

Without Judgement

Services Australia – Improving the interface between Child Support and victim-survivors

An investigation into Services Australia and its decision-making process in handling Ms H's concerns about family violence

March 2025

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Content Warning

This report contains material that can be confronting and disturbing. Sometimes words can cause sadness or distress, or trigger traumatic memories for people, particularly survivors of past abuse, violence or childhood trauma.

For some people, these responses can be overwhelming. If you need to talk to someone, support is available through redress support services.

The following services are available 24 hours a day:

- **beyondblue: 1300 224 636**
- **1800RESPECT: 1800 737 732**
- **MensLine Australia: 1300 789 978**
- **Lifeline: 13 11 14**
- **Suicide Call Back Service: 1300 659 467**



Overview

In March 2024, our Office commenced an investigation into Services Australia's Child Support Program following a complaint received by a member of the public, who will be known in this report as *Ms H*.

Services Australia decided to cease Child Support payments to Ms H, without affording her sufficient opportunity to provide evidence that she had not reconciled with her ex-partner.

As a result of their decision, an incorrect debt was raised against Ms H, collection action was taken against her and no child support payments were received by her for a significant period of time.

Ms H successfully appealed the matter to the Administrative Appeals Tribunal (AAT), which upheld her objection to the child support decision.

Ms H complained to us as she wasn't satisfied with the response from Services Australia.

Ms H also told us about her interactions with Child Support staff.

She felt the staff were judgemental of her situation and provided her with responses that were not trauma-informed.

Our Office investigated the actions taken by Services Australia in its decision-making process and in handling Ms H's concerns about family violence.

As part of our investigation, we requested Services Australia provide us with information including relevant records, call-recordings, decision logs and communications with the AAT.



We found that in engaging with Ms H, the Child Support officer(s):

- failed to consider Ms H's circumstances
- took an inflammatory and non-trauma informed approach
- failed to refer Ms H to support services
- failed to use the correct procedure to address the department's denial of procedural fairness
- failed to document their decision, and
- unnecessarily exposed Ms H to debt collection and appeal processes.

In my opinion these actions were unreasonable, unjust and oppressive, and otherwise wrong in all the circumstances.

In accordance with section 15 of the *Ombudsman Act 1976*, I make four recommendations to Services Australia aimed at improving communication with vulnerable customers by using a trauma-informed service delivery approach; using internal processes to remedy agency errors; appropriate recording of decisions; and offering compensation to Ms H.

Complaint background

On Thursday

Child Support attempted to call Ms H to discuss information received from her ex-partner, who suggested they had temporarily reconciled their relationship.

Later the same day, Ms H returned Child Support's call and spoke with a Service Officer who advised that her ex-partner had provided evidence that they had reconciled for over 7 months before separating again.

The Service Officer advised that if Ms H wished to provide evidence to the contrary, it had to be provided by close of business on the Monday.

The following day (Friday)

Ms H called Child Support to further discuss what evidence was required for the decision about any apparent reconciliation and sought an extension of time to enable her to lodge her evidence. She was denied an extension of time.

That weekend (Sunday)

Child Support decided, prior to the deadline they had given to Ms H to provide evidence, that Ms H and her ex-partner had reconciled for the specified period.

After being advised by Child Support of their decision, Ms H lodged an objection to the decision, which was subsequently disallowed by Child Support.

Three months later

Ms H contacted our Office to make a complaint. We explained we could look into maladministration based on her complaint, but we are not a merit review pathway.

We advised her the AAT has the power to change the original Child Support decision and it was open to her to apply to the AAT for a review of the decision.

Ms H then applied to the AAT for a review of the Child Support decision.

6 months later

Ms H's objection to the Child Support decision was upheld by the AAT.

2 and half months later

The AAT decision was implemented by Child Support.

Child support payments were then assessed in line with the AAT's decision that Ms H and her ex-partner had not reconciled.

Our investigation

In March 2024, our Office commenced an investigation of this complaint. Our investigation focused on the interactions between Child Support and Ms H throughout the decision-making process and the handling of Ms H's complaint.

In response to our investigation, Child Support acknowledged staff error, in that the reconciliation decision was made prior to the deadline Ms H was given to lodge her evidence.

Child Support advised feedback had been provided to the Service Officer and manager involved.

In considering the information provided by Child Support, our Office identified three key issues, which are outlined below.



Communication with Ms H

Our Office considered Child Support's communication with Ms H about this matter.

