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MEDIA RELEASE

Legal Services Welcome Passage of Historic Family Law Reform

Women's Legal Services Australia (WLSA) and National Legal Aid (NLA) applaud the passage of vital amendments to the Family Law Act through the Senate, with passage through the House expected on the final sitting day of 2024.

"These reforms mark a significant step towards addressing the complex challenges faced by victim-survivors of family violence, particularly in property settlements and divorce proceedings," said Women's Legal Services Australia spokesperson, Meaghan Bradshaw.

"These reforms reflect a growing recognition of the profound impact family violence has on women and children and the need for a family law system that truly supports victim-survivors."

For years, the legal assistance sector has witnessed the devastating impact of family violence on women's economic stability, housing security, and health.

"Unfair or inequitable property settlements often leave women and their children in financial peril, limiting their ability to rebuild their lives post-separation," said National Legal Aid spokesperson, Katherine McKernan.

"Many victim-survivors hesitate to seek their rightful share of property due to fears of retaliation by abusive former partners, including escalating violence and manipulative legal tactics such as pursuing unrealistic parenting orders."

"These fears not only deepen financial insecurity but also create significant barriers to recovery for victim-survivors and their children."

The amendments also address a long-standing issue in Australia's family law system: the mandatory counselling requirement for couples married less than two years before seeking a divorce.

"While courts could waive this requirement in special circumstances, the provision has historically caused distress for victim-survivors of family violence, placing them in situations of heightened risk," said Bradshaw.

"Women's Legal Services have argued that this provision is inconsistent with the fundamental right of an individual to decide whether to remain in a marriage. Its removal is a vital acknowledgment of the autonomy and safety of victim-survivors."



“By removing harmful barriers to divorce and ensuring family violence is a key consideration in property settlements, these amendments provide a pathway for women to escape violent relationships, achieve economic justice, and recover with their children in safety.”

Women’s Legal Services Australia and National Legal Aid applaud these reforms as a turning point for victim-survivors and call for their effective implementation to ensure the system delivers on its promise of safety, fairness, and dignity for all.

A copy of Women’s Legal Services Australia and National Legal Aid’s full submissions to the Senate Inquiry into the Family Law Amendment Bill can be found [here](#).

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Women’s Legal Services Australia

Women’s Legal Services Australia (WLSA) is the national voice for 13 specialist Women’s Legal Services in each State and Territory across Australia. Women’s Legal Services specialise in providing legal assistance and non-legal support services to women, including legal representation, support, and advocacy. In 2022-2023, Women’s Legal Services delivered legal assistance and non-legal support services to over 25,000 women nationwide.

National Legal Aid

National Legal Aid (NLA) represents the Chief Executive Officers of the eight Australian State and Territory Legal Aid Commissions (LACs). LACs are independent statutory authorities funded by the Commonwealth and respective State and Territory governments to provide legal assistance to people experiencing financial disadvantage. In 2022-2023 Legal Aid Commissions provided 32,000 grants of legal aid for ongoing legal representation in Commonwealth family law matters and another 22,000 in connection with state/territory laws about family violence and child protection.