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VIOLENCE

1 February 2017

Family Law Unit  
Family Law Branch  
Civil Justice Policy and Programmes Division  
Australian Government Attorney-General's Department  
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Domestic Violence Victoria response to the exposure draft of the *Family Law Amendment (Family Violence and Other Measures) Bill 2017 (Cth)*

Domestic Violence Victoria (DV Vic) welcomes the opportunity to comment on the exposure draft of these important amendments proposed for the *Family Law Act 1975 (Cth)*.

DV Vic is the peak body for specialist family violence services for women and children in Victoria, representing over 80 organisations across the state. Over many years, our member services have continued to report that engaging with family law proceedings can be difficult, confronting, frustrating and frightening for women and children who experience family violence. While amendments to the Act in recent years have created a greater awareness and responsiveness to family violence, there is no doubt that there is much work to do. The proposed amendments in this exposure draft Bill demonstrate another positive step towards addressing the many hurdles faced by women and children in the Family Court.

DV Vic fully endorses the submission made on the exposure draft by Women's Legal Service Australia (WLSA) which goes to the specifics of a number of the proposed amendments. In particular, we strongly support WLSA's Recommendation 6:

*That the Federal Government introduce legislative protections to stop a victim of family violence being directly cross-examined by their abuser in all family law proceedings.*

DV Vic believes that this amendment Bill is a critical opportunity to amend the Act accordingly.

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**Domestic Violence Victoria**

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DV Vic would also like to reinforce the point made in WLSA's submission about appropriate resourcing for these significant changes to the work of state and territory courts. Recommendation 2 states:

*That prior to the implementation of the amendments the Federal Government make additional resourcing available to state and territory courts, including by way of training for court staff and judicial officers, in order to ensure these courts can provide a high quality service to litigants and meet increased family law demand.*

DV Vic, along with so many others in the Victorian family violence sector and nationally, has seen the best laid plans for family violence system reforms fail because of a lack of appropriate and sustainable resourcing to embed structural changes and ensure necessary professional workforce development is properly implemented. We believe that front end funding must be in place to make these proposed amendments work in practice or risk perpetuating a complex and often traumatic family law system.

DV Vic is closely engaged in the implementation of the recommendations of the Victorian Royal Commission into Family Violence. We support the transformative reforms outlined by the Royal Commission and believe their full implementation will create a stronger, more responsive family violence system that will make women and children safer. We therefore believe the Australian Government must implement the recommendations in relation to areas of Commonwealth responsibility. These proposed amendments to the Family Law Act reflect a positive commitment to making those reforms.

We look forward to the progress of this Bill.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Fiona McCormack', is positioned above the typed name.

Fiona McCormack  
CEO  
Domestic Violence Victoria