

Australian and
New Zealand Children's
COMMISSIONERS
AND **GUARDIANS**

23 May 2024

The Hon Amanda Rishworth MP
Minister for Social Services
PO Box 6022
House of Representatives
Parliament House
Canberra ACT 2600
By email: Minister.Rishworth@dss.gov.au

CC: The Hon Justine Elliot MP
Assistant Minister for Social Services
Assistant Minister for the Prevention of Family Violence
justine.elliott.mp@aph.gov.au

Dear Minister Rishworth

EXCLUSION OF CHILDREN AND YOUNG PEOPLE UNDER 18 FROM LEAVING VIOLENCE PAYMENT

The undersigned members of the Australian and New Zealand Children's Commissioners, Guardians and Advocates (ANZCCGA) write to express our deep concern that the Leaving Violence Payment is not available to young people under the age of 18 who are escaping family violence.

The ANZCCGA comprises national, state and territory children and young people's commissioners, guardians and advocates. The ANZCCGA's aim is to promote and protect the safety, wellbeing and rights of children and young people in Australia and New Zealand, and ensure that their best interests are considered in public policy and program development.

As commissioners, guardians and advocates across Australia, we have worked hard within our respective jurisdictions to ensure that children and young people who experience family violence are recognised as victim-survivors, and that family violence reforms include measures to improve responses to children and young people.

We were pleased to see the *National Plan to End Violence Against Women and Children 2022-2032* commit to recognising and supporting children and young people 'as victim-survivors of violence in their own right' – including providing 'appropriate supports and services that will meet their safety and recovery needs'.¹

This same commitment is reflected in the *Aboriginal and Torres Strait Islander Action Plan 2023-2025*, with children and young people included as a priority group.²

Despite this recognition, the Leaving Violence Payment is currently only available to people 18

¹ [National Plan to End Violence Against Women and Children 2022-2032](#), pages 21, 44-45, 88 and 121.

² [Aboriginal and Torres Strait Islander Action Plan 2023-2025](#), page 40.

years of age or over who are escaping intimate partner violence. This excludes young people under 18 who are experiencing violence perpetrated by a parent in the household or are experiencing violence in intimate relationships.

Every year, almost 40,000 Australian children and young people aged 15 to 24 seek help from homelessness services on their own, most of them escaping violent homes. Many of these unaccompanied children and young people will not be receiving any form of income support. They need help with a range of essentials critical to their safety and recovery – such as transport, emergency accommodation, phone credit and SIMs, food, clothing, medication, replacement IDs and items for school or training, to name just some.³

We note that the May 2023 *Evaluation of the EVP* suggested that expanding the payment to under 18 year olds would be ‘complicated because of child protection regimes and difficulties involved in children setting up independent homes of their own’.⁴ However, this conclusion ignores the fact child protection systems have no legal capacity to act in relation to 17 year olds in many jurisdictions and that neither child protection nor family violence systems have developed adequate responses to unaccompanied young people escaping violence.

The Leaving Violence Payment is critical to the safety and recovery of victim-survivors of all ages. We suggest making the payment available to young people under 18 is an important practical way of delivering on the *National Plan’s* commitment. Too often, children and young people have been the invisible victims of family violence, their needs unaddressed by government initiatives and service responses. We urge you to consider making this essential improvement to the Leaving Violence Program, and not to exclude young people from this important measure.

Yours sincerely,



Liana Buchanan
Principal Commissioner for Children
and Young People (Vic)



Meena Singh
Commissioner for Aboriginal Children
and Young People (Vic)



Jodie Griffiths-Cook
Children and Young People Commissioner (ACT)



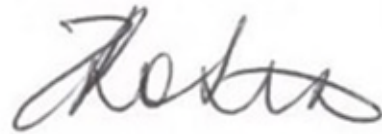
Natalie Lewis
Commissioner
Queensland Family & Child Commission

³ Examples drawn from Melbourne City Mission’s Amplify Program – a family violence case-management program for unaccompanied 15-19-year-olds escaping family violence funded under the National Partnership Agreement (2023-25).

⁴ [Department of Social Services Report: Evaluation of the EVP](#) (May 2023), page 43.



Shayna Smith
Public Guardian (QLD)



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Advocate for Children and Young People (NSW)



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National Children's Commissioner



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Vanessa Turnbull-Roberts
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