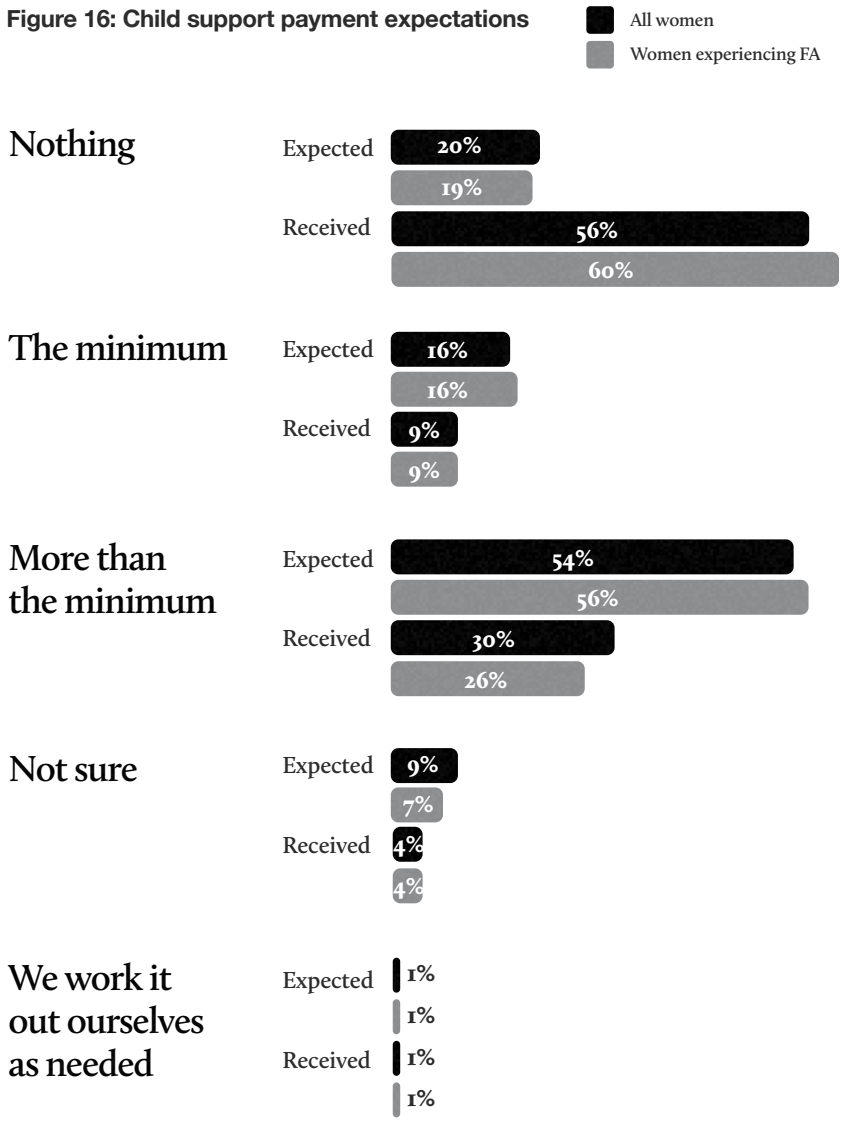
> Left employment.

> He does cash in hand and does not lodge tax returns. He has messaged the children telling them he can't buy them birthday presents because if he does I'll report him to child support for earning too much money. Recently he took my 17 yr old son (diagnosed selective mutism, ASD2, ADHD, anxiety) he hasn't seen him for 8 yrs and he took my son to a small remote community isolating him from me and all his supports. He left him with strangers to rent their shed to live in and then he applied for child support for him. He also attempted to abuse his NDIS funds. Evidence was provided that he lied and misled NDIS, CSA and Centrelink and he received no penalty for this. Domestic Abuse is allowed to thrive.

Receiving due support?

Across the sample, 16 per cent of women reported being assessed to receive the minimum amount of child support, currently $8 per week. However, only 9 per cent of women reported receiving this amount. Rather, most women (56%) received 'nothing' despite only 20 per cent of women expecting to do so.

Figure 16: Child support payment expectations



8.

INCORRECT
Payers will provide the assessed amount of child support, and it will be paid on time.

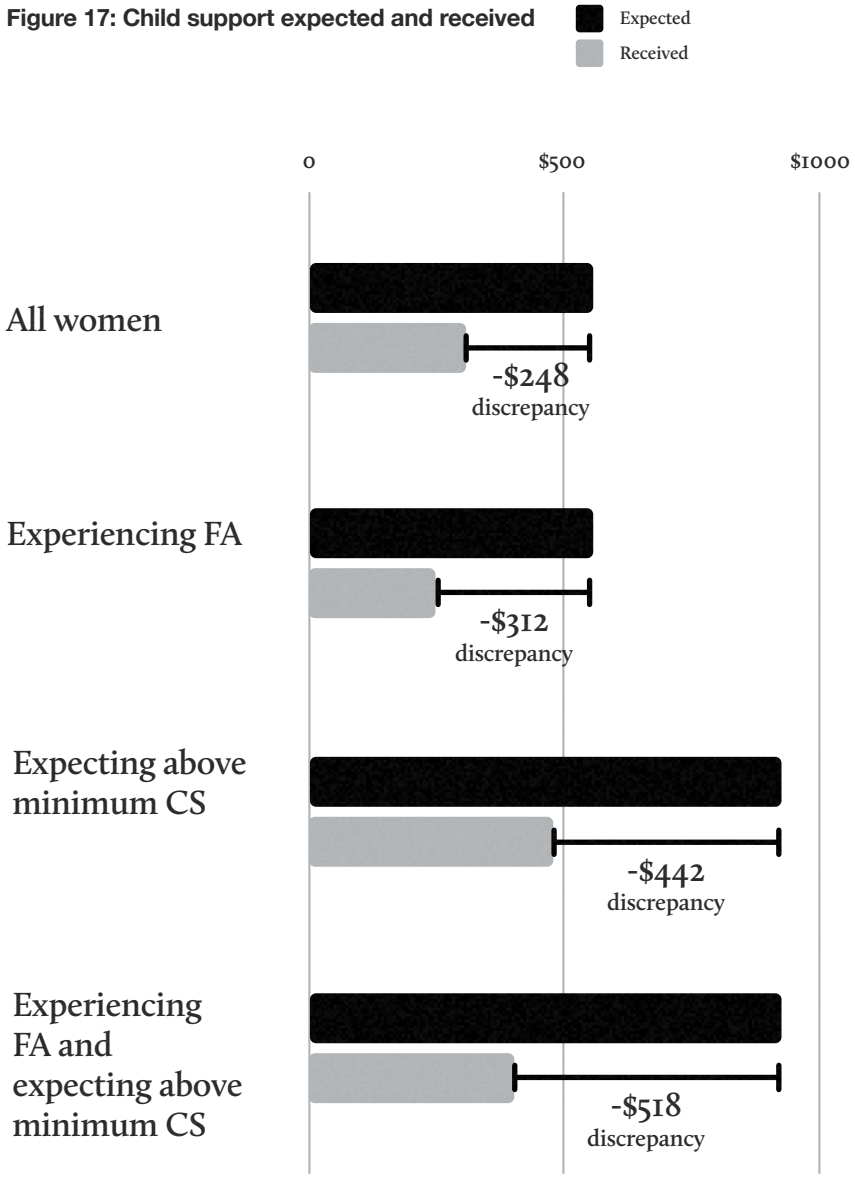
For women who were experiencing financial abuse at the time of the survey, the results were even more bleak, with over half of the sample expecting to receive an amount above the minimum payment, but in reality, almost two thirds (60%) received nothing.

Only a quarter of women experiencing financial abuse received a child support payment amount above $8 per week. This is wildly out of step with the financial reality of children's lives and women's ability to cover these expenses. The last time that administrative child support data were made available for academic scrutiny, Shephard (2005) noted that the proportion of payers assessed to pay to minimum liability was disproportionate to the number of payers in receipt of an income support payment, reflecting their low-income status. In our study, one in five payers were assessed to pay the minimum amount of child support, and again likely reflects income minimisation rather than genuine financial hardship.