In reviewing the call recordings between Child Support and Ms H, the phone call interactions that took place on Thursday and Friday raised concerns about the impartiality of Child Support Service Officers.

Upon reviewing the call on the Thursday, we determined the Service Officer displayed a disregard for Ms H's nuanced circumstances relating to her and her ex-partner's relationship.

As an example, the Service Officer asked multiple leading questions and made comments which appeared adversely judgemental toward Ms H.

During the call on Friday, Ms H made several requests for assistance which were disregarded (as outlined further below).



Finding 1

The language, tone and inflection displayed by the Child Support Officer in call recordings lacked consideration for Ms H's circumstances.

It was inflammatory and not person-centred considering the complex and sensitive subject matter.

Lack of trauma support

In Ms H's call on Friday, Ms H requested to speak with a Social Worker to discuss her situation and experiences of family violence.

The Service Officer did not acknowledge Ms H's recount of events of family violence, and instead spoke about a Social Worker only being able to assist with a child support exemption.

During this interaction, Ms H repeatedly asked to speak with a Social Worker about the family violence she had experienced, however the Service Officer continued to speak about the evidence required for the reconciliation decision.



Lack of procedural fairness

Our Office acknowledges Child Support accepted they incorrectly made a decision (which was not properly documented) prior to Ms H providing evidence.

Child Support said however that Ms H was afforded the opportunity for review of the reconciliation decision through the objection process.

Our Office considers this decision should have been reviewed by Child Support as an error-correction in accordance with the Child Support Policy 277-09030000 Table 1, Step 7, which expressly states:

'A decision was invalid if it was the product of a denial of procedural fairness 1. For example, a decision to refuse an application without giving the applicant a reasonable opportunity to provide necessary evidence. This could include where the customer has been given a timeframe for evidence, but a Service Office makes a decision before the time expired.'

Two weeks after the reconciliation decision, Ms H was incorrectly advised the Objection process was the correct process to follow to have the decision be reviewed.

The objection process involves an open exchange of information between the disputing parties.

Had an error correction taken place, Ms H would not have needed to continue with her objection and risk exposing her personal information to her ex-partner.

Due to her family violence and safety concerns, Ms H decided to withhold part of her evidence during the objection process.

Child Support subsequently decided to disallow the objection.

¹ Operational Blueprint – Policy 277-09030000





Finding 2

It remains unclear what was considered in the initial decision-making process, as the Service Officer failed to document their decision.

The failure of Child Support's internal processes (both error-correction and objection) to rectify the issue led to Ms H lodging an appeal to the AAT.

Due to Child Support's failure to resolve the issues internally, the erroneous decision on Ms H's case was not corrected for over 12 months until the matter had been reviewed by the AAT.

Consequently, an incorrect debt was raised for Ms H, collection action was taken against her and no child support payments were received by her for a significant period of time.

Our Office understands Ms H's ex-partner was working when the issue first arose.

By the time the matter was reviewed by the AAT, his circumstances had changed so the opportunity for collection of child support payments was lost.



Finding 3

The prompt resolution of this defective administration by using the correct process would have avoided placing Ms H in financial hardship, avoided requiring her to interact with her ex-partner and risk exposing her personal information to him, and avoided subjecting her to the stress related to incorrect debt collection action and the subsequent need to appeal the matter to the AAT for resolution.

Our recommendations

In light of the observations and findings set out above, the Office makes the following recommendations for consideration by Services Australia:



Recommendation 1

Review and update current guidance, policies and training provided to staff on trauma-informed principles to ensure best-practice standards are upheld. This includes using appropriate language and tone and efficient escalation of concerns such as family violence.



Recommendation 2

Appropriate record keeping procedures should be put in place for decisions.



Recommendation 3

Train or retrain Service Officers in the error correction process, to ensure customers are not being required to lodge objections unnecessarily.

In considering whether the error correction process or objection process is appropriate, Child Support staff should factor in those who raise family violence or privacy concerns and the objection process's requirement of an open exchange of information.

Services Australia should engage with Ms H to remediate, including consideration of any claim by Ms H under the Scheme for Compensation for Detriment caused by Defective Administration.



Recommendation 4

Services Australia should engage with Ms H to remediate, including consideration of any claim by Ms H under the Scheme for Compensation for Detriment caused by Defective Administration.



Services Australia – Improving the interface between Child Support and victim-survivors

Services Australia (the Agency) is committed to supporting victim-survivors, including customers and staff affected by Family and Domestic Violence (FDV).

