

# THE DEVELOPMENT OF FINANCIAL COUNSELLING IN AUSTRALIA

## Introduction

A current concern of social workers and other professions in the field of child and family welfare in Australia is the development of programmes of family support. Financial counselling has been extensively promoted as one such programme, and under a variety of auspices, financial counselling services have been developed in many parts of Australia. This article provides an historical perspective on the emergence of this type of family support service. The development of interest in and support for financial counselling programmes is traced and discussed, and the current range of activities is described. Finally, the implications of the pattern of historical development for the future of financial counselling as a family support strategy is considered.

A financial counselling service can be broadly defined as a service which offers practical assistance to people in financial difficulty, particularly difficulty arising from the use of consumer credit. Programme components typically include budget counselling and assistance in planned debt repayment. Some financial counselling services provide a pro-rating service, i.e. the service will arrange the actual payment of debts on behalf of clients, who then regularly pay in an agreed sum to the agency to meet the repayment installments. Other services include advocacy and negotiation with creditors, community education on the proper use of consumer credit, and counselling on personal or family problems associated with financial difficulties. Some of these functions

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have been performed for many years by credit unions and similar bodies. More recently, community welfare organizations have become aware of the need to provide specialized assistance with financial problems. This awareness stemmed from recognition of two factors. Firstly, the rapid growth in the use of consumer credit during the past thirty years, and the difficulties posed by this trend, particularly for low income families. Secondly, the impact of financial problems and indebtedness on individual and family functioning.

The growth of consumer credit in Australia during the past thirty years has been rapid. Australians are amongst the world's heaviest users of consumer credit, owing an average of \$275 each to finance companies alone in 1978 (Puckett, 1978, p.21). Consumer credit has become the means whereby many families obtain the consumer goods considered necessities in our society. Most families manage to meet their repayment obligations. However, a minority estimated at up to ten per cent of debtors fall behind in making repayments, and a small group, one to three per cent, are sued for non-payment (Puckett, 1978, p.21). Low income families comprise a high proportion of those who experience difficulties in meeting repayments. The reasons for this are clearly summarized in the report

of the Australian Government Commission of Inquiry into Poverty on *Law and Poverty in Australia* (pp.106-109). Many low income families are forced to rely heavily on credit to purchase a range of basic necessities such as furniture, clothing and household appliances. Low income families typically have to repay on the more costly sources of credit. They may be enticed into purchase of goods beyond their means by aggressive, and in some cases unscrupulous, credit and retailing companies. Their susceptibility to default is high, as they often have limited financial resources to fall back on in the event of illness, unemployment or other unforeseen circumstance. Numerous welfare organizations have reported on the hardships faced by low income families carrying a heavy burden of debt.

Families experiencing difficulties with consumer credit are often beset by other health, housing, and personal problems associated with low income. Research findings suggest, however, that these difficulties may be exacerbated by chronic indebtedness (Puckett, 1978, pp.121-123; Siporin). Inability to pay debts, and the associated demands of creditors, typically result in a highly stressful situation. Problems which have been directly linked to indebtedness include health deterioration (especially stress-related problems such as headaches, insomnia, upset stomach, loss of appetite, anxiety and depression), increased marital stress leading in some cases to marriage breakdown, deterioration in parent-child relationships, lowered self-image,

problems in social relationships, and adverse effects on work performance and attendance. The development of financial counselling represents, in part, a recognition of the impact of chronic indebtedness, and current methods of debt recovery, on Australian families.

It is useful to view the historical development of financial counselling in Australia as comprising three phases. The first phase was the establishment of innovative programmes in the late 1960s and early 1970s. The second phase, building on the first, consisted of recommendations that financial counselling services be extended to form part of the network of family services available in all Australian communities. These recommendations were made in the mid and late 1970s. The third stage involves the partial implementation of these recommendations, and increasing interest in financial counselling by a diverse range of organisations. These three stages will now be described in detail.