The black box of child support assessments and income minimisation are not are currently open to scrutiny, as very little data are published on the scale or scope of income minimisation. Services Australia (2023, p. 79), however, does report that of the 14,384 finalised Change of Assessment decisions conducted in the 2022-23 financial year, including both payer and payee initiated applications, 71.2 per cent were "related to a parent's income, property, financial resources or earning capacity". Services Australia should open the black box by using its Change of Assessment data to examine how income minimisation is being enabled and work with the Department of Social Services and the Australian Tax Office to identify ways to close down these loopholes through policy or practical reform.

The average amount of child support expected in the previous month for all women was $546. For women expecting a payment above the minimum, the average was $910.

Figure 17: Child support expected and received



8.

INCORRECT
Payers will provide the assessed amount of child support, and it will be paid on time.

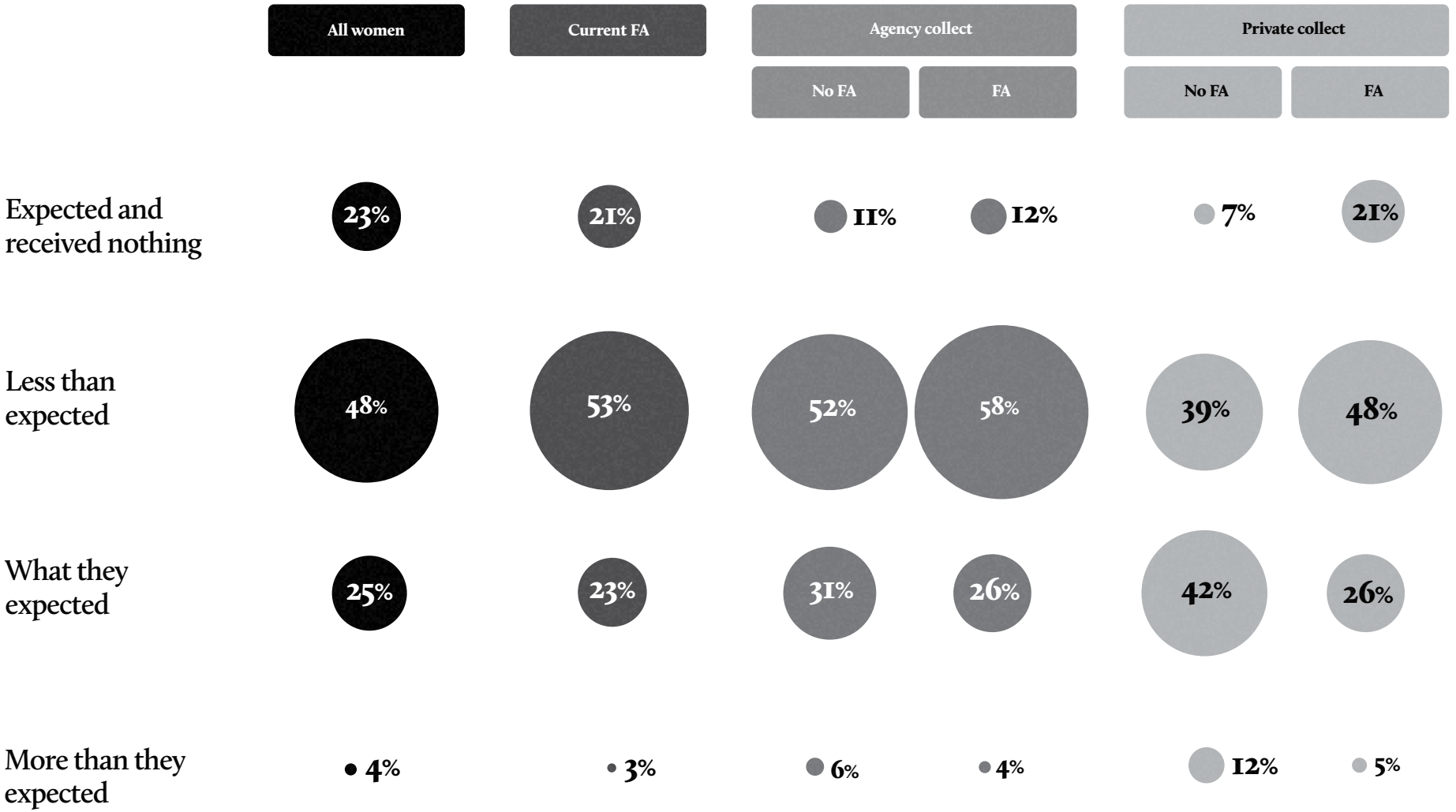
For both all women and those expecting above minimum payments, women who were experiencing financial abuse were expecting to receive slightly more child support than women who were not being financially abused at the time of the survey. However, while they expected to receive slightly more child support than others, women experiencing financial abuse received substantially less.

The average amount of child support expected increased when women were experiencing financial abuse and, unsurprisingly, for women expecting above the minimum amount. However, what was surprising is that the shortfall in payments that women received also increased for women experiencing financial abuse and expecting above the minimum.

Larger child support shortfalls falling to women experiencing financial abuse shines a light on how the system can be weaponised.

Compared to all women (48%), those who were experiencing financial abuse at the time of the survey were more likely to receive less child support than they were expecting (53%). Women experiencing financial abuse in the Agency Collect system were even more likely to experience an underpayment (58%).

Figure 18: Payment discrepancies for women experiencing financial abuse



There is an assumption in the child support system, as circulated in numerous parliamentary inquiries (HRSCFCA, 2003; HRSCSPLA, 2015) and taskforces (Ministerial Taskforce on Child Support, 2005) that parents who transfer payments privately do so because they get along better and will work together in children's best interests. In our sample, when there was no financial abuse, over half (54%) of women received the expected amount of child support, or more. However, for women experiencing financial abuse, less than a third (31%) received their expected entitlements, or more. For the majority of women using Private Collect (69%), payments were not received in full or at all.

Women in the Private Collect system who were not experiencing financial abuse were much more likely than victim-survivors (5%) to receive more child support than they were expecting in the previous month (12%) and were more likely to receive their correct child support entitlements (42%) than women who were being financially abused (26%).

However, given the exceedingly high rates of ongoing violence experienced by women in the scheme, the common-sense assumption that Private Collect results in better payment outcomes, or the policy assumption that payments are paid in full and on time for 100 per cent of the caseload do not hold.

Women in the Private Collect system who were experiencing financial abuse were much more likely (21%) to expect no child support than those not experiencing financial abuse (7%). Financial abuse victim-survivors in the Private Collect system were also more likely to expect no child support than women in the Agency Collect system (12%). These findings shine light on the until-now hidden reality that women experiencing abuse choose Private Collect as a means of avoiding payments and keeping themselves safe.

Women experiencing financial abuse were more likely than women not experiencing such violence to receive a payment shortfall, regardless of whether they were in the Agency or Private Collect systems.

Given that single parent families are Australia's most impoverished family type (Davidson, Bradbury & Wong, 2020) and that – when received – child support reduces the likelihood of Australian single-mother-family poverty by 21 per cent (Skinner et al., 2017), it is unacceptable that 71 per cent of women either expected nothing or reported often-significant underpayments.

Debt collections

Given the significant underpayments experienced by women, how – or whether – debts were recovered was another pressing issue.

Across all women with current child support debts, the average unpaid amount was $13,866. Of these women, 96 per cent were currently collecting via Agency Collect. But a third of these women (37%) began collecting child support using Private Collect, with every woman indicating that they switched to Agency Collect so that their child support debt could be collected.

> My ex was continually late paying, and after years of failing to pay on time and care for the kids properly, he told me he couldn't take them at all for his weekends. I ended up with 100[per cent] care and thought at least [with] govt collect I may receive some money in the future.

> He stopped paying privately

> Ex was refusing to pay, went on for months

Only 8 per cent of women in Agency Collect with a child support debt had asked Services Australia to follow up on this debt, with women recovering an average of $3,750. However, of all women with child support debts who were currently using Agency Collect, over half (55%) reported that Services Australia had been successful in recovering some arrears on their behalf. For these women, the average amount recovered by Services Australia was $3,909.

