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Australian Taxation Office – Consultation Paper – ATO Vulnerability Framework

Thank you for the opportunity to make a submission on the ATO Vulnerability Framework (the Framework) dated 12 June 2025. Relationships Australia recognises that, across the Commonwealth, there are significant steps being taken to address the asymmetries of knowledge and power between government agencies and people experiencing circumstances of vulnerability, as well as the general population. We welcome these initiatives.

This submission builds on submissions made by Relationships Australia National Office, including our submissions to:

- the Attorney-General's Department on the draft National Plan to End Abuse and Mistreatment of Older People (February 2025)
- the Parliamentary Joint Committee on Corporations and Financial Services, for their inquiry into financial abuse (June 2024)¹
- the Senate Select Committee on Cost of Living (October 2023), and
- the Australian Communications and Media Authority consultation on its expectations of the telecommunications industry when engaging with customers experiencing circumstances of vulnerability (September 2021).

These submissions can be found at <https://www.relationships.org.au/research/#advocacy>

Our submission is also informed by:

- the Report of the Royal Commission into the Robodebt Scheme (Robodebt Report)
- the Report of the Parliamentary Joint Committee on Corporations and Financial Services, *Financial abuse: an insidious form of domestic violence* PJC report)
- the Tax Ombudsman's recent report, *Identification and management of financial abuse within the tax system* (TO Report)²

¹ While many of the PJC Report recommendations referred to in this submission are directed at financial services and institutions, we consider that they are apposite to the ATO. The Commonwealth should not ask the private sector to assume responsibilities and liabilities for detecting and acting upon financial abuse, including by waiving otherwise recoverable amounts of money, if it is not prepared to do the same. Protection of the revenue cannot be at the expense of victim-survivors who have endured an experience not of their making, in circumstances where society, as a whole, has failed to protect them.

² We acknowledge that the ATO agreed with all of the review recommendations (letter Second Commissioner of Taxation to the Inspector-General of Taxation and Taxation Ombudsman, 28 March 2025, Appendix A to the TO Report (p 50).

- the Commonwealth Ombudsman's recent report, *Without Judgement* (Ombudsman's Report),³ and
- the principles of good tax administration, as articulated in Owen (2025) and on the Tax Ombudsman's website.⁴

The work of Relationships Australia

Relationships Australia is a federation of community-based, not-for-profit organisations with no religious affiliations. Our services are for all members of the community, regardless of religious belief, age, gender, sexual orientation, lifestyle choice, cultural background or economic circumstances. Relationships Australia provides a range of services, including counselling, dispute resolution, children's services, services for victims and perpetrators of family violence, services for older people, and relationship and professional education. We aim to support all people in Australia to live with positive and respectful relationships, and believe that people have the capacity to change how they relate to others.

Relationships Australia has provided family relationships services for over 75 years. Our State and Territory organisations, along with our consortium partners, operate approximately one third of the Family Relationship Centres (FRCs) across the country. In addition, Relationships Australia Queensland operates the national Family Relationships Advice Line and the Telephone Dispute Resolution Service.

In 2023-2024, Relationships Australia member organisations:

- served more than 175,000 clients across more than 100 locations and 97 outreach locations
- employed 2,000 staff to offer more than 380 unique services/programs
- launched more than 25 new programs
- participated in over 29 research projects, and
- offered more than 27 articles and submissions to support legislative and policy development, and continuous improvement and innovation in service delivery, and which reflected and amplified what we learn from clients and through research projects.⁵

The core of our work is relationships – through our programs, we work with people to enhance not only family relationships, but also relationships with friends, colleagues, and across communities. Relationships Australia believes that violence, coercion, control and inequality are unacceptable. We respect the rights of all people to live life fully within their families and

³ We acknowledge the launch, in December 2024, of Services Australia's Family and Domestic Violence Strategic Commitment, and that Services Australia accepted all of the Ombudsman's recommendations in its response to *Without Judgement*.

⁴ At <https://www.taxombudsman.gov.au/for-tax-professionals/>

⁵ Relationships Australia (2024) Annual Impact Report for Family Relationships Services Programs. Accessible at <https://www.relationships.org.au/wp-content/uploads/RA-Impact-Report-24-FINAL.pdf>

communities with dignity and safety, and to enjoy healthy relationships. These principles underpin our work.

Responses to Consultation Paper questions

We have provided brief responses to the consultation questions; these responses are expanded upon in our comments on each element of the draft Framework.

1. How clearly does the Framework explain our commitment to supporting people experiencing vulnerability? What aspects are most clear or meaningful to you? Are there areas that could be improved? The intended distinction between the focus areas 'support' and 'services' is unclear; there seems to be overlap.
2. Is the language in the Framework clear, respectful, and easy to understand? Let us know if there are words or sections that could be clearer. See previous answer. Also, while it is clear that care has been taken to use clear language, there is occasional use of jargon which might make the Framework more difficult to understand than necessary (eg 'stewardship groups').
3. How well does the Framework explain what vulnerability means and how it may affect people's experience with the ATO? Do you think the definition of vulnerability is clear and inclusive? What, if anything, should be added or clarified? The definition provides a good basis for understanding that vulnerability can arise in diverse ways, and can be of varied duration for individuals. It could be enhanced by being explicit that people may experience circumstances of vulnerability not only because of 'personal circumstances', but also because of broader structural and systemic disadvantage. It would also be helpful to more comprehensively explain intersectionality, and the compounding effects it can have. Finally, the Framework should be explicit that financial abuse within the tax and superannuation systems occurs in intergenerational relationships ('elder abuse'), as well as in intimate partner relationships.
4. How clearly does the Framework explain our role, in supporting people experiencing vulnerability, including what we can and can't do? Is there anything about our role that could be explained more clearly? Please see the answer to Question 1 about the distinction between support and services.
5. Do the guiding principles, for example, empathy, fairness, and inclusion, feel appropriate and meaningful? What do these principles mean to you in the context of people experiencing vulnerability engaging with the ATO? Relationships Australia welcomes the ATO's work to develop its vulnerability capability. However, there needs to be cultural transformation within the ATO to enable staff to respond consistently to taxpayers experiencing circumstances of vulnerability in ways that do not exacerbate the immense asymmetry of power and knowledge that exists between the ATO and individuals. Further, the co-existence of the principles in the Framework with the

principles of good tax administration identified by the Tax Ombudsman (albeit with different focuses) adds to fragmentation within tax administration by the Commonwealth. It might be helpful if the Framework were to tie the guiding principles articulated in the Framework explicitly to the TO's principles of good tax administration, or to simply adopt them in the Framework. There is significant overlap, and adherence to the principles proposed by the TO would serve the needs of people experiencing circumstances of vulnerability.

6. Is there anything missing that would make the Framework more useful or complete? Please see the recommendations and supporting comments below.
7. Would you use the Framework for yourself or in your work, or share it with others? If so, how might you use it? For example, as a taxpayer, practitioner, or advocate. Relationships Australia would share the Framework with our Family Dispute Resolution practitioners who support separating couples in resolving disputes about property, as well as disputes about arrangements for their children.
8. Is there anything else you would like us to consider before the Framework is finalised? Please see the recommendations and supporting comments following.

