

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](mailto: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](mailto: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'.<sup>1</sup>

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.<sup>2</sup>

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

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

<sup>2</sup> [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.<sup>3</sup>

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’.<sup>4</sup> 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)



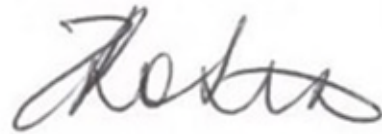
**Natalie Lewis**  
Commissioner  
Queensland Family & Child Commission

<sup>3</sup> 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).

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



**Shayna Smith**  
**Public Guardian (QLD)**



**Zoë Robinson**  
**Advocate for Children and Young People (NSW)**



**Anne Hollonds**  
**National Children's Commissioner**



**Helen Connolly**  
**Commissioner for Children and Young People (SA)**



**Jacqueline McGowan-Jones**  
**Commissioner for Children and Young People (WA)**



**Shona Reid**  
**Guardian for Children and Young People and Training Centre Visitor (SA)**



**Leanne McLean**  
**Commissioner for Children and Young People (Tas)**



**Shahleena Musk**  
**Children's Commissioner (NT)**



**Vanessa Turnbull-Roberts**  
**Commissioner for Aboriginal and Torres Strait Islander Children and Young People**