The low rate of women seeking Services Australia's assistance with debt collection may be explained by the qualitative comments that women provided. Here, women outlined the futility of their requests.

> I can't deal directly with him. It is not safe. I leave everything up to the Child support agency. I'm genuinely so tired and defeated. It is so disappointing, more so when you have evidence of their misconduct and absolutely nothing is done about it. These abusive people are protected and supported by these systems.

> [Services Australia] told me I should never remind him to pay CS that's why I'm a victim of DV- I just get him angry.

> When I tried to follow up, I was told it was my case and I would have to provide them with information so they could try and collect as he was self employed. I eventually stopped chasing it.

9.

INCORRECT
Debts will be recovered through Agency Collect, including that it is straightforward for resident parents to switch from Private to Agency Collect to recover debt.

> They [Services Australia] disagreed I had a debt. I had to take child support to the AAT [Administrative Appeals Tribunal]. I was successful.

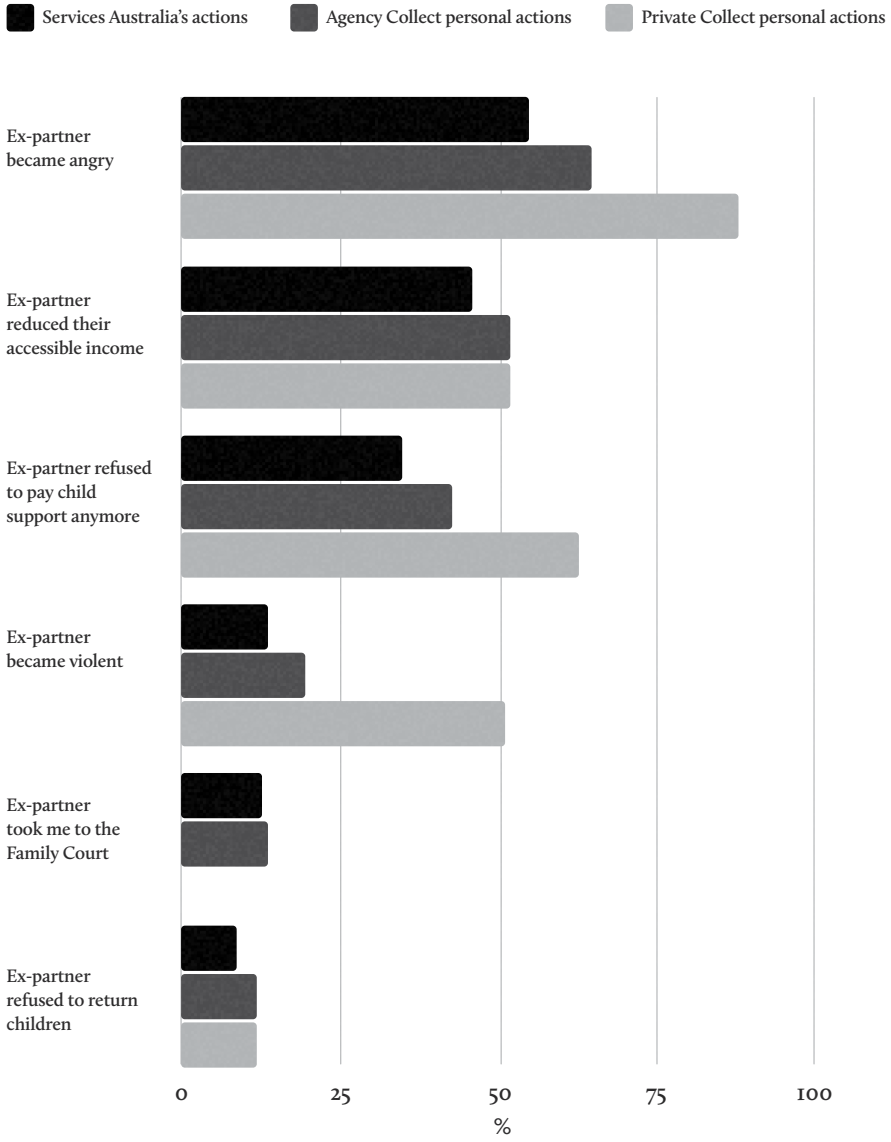
While Services Australia took some action to pursue debts, 7 per cent of women using Agency Collect had successfully taken their own action to recover a child support debt, collecting an average of $6,831.

A further 7 per cent of these women indicated that Services Australia had written off some or all of their debt averaging $1,800.

However, regardless of whether Services Australia or women tried to collect unpaid child support, women often faced negative consequences because of such actions.

Figure 19: Negative consequences resulting from debt collection efforts

Note: Does not sum to 100 as multiple responses were possible



When women using Agency Collect took their own actions to recoup child support from their ex-partners, they were more likely to face negative consequences than when Services Australia took action against non-compliant payers. Most strikingly, women who were collecting payments privately faced extremely high rates of violent or threatening responses including physical, emotional and financial abuse.

> I just let child support deal with him. Our safety was more important than the pathetic amounts of money he was ever assessed as having to pay. He would pick and choose and sometime not pay at all. Less stress in communication between us two when the agency can collect and reduce abuse.

These figures show the importance of Services Australia taking responsibility for the collection of child support payments and resultant debts, and further expose the convenient fallacy of fully compliant – and easy to collect – private payments. It also problematises the assumption that debts can be unproblematically recovered by using the Agency Collect system.

Rather than resulting in negative consequences for half of women with arrears, the child support system should provide a buffer between abusive ex-partners and mothers so as to transfer child support payments to children, consistent with the spirit of Article 27(4) United Nations Convention on the Rights of the Child. In its current form, women are not offered any buffer and instead perpetrators are emboldened by the child support system. Shining a light on the backlash faced by women who are seeking to claim their children's financial entitlements illustrates how out of step the child support is with the National Plan's commitment to holding perpetrators to account.

The Maintenance Income Test

One of the most pernicious aspects of the child support system is the treatment of child support money as income in the calculation of Family Tax Benefit Part A payments.

> **The tax department and child support should also collaborate to go after the non-payers and family tax benefit should not be affected by child support payments.**

> **It's simply wrong that Family Tax Benefit (FTB) hinges on this [child support] application and [income] disclosure.**

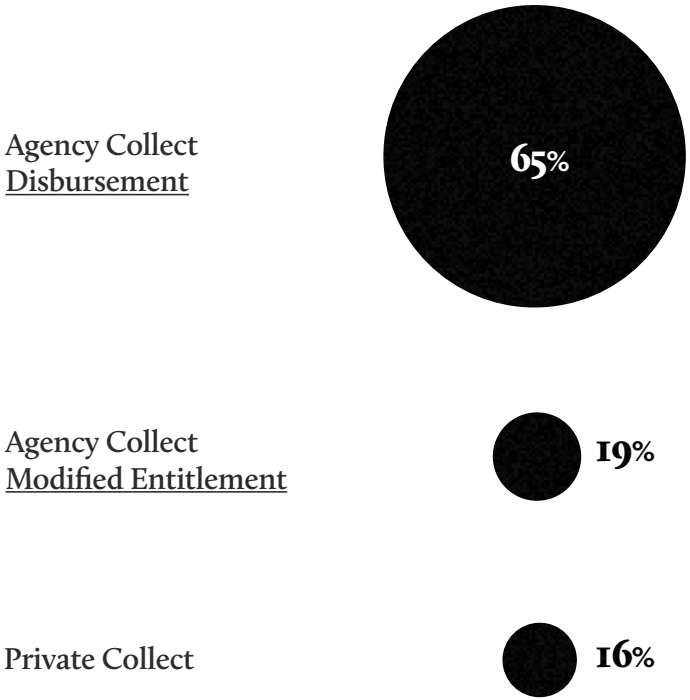
While all child support money paid by fathers is passed through to children, providing fathers with symbolic recognition of the financial support they provide (Natalier & Hewitt, 2014), at the same time, mothers lose almost half of the value of any child support paid through reductions to their FTBA payments. This invisible policy treatment, which is unlike any other system worldwide (Cook, 2021a; Meyer et al., 2015; Skinner et al., 2017), undermines mothers' financial ability to provide for their children. The recouping of FTBA payments entrenches mothers' financial hardship and subsequently children's financial needs despite the receipt of child support.

