

Centrelink Payments and Domestic Violence

Your Rights and Responsibilities

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Can I get a Crisis Payment?

You can apply for a Crisis Payment if you have experienced domestic violence and you have left home, or your partner has left or been removed from your home because of the violence. A Crisis Payment is a one-off payment, in addition to regular Centrelink payments. To be eligible for a Crisis Payment you must be eligible for ongoing Centrelink payments (either as an existing, or new, customer). The amount of the Crisis Payment is half of your normal fortnightly payment.

You will only get a Crisis Payment if you have little or no savings. To apply you need to contact Centrelink within seven days from the day that:

- you decided not to go home; or
- you decided not to have your partner back into your home.

To claim, call Centrelink on 132 850.

Ongoing Centrelink payments – Getting what you are entitled to

If you are not already on Centrelink payments you should contact Centrelink as soon as possible to see if you are eligible for a new or different payment; even if you are working, you may be entitled to some payment. You can generally only be paid from the day you make contact with Centrelink.

If you are on Centrelink payments, you need to tell Centrelink every time your relationship changes. If you had a partner and now you are single, you need to tell Centrelink. Single people generally get a higher rate of payment. On-again-off-again relationships and relationships involving domestic violence can all count as "relationships" for Centrelink depending on your circumstances. If you're not sure how your current situation would be assessed, call the Welfare Rights Centre for free advice. If you do not tell Centrelink every time your relationship stops and starts, you could end up with a large debt and be taken to court.

If you are caring for children, you need to:

- tell the Family Assistance Office (for Family Tax Benefit) and claim child support with the Child Support Agency, if it is safe to do so.
- if you are on an activity tested payment you can ask for an exemption from the activity test if you have experienced domestic violence.

What can I do if Centrelink won't help me?

If Centrelink doesn't believe you, or says you are not entitled to a payment, you have the right to appeal. Appeals can be made by calling Centrelink. You need to do this within 13 weeks, if possible, so that you can get back-pay if you're successful. If your payments are suspended, you should appeal straight away and should ask for payment pending review so that you keep receiving your payments while the appeal is under way. You should get advice about appealing.

Tips for dealing with Centrelink

For a crisis payment or immediate assistance, go into your local Centrelink office. We also suggest you speak with:

- a Centrelink Social Worker on 131 794 who understands domestic violence and can help with your claim; or
- an Indigenous Officer if you are Aboriginal or Torres Strait Islander on free call 1800 136 380.

When calling Centrelink, or making an appointment, tell Centrelink if you want a Crisis Payment, ongoing payments, and/or you need to update your details. To speak to Centrelink in another language (call 131 202). If you have any documents from the police or court about the domestic violence, tell the Centrelink officer you are dealing with, and take the documents to any appointment.

My ex said they'd dob me in to Centrelink

You have an obligation to tell Centrelink the truth about your current situation so that your payments are calculated correctly. If Centrelink contacts you about past payments, or suspends your current payment, you should get advice from your local Legal Aid office or the Welfare Rights Centre.

Where can I get more help or advice?

- If you are struggling financially, it's worth contacting charities or emergency relief providers in your area.
- The Welfare Rights Centre (SA) Inc. gives advice over the phone about Centrelink problems and appeals on (08) 8223 1338.
- The Legal Services Commission of SA provides criminal law advice on Social Security prosecutions on 1300 366 424 or (08) 8463 3555.

This is not legal advice. If you want legal advice, please contact:

Your nearest community legal centre, go to: www.naclc.org.au or www.saccls.org.au; or
Your nearest Legal Services Commission of SA office www.lsc.sa.gov.au or call 1300 366 424
for free telephone legal help