



# Opening

## the black box

# of child support

**Shining a light on how  
financial abuse is perpetrated**

EXECUTIVE SUMMARY

Kay Cook, Adrienne Byrt, Terese Edwards and Ashlea Coen

**Publisher:**

Swinburne University of Technology  
Hawthorn Victoria 3122 Australia  
[www.swin.edu.au](http://www.swin.edu.au)

First published 2024



Copyright © 2024 the authors.

This work is licensed under a Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International (CC BY-NC-ND 4.0) License.

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

v Acknowledgements

vi Glossary

viii Acronyms

ix List of figures

x Executive Summary

x	The study
xii	Opening the black box
xiv	Shining a light on the erroneous assumptions embedded in the Scheme
xvi	Methods
xvii	Key findings
xx	Applying for child support following separation
xxiii	Unfair assessments
xxiv	Collection methods that can harm women
xvi	Receiving due support?
xxx	The system fails women
xxxii	Conclusion
xxxiv	Recommendations

# 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

<b>Agency Collect</b>	Services Australia – Child Support receives and transfers child support payments from the payer parent to the payee parent.	<b>Jobseeker payment</b>	A Government income support payment that includes job search activity requirements.
<b>Child support</b>	Money paid for the purpose of financially supporting children following parental separation.	<b>Maintenance Action Test</b>	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.
<b>Economic abuse</b>	Numerous behaviours, such as financial control or employment sabotage, that are carried out by a perpetrator to control or harm a victim-survivor.	<b>Maintenance Income Test</b>	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).
<b>Exemption</b>	Resident parents are exempt from the Maintenance Action Test due to circumstances such as family violence.	<b>Non-resident parent</b>	The parent who has less overnight care of children compared to the resident parent.
<b>Family payments</b>	Government payments provided to families to help with the costs of raising children.	<b>Parenting Payment Single</b>	A Government income support payment for eligible single parents with a resident child under 14 years of age.
<b>Family Tax Benefit Part A</b>	A means-tested payment based on a family's income to help with the costs of raising children, paid per child.	<b>Payee parent</b>	The parent who receives child support payments.
<b>Family violence</b>	A pattern of controlling behaviour that can include physical, sexual, verbal, emotional and financial violence that can occur during intimate-relationships and post-separation.	<b>Payer parent</b>	The parent who pays child support.
<b>Financial abuse</b>	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.	<b>Private Collect</b>	Agreement between the payer and payee parent to transfer child support payments privately without the involvement of Services Australia.
		<b>Resident parent</b>	The parent who has more overnight care of children than the non-resident parent.

# Acronyms

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

# List of figures

		PAGE
<b>I</b>	Applying for child support	<b>XXV</b>
<b>2</b>	Child support report card	<b>XXXV</b>

# Executive Summary

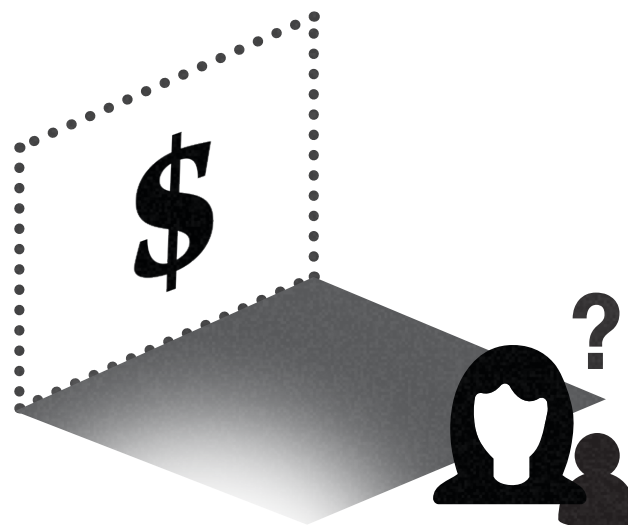
## The study

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.