Children's ongoing poverty as a result of FTBA reductions feeds fathers' claims that their child support is being 'wasted' by mothers rather than being spent on children (Goodall and Cook, 2018). Rather than blaming mothers, however, fathers' anger should be directed at the Government that halves the effective value of their payments.

While mothers who receive child support receive only half of the actual value of fathers' payments, when fathers do not pay, mothers face additional adverse consequences which can be exacerbated by their payment collection method.

Of those women subject to the MAT who were receiving Family Tax Benefits, almost all (90%) received FTBA fortnightly. Of these women, 16 per cent collected child support privately while 84 per cent collected using Agency Collect. These women were further divided into those whose FTBA entitlements on the basis of child support income were calculated using the Disbursement Method (65%) and those using the Modified Entitlement Method (19%). Problematically, 70 per cent of women using Agency Collect did not know which method was being used.

Figure 20: Proportion of women using each FTBA calculation method



The method used to include child support income in the calculation of Family Tax Benefits matters. When child support is not received in full, the calculation method determines whether women:

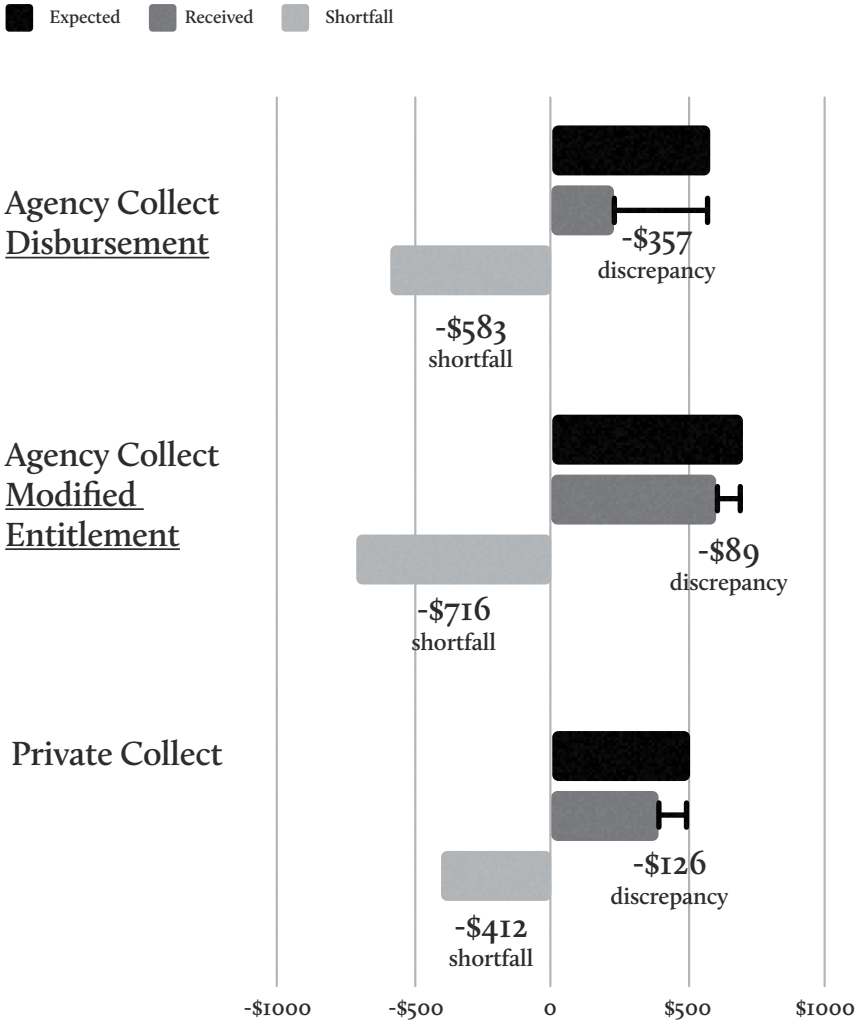
- have their FTBA reduced as if the full amount of child support was received (Private Collect),
- received reduced FTBA for the fortnight where they also received a child support shortfall, but have any FTBA underpayment provided at the end of the financial year (Modified Entitlement Method), or
- have their fortnightly FTBA increased to reflect the lower child support amount (Disbursement Method).

For low-income single mothers, it would be most advantageous to receive additional FTBA at the time of a child support shortfall, which is what happens using the Disbursement Method. This method is recommended by Services Australia for women who receive irregular payments or substantially less than was expected (Services Australia, 2024b). However, women must ask Services Australia to set up this calculation method (Services Australia, 2024b), as the Modified Entitlement Method is the default method used.

The fact that 70 per cent of women in our sample who were using Agency Collect did not know which calculation method they were using likely indicates the default Modified Entitlement Method was applied. For these women and those collecting privately, shortfalls in expected child support payments would not be made up for by simultaneous increases to their FTBA payments. It is no wonder then that single mother families are Australia's most impoverished family type (Davidson et al., 2020).

> I am not sure what I am entitled to and don't have any time spare to line up at Centrelink for hours or be on hold for hours.

Figure 21: Mean child support payments in the previous month by collection type



Note: Shortfall is calculated only for those women who received less than expected whereas the Discrepancy is the difference between the average amount expected and received which includes those receiving the correct amount as well as women who received more than expected.

Across the sample, almost half of women (48%) received a payment shortfall in the previous month. Almost another quarter (23%) did not expect to receive any child support, and thus were not included in the discrepancy and shortfall figures. Despite reporting no expected child support, almost half of the women (47%) who had no expected child support reported that they used Agency Collect, indicating that while they had a child support assessment, this was very unlikely to be paid.

While women in Private Collect had the smallest shortfall in expected payments, Services Australia would regard these payments to be fully compliant. As such, women collecting privately who experienced a shortfall lost not only the discrepancy in their expected child support payment, but also 50 per cent of the shortfall in reduced FTBA.

Based on the average shortfall experienced by privately collecting women in our sample, and FTBA erroneously reduced on this basis, they would be approximately $600 per month worse off than they should otherwise be. For low-income single mothers, a $7200 annual loss in income is extremely significant.

The scale and scope of non-compliance reported in our sample reveals the fallacy of the assumptions on which the MIT is built. Women often do not receive child support payments on time or in full. Reducing low-income mothers' FTBA payments at the same time is unconscionable.

INCORRECT
Child support collections and shortfalls will not jeopardise women's financial security through FTBA shortfalls and debts.

10.

> My ex denies my care and lied to child support even with a court order. He has minimised his tax[able income] from$140k to $50k. Kept a child against court orders and then I had to reward him by paying child support, which also got back dated, which also cut my family tax benefit. It is systematic abuse over and over.

> More needs to be done to investigate parents who dodge child support. Whether or not a parent receives cs should not dictate if they receive family tax benefits, as having services Australia threaten to reduce or cut it off, is triggering for victims of domestic violence, who have been repeatedly threatened by their ex to stop paying cs or to pay less, to take the children if they claim cs, to take your own benefits, to kill you and the kids if you claim cs. Services Australia aren't often sensitive enough to what some parents face from their ex partners and the stress, risk and effort placed on us, to receive and continue receiving cs.

Family Tax Benefit debts

10.

INCORRECT
Child support collections and shortfalls will not jeopardise women's financial security through FTBA shortfalls and debts.

As a result of the pernicious nature of the MIT, one of the most perverse outcomes of the child support system is the ability of retrospective changes to child support assessments to result in Family Tax Benefit overpayments. Following a legislative change in 2018 (DSS, 2024d), Family Tax Benefit overpayments resulting from backdated child support assessments are now vigorously pursued by the state, sustaining the hallmarks of an illegal social security system commonly referred to as Robodebt. While the legislative change purportedly "align[s] the Registrar's ability to recover a child support overpayment from a payee with the methods for recovering a child support debt from a payer" our survey has shown how little effort is placed on collecting child support arrears and the significant debts that accrue to women as a result.

