



MEDIA RELEASE

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Put safety in family law at top of COAG agenda says WLSA

Women's Legal Services Australia (WLSA) has written to all state and territory leaders asking them to address safety in family law at the Council of Australian Governments (COAG) meeting tomorrow.

"Family violence cannot be taken seriously without taking family law seriously – this is something COAG must consider," said Agata Wierzbowski, WLSA National Law Reform Coordinator.

"WLSA has been working with Rosie Batty to promote a comprehensive [5-step plan to put safety first in family law](#).

"One urgent priority is ending the direct cross-examination of family violence victims by their abusers in the family law system. This can change now.

"Direct cross-examination re-traumatises victims and limits evidence in relation to safety that comes before the courts.

"This risks court decisions being made that put children at risk of violence. We must work together to end this practice. Everyone knows there is no excuse for it and we are calling on all states and territories to back us up.

"The family law system is full of hard working, passionate advocates and legal professionals. However, structural and institutional problems are consistently contributing to decisions that put people at increased risk of violence and abuse.

"When women and children flee a violent relationship, the family law system can be a hindrance rather than a help and that can result in them being placed in greater danger," said Ms Wierzbowski.

Prime Minister Malcolm Turnbull was asked by Opposition Leader Bill Shorten about how he intended to end direct cross-examination in Parliament. Prime Minister Turnbull answered that "addressing domestic violence is a priority for all of us. We have to stop it. Violence against women and children is utterly unacceptable."

"It is for these very reasons that WLSA calls on all governments to work together to end direct cross-examination of vulnerable witnesses in family courts," said Ms Wierzbowski.

Measures to protect victims from direct cross examination was supported by South Australian and Victorian Premiers at the COAG family violence summit on 27-28 October 2016, as well as in recent announcements by the federal opposition leader and the Family Court on its family violence best practice principles.

"Even one case of a victim being directly cross-examined, or one family in which a court

doesn't hear a victim's concerns about the safety of children due to fear, is one too many.

"The Turnbull government now needs to act. Everyone knows there is no excuse for this practice and it's urgent: dangerous decisions are being made right now."

In May 2016, an alliance of over 90 organizations called on the leaders of all major political parties to back the five-step plan to put safety first in the family law system. Read more [here](#).

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