

Centrelink and Family Violence

Tips and considerations when working with family violence victims/survivors



Member of a Couple for Centrelink purposes

- Payment rates are calculated on a single or partnered basis.
- Separation can include no longer living together or separated under the one roof. After separation, client should update their relationship details with Centrelink and seek single rate of payment.
- Consider advising Centrelink of family violence if there are safety concerns as Centrelink may contact a client's ex-partner to verify relationship details.
- Some issues SSRV can assist with include:
 - Situations where a client lived or continues to live with a partner whilst receiving single rate of a payment;
 - When a client has incorrectly reported their income or their partner's income;
 - Complex relationship situations (e.g. on-off or undefined relationships).

Section 24 – Discretion *not* to be treated as a “Member of a Couple” for a special reason

- Centrelink has discretion to treat some people as being single instead of partnered, for payment rate purposes. There must be a special reason to do so.
- Some issues SSRV can assist with include:
 - When a client is living with a partner and receiving the partnered rate of a payment, but experiencing family violence;
 - When a client has a Centrelink debt due to being partnered and experiencing family violence.

Centrelink debts

- Centrelink debts can be reviewed.
- Repayments on a debt can be paused pending the review outcome.
- If no review is pending or to occur, repayment rates can be negotiated with Centrelink's Debt Recovery line. Depending on circumstances, repayments can be negotiated to \$10-\$15 per fortnight.
- Centrelink debts may be waived due to administrative error or special circumstances.
- There are three stages of review: one internal review with Centrelink, and two tiers of review with the Administrative Appeals Tribunal.
- There are risks when seeking review of a debt, including a risk that the debt may be recalculated to a higher amount. Clients providing self-incriminating information on review can increase the risk of a fraud investigation and potential prosecution.
- We recommend clients get legal advice before seeking review of a debt relating to family violence.

Family Tax Benefit (FTB)

- FTB payments commonly result in debts, as payment rates rely upon projections of annual family income.
- A client's estimation of their family income should be kept updated with Centrelink as their circumstances change throughout the year. This includes if they separate or recouple.
- FTB has requirements for seeking child support from the other parent. Exemptions for situations of family violence are available.

Assisting clients

- We recommend that the client requests for their Centrelink payment be paid into a bank account that their ex-partner cannot access.
- Centrelink's Operation Blueprint allows Centrelink to accept an implied authority from a Financial Counsellor to speak on their client's behalf (i.e. where you have a verbal authority from the client to contact Centrelink).
- We recommend client's ensure their ex-partner does not have access or permission to enquire with Centrelink on their behalf. They should remove any nominee arrangement and change their passwords.
- If your client has difficulty accessing payments, has had a rejection of their claim or a payment cancelled, contact [SSRV's Worker Helpline](#) for a secondary consultation or to refer your client to SSRV for legal advice.



Worker Help Line

03 9481 0655

Monday to Friday, 9am–5pm, community lawyers and workers can contact us for information or secondary consultation with an SSRV lawyer.

Legal Assistance Line

03 9481 0355

Monday to Thursday, 9am–4.30pm for Victorians experiencing a Centrelink issue.