Recommendations

Understanding vulnerability

Recommendation 1

That the Framework explicitly refer to people experiencing not only episodic circumstances of vulnerability, but people who are marginalised, isolated and disenfranchised from our social, political, financial and cultural society.

Recommendation 2

That, for the avoidance of doubt, the list of causes of people experiencing vulnerability be expanded to include natural disasters and mass population events that disproportionately affect people experiencing circumstances of vulnerability, including people who are marginalised through systemic and structural barriers.

Recommendation 3

That the Framework should require the ATO to provide communication resources for the public, and communications with individuals in ways that are both readily accessible online and in hard copy formats, while also enabling face to face interactions.

Recommendation 4

That the Framework adopt a Safety by Design perspective, to harden the ATO and its systems against misuse and manipulation through financial abuse.

Recommendation 5

That the Framework also acknowledge that being left with a tax debt as a result of financial abuse is unlikely to be the only kind of financial abuse (or intimate partner violence) that a victim survivor has experienced.

Recommendation 6

That, to support people experiencing circumstances of vulnerability, the Framework should require the ATO to advise Government of the need for a holistic approach to debt relief.

Recommendation 7

That the Framework explicitly recognise both intimate partner and intergenerational financial abuse as circumstances of vulnerability.

Recommendation 8

That the Framework explicitly include abuse of older adults, that results in them wrongfully incurring a tax debt or suffering losses to their superannuation, as a circumstance of vulnerability.

Recommendation 9

That the Framework explicitly require ATO staff engaging with victim survivors to be empowered to work confidently and effectively with:

- people experiencing the impacts (including cognitive impacts) of trauma
- people experiencing DFV and ANOP
- culturally safe practices, and
- other services, including relationship and therapeutic services and legal services.

This recommendation also has relevance to the Guiding Principles of equity and fairness, empathy and compassion, and continuous improvement and the Core Focus Area of Staff, as well as the guiding principles of compassion, empathy, and fairness.

Recommendation 10

That mandatory initial and ongoing training for ATO public facing and specialist staff include content enabling staff to recognise and respond safely and effectively to indicators of coercive control.

This recommendation also has relevance to the Guiding Principles of equity and fairness, empathy and compassion, and continuous improvement and the Core Focus Area of Staff, as well as the guiding principles of compassion, empathy, and fairness.

Recommendation 11

That the Framework, and its complementing materials, adopt a 'reasonable suspicion' threshold.

Recommendation 12

Acknowledging the limits of the ATO's role in advising Government - that Government should amend taxation legislation to explicitly empower the ATO to permanently extinguish or transfer tax debts incurred through financial abuse. These amendments should then be reflected in the Framework.

Recommendation 13

Acknowledging the limits of the ATO's role in advising Government - that the Government legislate to enable the extinguishment of tax debts owed by victim-survivors and incurred through DFV/AMNEOP, and/or the transfer of tax debts to perpetrators of intimate partner and intergenerational financial abuse.

Accessibility and inclusion

Recommendation 14

That the Framework, and its supporting materials, require that teams dedicated to supporting victim survivors are equipped and empowered to offer warm referrals to appropriate therapeutic and other support services within and outside the ATO (eg emergency accommodation, family mediation, and legal advice).

This recommendation also has relevance to the Guiding Principles of equity and fairness, empathy and compassion, and continuous improvement and the Core Focus Area of Staff, as well as the guiding principles of compassion, empathy, and fairness.

Recommendation 15

That the Framework, and its supporting materials, require that training in cultural safety training and trauma informed practices should be mandatory for all those working with First Nations people, as well as Culturally and Linguistically Marginalised people.

This recommendation also has relevance to the Guiding Principles of equity and fairness, empathy and compassion, and continuous improvement and the Core Focus Area of Staff, as well as the guiding principles of compassion, empathy, and fairness.

Recommendation 16

That the Framework more clearly acknowledge these barriers to access and the need for the Framework to require culturally safe practices and processes.

Recommendation 17

That Government clarify legislation to ensure that the secrecy of a perpetrator's tax and superannuation arrangements is outweighed by Government's commitment to healing and recovery of victim survivors.

Core focus areas

Support

Recommendation 18

That, as part of its approach to supporting people experiencing circumstances of vulnerability, the ATO introduce a system of vulnerability indicators, noting also the discussion in the TO report (pp 18-19)

Services

Recommendation 19

That the ATO develop and maintain tracking systems to determine what referral pathways are being used, and to what extent, to inform appropriate resource allocation.

Recommendation 20

That the Framework and its supporting materials require ATO employees to have real time access to warm referral pathways to assist taxpayers experiencing circumstances of vulnerability.

This recommendation also has relevance to the Guiding Principle of Accessibility and Inclusion.

Recommendation 21

That the ATO also consider collaborating with the Department of Social Services, which employs in-house social workers, to explore whether an in-house social work capability would provide better service to taxpayers and better support to other ATO staff who encounter people experiencing circumstances of vulnerability.

This recommendation also has relevance to the Guiding Principle of Accessibility and Inclusion and to the Core Focus Area of Support.

Design

Recommendation 22

That the ATO establish an advisory board including taxpayers with lived experience of barriers and asymmetries of information and power with the tax and superannuation systems including, but not limited to:

- safety concerns (including family and domestic violence, intimate partner violence, abuse and mistreatment of older adults, institutional abuse, systems abuse and technology facilitated abuse)
- cultural safety
- poverty
- homelessness and housing precarity
- disability

- language barriers
- mental poor health, and
- geographic barriers.

Community members of the board should be remunerated for their role. That the Board also include representatives from service provision and advocacy organisations.

Recommendation 23

That the ATO engage with the Commonwealth, State and Territory to discuss useful insights from the family violence information sharing framework.

This recommendation also has relevance to the Collaboration element at p 12 of the Framework.

Staff

Recommendation 24

That the Framework be enhanced to ensure that ATO staff who are experiencing circumstances of vulnerability can be appropriately supported.

Recommendation 25

That the ATO, as an employer, should also take steps to protect staff from moral injury and vicarious trauma.

Recommendation 26

That staff should have mandatory initial and ongoing training in the intersections of the tax and superannuation systems with family law, child support, and other social services payments, benefits and allowances. Training should be continually reviewed to ensure that it keeps pace with legislative amendments (such as the recent amendments enabling the economic effects of family violence to be considered in family law property proceedings).

This recommendation also has relevance to the Guiding Principle of Continuous Improvement.

Collaboration

Recommendation 27

That the Framework acknowledge at least the following key pieces of infrastructure enabling more effective inter- and intra-governmental collaboration, for example:

- the National Agreement on Closing the Gap 2020
- the National Plan to End Violence against Women and Children 2022-2032
- the National Plan to End Abuse and Mistreatment of Older People 2025-2035 (still in draft form, and subject to agreement by the Standing Committee of Attorneys-General and then Cabinet)
- Disaster Recovery Funding Arrangements, and

- the National Access to Justice Partnership 2025-2030.

