

CENTRELINK DEBTS

Financial Inclusion Conference
16 February 2022

Robodebt responsible for \$1.5bn unlawful debts in 'very sorry chapter', court hears

Hundreds of welfare recipients argue a settlement with the government does not reflect the 'stress and anxiety' caused by robodebt



📷 The federal court has heard that the total estimate of unlawful debts raised by the government has increased to \$1.5bn. Photograph: Dan Peled/AAP

SOCIAL SECURITY/FAMILY TAX BENEFIT DEBTS



Image: 7.30 Report

DOMESTIC VIOLENCE AND CENTRELINK DEBTS



DEBT, DURESS AND DOB-INS:
Centrelink compliance processes
and domestic violence



How well does Australia's
social security system
support victims of family
and domestic violence?



Key findings

- Member of a Couple determinations can serve to tie women's access to social security payments to their abuser
- Victims/Survivors are unfairly incurring social security debts, including as a direct result of the actions of abusers
- Social security compliance and fraud mechanisms are being misused by abusers as tools of violence
- Victims/Survivors struggle to access appropriate assistance and support

How do women experiencing domestic violence end up with Centrelink debts?

Decisions about who is a Member of a Couple



Should she be considered a member of a couple for Centrelink purposes?



Member of a Couple criteria

s.4(3)

- the financial aspects of the relationship
- the nature of the household
- the social aspects of the relationship
- the presence or absence of a sexual relationship
- the nature of the commitment

Financial abuse seen as evidence of being a member of a couple

3 examples of 'evidence' relied on by Centrelink decision makers to support a finding that a person was/is a member of a couple:

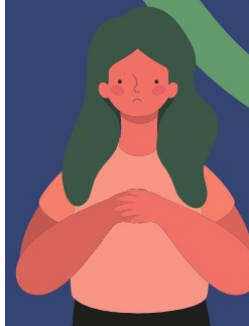
- Perpetrator accessing the client's bank account
- Perpetrator coming into Centrelink with a client
- Birth of a child

Financial aspects of the relationship should be considered critical



Liability for debts caused by abusers can rest with victims

He lied about his income
but walked away
with no repercussions
at all while ...
**she's left with
the Centrelink debt!**



Limited fix

Discretion to treat as not a Member of a Couple

Her abusive husband
intentionally lied
about his income
and assets but ...
**she's left with the
Centrelink debt**



Limitation on debt waiver discretion

- knowingly
- another person
- special circumstances



LEGAL HELP WITH CENTRELINK

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