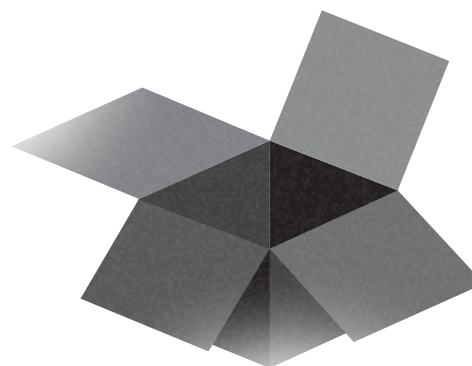
First, a black box describes a phenomenon where the inputs and outputs of a process are known, but where the implementation is opaque. For child support, a complex array of policy settings and procedures are documented. There exists data on the performance of the child support system in terms of the 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:

**I.**

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.

**IO.**

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.

## 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.**

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

**I.**

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:



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

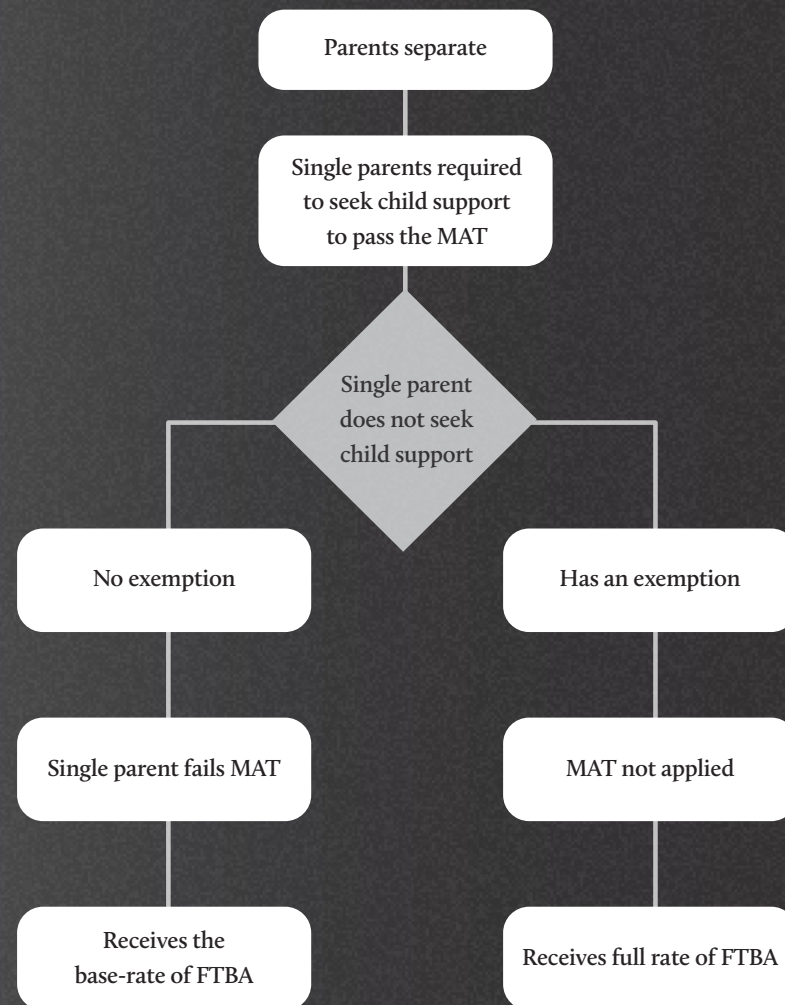


or to reduce their risk of violence (25%).

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.

3.

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

4.

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

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.**

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

6.

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.

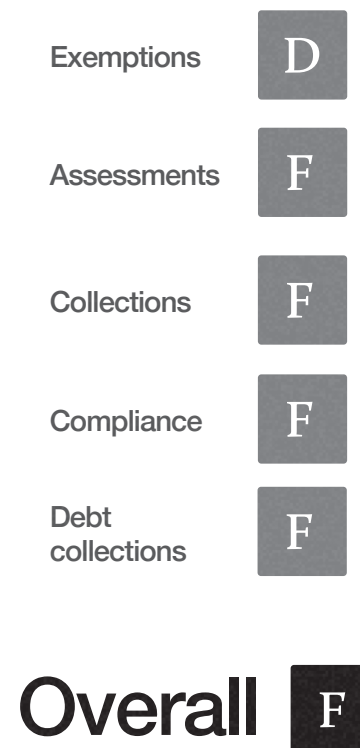
Women reported almost 'no control' while their ex-partners were reported as having almost 'total control', especially when violence was present. Services Australia, by was reported as having only 'moderate' control.