### **The Innovative Programmes, 1965-1976**

The origins of financial counselling in Australia have been reviewed by Molan and Mishan (1976). Interest first developed during the late 1960s. The increased availability of consumer credit during the 1950s and 1960s resulted in welfare agencies encountering increasing numbers of families with credit problems. These were dealt with in various ways: counselling by social workers; referrals to credit unions or legal services; or counselling on an informal basis. The first specialized programme providing financial counselling was established by Life Line, Brisbane in 1965. Life Line's Consumer Credit Counselling Service was modelled on similar services operating in the U.S.A. It has operated continuously since 1965, and is used as a referral agency by welfare organizations in Brisbane. The main services which have been provided are counselling, negotiation with creditors, and pro-rating. Brisbane Life Line's service developed several years before interest in financial counselling became widespread in Australia. The other pioneering organisation was the Elizabeth Counselling Centre in South Australia. The Centre was established in 1964 to provide support and assistance to the families of Elizabeth, a Housing Trust area situated some twenty miles from Adelaide. The Centre identified credit problems as one of the major concerns of its clients, and by the early 1970s it operated a specialized financial

counselling service. The service provided budget counselling and operated a pro-rating scheme. Demand for the financial counselling service declined in the mid 1970s for reasons that are not altogether clear. But at the beginning of the 1970s the Elizabeth Counselling Service provided a second model on which further developments could be based.

In the early 1970s a considerable range of welfare and welfare-related organizations began to recognize the need to respond to the credit problems faced by their clients, and various initiatives were taken. A list of examples illustrates the type of programmes which were developed. The Fitzroy Legal Service in 1974 provided a training course on consumer credit and related issues for local resource people, to disseminate knowledge of how to assist people with credit problems. Social workers in the Shire of Corio, Geelong, published a pamphlet for local residents on budgeting and credit matters, and also provided advice on credit issues. Broadmeadows Legal Service in Melbourne, which found that consumer problems was one of their largest areas of work, focussed on a community education campaign and on social action strategies directed against the credit policies of one large retail company. In the period 1973-1975 a range of organizations proposed or established various forms of financial counselling programmes. These included the Frankston Citizen's Advice Bureau, the Wyalla Counselling Service, Toowoomba Life Line, Waltons Ltd., Sunshine Christian Community Services, and the Action and Resource Centre for Low Income Families in Fitzroy, Melbourne. Some credit unions also expanded their financial counselling role at this time.

Programme initiatives were not confined to the non-government sector. In 1975 the Victorian Social Welfare Department established a Credit and Debt Counselling Service at its Outer Eastern Regional Office located at Ringwood, Melbourne, as a pilot scheme to assist over-committed debtors. The service has provided various forms of assistance including budgeting advice, a pro-rating service, and counselling. Established as a pilot project, the service has emphasized the importance of record keeping, monitoring and conveying its knowledge and experience to other bodies. It has been an important and useful model for the development of financial counselling services in the late 1970s. The Social Welfare Department (now renamed the

Department of Community Welfare Services) has produced a valuable manual for the operation of a financial counselling service based in large part on the experiences of this project (Victorian Social Welfare Department).

The other governmental body directly involved in initiating financial counselling in Australia was the South Australian Department for Community Welfare. A Budget Advice Service was established in the Department in 1976 to assist with family budgeting, and deal with problems arising through loss of income and over-commitment on credit purchases. The service operates through the various metropolitan and country district offices of the department, and is staffed by part-time budget advisors. Community education is a major part of the service's activities. South Australia is the only State in which the Community Welfare Department, or its equivalent, has undertaken to provide financial counselling within its programme of family and community services. The establishment of the Budget Advice Service was, therefore, a highly significant innovation, a precedent for consideration by welfare services departments in other states.

### **Expansion Recommended, 1975-1978**

The various initiatives of the early 1970s were followed by a period of systematic consideration of the role to be played by financial counselling services. Several reports recommended the establishment or extension of financial counselling services, and discussed the various issues associated with the development of a new network of services—auspice, organization, funding, staffing, training, research and evaluation. Many of the key recommendations of these reports have not yet been implemented. However, the development of financial counselling in the late 1970s, and discussion of the form this development should take, has been heavily influenced by proposals put forward between 1975 and 1978.