In contrast to fathers' ability to choose when, how much and how to provide child support payments or arrears, low-income mothers' control over their incomes is severely constrained. While women regard the receipt of child support as completely out of their control (see page 96), women's FTBA payments are also unable to be relied upon.

A significant minority of women in our sample (43%) had incurred a Family Tax Benefit debt at some point. Of these women, half (50%) reported that this debt was because of a retrospective change to their child support assessment.

The average FTB debt owed to Services Australia by women was $3,452, which is an extremely significant amount for women with incomes low enough to qualify them for payments.

> I find the system hard to navigate. I think penalties should be in place for late payments, not lodging tax returns on time. I also believe it would be easier if when tax done and the paying parent has underestimated their income, that CSA and Centrelink balance it out and the paying parent has to pay Centrelink the debt. I.e. I was on taxable income for CSA. My ex estimated his income to be $75k. His actual income was $135k. I got a family tax benefit debt as they had over paid me based on his estimated income. My debt to CSA was $5k. He owed CSA $5k. I had to enter into a payment plan asap with Centrelink otherwise they would cut my family tax benefits and possibly my childcare subsidies which I need so I am able to continue to work.

> I applied and received nothing. I was penalised with Robo-debt because Centrelink claimed I didn't try hard enough to get child support payments, thus, they felt I was overpaid FTB and must repay the supposed "debt" I owed.

While these women had significant debts owed to the state, which would be automatically deducted from their family payments, these same women were owed an average of $12,172 in unpaid child support. A very high proportion of women (88%) who had a FTBA debt owed to the state due to a retrospective child support assessment also had a child support debt owed to them.

10.

INCORRECT
Child support collections and shortfalls will not jeopardise women's financial security through FTBA shortfalls and debts.

> Massive FTB debt. Caused immense stress, financial insecurity and misery.

> I believe the sudden payments of child support are designed to make me have a debt with FBT, as well as a sort of re terrorising of me, to let me know he is still about after being completely absent for the last 16 years.

> When Services Australia started garnishing his wages, he engaged a solicitor. The first letter demanded 50-50 custody of a 10 month old baby and the (then) unborn child I was still carrying, with the threat of legal proceedings if I failed to agree. He managed to drag out family court proceedings for 6 years before final orders were made in 2023. During that time, he made 8 false income estimates. When he eventually did his tax returns and I was paid $4k of a $8k child support debt, I ended up with an FTB debt that I am still paying off.

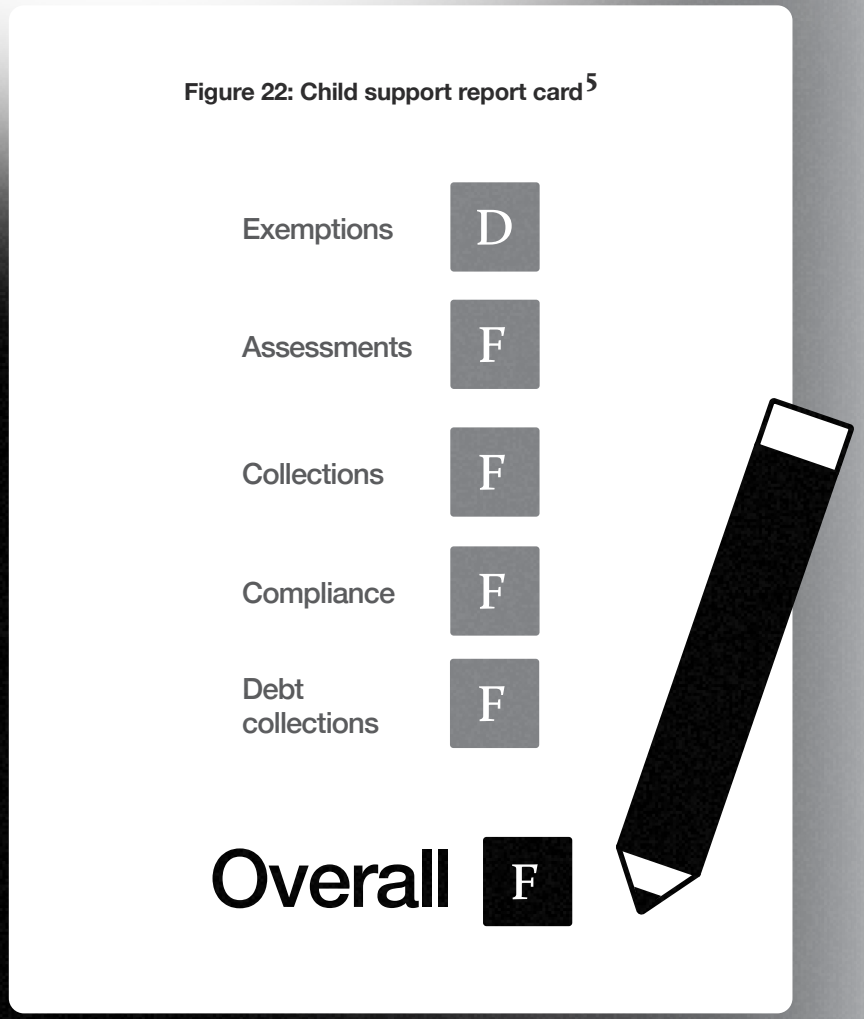
While the system operates on the convenient assumption that mothers and fathers are treated fairly and equally, low-income women's debts that result from their ex-partner's retrospective actions are much more easily pursued by Government than are the child support debts of non-compliant payers.

The legislation to vigorously recoup FTBA overpayments was ushered in under the banner of 'fairness and equality', however, there is a striking inequity in how debts within the child support system are pursued.

The system fails women

Women were asked to rate stages of the child support process on a five-point Likert scale that were then converted to percentages and then a letter grade to provide an assessment of the child support system.

Figure 22: Child support report card[5]



Given the finding that violence was a backdrop to respondents' lives, the grading reflects how violence shapes women's child support interactions and how abuse is perpetrated through the child support system, ultimately failing women.

The grades speak to the mismatch between the convenient, yet erroneous assumptions on which the child support system relies and the lived reality of women's engagement with the system. The mismatch between the seemingly smooth operation of the system and women's complex, conflicted and often dangerous interactions within the child support system ultimately fail women and their children.

Exemptions

Women scored the child support system exemption process a D, which indicated great dissatisfaction with the process of applying for an exemption. Exemptions from the MAT operate under multiple erroneous assumptions that our data proved to be false.

First, the system was not able to recognise that violence continued on well after separation, or that non-physical forms of violence were also extremely harmful (see erroneous assumption 1). The process of applying for an exemption following separation overlooks financial abuse. As argued by Douglas and Nagesh (2021), an exemption in its own right can be viewed as a form of financial abuse, as men continue to manipulate systems. Our data showed how exemptions might stop some forms of post-separation abuse, but with no certainty. Second, the system assumes that seeking an exemption is an appropriate response to family violence, and a straightforward process that will not re-traumatise victim-survivors (see erroneous assumption 2). Other results showed that women weren't aware they could apply for an exemption. Exemptions effectively rewarded abusive ex-partners, did not hold them accountable, enabled further financial abuse, and entrenched further disadvantage for single mothers.

---

5 D grade: Scores of 50-54%; F grade: Scores of 0-39%

Assessments

The assessment process was graded an F by women, reflecting how fathers' incomes could be minimised to avoid financial responsibilities to their children. Assessments assumed that violence ended at the point of separation, that parents would not hide or minimise their incomes, that parents would take up the share of care recorded in their child support agreement, and child support assessments accurately balance payees' costs of children with payers' capacity to pay (see erroneous assumptions 1, 3, 4 and 5). Our results showed that there were frequent changes to parents' share of care, and that non-resident parents used multiple tactics to hide or minimise their incomes. In addition, the pressure endured by women to accept erroneous assessments showed the ways that violence continued post-separation. The assessment process is failing women, as the evidence across all stages of the process revealed how payer parents could reduce their financial responsibilities or react violently when disadvantageous changes to assessments occurred.