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 <sup>I</sup>



<sup>I</sup> 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.

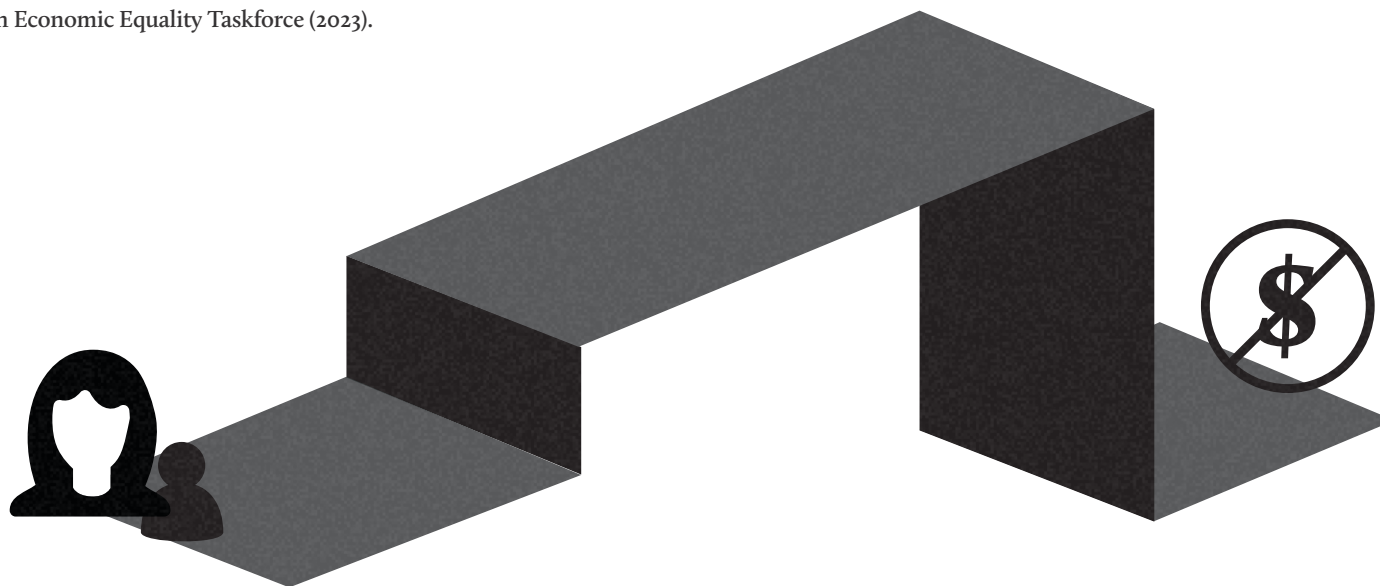
Furthermore, the Minister for Social Security also forecast the child support system as a policy focus and an area susceptible to being weaponised. These statements resonate with recommendations from independent but government-appointed expert bodies such as the Economic Inclusion Advisory Committee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

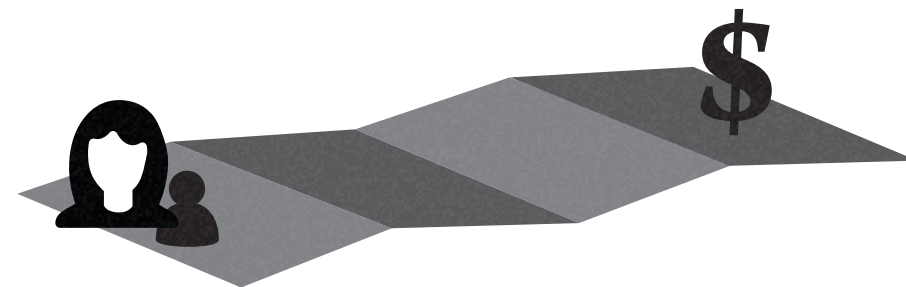
We make four recommendations that would greatly reduce the capacity of the system to be weaponised.

## **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.