Recommendation 28

That the Framework be more explicit about how collaboration will be enabled and leveraged to improve experiences and outcomes for people experiencing circumstances of vulnerability.

Relationships Australia Framing Principles for Submission

RA Principle 1 - Commitment to human rights

Relationships Australia contextualises its services, research and advocacy within imperatives to strengthen connections between people, scaffolded by a robust commitment to human rights. Relationships Australia recognises the indivisibility and universality of human rights and the inherent and equal freedom and dignity of all. In our 2023 submission to the inquiry Parliamentary Joint Committee on Human Rights into Australia's human rights framework, we recommended that Government should introduce a Human Rights Act that provides a positive framework for recognition of human rights in Australia (Recommendation 2 of that submission).⁶

RA Principle 2 – Accessible and inclusive public institutions, regulation and service delivery

Inclusive and universally accessible public institutions, regulation and services are an imperative of human rights. This is because circumstances that operate to exclude, marginalise or discriminate against individuals become barriers to full participation in economic, cultural, political, and social life through the operation of systemic and structural factors including:

- fragmented legal, political and bureaucratic frameworks
- beliefs and expectations that are reflected in decision-making structures (such as legislatures, courts and tribunals, and regulators)
- policy settings that inform programme administration
- social and economic determinants of health and access to justice, and
- biases or prejudices that persist across society and are reflected not only in political and economic structures, but also in the arts, culture, media and entertainment.

RA Principle 3 – An expanded understanding of diverse ways of being and knowing

Our commitment to human rights necessarily includes a commitment to respecting epistemologies beyond conventional Western ways of being, thinking and doing. Of acute importance is a commitment to respecting epistemologies and experiences of Aboriginal and Torres Strait Islander people as foundational to policy and programme development, as well as service delivery.

⁶ Available at https://www.relationships.org.au/wp-content/uploads/PJCHRhumanrightsframework.FINAL_.pdf

Aboriginal and Torres Strait Islander people have different ways of knowing the dimensions of poverty; indeed, the drivers of poverty and the mechanisms and conditions for escaping from poverty are different from those applying to other groups in the community.⁷ Connection to Country, and context-specific experiences of kinship, for example, do not countenance the hyper-individualism that pervades Western assumptions about distribution of resources and obligations between the Western nation-state and individual taxpayers and among individual taxpayers. Centring the epistemologies and experiences of Aboriginal and Torres Strait Islander people is a necessary (although not sufficient) step in achieving the targets in the National Agreement on Closing the Gap, as well as preventing entry into poverty, ameliorating its effects, and hastening transitions out of poverty.

RA Principle 4 – An expanded understanding of valued and valuable work

...a major and enduring flaw in Australian social security [is] its inability to recognise various productive activities people undertake – including unpaid care work, which is largely undertaken by women (Blaxland, 2010). People receiving social security payments are accused of being dependent on welfare, but actually, the economy and society are dependent on their unpaid labour, yet these same people are denied an economic floor upon which they can survive.⁸

These circumstances exacerbate women's vulnerability, at all ages, to financial and economic abuse, and heighten the barriers women must overcome to recover from economic abuse, particularly when they are carers.

Comments on the Framework

Our comments on the Framework first address its elements, before addressing broader thematic aspects.

Framework objective

Relationships Australia commends the work of the ATO – and the Government more broadly - to better support members of the community, particularly those experiencing circumstances of vulnerability.

Cohorts at heightened risk of suboptimal engagement with the tax and superannuation systems, because they are experiencing circumstances of vulnerability, include:

- people on low incomes⁹
- people with low literacy¹⁰

⁷ Hunter, 2012.

⁸ Klein et al, 2021, p 63.

⁹ See, eg, Naidoo et al, 2022, p 7.

¹⁰ Over 40% of Australian adults are estimated to have lower literacy than is needed in everyday life (up to year 10): see the Australian Government Style Manual, 2024. <https://www.stylemanual.gov.au/accessible-and-inclusive-content/literacy-and-access>

- people living with disability or restrictive long term health conditions¹¹
- carers.¹² Recent research undertaken by Relationships Australia found that 1.4 million (or 7.1% of Australians) identified themselves as a carer and an overwhelming 77.9% reported facing pressures in their important relationship, with 43.9% citing mental health and 37.1% citing money problems. Disturbingly, carers were more likely than the general population to experience multiple pressures at once¹³
- people from culturally and linguistically diverse backgrounds¹⁴
- people from Aboriginal and Torres Strait Islander communities;¹⁵
- people from LGBTIQ+ communities¹⁶
- older people (especially older women)¹⁷
- children and young people,¹⁸ and
- child and adult care leavers.

Systemic and structural disadvantage can compound and intersect in the experiences of people in these circumstances, which can be further exacerbated by events affecting general populations, including natural disasters, pandemics, war, civil disruption and political/economic instability. We therefore welcome the attention given in the Framework to intersectionality and the disenfranchising effects of complex (and fragmented) sets of rules and processes.

Understanding vulnerability

Different kinds of vulnerability

Noting that different kinds of vulnerability need different responses, we **recommend** that the Framework explicitly refer to people experiencing not only episodic circumstances of

¹¹ See, eg, AIHW, 2022; ACOSS, Rates of poverty among adults with disability, <https://povertyandinequality.acoss.org.au/poverty/rate-of-poverty-among-adults-with-disability/> [accessed 15 January 2023]; WHO & World Bank, 2012; ABS, 2020; ABS 2020-2021.

¹² See, eg, Hill et al, 2011; Evaluate, 2022; ABS, 2020.

¹³ Relationships Indicators, Fact Sheet on Carers, <https://relationships.org.au/wp-content/uploads/Carers.pdf>) Relationship Indicators is the only nationally representative survey that captures the state of Australia's relationships, and the effect that these relationships have on our wellbeing. The Relationships Indicators survey was previously run from 1998-2011. In response to the enormous effects of the Covid-19 pandemic and other challenges in recent years, Relationships Australia recognised a shift in Australia and was interested in gaining a better understanding of the state of relationships at a national level. Relationships Australia decided to reinvigorate the project with a renewed focus on research design and method, releasing the results in November 2022.

¹⁴ See, eg, ECCV, 2023.

¹⁵ Venn & Hunter (2018) note that Aboriginal and Torres Strait Islander people 'generally have higher entry and lower exit rates than non-Indigenous people' and that 'Indigenous poverty is likely to be more persistent than non-Indigenous poverty (p 40). See also AIHW, 2021, and sources cited therein.

¹⁶ See, eg, Hill et al, 2020; especially pp 25-26.

¹⁷ See Naidoo, et al, 2022, p 50, citing Mills et al, 2020 and Porto Valente et al, 2022.