The first body to make recommendations concerning financial counselling during this period was the Australian Government Commission of Inquiry into Poverty. Its second main report entitled *Law and Poverty in Australia*, published in October 1975, contained an analysis of the impact of the laws of consumer credit on people living in poverty (Chapter 4). It recommended a series of reforms to the legislation governing the provision of credit to protect consumers, particularly low income consumers. However, the report stressed that law reform was only

a partial solution:

There is a limit to what can be achieved by amendments to consumer credit laws. The law of itself cannot ensure that people do not over-commit themselves or that they make intelligent choices in the credit market and so avoid exploitation. Similarly, while the law can provide some protection to a person who defaults, that person has a better chance of avoiding hardship if he is aware of the procedures available to him. (p.120).

The report, therefore, recommended an emphasis on consumer education, and the establishment of credit and debt counselling programmes. The service provided by the Elizabeth Counselling Centre was cited as an example of the kind of programme proposed, and reference was also made to North American non-profit credit counselling agencies. Functions envisaged for the counselling programmes included direct advice to people contemplating the use of consumer credit, advice to people involved in the debt enforcement process, negotiating for and arranging debt consolidation, operating a pro-rating scheme for repayment of debts, providing budgeting help for families unable to manage on their income, answering queries on the consequences of default, advising on complaints about the actions of credit providers, and maintaining links with other welfare organizations able to offer assistance. The report did not undertake a comprehensive study of financial counselling schemes, and stated that it did "not have enough information to warrant recommending the establishment of a network of debt counselling centres." However, it did propose that the Australian government "give sympathetic consideration to requests for financial assistance from counselling agencies or community organizations proposing to establish such agencies (p.122), and suggested that the Australian Legal Aid Office might provide a suitable structure for the creation of counselling services within local communities. This last suggestion has not been developed, but the clear recommendation for financial support to community-based financial counselling services gave impetus to the development of financial counselling services.

The comprehensive study of financial counselling which the Commission of Inquiry into Poverty felt it lacked was provided the following year in a report by the Victorian Council of Social Service entitled *Consuming Credit: A Feasibility Study for a Consumer Credit Resources Centre* (Molan and Mishan). Although focussed on the Victorian situation, the report reviewed for the first time in

Australia the experiences of credit counselling services both local and overseas. Consultations were held with welfare agencies, credit unions, legal services, credit granting organizations, citizens advice bureaux and with the Credit Consumer's Network, a Melbourne group formed to link individuals and organizations involved in consumer credit issues. The report made a series of recommendations for the future of financial counselling. These included: close monitoring of the Victorian Social Welfare Department's pilot financial counselling scheme to assess both the effectiveness of credit counselling and the value of locating such a service in a state government department; support, expansion and publicizing of existing counselling initiatives; training of specialist credit counsellors and their location in agencies which currently handle debt problems; training of "community resource people" as credit counsellors as a cheap and accessible form of assistance; and special government grants to voluntary organizations to assist in establishing a variety of pilot credit and debt assistance programmes (Molan and Mishan, pp. 137-8). These recommendations by an influential community organization provided further support for the development of financial counselling.

Another document supporting the development of financial counselling services was published in 1977 (Kelly). *Debt Recovery in Australia*, a research report of the Commission of Inquiry into Poverty, reviewed the laws and procedures affecting the recovery of debts in Australia and did not discuss financial counselling in any detail. The report did, however, stress the need for debtors to receive advice and information during debt recovery, and the importance of rehabilitation of the debtor as an aim of the debt recovery process. The report noted the limited availability of financial counselling in Australia, and recommended that debt counselling be more readily accessible (Kelly, pp.2-3, 5-6, 62, 104, 105).

Further impetus to the development of financial counselling came from the publication in 1977 of the Australian Law Reform Commission's Report entitled *Insolvency: The Regular Payment of Debts*. In May 1976 the Australian Attorney General requested the Law Reform Commission to report on the need for reform to existing legislation and procedures concerning small or consumer debtors. In particular, the Commission was to examine the

application of the Bankruptcy Act to consumer debtors and to investigate "what measures could be adopted by way of legislation to provide financial counselling facilities to small or consumer debtors". In making its recommendations the Commission was to have regard to "the community's interest in the financial rehabilitation of small but honest debtors, and the need to ensure that creditors have an effective means of enforcing the payment of debts due to them". (Law Reform Commission, p.v.)