Collection

The collection process was also graded F by women. The assumption that parents can freely agree on the collection type that suits them both (see assumption 6) is challenged by our results, much like the assumption that private collections will not be used to hide payment outcomes (see erroneous assumption 7). As identified in our results, almost half of women using Private Collect made such an agreement after being coerced by their ex-partners into doing so, primarily for the purpose of avoiding payments.

Compliance

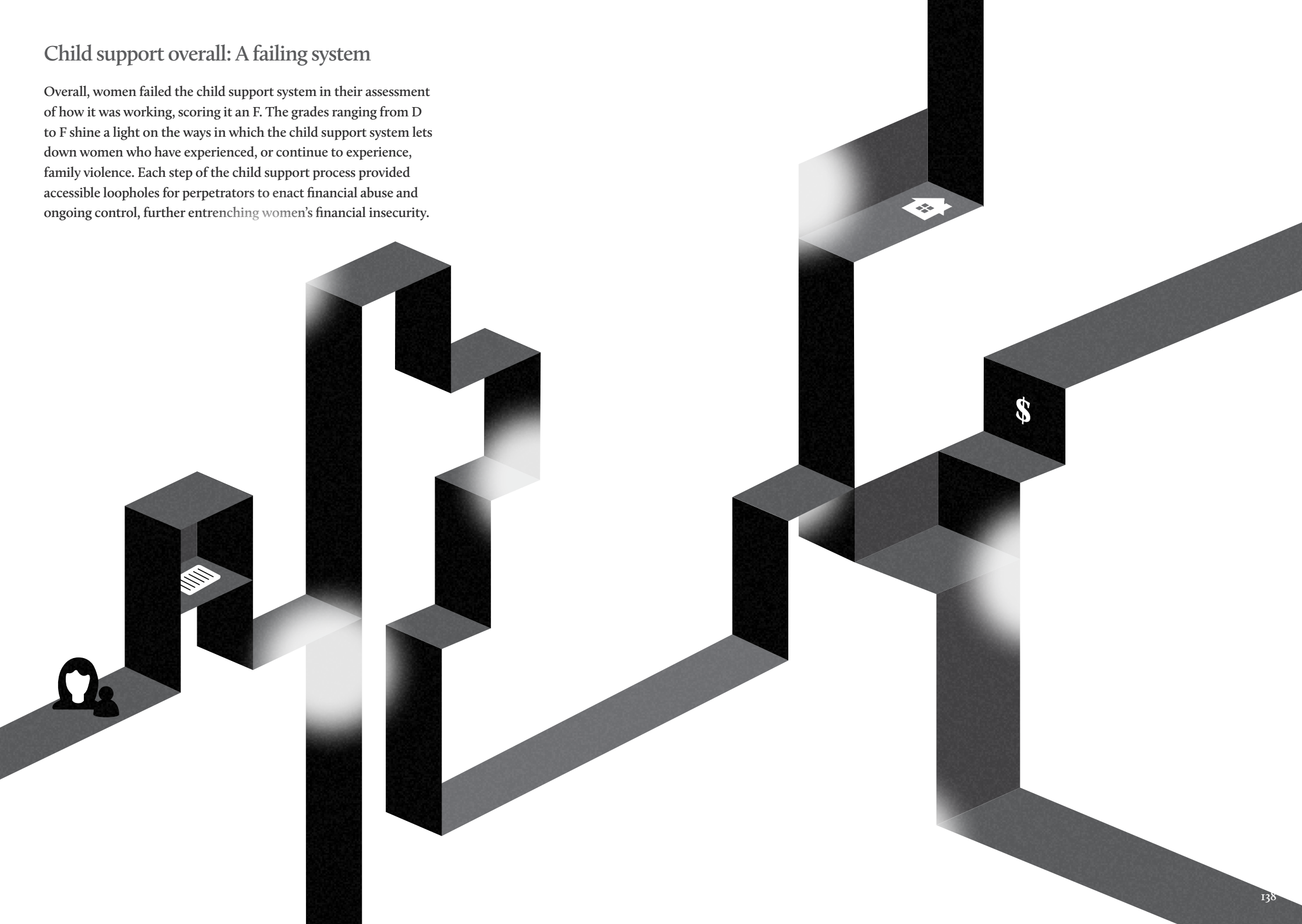
Our results revealed that the compliance process was also failing women, as women gave the process an F. The assumption that payers would provide the assessed amount of child support in full and on time was also shown to be untrue, as almost half of all women (48%) received less child support than was owed in the previous month (see erroneous assumption 8). Non-compliance was worse still for women experiencing financial abuse at the time of the survey, as 60 per cent received no payments in the previous month. Unmet payment expectations failed women whose partners were not willing contributors to their children's financial welfare. For low-income single mothers, child support non-compliance had a significant negative impact on their monthly budget.

Debt collection

Debt collection also received a failing grade from women. Our findings revealed that most women moved to Agency Collect when debt had accrued, however debt collections were not necessarily improved as a result. When debts occur, the assumption is that it is relatively straightforward for resident parents to switch from Private to Agency Collect to recover debt. However, this erroneous assumption fails to consider the consequences that may result for women, such as payers no longer paying any child support (see erroneous assumption 9). There was a sense that women had to give up pursuing their entitlements given that consequences such as their ex-partner becoming angry, violent, or refusing to pay child support anymore were experienced. In light of these difficult outcomes, child support debt collection was often regarded as futile. Worryingly, child support shortfalls and subsequent recovery or re-assessment efforts also had the potential to jeopardise women's financial security. One in five women in our sample experienced a FTBA debt because of retrospective child support change to their child support assessment (see erroneous assumption 10). Given these outcomes, it is no wonder that women gave the system's debt collection efforts a failing grade.

Child support overall: A failing system

Overall, women failed the child support system in their assessment of how it was working, scoring it an F. The grades ranging from D to F shine a light on the ways in which the child support system lets down women who have experienced, or continue to experience, family violence. Each step of the child support process provided accessible loopholes for perpetrators to enact financial abuse and ongoing control, further entrenching women's financial insecurity.



Conclusion

The research took a deep dive into the child support system from the viewpoint of single mothers, who were often family violence victim-survivors. It highlighted how child support intersects with key Australian Government initiatives and ambitions, such as the *National Plan to Eliminate Violence Against Women and Children* (DSS, 2022) and *Working for Women: A Strategy for Gender Equality* (Commonwealth of Australia, 2024).

The role that the child support system plays in exacerbating or facilitating violence requires urgent attention.

This report is being released during heightened government interest and activity. Moreover, and fortunately, the Government has signalled a receptiveness, with a renewed and industrious focus on child support. The release of this research is taking place in a unique political context marked by the Australian Prime Minister's declaration of gender-based violence as a national crisis. This setting has prompted government initiatives and public discourse. For instance, the DFSVC highlighted the use of Australian social support payment systems as tools that could be "weaponised" against women and has commenced an audit of government systems. The Government's commitment to implementing several recommendations from the Joint Select Committee on Australia's Family Law System (Gallagher and Chalmers, 2023) underscores the potential impact of the research on the current child support landscape, highlighting the crucial importance of the findings and their implications.

Furthermore, the Minister for Social Security also forecast the child support system as a policy focus and an area susceptible to being weaponised. These statements resonate with recommendations from independent but government-appointed expert bodies such as the Economic Inclusion Advisory Committee (EIAC, 2023; Interim EIAC, 2024) and the Women Economic Equality Taskforce (2023). Whilst recommendations are still to be formed from the recently established Child Support Expert Panel or the Child Support Stakeholder Consultation Group, this report can inform both bodies.

The findings in this report underscore the challenges associated with compulsory participation in a program that mandates women's engagement in the child support system in exchange for above-base-rate Family Tax Benefits. This dynamic diminishes women's autonomy and decision-making capabilities.

Our findings suggest that the weaponisation of child support assessments, including their long-term impact on FTBA payments, is an area requiring urgent examination and reform to safeguard the child support process and make it trauma-informed for victim-survivors. However, the research also illustrates a system of inefficacy and complicity in perpetuating harm; a system that has inadvertently exacerbated the struggles and challenges encountered by women with caregiving responsibilities.