¹⁸ See, eg, Davidson et al, 2022, p 16, noting that 'The poverty rate among children is much higher [than for adults] at one in six'; Naidoo et al, 2022, pp 49-50. Childhood poverty has an adverse effect on development: see eg Warren, 2017, heightening risk of poverty becoming intergenerational; Klein et al, 2021, p 64.

vulnerability, but people who are marginalised, isolated and disenfranchised from our social, political, financial and cultural society. **(Recommendation 1)**

Relationships Australia acknowledges that the list in the first paragraph of this section is inclusive, but **recommends** that, for the avoidance of doubt, the list include natural disasters and mass population events that disproportionately affect people experiencing circumstances of vulnerability, including people who are marginalised through systemic and structural barriers. **(Recommendation 2)**

Digital exclusion

Within intergenerational and intimate partner relationships, there may be a reliance on others to engage with technology to access their money and other financial services. Such reliance can arise from digital exclusion. Factors driving digital exclusion include:

- physical location (including urban and suburban ‘black spots’)
- cost
- apprehensions and lack of confidence around data security and the prevalence of scam activity, and
- technical expertise and/or the ability to access that.¹⁹

In coercive controlling relationships, digital exclusion may also arise from a perpetrator ensuring that they have access to and control of devices, apps and other means by which financial services may be delivered. This can occur with or without the knowledge and free consent of a victim survivor. The risks of this occurring can be mitigated by building capacity and confidence in using emerging technology independently.

Accordingly, Relationships Australia **recommends** that the Framework should require the ATO to provide communication resources for the public, and communications with individuals in ways that are both readily accessible online and in hard copy formats, while also enabling face to face interactions.²⁰ **(Recommendation 3)**

Financial abuse

Relationships Australia welcomes the commitment to proactively preventing misuse of taxation and superannuation systems by financial abuse within intimate partner and intergenerational relationships. We **recommend** that the Framework adopt a Safety by Design perspective, to harden the ATO and its systems against misuse and manipulation through financial abuse.²¹ **(Recommendation 4)**

¹⁹ Noting that digital exclusion disproportionately affects people experiencing circumstances of vulnerability. See Thomas et al, 2023.

²⁰ See also Robodebt Report, Recommendation 13.3. This recommendation overlaps with the Core Focus Areas of Support and Services.

²¹ See also PJC Report, Recommendations 39 and 59; TO Report, pp 26, 32 and Recommendation 2(d). This recommendation overlaps with the Core Focus Area of Design.

Financial abuse, intimate partner violence and the effects on women's financial and economic safety

Morgan & Boxall refer to several studies associating economic hardship with intimate partner violence.²² They draw particular attention to the following economic and financial circumstances which, in themselves and in combination with other factors, heighten risks of intimate partner violence:

- changes in economic security
- economic disparity between partners, especially where there are perceived violations of gender norms
- being female and Aboriginal and Torres Strait Islander
- being female and living with a long-term restrictive health condition
- being female and having been pregnant in the last 12 months, and
- being female and living with children.

Relationships Australia **recommends** that the Framework also acknowledge that being left with a tax debt as a result of financial abuse is unlikely to be the only kind of financial abuse (or intimate partner violence) that a victim survivor has experienced. **(Recommendation 5)** Nor will a victim survivor's tax debt be the only financial disadvantage suffered. The prevalence and gravity of the economic effects of DFV has recently been recognised through amendments of the *Family Law Act 1975* (Cth), which require those effects to be taken into account in any order about property or spousal maintenance.²³

More broadly, Cortis & Bullen (2016) observe that 'Women are disadvantaged economically relative to men, and violence exacerbates this inequality.' This is the case during intimate partner relationships between women and men, and post separation.²⁴ The negative effects on women of separation are of long duration (Kaspiew et al, 2017), and can contribute to poverty and homelessness,²⁵ among other consequences, in later life. It is unsurprising, therefore, that many women are deterred from leaving violent relationships or, having left, return to them, because of fears for their economic security and that of their children.²⁶

²² For key findings, see Morgan & Boxall, 2022, especially pp 14-15, 46-52.

²³ See also ANROWS' submission to the Parliamentary Joint Committee inquiry into financial abuse, which traversed contemporary research evidence on the complex, multi-directional relationship between economic security and intimate partner violence. The submission is available at https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Corporations_and_Financial_Services/Financial_Abuse/Submissions (Submission 12).

²⁴ See, for example, Broadway et al, 2022; de Vaus et al, 2007; de Vaus et al 2015; Easteal et al, 2018; Fehlberg & Millward, 2014; Gray et al, 2010, Smyth & Weston, 2000.

²⁵ As explored in other ANROWS research: eg ANROWS, 2019; Breckenridge et al, 2016.

²⁶ Summers, 2022; McLaren et al, 2020; Kaspiew et al, 2017.

In light of the multi-faceted and enduring effects of family separation and DFV, Relationships Australia agrees with the Tax Ombudsman and **recommends** that Commonwealth agencies should be required to take a holistic approach to debt relief.²⁷ **(Recommendation 6)**

Financial abuse of older adults

It is critical to bear in mind that DFV, for these purposes, includes not only intimate partner violence but also financial abuse of older adults.

Inexplicably, the TO Report expressly excluded abuse of older adults from its consideration of financial abuse (see p 9). It is unclear why, since older adults participate in the tax and superannuation systems, and since current prevalence evidence indicates that financial abuse of older adults is the third most prevalent form of abuse of older adults,²⁸ and financial abuse is disproportionately disastrous for older victims, because they don't have the same opportunities to recover financially and re-build assets and income. The AIFS prevalence study estimated that 2.1% (over 83,000 people) over the age of 65 experienced financial abuse in a 12 month period. This research excluded people living with cognitive impairment and people living in institutions, and so is almost certainly an underestimate.²⁹ Qu et al, 2021, reported that:

- one in six older Australians (15%) reported experiencing abuse in the 12 months prior to being surveyed between February and May 2020
- elder abuse can take the form of psychological abuse (12%), neglect (3%), financial abuse (2%), physical abuse (2%) and sexual abuse (1%) – the finding that psychological abuse was far more prevalent than financial abuse overturned previous assumptions that financial abuse was more prevalent; it is the experience of Relationships Australia that psychological abuse, including social isolation and withdrawal or threatened withdrawal of family contact (especially grandchildren) is used as a precursor, or grooming technique to enable financial abuse
- perpetrators of elder abuse are often family members, mostly adult children, but they can also be friends, neighbours and acquaintances
- people with poor physical or psychological health and higher levels of social isolation are more likely to experience elder abuse
- almost two thirds of older people don't seek help when they are abused (61%)
- elder abuse often remains hidden, with the most frequent action taken to stop the abuse involving the victim speaking directly to the perpetrator, and

²⁷ TO Report, pp 5, 46. See also PJC Report, Recommendation 10 (Government amend the *Superannuation Industry (Supervision) Act 1993* (Cth) so that a beneficiary who has perpetrated domestic or family abuse, including financial abuse, and domestic violence related suicide, against a superannuation account holder can be declared an invalid beneficiary).

²⁸ Qu et al, 2021.

²⁹ The most common sub-type of abuse was estimated psychological and emotional abuse (11.7%). In our practice experience, this form of abuse can be used as a form of grooming leading up to financial abuse.