The report of the Commission proposed sweeping changes to the procedures for dealing with non-business debtors. The main proposal was the establishment of a Regular Payment of Debts Programme. Under this proposed scheme, a debtor unable to meet his obligations could apply for assistance from a "Debtor's Assistance Office" to be established in the Commonwealth Department for Business and Consumer Affairs. This office would assist the debtor to draw up a proposal for the regular and orderly repayment of his debts, and would then submit this proposal to the creditor's concerned. The proposal would become operative and binding on all creditors unless more than one half of the creditors indicated that they rejected the proposal. The Commission proposed that financial counselling be an integral part of this programme.

The provision of debt counselling would be an essential prerequisite to the proper operation of the Commission's proposed procedures. The debtor will need information concerning all aspects of the alternative courses available to him, and will probably need guidance and advice on which of these courses is suitable to his circumstances. Experiences elsewhere indicate that he will also need continuing advice, encouragement and even supervision, if he is to maintain payments under a regular payment plan. Finally, counselling must be corrective, that is, it must help the debtor to avoid a recurrence of similar debt problems. Indeed, that is one of the prime justifications for the provision of these services. (Law Reform Commission, p.42.)

The Commissioner's suggestion was that debt counsellors be appointed with powers to operate the procedures of the Regular Payment of Debts Programme (i.e., to prepare the debt repayment plan and submit this to creditors), as well as generally to advise and assist over-committed debtors. The Commission proposed that licensed debt counsellors be physically located in the Department of Social Security as well as within the Department of Business and Consumer Affairs and possible also in voluntary social welfare agencies. Counsellors would be recruited, in part, from voluntary agencies i.e., persons already

involved in consumer credit assistance as part of their social welfare work could receive training and become authorized debt counsellors in the Regular Payment of Debts Programme, while retaining their position with the parent agency. The Commission paid close attention to the training needs of debt counsellors, and the broad principles of a training programme were outlined in the report. It was stressed that debt counsellors should be aware of the relationship between financial and social problems: "it would be disastrous were the training scheme to emphasize operational skills to such a degree that the social implications of debt problems were ignored" (Law Reform Commission, p.47).

Unfortunately, the report is somewhat ambiguous on the relationship between voluntary agencies and the proposed Debtor's Assistance Office. It is unclear whether agencies would receive payment for the debt counselling undertaken by their staff on behalf of the Office, whether this debt counselling would be undertaken voluntarily, or whether "official" debt counselling would become part of an agency's programme. It seems unlikely that the scheme would work successfully unless the involvement of non-government agencies was on a proper financial basis.

Clearly, the implementation of the Regular Payment of Debts Programme, including the proposals for licensed debt counsellors, would profoundly alter the direction of development of financial counselling in Australia. Financial counsellors would acquire the power (or would at least be able to refer clients to individuals with the power) to arrange planned debt repayment programmes which would be binding on creditors, rather than the voluntary arrangements now made. This would certainly provide greater protection for clients than exists at present. On the other hand, two factors can be identified which might impede the successful development of the Regular Payment of Debts Programme as a scheme combining the skills and resources of welfare agencies with an official Debtor's Assistance Office. Firstly, it is perhaps unlikely in present financial circumstances that governments would fund both a network of financial counselling services in social welfare organizations and a network of licensed debt counsellors responsible to a Debtor's Assistance Office. The possibility that the establishment of an official debt counselling system would result in decisions not to fund voluntary financial

counselling schemes must at least be considered, even though the Law Reform Commission did support the further expansion of voluntary financial counselling schemes (Law Reform Commission, pp. 41-42). Secondly, the possibility that "financial" rather than "social" considerations may come to dominate an official programme administered by the Department of Business and Consumer Affairs must also be carefully considered. The Commission went to great lengths to emphasize the importance of viewing debt problems in the context of individual and family functioning, and of seeing debt counselling services as part of local networks of family support services. For these reasons the report stressed the need for successful integration of welfare services and welfare personnel into the Regular Payment of Debts Programme. This underlines the importance of further clarification of the role of welfare agencies in the scheme.