In December 2024, the Agency launched the Family and Domestic Violence Strategic Commitment which reaffirms our commitment to supporting staff and customers affected by FDV in line with the framework provided by the National Plan to End Violence Against Women and Children 2022 – 2032.

Also in late 2024, as part of the Agency's program of continuous improvement and ongoing efforts to enhance responsiveness to customers experiencing, or at risk of FDV, the Agency undertook a review of FDV training and support resources to identify ways to better aid staff to understand how to safely support people reporting FDV. As a result, the Agency's FDV training and support resources were updated.

Currently, there is work occurring in the FDV and Vulnerability Multidisciplinary Teams (MDT's) to look more closely at the way the Agency should respond to customers in these situations. This MDT is tasked with developing a 'Ways of Working' document which will be co-designed with stakeholders to operationalise the above-mentioned Family and Domestic Violence Strategic commitment. Ultimately our 'ways of working' will lead to changes in processes and enhancements in training and staff support resources.

A comprehensive review of all operational material and training products, relevant to FDV, was completed in late 2024, with 305 Operational Blueprint resources and 7 learning products reviewed and updated as required. The

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Agency will continue to review and update staff resources to better aid staff to understand how to safely support people reporting FDV. The Agency's commitment to supporting customers who disclose FDV is ongoing and our responses via training and staff support resources, is always evolving, rather than complete.

An Agency Safety by Design Review commenced in October 2024. The review is examining how current products, services and payments might be misused by perpetrators of abuse. This initiative is in response to recommendations from the *Unlocking the Prevention Potential: accelerating action to end domestic, family and sexual violence* report released on 23 August 2024.

Service Response

Where a customer advises of FDV concerns, all frontline Child Support staff are able to respond appropriately, offering information and access to resources as well as referrals to social workers and other service providers, guiding customers through actions to protect their privacy and safety when interacting with the agency and discussing options regarding Child Support arrangements.

Parent Support Team

A customer will be referred to the Parent Support Team for a tailored and intensive response if the customer's circumstances are highly sensitive, complex, they indicate they may be at risk, and their Child Support arrangements may amplify this.

The Parent Support Team:

- Manage the Child Support activity to resolution, and apply a whole case management approach, considerate of all outstanding Child Support matters, with specific focus on ensuring communication with both customers

is handled sensitively and carefully, and they fully understand their options across all programs to mitigate potential risk.

- Collaborate across other specialist teams in the Agency such as Personalised Services, the Adverse Customer Event Response Team, Social Work Services and other programs including Medicare and Centrelink as appropriate, where cases are identified that present significant, immediate risk, and require a coordinated, trauma informed, Agency response.
- Have Agency Social Workers aligned to the team, to support their capability to provide a contemporary, empathetic, supportive service to their customers.
- Have also undertaken trauma informed training, in addition to the Agency's core FDV training. This trauma informed training is provided by specialist organisations such as Lifeline, Blueknot, Phoenix Australia and the Office of the eSafety Commissioner.

The Agency continues to enhance training programs focused on the signs of FDV and engage with community stakeholders to foster a deeper understanding of FDV and how we can best identify and respond.

Training

All Agency staff are required to complete a FDV core training package within 3 months of commencement. It is part of our Enterprise Mandatory Training.

This package has recently been updated in line with definitions used in the *National Plan to End Violence against Women and Children 2022-2032*. Explanations are given to provide insight into the different types of FDV.

All staff who undertake customer contact must also complete additional social worker-facilitated training that covers the FDV Support Model, to identify FDV, offer appropriate referrals and support, and document the Agency's actions. The training also discusses the importance of responding with sensitivity and respect.

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The Agency also requires all new staff to complete the following FDV related training courses:

- Customers experiencing vulnerability
- Child Safety General Awareness
- Separating Safely

All Agency service delivery staff are required to complete the Agency's FDV refresher package every 2 years.

The Agency's leaders also attend courses designed for leaders including:

- Family and Domestic Violence: Leadership
- Family and Domestic Violence: Supporting Colleagues
- Family and Domestic Violence: Managers Supporting Staff

From 1 January 2023 to 31 December 2024: 72,904 training sessions have been completed by Agency staff, including 21,745 completions of mandatory FDV core training for all Agency staff and targeted, specialised training for those in service delivery and specialist roles, such as the Parent Support Team.

All Agency service delivery staff who are required to recognise and refer customers affected by FDV, in particular abuse of older Australians, must complete the Agency's Abuse of Older Australians training package. This training package highlights examples of financial abuse that may relate to Older Australians.