Recommendations

The recommendations put forth in this study are a direct result of our survey findings and are intended to:

- bring about meaningful improvements,
- empower women with autonomy and choice that is directed by what they want and require for their family; and,
- create a system that is safe for women to engage in.

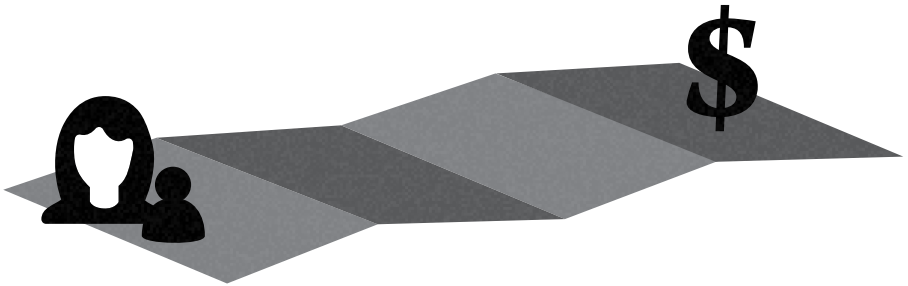
We make four recommendations that would greatly reduce the capacity of the system to be weaponised.

1. Delink family payments from child support by eliminating the Maintenance Income Test.

The separation of child support from family payments simplifies administrative work and system complexity, enhances system safety, and improves the certainty of social security.

2. Co-design family violence processes within the child support system to recognise the high rates of violence experienced by system users.

The positioning of family violence as the norm rather than the exception within the system would ensure that perpetrators are not rewarded through exemptions or non-payments and victim survivors are not re-victimised.



3. Move all child support collections back into the Australian Tax Office.

The ATO is best positioned to collect child support payments, address the $1.7 billion child support debt, close assessment loopholes, and uphold the expectations of timely and paid-in full payment.

4. Make all payment debts owed to and enforced by the Commonwealth.

The principle of the Commonwealth paying women first and pursuing non-compliance second is a superior policy approach and one that would create certainty of payments, reduce administrative burdens and enable the child support system to operate in the best interest of the children.

Enacting these recommendations would provide mothers with agency and remove women from the impossible situations that they currently face. Redesigning the system to recognise the trauma experienced by women with abusive ex-partners would hold perpetrators to account and facilitate women's financial and emotional recovery. The Commonwealth has a role to play in women's recovery, by taking on the responsibility for collecting payments, and ensuring that some of Australia's lowest income families receive the money that they are entitled to. In short, the Australian Government should provide the safety net that women and children so desperately deserve.

References

Alexander, L. (1995). Australia's Child Support Scheme. Family Matters, 42, 6–11.

Australian Bureau of Statistics (ABS). (2024). Disability, ageing and carers, Australia: Summary of findings. https://www.abs.gov.au/statistics/health/disability/disability-ageing-and-carers-australia-summary-findings/latest-release#:~:text=5.5%20million%20Australians%20(21.4%25),a%20profound%20or%20severe%20disability.

Australian Human Rights Commission. (2024). Statistics about Aboriginal and Torres Strait Islander People. https://humanrights.gov.au/our-work/education/statistics-about-aboriginal-and-torres-strait-islander-people

Branigan, L. (2004). His money or our money: Financial abuse of women in intimate partner relationships. Coburg Brunswick Community Legal Centre and Financial Counselling Service.

Campbell, E., Fernando, T., Gassner, L., Hill, J., Seidler, Z., & Summers, A. (2024). Unlocking the prevention potential: Accelerating action to end domestic, family and sexual violence. https://www.pmc.gov.au/resources/unlocking-the-prevention-potential?trk=feed_main-feed-card_feed-article-content

Commonwealth of Australia. (2011). 'Budget measures', Budget Paper No. 2 2011–2012, Canberra, Commonwealth of Australia.

Commonwealth of Australia. (2024). Working for women: A strategy for gender equality. https://genderequality.gov.au/sites/default/files/2024-03/working-for-women-a-strategy-for-gender-equality.pdf

Cook, K. (2019). The devaluing and disciplining of single mothers in Australian child support policy. In C. Pascoe Leahy and P. Bueskens (eds) Australian Mothering (pp. 381-402). Springer. https://doi.org/10.1007/978-3-030-20267-5_18

Cook, K. (2021a). Gender, malice, obligation and the state: Separated mothers' experiences of administrative burdens with Australia's child support program. Australian Journal of Public Administration, 80(4), 912-932. https://doi.org/10.1111/1467-8500.12522

Cook K. (2021b). State tactics of welfare benefit minimisation: the power of governing documents. Critical Social Policy. 42(2): 241–264. https://doi.org/10.1177/0261018321100347 4

Cook, K., Byrt, A., Burgin, R., Edwards, T., Coen, A., & Dimopoulos, G. (2023). Financial abuse: the weaponisation of child support in Australia. Swinburne University of Technology & Single Mother Families Australia (formerly NCSMC). https://doi.org/10.26185/72dy-m137

Cook., K., Goodall, Z., McLaren, J., & Edwards, T. (2019). Debts and disappointment: mothers' experiences of the child support system. Swinburne University of Technology & the National Council for Single Mothers and their Children. https://doi.org/10.25916/5dd4ab2528b12

Cook, K., McKenzie, H., & Natalier, K. (2015). Mothers' experiences of child support: qualitative research and opportunities for policy insight. Journal of Family Studies, 21(1), 57-71. https://doi.org/10.1080/13229400.2015.1011769

Cook, K., & Natalier, K. (2013). The gendered framing of Australia's child support reforms. International Journal of Law, Policy and the Family, 27(1), 28-50. https://doi.org/10.1093/lawfam/ebs013

Cook, K., & Skinner, C. (2019). Gender equality in child support policy: Fathers' rhetoric of "fairness" in a parliamentary inquiry. Social Politics: International Studies in Gender, State & Society, 26(1), 164-187. https://doi.org/10.1093/sp/jxy014

Davidson, P., Bradbury, B., and Wong, M. (2020). Poverty in Australia 2020: Part 2, Who is affected? (ACOSS/UNSW Poverty and Inequality Partnership Report No. 4). ACOSS. https://povertyandinequality.acoss.org.au/wp-content/uploads/2020/05/Poverty-in-Australia-2020-Part-2-%E2%80%93-Who-is-affected_Final.pdf

Department of Social Services. (2022). National plan to end violence against women and children 2022-2032. https://www.dss.gov.au/sites/default/fles/documents/10_2022/national_plan_accessible_version_for_website.pdf

Department of Social Services. (2024a). Child support expert panel. https://www.dss.gov.au/families-and-children-programs-services-the-child-support-scheme/child-support-expert-panel

Department of Social Services (2024b) Child support program data – June 2024. https://data.gov.au/data/dataset/6379b974-e547-4303-a361-6edebbb52550/resource/32dd50d1-e26e-4af6-8d1d-96f2aabe6b01/download/child-support-program-data-june-2024.pdf

Department of Social Services. (2024c). Child support stakeholder consultation group. https://www.dss.gov.au/families-and-children-programs-services-the-child-support-scheme/child-support-stakeholder-consultation-group

Department of Social Services. (2024d). 1.3.2.10 Amendments to the CSRC Act. https://guides.dss.gov.au/child-support-guide/1/3/2/10

Department of Social Services (2024e). 2.4.5 Care, cost & child support percentages https://guides.dss.gov.au/child-support-guide/2/4/5#:~:text=A%20parent%27s%20child%20support%20percentage%20represents%20the%20share,costs%20of%20the%20child%20provided%20directly%20through%20care.