- family and friends are the most common source of support for older people who experience abuse.

Invisibility of mistreatment of older people as participants in the tax and superannuation systems is a deplorable example of structural ageism that puts older adults at heightened risk of financial abuse. This is unacceptable not only from a human rights perspective, but is also concerning given the predicted intergenerational wealth transfer of over \$3.2 trillion,³⁰ which – for economic stability, if for no other reason – must occur in an orderly and lawful way.

Accordingly, Relationships Australia **recommends** that the Framework explicitly recognise both intimate partner and intergenerational financial abuse as circumstances of vulnerability.

(Recommendation 7) Certainly, Relationships Australia considers that this substantial limitation of the Tax Ombudsman’s report demonstrates why the Government should expedite finalisation of the long-overdue National Plan to End Abuse and Mistreatment of Older People (the last plan having expired nearly three years ago).

We draw the ATO’s attention to Recommendation 36 of the PJC Report, that Government consider the implementation of minimum operating standards, with a view to moving to best practice standards through continuous improvement over time, to mitigate the risk of elder abuse in relation to superannuation. In accordance with whole of Government implementation of that Recommendation, Relationships Australia **recommends** that, in implementing recommendation 1 of the TO report, the ATO should include abuse of older adults that results in them wrongfully incurring a tax debt or suffering losses to their superannuation **(Recommendation 8)**.

Implementation of the recommendations made in the TO Report, with appropriate adaptations for other kinds of vulnerability as well as for financial abuse of older adults, will maximise the potential of the Framework to fully achieve its objectives. Similarly, Recommendations 1-3 of *Without Judgement* offer insights that could usefully be taken into account to enhance the Framework.³¹ For the avoidance of doubt, where Relationships Australia supports a recommendation from the TO report, that should be taken to support implementation for not only financial abuse in intimate partner relationships, but also financial abuse of older adults.

Common scenarios of financial abuse of older people that are encountered by Relationships Australia practitioners include:

- adult children seeking to control assets (inheritance impatience, inheritance conservation)
- adult children urging parent/s to sell the marital home because it’s ‘too big, too hard to care for’; move in with us; put money into the adult child’s business/mortgage; not on

³⁰ Productivity Commission, 2021.

³¹ Recommendation 4 of that Report applied specifically to the circumstances of Ms H, whose matter was under investigation by the Ombudsman.

title; subsequently made to leave; often moved out of old area with existing networks and has no networks to tap into for help

- adult children using ongoing contact with grandchildren as a reward or precondition for financial support³²
- convincing themselves that ‘mum would want me to have this money’ (for petrol, for own groceries, for children; expensive and unprecedented presents), and
- humbugging.³³

We **recommend** that ATO staff engaging with victim survivors be empowered to work confidently and effectively with:

- people experiencing the impacts (including cognitive impacts) of trauma
- people experiencing DFV and ANOP
- culturally safe practices,³⁴ and
- other services, including relationship and therapeutic services and legal services.

(Recommendation 9)

Financial abuse and coercive control

Financial abuse can also be a strong indicator of coercive control in relationships where physical harm has not occurred, and is often concurrent with emotional and psychological abuse. It can be part of a mosaic of controlling behaviours which becomes the status quo, including exerting control over:

- activities, movement, freedom and time
- intimacy, and
- the precise amount of money to which a victim survivor has access for grocery shopping, school supplies, clothing for herself and children; it is not uncommon for victim survivors to have to ask for money for sanitary products, medications, cosmetics. Financial abuse can be facilitated by ease of access to online banking/pins/payWave on debit cards etc, and by decreasing personal interaction in banking transactions (eg people don’t go into physical branches).

Relationships Australia **recommends** that mandatory initial and ongoing training for ATO public facing and specialist staff include content enabling staff to recognise and respond safely and effectively to indicators of coercive control. **(Recommendation 10)**

³² See, eg, Saitova, 2022.

³³ Kimberley Birds, 2020.

³⁴ See also PJC Report, Recommendations 45 and 46 (support for culturally and linguistically marginalised taxpayers, as well as for First Nations taxpayers).

Providing the ATO with evidence of financial abuse

The TO Report observed that

Evidencing financial abuse is a significant challenge for both victim-survivors and for the ATO.....For many victim-survivors, the nature of the circumstances that they are in may mean there is often little, if any, evidence that could be provided to the ATO....In many different areas of the law, the ATO has very clear guidance about the types of evidence it would accept....Discussions with key community advocates and support organisations unearthed concerns that current evidence and substantiation requirements do not operate well in relation to cases of domestic violence and financial abuse.....An alternative could be to leverage existing triage and records of other agencies and organisations to obtain supporting information of domestic violence or financial abuse.....state-based health services, law enforcement agencies, community legal centres, financial counsellors and tax clinics. The use of memoranda of understanding with peak bodies to recognise member organisations could further assist...and provide reliable information to assist the ATO. (p 30)

This observation would also apply to financial abuse of older adults.

Recommendation 4 of the PJC Report, which would impose obligations on financial institutions, proposes that a taxpayer be required to provide evidence of ‘reasonable suspicion’. We **recommend** that the Framework, and its complementing materials, adopt a ‘reasonable suspicion’ threshold. **(Recommendation 11)**

Identifying the person most in need of protection

There is significant research and practice experience demonstrating the danger that victim survivors of coercive control may be misidentified, in the law enforcement and justice systems, as perpetrators. As a consequence, there are urgent calls – particularly in the context of criminalisation of coercive control – for workers in those systems to receive training in correct identification of the person most in need of protection. Relationships Australia **recommends** that public facing and specialist ATO staff receiving similar training. (see **Recommendation 10**)

The need for additional remedies in the tax system

We acknowledge that, in developing the Framework, the ATO is constrained by legislation and that it is not a policy-making agency. However, it is apparent from consideration of the draft Framework, and the reports noted above, that there are some key legislative barriers that will hinder the Framework, and the ATO, from achieving its objectives in supporting people experiencing circumstances of vulnerability. Appropriate legislative amendments are simply preconditions of providing service to people experiencing vulnerability because of financial abuse and exploitation.

These relate principally to people experiencing financial abuse, whether in the context of an intimate relationship or an intergenerational relationship, where an older adult is experiencing

financial harm. The ATO's powers to permanently extinguish or transfer a tax debt (eg to a perpetrator) are limited and uncertain. The Tax Ombudsman remarked that

The absence of sufficient options to effectively extinguish liabilities resulting from financial abuse, even in instances where the perpetrator has been prosecuted, imposes an unfair burden on the victim-survivors. Moreover, it creates an administrative challenge for the ATO in having a liability that it may not be able to collect.³⁵

and

In cases of financial abuse, the ATO needs the ability to collect the revenue due from the individual responsible – the abuse perpetrator – and not the victim-survivor. There are limited powers for the ATO to do so under current legislation and these need to be used, where appropriate. It would be a matter for Government to seek to extend those powers to protect the revenue while also supporting the victim-survivor.³⁶ (TO Report, pp 39-40)

Relationships Australia considers it fundamental to the integrity of the taxation system, and public confidence in it, that people should not be liable for tax debts if those debts were incurred as part of financial abuse, coercive control, systems abuse, fraud, or identity theft.³⁷ Further, permanent relief from tax debts incurred through financial abuse would support recovery from abuse, consistent with the National Plan to End Violence Against Women and Children. As it is, the lack of mechanism to transfer tax debts in such circumstances constitutes a substantive and serious challenge to the fairness and integrity of Australia's tax system (as well as to Government's commitment to end DFV within a generation), especially having regard to the prevalence of financial abuse in intimate and intergenerational relationships.