The Agency has a dedicated Financial Capability training package, which includes information on the identification and escalation of financial abuse.

Assurance

The Agency has processes in place to confirm that staff are identifying, recording and escalating suspected or reported cases of FDV in line with policy and processes.

The Agency's Quality Call Standards include an element to measure this adherence. The Quality Call Standards apply to all staff who undertake inbound or outbound phone calls across the agency. All staff, regardless of classification, employment status (such as ongoing, non-ongoing, casual) or work type, will have their call work evaluated within the framework. Calls are evaluated at the rate of between 1-3 calls, per staff member, per 4 weeks period depending on the experience of the staff member and the standard of previous calls checked.

Quality checkers are required to identify staff recognition of FDV triggers and provide feedback to staff where this has not been identified or responded to appropriately. The Quality Call Framework (QCF) FDV element applies to all areas of the Agency who interact with customers via telephone.

The Agency accepts the Ombudsman's 4 recommendations.

Recommendation	Entity response to recommendations/suggestions	Action entity proposes to take and expected timeframes for implementation of recommendations/suggestions
	<p>Please indicate your response to each recommendation/suggestion. If you do not accept a recommendation/suggestion, please provide reasons.</p>	<p>Please provide particulars of any action you propose to take to implement the recommendation/suggestion and expected timeframes for implementation, including justification for the timeframes.</p>
<p>Recommendation 1:</p> <p>Review and update current guidance, policies and training provided to staff on trauma-informed principles to ensure best-practice standards are upheld. This includes using appropriate</p>	<p><input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Not accepted</p>	<p>The review of the Suspension of child support liability on reconciliation and Ending a Child Support assessment Operational Blueprints, and any subsequent actions, will occur by the end of June 2025.</p> <p>This review will include consideration of whether a ‘macro’ should be developed, to support Service Officers to follow, and document, their actions in response to these processes.</p> <p>Once reviewed and updated, staff will be advised accordingly via appropriate communication channels.</p> <p>Note: The Agency’s operational guidance material for staff already includes the following advice:</p> <p style="text-align: center;"><i>When supporting customers affected by family and domestic violence, it is important to recognise that family and domestic violence is traumatic. Therefore, a customer may find speaking to the agency about family and domestic violence extremely challenging. They may fear for their safety in speaking out. It is important for all staff to:</i></p> <ul style="list-style-type: none"> <li style="text-align: center;">• <i>be sensitive and respectful</i>

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<p>language and tone and efficient escalation of concerns such as family violence.</p>		<ul style="list-style-type: none"> • <i>be non-judgemental</i> • <i>be aware that it may be difficult for customers to access and provide documents, so consider using other processes if available</i> • <i>be aware of the impact that family and domestic violence may have on the customer's ability to make informed decisions that are free of intimidation</i> <p>Expected timeframes: By the end of June 2025.</p> <p>Justification for timeframes: The creation and deployment of a macro is interrelated with existing high priority work.</p> <p>The Agency is committed to supporting customers who disclose FDV. The Agency's responses through training and staff support resources are always evolving, rather than complete.</p>

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<p>Recommendation 2:</p> <p>Appropriate record keeping procedures should be put in place for decisions.</p>	<p><input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Not accepted If not accepted, please provide reasons:</p>	<p>The Operational Blueprint Documenting Child Support information 277-01030000 will be reviewed, particularly having regard to inter-related Operational Blueprints and training resources. The Suspension of child support liability on reconciliation 277- 03110000 Operational Blueprint are interrelated, however do not explicitly advise staff to document their decision to suspend a case if they have determined that parties have reconciled. These Operational Blueprints will be reviewed, updated and published with explicit instructions and links to the Documenting Child Support information 277-01030000 Operational Blueprint.</p> <p>Updates to these Operational Blueprints and the Ending a Child Support assessment 277-03150000 will provide more guidance around disputed reconciliation decisions requiring these to ensure that the process that Service Officers must follow in response to advice that a customer has reconciled, or a customer wants to end their Child Support case, is accurate, and easy for a Service Officer to follow. Consideration of the Centrelink approach to reconciliation disputes will also occur.</p> <p>Expected timeframes: June 2025</p> <p>Justification for timeframes: Updates to Operational Blueprints are interrelated with existing high priority work. This review will ensure each of the relevant</p>