Department of Social Services. (2024f). 3.1.5.70 Exemptions from the maintenance action test https://guides.dss.gov.au/family-assistance-guide/3/1/5/70

Department of Social Services. (2024g). 2.4.4.40 Provisional income - determination of ATI https://guides.dss.gov.au/child-support-guide/2/4/4/40

de Vaus , D. , Gray , M. , Qu , L. & Stanton , D. (2017) The economic consequences of divorce in six OECD countries. Australian Journal of Social Issues, 52(2), 180– 99. https://doi.org/10.1002/ajs4.13

Domestic, Family and Sexual Violence Commission. (2024) Yearly report to parliament. Canberra: Australian Government. https://dfsvc.gov.au/sites/default/files/2024-08/DFSVC0011-YearlyReport2024%28A4%29_FA4%28Digital%29_SP.pdf

Douglas, H. & Nagesh, R. (2021). Domestic and family violence, child support and 'the exemption'. Journal of Family Studies, 27(4), 540-555. https://doi.org/10.1080/13229400.2019.1653952

Economic Inclusion Advisory Committee (EIAC). (2024). 2024 Report to Government. Canberra: Commonwealth of Australia. https://www.dss.gov.au/sites/default/files/documents/04_2024/13404-eiac-report-dv-08.pdf

Edwards, M., Howard, C. & Miller, R. (2001) Social policy, public policy: From problem to practice. Allen & Unwin.

Fehlberg, B., & Maclean, M. (2009). Child support policy in Australia and the United Kingdom: Changing priorities but a similar tough deal for children? International Journal of Law, Policy and the Family 23(1), 1–24. https://doi.org/10.1093/lawfam/ebn015

Gahan, L. (2019). Separation and post-separation parenting within lesbian and gay co-parenting (Guild Parented) families. Australian & New Zealand Journal of Family Therapy, (40)1. 98-113. https://doi.org/10.1002/anzf.1343

Gallagher, K. & Chalmers, J. (2023). Budget 2023–24 Women's Budget Statement. Canberra: Commonwealth of Australia. https://parlinfo.aph.gov.au/parlInfo/download/library/budget/2023_05/upload_binary/womens_budget_statement_2023-24.pdf;fileType=application%2Fpdf

Goodall, Z. & Cook, K. (2021). The forms and functions of child support stigma. Social Currents 8(2), 145–162. https://doi.org/10.1177/23294965209682l1

Graycar, R. (2012). Family law reform in Australia, or frozen chooks revisited again? Theoretical Inquiries in Law, 13(1), 241-269. https://doi.org/10.1515/1565-3404.1291

House of Representatives Standing Committee Family and Community Affairs (2003) Every picture tells a story: Inquiry into child custody arrangements in the event of family separation. Canberra: Commonwealth of Australia.

House of Representatives Standing Committee of Social Policy and Legal Affairs. (2015). From conflict to cooperation: Inquiry into the child support program, Canberra: Commonwealth of Australia.

Interim Economic Inclusion Advisory Committee (IEIAC). (2023). 2023–24 Report to the Australian Government. Canberra: Commonwealth of Australia. https://www.dss.gov.au/sites/default/files/documents/06_2023/eiac_report_8.06.23_0.pdf

Joint Select Committee on Certain Family Law Issues (1994). Child Support Scheme: An Examination of the Operation and Effectiveness of the Scheme, Canberra: The Parliament of the Commonwealth of Australia.

Joint Select Committee on Australia's Family Law System (JSCAFLS). (2021). Third interim report: Australia's child support scheme. Canberra: Commonwealth of Australia.

Klapdor, M. & Grove, A. (2018) Family Assistance and Child Support Legislation Amendment (Protecting Children) Bill 2017. Bills Digest, Parliament of Australia. https://parlinfo.aph.gov.au/parlInfo/download/legislation/billsdgs/5787109/upload_binary/5787109.pdf

Meyer, D. R., Cancian, M., & Chen, Y. (2015). Why are child support orders becoming less likely after divorce?. Social Service Review, 89(2), 301-334. https://doi.org/10.1086/681604

Ministerial Taskforce on Child Support (2005). Report of ministerial taskforce on child support: In the best interests of children – reforming the child support scheme. Commonwealth of Australia. https://apo.org.au/sites/default/fles/resource-fles/2005-06/apo-nid1722.pdf

Natalier, K. (2018). State Facilitated Economic Abuse: A Structural Analysis of Men Deliberately Withholding Child Support. Feminist Legal Studies, 26(2), 121-140. https://doi:10.1007/s10691-018-9376-1

Natalier, K., Cook, K., & Pitman, T. (2016). Payee mothers' interactions with the department of human services-child support. Family Matters, (97), 30-40.

Natalier, K., & Hewitt, B. (2014). Separated parents reproducing and undoing gender through defining legitimate uses of child support. Gender & society, 28(6), 904-925. https://doi.org/10.1177/0891243214546933

O'Neill, D., & Mascarenhas, Z. (2024). Media release: New inquiry into financial abuse in Australia. Canberra: Parliament of Australia. https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Corporations_and_Financial_Services/FinancialAbuse/Media_Releases

Patrick, R., Cook, K., & Taket, A. (2007). Multiple barriers to obtaining child support: Experiences of women leaving violent partners. Just Policy: A Journal of Australian Social Policy, (45), 21-29.

Power, J.J., Perlesz, A., Schofield, M.J., Pitts, M., Brown, R., McNair, R., Barrett, A. & Bickerdike, A. (2010) Understanding resilience in same-sex parented families: the work, love, play study. BMC Public Health 10(115). https://doi.org/10.1186/1471-2458-10-115

Senate Affairs Legislation Committee (2022). Answers to Questions on Notice: Child Support Debt. Question Reference DSS SQ22-000174. Department of Social Services 2022-23 Budget Estimates. December 16, 2022.

Services Australia. (2023). Annual report 2022-23. Commonwealth of Australia. https://www.servicesaustralia.gov.au/sites/default/files/2023-10/annual-report-2022-23.pdf

Services Australia. (2024a). Compare your child support collection options. https://www.servicesaustralia.gov.au/compare-your-child-support-collection-options?context=21911

Services Australia. (2024b). Why you need to apply for child support while you get FTB Part A. https://www.servicesaustralia.gov.au/why-you-need-to-apply-for-child-support-while-you-get-ftb-part?context=21911#a8

Services Australia. (2024c). What is family and domestic violence. https://www.servicesaustralia.gov.au/what-family-and-domestic-violence?context=60033

Shephard, A. (2005). The Australian child support agency: Debt study and follow-up on intensive debt collection process. Family Court Review: An Interdisciplinary Journal, (43)3. 387-401. https://doi.org/10.1111/j.1744-1617.2005.00041.x

Skinner, C., Cook, K., & Sinclair, S. (2017) The potential of child support to reduce lone mother poverty: comparing population survey data in Australia and the UK. Journal of Poverty and Social Justice, 25(1). 79-94. https://doi.org/10.1332/175982717x14860543256937

Smyth, B. (2005). Modernising the child support scheme. Family Matters, 71, 58–61.

Smyth, B., & Henman, P. (2010). The distributional and financial impacts of the new Australian Child Support Scheme: A 'before and day-after reform' comparison of assessed liability. Journal of Family Studies, 16(1), 5-32.

Spallek, M., Haynes, M., Baxter, J., & Kapelle, N. (2020). The value of administrative data for longitudinal social research: a case study investigating income support receipt and relationship separation in Australia. International Journal of Social Research Methodology, 23(5), 467-481. https://doi.org/10.1080/13645579.2019.1707984

Stewart, M., Porter, E., Bowman, D., & Millane, E. (2023). Growing pains: Family Tax Benefit issues and options for reform. Brotherhood of St Laurence. https://www.bsl.org.au/research/publications/growing-pains-ftb-issues-and-options-for-reform/

Summerfield, T., Young, L., Harman, J. and Flatau, P. (2010). Child support and welfare to work reforms: The economic consequences for single-parent families. Family Matters, 84, 68–78.

Women's Economic Equality Taskforce (WEET). (2023). Women's Economic Equality Taskforce final report. Canberra: Commonwealth of Australia. https://www.pmc.gov.au/sites/default/files/resource/download/womens-economic-equality-taskforce-final-report.pdf

Index

Professor Kay Cook
Swinburne University of Technology
kcook@swin.edu.au

Terese Edwards
Single Mother Families Australia
terese@smfa.com.au