We therefore agree with the TO that the ATO should seek clarification of the scope of its existing powers to provide permanent relief from tax debts, but we also **recommend** that Government should amend taxation legislation to explicitly empower the ATO to permanently extinguish or transfer tax debts incurred through financial abuse. These amendments should then be reflected in the Framework. **(Recommendation 12)**

We have reservations about adopting USA-style 'innocent spouse' relief mechanisms³⁸, as it appears to rely on joint returns, which may not be a safe option for victim survivors and may not be adaptable in the Australian context. Instead, Relationships Australia **recommends** that the

³⁵ TO Report, p 26.

³⁶ TO Report, pp 39-40.

³⁷ See also PJC Report, Recommendations 55 (Government amend the *Corporations Act 2001* (Cth) to ensure that the company director provisions appropriately recognise family and domestic violence, including financial abuse, as a reason why a director may be regarded as not in fact managing a company), 56 (Government extend the time period allowed to respond to a Director Penalty Notice in cases of reasonable claims of financial abuse) and 57 Recommendation 57 (Government review legislative and regulatory settings relating to trusts, with a view to addressing the abuse and misuse of trusts as a mechanism for financial abuse and coercive control).

³⁸ See PJC Report, Recommendation 54; TO Report, p 31.

Government legislate to enable the extinguishment of tax debts owed by victim-survivors and incurred through DFV/AMNEOP, and/or the transfer of tax debts to perpetrators of intimate partner and intergenerational financial abuse. **(Recommendation 13)**

Accountability of persons causing harm

Relationships Australia acknowledges the necessary limitations on mechanisms by which the ATO can play an active role in holding perpetrators to account. However, we are aware of – and share – concerns held by a range of stakeholders and their advocacy organisations that the ATO is not sufficiently proactive in following up timely tax returns from people who delay submitting these returns as an intentional means to minimise or negate their responsibility to pay child support. It is vital to keep in mind that child support is meant to benefit children for whom adults bear responsibility; the principal victim of this kind of manipulation of the tax system (and exploitation of the finite resources of the ATO) is the child for whom the support should be paid.

Guiding principles

Overall, Relationships Australia supports the guiding principles articulated in the Framework, and offers the following observations.

Accessibility and inclusion

Fragmentation

Siloed and fragmented systems, processes and institutions are formidable barriers to accessibility and inclusion.

The TO Report noted not only fragmentation across agencies as a factor making the tax and superannuation systems vulnerable to misuse and manipulation, but also fragmentation within the ATO itself. (p 45) Table 2.1 of the TO Report, which records ATO data on referrals received and finalised by the Specialised Client Support Team in 2024, suggests that many taxpayers who are experiencing circumstances of vulnerability are not referred to this Team. This may lead to them experiencing additional and unnecessary distress in seeking both to comply with their obligations to the ATO and in seeking relief or support in achieving compliance. We have the same concern in relation to use of the Advocate Help Desk (Table 2.2), although it is heartening to see increasing usage.³⁹

Fragmentation endangers victim survivors of intimate partner and intergenerational violence, abuse, neglect and exploitation. These individuals could benefit from wraparound services, including navigation services. We **recommend** that the Framework and supporting resources require that teams dedicated to supporting victim survivors are equipped and empowered to offer warm referrals to appropriate therapeutic and other support services within and outside

³⁹ TO Report, p 27 for possible reasons for ‘the relatively low level of referrals (compared to known evidence of financial abuse’.

the ATO (eg emergency accommodation, family mediation, and legal advice).

(Recommendation 14)

The commitment of Relationships Australia to accessibility also underpins our advocacy for systems and processes that lift from the shoulders of those least equipped to bear them the burdens of fragmented, siloed, complex and duplicative laws, policies, programmes, and administering entities. The complex co-morbidities and intersectionalities experienced by many victim survivors of financial abuse (for example)⁴⁰ can limit their capacity to navigate the multiple services and agencies with which they are brought into contact. In the context of women experiencing or escaping ‘domestic financial abuse’ in the USA, Canada and the UK, Glenn cautioned that policy makers, service providers and financial institutions need to have an:

[u]nderstanding that system complexity and lack of cognitive bandwidth means many survivors can’t or don’t access the limited support available ...

and should be

Working to simplify systems and processes and improve access to resources.⁴¹

Relationships Australia acknowledges recent Government initiatives to reduce the extent to which individuals and families must shoulder the burden of fragmentation across the family law, family violence and child protection systems. We have also welcomed recommendations from the Australian Law Reform Commission, the Joint Select Committee on Australia’s Family Law System and the Social Policy and Legal Affairs Committee of the House of Representatives that urge better integration of service delivery. The Age Discrimination Commissioner, Robert Fitzgerald AM, has prioritised working with the banking and financial sectors, as well as lived experience communities and service providers, to identify, respond to and remediate financial abuse of older taxpayers and superannuation payees.

Cultural safety and responsiveness

Cost, literacy, language, bureaucratic hurdles and lack of confidence in cultural safety can all impede the access of Aboriginal and Torres Strait Islander people to financial products and services, including banking and insurance, as well as to advice and assistance about tax and superannuation. Systems, processes and practices developed in the context of urbanised clients often do not translate well to the situation of First Nations people living in remote areas. Additionally, many of our First Nations clients suffer from intergenerational and complex trauma. In some communities, violence has been normalised and cultural practices can obscure financial and economic abuse, such as through ‘humbugging’.⁴² Relationships Australia **recommends** that cultural safety training and trauma informed practices should be mandatory

⁴⁰ See, eg, ALRC, 2018, Discussion Paper 86 (esp Chapters 1 and 4); Family Law Council reports, 2015 and 2016.

⁴¹ Glenn, 2019, p 53.

⁴² See Kimberley Birds, 2020.

for all those working with First Nations people First Nations people, as well as Culturally and Linguistically Marginalised people.⁴³ **(Recommendation 15)**

Cost, literacy, language, bureaucratic hurdles and lack of confidence in cultural safety can all impede the access of people from Culturally and Linguistically Marginalised backgrounds, to 'White' legal, financial and commercial systems. Further, workers in 'White' systems may not, without appropriate support, recognise culturally-specific forms of intimate partner violence (eg through dowry abuse)⁴⁴ and abuse of older people (eg economic abuse through slavery that exploits culturally-accepted intergenerational dynamics and expectations).⁴⁵ We therefore **recommend** that the Framework more clearly acknowledge these barriers to access and the need for the Framework to require culturally safe practices and processes.