*Families and Social Services in Australia*, the 1978 report to the Minister for Social Security on family services in Australia, had little to say directly concerning financial counselling services. The terms of reference of the report were to review "the nature and range of desirable preventive support and substitute services for families; and the roles and responsibilities of all levels of government, voluntary agencies and community groups in the provision of these services (Family Services Committee, Section 1.13). Of all the developments in financial counselling in Australia up to 1977, only the Budget Advice Service of the South Australian Department of Community Welfare is specifically mentioned. In the section of the report dealing with the family's role in providing "immediate economic support" for its members, mention is made of the problems faced by low income families in using consumer credit (Family Services Committee, Section 3.83). However, no recommendations concerning financial counselling programmes appear in the report, other than that public provision should be made for "homemaker and budgetry skills—advisory services" (Family Services Committee, Section 6.61) i.e., advice in domestic financial management as part of a homemaker service. The *Families and Social Services* report is the most extensive recent review of the provision of family services in Australia. In light of the expansion of financial counselling since 1978 (to be described shortly), the lack

of discussion in the report of the place of financial counselling in the family support services system is unfortunate. In the final section of this paper the future development of financial counselling will be reviewed in the context of the *Families and Social Services Report*.

### Expansion, 1978-1980

The recommendations of the various reports dealing with financial counselling have been partially implemented in the period 1978-1980. The main developments thus far have followed the proposals of the VCOSS and Poverty Reform Commission. In South Australia the *Debts Repayment Act 1978* provided for official debt counsellors on the lines recommended by the Law Reform Commission. However, the Act has not been proclaimed and has therefore not yet come into force. The proposed Regular Payment of Debts Programme is still under review at the Commonwealth level, and at this stage it is not possible to predict whether or when a scheme such as that proposed by the Commission will be introduced.

The major development of financial counselling services has been through government funding of counselling services established by non-government organizations. Most of this funding has been made available through the Commonwealth Government's Family Support Services Programme (FSS). This programme, announced by the Minister for Social Security in February 1978, provided \$8.7 million for a three year pilot period "to groups whose goals are to maintain the family as a healthy functioning unit and avoid crises that may result in the break-up of the family and the institutionalization of children." (*Commonwealth Record*, 20-26 February, 1978, p. 156). Financial counselling programmes were specifically mentioned as one type of service which could be funded through the scheme. Programmes have been developed and financially supported in Queensland (the Women's Action Alliance Family Budgeting Service), New South Wales (Redfern Legal Service) and Tasmania (Life Line, Hobart). The most extensive development has been in Victoria. The Victorian Department of Community Welfare Services has a clear policy commitment to the development of family services of a preventative nature, and Victoria was the first state to implement the FSS programme. The high level of interest in financial



counselling in Victoria resulted in a considerable number of funding submissions from non-government organisations. Financial counselling emerged as one of three types of programmes funded by FSS in Victoria (the others were emergency accommodation and family aides). Further funding for financial counselling programmes has been made available through the Victorian Government's Family and Community Services Programme (FACS). There is now a total of twenty financial counselling services operating in Victoria, most of which receive federal or state funding. A wide range of organizations operate the programmes including community health centres, local governments, credit unions, consumer groups and welfare agencies. The Queensland Department of Children's Services has also supported organizations providing financial counselling, and a recent Parliamentary White Paper has recommended an expansion of this assistance (Queensland, 1981, p.12). A survey of financial counselling programmes in the capital cities, which gives details of auspices, funding, staffing, structure, and service delivery, can be found in Puckett (1980).

This proliferation of financial counselling services, particularly in Victoria, has provided extensive opportunity for experimentation and development of knowledge and expertise. However, the expansion may be short-lived as there is no clear commitment to on-going funding for most of the programmes. Although some financial counselling services will no doubt continue without government financial support, it is clear that the present expansion of services will only be sustained if public funding is maintained.

The pattern of future development of financial counselling services is thus uncertain. If the prevailing model of providing services—government funding of non-government initiatives—is not developed, a number of alternatives are available. The Family Law Council has recently indicated the need for financial counselling to be available to parties involved in marital breakdown, and has been investigating the possibility of providing financial counselling through the family courts (Family Law Council, paragraph 150). Some state consumer affairs departments have stated an intention to establish debt counselling offices (Armstrong and Haselhurst). The proposed Regular Payment of Debts

Programme is still under review. The development of financial counselling as a service provided by state community welfare departments, as in South Australia, is another option. Finally, the possibility that no widespread development of financial counselling will take place, and that services will be provided only in a fragmentary and ad hoc manner, is very real.

