



MEDIA RELEASE – Wednesday 30 May, 2018

WLSA CAUTIONS FOR DV VICTIMS' SAFETY IN FAMILY COURT OVERHAUL

Women's Legal Services Australia (WLSA) cautiously welcomes some aspect of the planned amalgamation of the Family Court and Federal Circuit Court and attempts to reduce court waiting times, but fears decreased specialisation may lead to unsafe outcomes for domestic and family violence (DFV) victims and for children.

Federal Attorney-General, Christian Porter today announced the Family Court of Australia and Federal Circuit Courts will be combined into a new court to be known as the Federal Circuit and Family Court of Australia (FCFCA) from 1 January 2019 in an effort to cut substantial waiting times.

WLSA spokesperson Angela Lynch says the organisation cautiously welcomes part of the proposal.

"WLSA welcomes the rationalisation of rules between the two courts. For our clients, the current system is complicated, confusing and expensive with two sets of rules leading to inconsistent outcomes. We're supportive of moves to rectify this."

However, Ms Lynch says WLSA has fears the approach may dilute specialisation of the family court needed to safely deal with its high volume of domestic and family violence matters as the proposed changes will potentially see more Judges without family law expertise hearing family court matters.

"The numbers are huge. We know at least 50 per cent of Family Court matters involve domestic violence and child abuse," Ms Lynch said.

"At a time when other jurisdictions across Australia are recognising the magnitude of domestic violence in the community and are responding with specialised services such as the Gold Coast DV specialist court it's an interesting choice to say the least to move away from a specialised legal response."

"If we have Judges without the specialised knowledge and training in the complex dynamics of domestic violence and experience in family law, we will see an increase in unsafe and unfair outcomes for victims of domestic violence and their children."

"We should be increasing judge specialisation not reducing it,"

Ms Lynch said WLSA awaits further detail on the planned changes but says there are also fears that ultimately the decision may result in less resources for family law as the new court may have to compete with the federal court for funding.

"We would like to see more detail. At present there are a lot of questions. It's not yet clear to us how a rationalisation, without investment in resources will increase capacity."



Women's Legal Services Australia

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About WLSA

Women's Legal Services Australia is a national network of community legal centres specialising in women's legal issues. We are part of the National Association of Community Legal Centres (NACLC).

The National Network was established to be actively involved in law reform activities to ensure that, particularly women and children, are not disadvantaged by laws and to lobby for improved access to justice.

The individual Member Centres regularly provide advice, information, casework and legal education to women on particularly family law and family violence matters but can also provide advice on more general legal issues.

More information about WLSA can be found here: http://www.wlsa.org.au/about_us

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