(Recommendation 16)

Current financial abuse services are premised on the concept of a Western nuclear family, and do not accommodate the diversity of family formation and composition that now characterises families in Australia. This includes intergenerational households, whether emerging from cultural mores or driven by housing and other cost of living pressures⁴⁶), as well as kinship systems.

Privacy and data security

Fragmentation in combination with secrecy facilitates financial abuse. Perpetrators of financial abuse should not be able to shield themselves through manipulation of secrecy provisions. This is also systems abuse.⁴⁷ While we acknowledge that trust and confidence in the tax and superannuation systems are fundamental, we **recommend** that Government clarify legislation to ensure that the secrecy of a perpetrator's tax and superannuation arrangements is outweighed by Government's commitment to healing and recovery of victim survivors.⁴⁸

(Recommendation 17) Furthermore, unlike in other DFV systems run by the States and Territory, the Commonwealth has exclusive power in relation to income tax, superannuation, child support and other social services payments. There is no excuse for continuing to tolerate weaponisation of fragmentation across these systems, and so we are heartened that

⁴³ See SNAICC, 2010; see also observations and recommendations in Family Law Council, 2012a and 2012b.

⁴⁴ Senate Legal and Constitutional Affairs References Committee (2019).

⁴⁵ See, eg, National Action Plan to Combat Modern Slavery, 2020; Coyne, 2021; EAAA, 2022.

⁴⁶ Relationships Australia organisations are reporting increases in client households where couples are living 'separated but together', because of inability to find or afford separate households. This is leading to increased parental conflict, increased DFV, increased abuse and neglect of older adults, and is affecting parent and child mental health and wellbeing.

⁴⁷ Although, in the past, systems abuse was conceptualised around the misuse and manipulation of court processes, it is increasingly recognised that it is a far broader and more varied form of abuse.

⁴⁸ See also PJC Report, Recommendation 7 (Government undertake appropriate action, including legislation, to clarify that circumstances of family violence, elder abuse and homelessness constitute a serious threat to the life, health and safety of an individual. This may include amendments to the Privacy Act).

Encouragingly, the ATO has advised that as part of its broader work around developing its Vulnerability Capability, it intends to explore what enhancements can be made to its cross-government data sharing which should foster both more timely referrals and feedback about successes in this area of work. (TO Report, p 47)

Continuous improvement

Please see the discussion below about the Core Focus Area of Staff.

Core focus areas

Support

Relationships Australia **recommends** that, as part of its approach to supporting people experiencing circumstances of vulnerability, the ATO introduce a system of vulnerability indicators, noting also the discussion in the TO report (pp 18-19).⁴⁹ (**Recommendation 18**)

We agree with the Tax Ombudsman⁵⁰ that, to support the value of these indicators, and mitigate the effects of fragmentation and siloing, a cross-agency system (with appropriate safety and privacy safeguards) should be implemented.

Services

In common with a broad and diverse range of Government plans, policies, frameworks and other forms of policy and administrative guidance, the Framework presupposes the existence of providers who can offer therapeutic and other kinds of services to people experiencing circumstances of vulnerability.⁵¹ These include therapeutic counselling, financial counselling, suicide prevention, family and sexual violence services, family dispute resolution, services for older adults experiencing abuse and mistreatment, tax clinics,⁵² specialist health services, emergency accommodation, legal advice and representation, translation and interpretation services, and many others.⁵³

Relationships Australia acknowledges that the last decade in particular has seen substantial advances in the awareness of governments that they should make people aware of the existence of these resources. This is an important step in acknowledging that:

- with appropriate support, many members of our community are able to overcome circumstances of vulnerability to participate more fully in our social, cultural, economic and political life, and

⁴⁹ See also Robodebt Report, Recommendation 11.3; PJC Report, Recommendation 5.

⁵⁰ TO Report, pp 18-19.

⁵¹ See, eg, 'We work with government and non-government partners to provide support and resources' (Prevention and Early Engagement).

⁵² For the growing needs for, and demands on, tax clinics, see the TO Report, p 25.

⁵³ See also TO Report, p 25.

- people need to be aware that available services exist, as well as how to find them.

Nevertheless, government legislation and programmes should not rely on being able to refer people to services if government is not prepared to sustainably fund them. Demand already far outstrips capacity in the kinds of services we have mentioned here, and raising awareness of services without ensuring their continued existence is reckless.

Governments must ‘factor in’ the resource burden on community services who are meant to enable effective legislation and programmes. To enable this to be done with appropriate rigour and accuracy, we **recommend** that the ATO develop and maintain tracking systems to determine what referral pathways are being used, and to what extent, to inform appropriate resource allocation. (**Recommendation 19**)

Bearing in mind the preceding observations, we **recommend** that ATO employees have real time access to warm referral pathways to assist taxpayers experiencing circumstances of vulnerability. (**Recommendation 20**) This will support the ATO’s vision that

...every taxpayer meets their obligations because complying is easy, help is tailored, and deliberate non-compliance has consequences. (p 4)

These pathways should include escalation to internal specialist teams (see the TO Report), as well as external service providers. We further **recommend** that the ATO also consider collaborating with the Department of Social Services, which employs in-house social workers, to explore whether an in-house social work capability would provide better service to taxpayers and better support to other ATO staff who encounter people experiencing circumstances of vulnerability.⁵⁴ (**Recommendation 21**)

Empowering ATO staff with these pathways will also mitigate their risk of moral injury.

Design

Co-design

Purposeful and authentic co-design should be integral to the Framework, and its supporting resources. However, the draft Framework consistently refers to the ATO simply ‘considering’ people experiencing vulnerabilities, and their needs, and to ‘vulnerability considerations’. Such language, perhaps inadvertently, ‘others’ and de-humanises those whom the Framework is intended to serve. As made clear, in the Robodebt and PJC Reports, it is not sufficient merely to ‘consider’ in the abstract. A more active, transparent and participatory approach is required to ensure that, in developing its systems and processes Government has direct access to contemporary experiences of vulnerability, service interfaces with government in general (and the ATO in particular), and the nature of barriers to engagement.

⁵⁴ See also Robodebt Report, Recommendation 13.4 (that Service Australia employ more social workers; specialist teams working in the ATO to engage with taxpayers experiencing vulnerability should also include social workers).

Accordingly, Relationships Australia **recommends** that the ATO establish an advisory board including taxpayers with lived experience of barriers and asymmetries of information and power with the tax and superannuation systems including, but not limited to:

- safety concerns (including family and domestic violence, intimate partner violence, abuse and mistreatment of older adults, institutional abuse, systems abuse and technology facilitated abuse)
- cultural safety
- poverty
- homelessness and housing precarity
- disability
- language barriers
- mental poor health, and
- geographic barriers.

Community members of the board should be remunerated for their role. The Board could also include representatives from service provision and advocacy organisations.