### Implications

The development of financial counselling will inevitably be influenced by a large number of separate decisions concerning structures and funding taken by many different organizations in different branches of government in different parts of Australia. It is highly likely, and by no means necessarily undesirable, that different configurations will emerge in each of the states. However, several general issues have emerged from the history of financial counselling to this point which should be considered by decision-makers and planners who wish to promote this form of family support service.

Firstly financial counselling, in common with many other community services, is linked to more than one system of services. It is both part of the legal system and part of the community welfare system. Lawyers view financial counselling as a means of improving the debt recovery process in the interests of all parties, especially debtors. Social welfare workers view financial counselling as a family support service, a means of lessening strains within families and preventing family breakdown. Both groups have recognized that both perspectives are necessary: legal protection of debtors and provision of assistance with the family problems associated with credit problems are complimentary goals. The challenge for decision-makers is to develop organizational structures and policies which ensure that both goals are attained. The proposals of the Law Reform Commission for a Regular Payment of Debts Programme in which community welfare organizations and personnel are involved seems the most likely means of accomplishing the dual goals. However, the Commission's proposals assume that welfare organizations are interested in and engaged in financial counselling activities. Governmental financial support of welfare agencies involved in financial counselling will be necessary to ensure the required level of involvement.

This leads to the second broad

implication of this analysis which is that financial counselling will only develop as a family support service if governments accept funding responsibility. The *Families and Social Services in Australia* report concluded "that in the interest of developing a co-ordinated approach to the planning and delivery of personal social services for families an agreed minimum network of social services should be supported by the public purse" (Family Services Committee, Section 6.60). It suggests that this minimum network be agreed upon by the Commonwealth and states in consultation with priority being given to services "which are designed to prevent family breakdown or are of a developmental nature" (Family Services Committee, Section 6.61). The history of financial counselling services in Australia provides evidence to support this approach. Financial counselling has developed in an ad hoc and disjointed fashion as a result of initiatives by a wide range of governmental and non-governmental organizations. This pattern of development has been desirable in that it has permitted extensive experimentation and diversity in a field in which there were few guidelines. However, now is an appropriate time for the future development of financial counselling services to be considered. The key question is suggested by the *Families and Social Services* report i.e., should governments accept responsibility for the planning and funding of financial counselling services as part of an "agreed minimum network of social services" available throughout Australia? Details of organizational structure will likely vary from state to state in accordance with differing circumstances: the basic issue is that of government responsibility to ensure services are provided.

As discussed earlier, financial counselling as such was not included in the list of services recommended by the *Families and Social Services* report as comprising the minimum responsibility of governments for provision of personal social services to the family. A strong case can, however, be made for the addition of financial counselling to this list. It is uncontested that many problems of family functioning result from inadequate financial resources. Many low income families rely heavily on consumer credit to obtain necessary goods and services. Financial, legal, emotional, health and social difficulties are often associated with the use of consumer credit by poor families.

Financial counselling is an approach to family support which provides opportunities for addressing both the material and the emotional needs of families. Family services must be responsive to social change: the implications of the increasing importance of consumer credit in our society must be carefully assessed by family welfare workers.

The second part of the case for financial counselling is that, as this paper has shown, there is now considerable operational experience of financial counselling in Australia. The issues involved in establishing, operating and evaluating a financial counselling service have been explored in a variety of settings. We are far from having definitive answers to the major planning issues of auspice, function, training, funding, and so forth, but

progress in working through these issues has been made. A characteristic of the development of family services in Australia in the 1970s has been the funding of "pilot", "experimental" and "innovative" services. Such approaches should continue as we seek answers to new and old problems. At some point, however, the knowledge gained from experimental programmes should be used in the planned development of family and community services. There is now a strong case for decision makers to carefully consider the strategies available for the provision of financial counselling services in communities throughout Australia.

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