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		<p>processes and training align and as indicated above, will also include consideration of whether a ‘macro’ should be developed to support Service Officers to follow, and document, their actions in response to these processes.</p> <p>Once reviewed and updated, staff will be advised via appropriate communication channels. This will include the delivery of a Team Leader Toolkit article to provide targeted learning in team meetings.</p> <p>Note: The Team Leader Toolkit is produced monthly to support and guide leaders in the training, wellbeing and work activities in team meetings. It provides leaders with an opportunity to provide targeted learning reinforcing messages from daily communications, training and technical updates.</p> <p>In the interim the Documenting Child Support information 277-01030000 Operational Blueprint provides information for staff on the principles for documentation (including when making a decision, recommendation or authorising a decision), what to document, where to document and examples of appropriate documentation.</p> <p>There are also a number of training modules available to staff, including:</p>

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		<ul style="list-style-type: none"> • <u>Documentation</u>: training to help staff establish good documentation practices, learn when and where to document, why it is important to record transactions and what needs to be included in your documentation. • <u>Documentation in Child Support</u>: training to create an understanding of the importance of good documentation, when to document and what to document following a customer interaction or when a decision is made.
<p>Recommendation 3:</p> <p>Train or retrain Service Officers in the error correction process, to ensure customers are not being required to lodge objections unnecessarily.</p>	<p><input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Not accepted If not accepted, please provide reasons:</p>	<p>Proposed action: Review and consider the error correction policy and process, specifically with a view to the impact on a customer at risk of FDV, privacy concerns and objections.</p> <p>A technical training package for child support service delivery staff will be created and delivered. The purpose of this training will be to:</p> <ul style="list-style-type: none"> • Ensure staff are aware of updates to the Correcting Errors Operational Blueprints. • Provide a common understanding of what is considered an error. • Help staff identify administrative options to address potential errors. • Clarify requirements around investigation and customer contact. • Reinforce staff understanding of the delegations required for different types of error correction decisions.

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<p>In considering whether the error correction process or objection process is appropriate, Child Support staff should factor in those who raise family violence or privacy concerns and the objection process's requirement of an open exchange of information.</p>		<p>Expected timeframes: October 2025</p> <p>Justification for timeframes:</p> <p>Updates to the policy will require consultation with Department of Social Services and other external stakeholders (e.g. Peak Bodies) and will require alignment with the outcomes of the Agency Safety by Design review, as well as the 'Ways of Working' approach, which are expected to be finalised by end June 2025.</p> <p>Subsequent updates will be made to Operational Blueprints and macros to support Service Officers to follow and document their actions in response to these processes.</p> <p>A Technical Update will then be delivered to staff to ensure they understand the revised Operational Blueprints and associated processes.</p> <p>Note: Technical Updates are structured, facilitated learning bytes delivered to staff by trained experts. They are delivered monthly, often in response to findings from assurance activities and/or to reinforce required actions during various workload peaks throughout the year.</p>

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<p>Recommendation 4:</p> <p>Services Australia should engage with Ms H to remediate, including consideration of any claim by Ms H under the Scheme for Compensation for Detriment caused by</p>	<p><input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Not accepted If not accepted, please provide reasons:</p> <p>Services Australia will engage with Ms H to address her concerns about the collection of child support she is owed for the benefit of her children and consideration of Ms H's losses under the Scheme for Compensation for Detriment caused by Defective Administration (CDDA Scheme).</p>	<p>Proposed action: Reconsideration of the CDDA claim by customer compensation Expected timeframes: by 30 April 2025. Justification for timeframes:</p> <p>Based on Agency experience in managing CDDA reconsideration processes, the Agency expects to have the reconsideration of Ms H's CDDA claim completed by 30 April 2025. The reconsideration process will allow Ms H to present any new material or argument in support of her claim and for any new material to be considered in addition to the review of existing evidence by a new decision maker.</p>

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<p>Defective Administration.</p>		

Helpful resources

If you need to talk to someone, support is available through redress support services.

- **[Beyond Blue](#)**
Provides mental health information, advice, and tools to support people to improve their mental health.
- **[Headspace](#)**
A free service that supports young people aged between 12 and 25 and their families going through a tough time.
- **[Lifeline](#)**
Provides access to 24-hour crisis support and suicide prevention services for people experiencing emotional distress.
- **[MensLine Australia](#)**
A free telephone and online counselling service offering mental health support for Australian men experiencing addiction and relationship issues.
- **[No to Violence](#)**
Provides telephone counselling, information and referrals for men who have anger, relationship, or parenting issues.

The service helps women and other family members who are experiencing violence or controlling behaviour by men.



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