(Recommendation 22)⁵⁵

The Robodebt Report and the PJC Report both emphasised the importance of authentic co-design⁵⁶ not only as upholding human rights recognised in Australian law, but also as fundamental to robust, effective laws and systems that enjoy public confidence and enable achievement of the ATO's vision that

...every taxpayer meets their obligations because complying is easy, help is tailored, and deliberate non-compliance has consequences. (p 4)

Information sharing

This submission has already noted the burdens of fragmented systems and processes, and that they are generally borne by those least able to mitigate them. Relationships Australia therefore welcomes the prominence given to collaboration in the Framework. The TO Report suggested that

There needs to be greater information sharing between agencies to ensure financial abuse is captured and addressed holistically, including with law enforcement agencies. However, there is a lack of clarity within the ATO with respect to the constraints and parameters of the exceptions contained within the tax secrecy provisions..... Upholding

⁵⁵ See also Robodebt Report, Recommendation 11.4 (Consideration of vulnerabilities affected by each compliance program, including consultation with advocacy bodies).

⁵⁶ As noted by the Lowitja Institute, while 'co-design' language is frequently used, what actually happens is often tokenistic or superficial (Butler et al, 2025). Relationships Australia is aware that drivers such as lack of time and resources mean that co-design is treated as an aspiration, not a necessity. This is not sufficient.

taxpayer confidentiality remains fundamental to maintaining trust and confidence in the tax and superannuation systems (p 38; see also p 40)

This is systems abuse, enabled by fragmentation and inadequate collaboration. As previously noted, fragmentation harms victim survivors. It also harms others who experience circumstances of vulnerability, often in complex and compound patterns.

The Tax Ombudsman also remarked that

One of the most prevalent applications of financial abuse within the tax system is its linkages to child support and welfare payments which can be weaponized by ex-partners. (TO Report, p 47)

Relationships Australia **recommends** that the ATO engage with the Commonwealth, State and Territory to discuss useful insights from the family violence information sharing framework.⁵⁷ **(Recommendation 23)** We note that there is an overlap here with the Core Focus Area of Design and the intention to engage in collaboration in the implementation of this Framework.

Staff

All ATO staff should be educated and empowered to recognise and respond constructively to circumstances of vulnerability. Further, Relationships Australia **recommends** that the Framework be enhanced to ensure that ATO staff who are experiencing circumstances of vulnerability can be appropriately supported. **(Recommendation 24)**

Training in trauma-informed practice

We **recommend** that public-facing staff, as well as members of specialist teams, should receive initial and recurrent training in trauma-informed principles. Incorporating these principles will mitigate the risks of re-traumatising people who experience a range of traumas, as well as mitigating barriers to help-seeking that arise from stigma and shame. We further **recommend** that the ATO, as an employer, should also take steps to protect staff from moral injury and vicarious trauma. **(Recommendation 25)**

Training about intersections between the tax and superannuation systems and other government systems

Dr Susan Cochrane of the National Office is a member of the Child Support Stakeholder Advisory Committee, and is actively engaged in discussions about reducing the scope for the child support system to be weaponised as part of financial abuse. She has recently written to the Commonwealth Ombudsman in relation to the *Without Judgement* report, and would welcome the opportunity to discuss with you the intersections between financial abuse, coercive control and the impact on children.

⁵⁷ See also Robodebt Report, Recommendations 16.1 and 16.2 (data exchanges between Services Australia, DSS and the ATO).

We are also concerned that, notwithstanding the bulk referral mechanism operated under the Child Support Lodgement Enforcement program, and the tax refund intercept process, there remains scope for weaponisation.⁵⁸ Relationships Australia encourages the ATO, in further developing the Framework, to consider supporting the Government to implement Recommendations 49-53 of the PJC Report.⁵⁹

Relationships Australia **recommends** that staff should have mandatory initial and ongoing training in the intersections of the tax and superannuation systems with family law, child support, and other social services payments, benefits and allowances. Training should be continually reviewed to ensure that it keeps pace with legislative amendments (such as the recent amendments enabling the economic effects of family violence to be considered in family law property proceedings). (**Recommendation 26**)

Engagement approach

The TO Report noted that taxpayers, financial counsellors and community organisations have difficulties in accessing clear, reliable and actionable information from the ATO (see p 27). The Tax Ombudsman further

*... observed, based on our engagement with stakeholders with lived experience [of financial abuse in intimate partner relationships], that some are reluctant to approach the ATO. This could be because they are not aware that support is available, are scared that they will not be believed because they do not have documentary evidence, or because they fear the consequences of alerting the ATO to potential tax liabilities.*⁶⁰

We therefore welcome the commitments articulated in the Framework. Early and effective engagement with victim-survivors of financial abuse, complemented by intervention from other services, should support the Government's objectives articulated in the 'Recovery and Healing' domain of the National Plan to End Violence against Women and Children 2022-2032. Similarly, holistic early and effective engagement with people experiencing other circumstances of vulnerability has the potential to empower taxpayers to re-engage with the ATO.

Collaboration

The Framework is being developed amidst a crowded and complex web of Commonwealth, State and Territory Government plans, strategies, frameworks, agreements and other infrastructure intended to provide guidance for the governors and the governed. We

⁵⁸ See also TO Report, p 44, noting that any prosecution action is subject to resource constraints.

⁵⁹ That Government enable the ATO to assume responsibility for government child support collections, replacing the Agency Collect program currently managed by Services Australia, as well as taking other steps to harden the tax and child support systems against misuse and manipulation by perpetrators of DFV.

⁶⁰ TO Report, p 29. It is important to note a key limitation in the TO Report; it excluded abuse of older adults from its consideration of financial abuse. It is unclear why, since older adults participate in the tax and superannuation systems, and since current prevalence evidence indicates that financial abuse of older adults is the second most prevalent form of abuse of older adults: Qu et al, 2021.

recommend that the Framework acknowledge at least the following key pieces of infrastructure enabling more effective inter- and intra-governmental collaboration, for example:

- the National Agreement on Closing the Gap 2020
- the National Plan to End Violence against Women and Children 2022-2032
- the National Plan to End Abuse and Mistreatment of Older People 2025-2035 (still in draft form, and subject to agreement by the Standing Committee of Attorneys-General and then Cabinet)
- Disaster Recovery Funding Arrangements, and
- the National Access to Justice Partnership 2025-2030. **(Recommendation 27)**

We further **recommend** that the Framework be more explicit about how collaboration will be enabled and leveraged to improve experiences and outcomes for people experiencing circumstances of vulnerability. **(Recommendation 28)**

Conclusion

Thank you again for the opportunity to contribute to the development of the ATO Vulnerability Framework. Effective dismantling of barriers to full participation in our economy (including through a safe and fair tax system) is a prerequisite for Australia to flourish as a vibrant, inclusive nation, and is a shared project for governments, businesses, NGOs, communities and individuals.

Please do not hesitate to contact me, or our National Policy Manager, Dr Susan Cochrane, to discuss any aspect of this submission, or of the further development of the Framework and supporting materials. I can be contacted at ntebbey@relationships.org.au, and Dr Cochrane can be contacted at scochrane@relationships.org.au.

Kind regards



Nick Tebbey
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