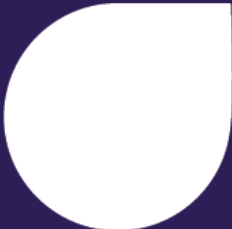




January 2026



# Federal Budget Submission 2026-27

Strengthening Legal Assistance, Workforce Sustainability  
and System Accountability for Women and Children

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## Acknowledgements

We acknowledge the Traditional Owners of Country, recognise their continuing connection to land, water, and community, and pay respect to Elders past and present. Sovereignty was never ceded.

We acknowledge the victim-survivors of domestic, family, and sexual violence who we work with and their voices and experiences, which inform our advocacy for justice, equality, and safety for women.

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## About Women's Legal Services Australia

Women's Legal Services Australia (WLSA) is the national peak body for 13 specialist Women's Legal Services across Australia, including two First Nations Women's Legal Services. We provide a national voice for Women's Legal Services to influence policy and law reform, and advocate to increase access to gender-specialist, integrated legal services for women.

WLSA notes its support for the submission of Community Legal Centre Australia, which seeks an extra \$95 million per year for all community legal centres that provide services to victim-survivors of domestic, family and sexual violence, including Women's Legal Services, and \$15.8 million per year for family law advice and representation in regional and remote communities.

WLSA also notes its endorsement for the budget submission of a coalition of community legal centres calling for investment in specialist LGBTQIA+ legal services.

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## About Women's Legal Services

Women's Legal Services provide high quality free legal services for women, including legal advice and representation, support services and financial counselling, community legal education, training for professionals, and engage in advocacy for policy and law reform. Some members have operated for more than 40 years. WLSA members include:

- Wirringa Baiya Aboriginal Women's Legal Centre NSW
- First Nations Women's Legal Service Qld
- Katherine Women's Information and Legal Service
- Central Australian Women's Legal Service
- Top End Women's Legal Service
- North Queensland Women's Legal Service
- Women's Legal Service Queensland
- Women's Legal Service Tasmania
- Women's Legal Service NSW
- Women's Legal Service WA
- Women's Legal Service SA
- Women's Legal Centre ACT
- Women's Legal Service Victoria

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## Executive Summary

We should all be able to live free from violence, whether at home, work, in the street or navigating government systems. Unfortunately, rates of gendered violence remain persistently high, and too many laws and systems continue to perpetuate gender inequity and facilitate abuse against women by perpetrators of violence. This results in high demand for the services and expertise of Women's Legal Services and significant pressures on our dedicated workforce.

Women's Legal Services Australia (**WLSA**), the national peak body for specialist Women's Legal Services, recognises the significant commitments made by the Commonwealth Government aimed at improving women's safety and economic security. We commend the creation of a specialist Women's Legal Services stream under the National Access to Justice Partnership (**NAJP**), the significant parenting and property reforms to the *Family Law Act*, the national roll-out of Sexual Assault Legal Services, and the ongoing audit of government systems to identify weaponisation by perpetrators of violence. WLSA looks forward to working with the Government on implementation of much-needed reforms.

Women's Legal Services are an important and distinct part of the legal and social services system in Australia. Despite a long history of underfunding, we have made huge contributions and supported hundreds of thousands of women to escape violence and pursue justice across Australia.

Our singular focus is assisting women and non-binary people<sup>1</sup> with legal issues and working towards achieving a gender equitable society. In 2024-25, our members provided legal, social, First Nations and financial support to over 34,000 women, with many thousands more having to be turned away due to a lack of capacity (over 1,000 per week in 2023).<sup>2</sup>

We have decades of experience providing trauma-informed services. Our specialist integrated service models achieve safe and positive outcomes for clients across intersecting systems, which in turn reduce pressures and costs for health, social and justice systems downstream. Inspired by the women we work with, we strive to constantly improve our service delivery models and push for gender equitable laws and systems.

### Investing in service stability, capability-building and reform coordination

WLSA recognises that NAJP provided a boost in funding for women's legal services nationally. As noted above, a dedicated Women's Legal Services funding stream is a major step forward.

Unfortunately, significant funding shortfalls remain, which continue to cause workforce and service stability challenges for our members, particularly those based in and servicing vast regional and remote areas across Australia.<sup>3</sup> Ultimately, this means thousands of women and children turned away, which inevitably has disproportionate impacts on women trying to live free from violence, and especially First Nations women, women on temporary visas, women with disability and women on low incomes or without secure housing.

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<sup>1</sup> Most WLSA members provide services to people who identify as women, including transwomen, and to those who identify as non-binary. References to women in this submission should accordingly be read in this inclusive way.

<sup>2</sup> See Women's Legal Services Australia, 'More than 52,000 women to be turned away from Women's Legal Services due to funding crisis', at <https://www.wlsa.org.au/more-than-52000-women-to-be-turned-away-from-womens-legal-services-due-to-funding-crisis/>.

<sup>3</sup> The amount was also less than what was committed to Women's Legal Services (but only partially delivered) in the 2021-22 Federal Budget. At that time, Women's Legal Services were promised an additional \$129 million

over four years through the National Legal Assistance Partnership. The administration of these funds was handled by the state and territory governments and only 46.5 per cent was received by Women's Legal Services (equating to only \$15 million per year across 13 organisations).

Further investment would facilitate Commonwealth gender equality priorities and allow WLSA and our members to address workforce sustainability risks, support essential sector capability building work to improve early-intervention responses, and to engage with governments and courts on solutions to systemic injustices.

This submission therefore seeks targeted Commonwealth investment to:

- narrow the gender pay gap in the legal sector and value our highly feminised and skilled workforce, through initiatives designed to achieve pay parity with Legal Aid Commissions and attract experienced staff to regional and remote offices;
- sustain existing specialist migration practices and create migration practices in WA and the NT, recognising the success of Women's Legal Services migration models in ensuring that women on temporary visas are not prevented from escaping violence because of visa insecurity (\$4.3 million per year, plus indexation); and
- support WLSA members to identify and respond to women being harmed by systems abuse and to work with government to prevent systems abuse, rather than deal with the consequences (\$4.25 million per year, plus indexation).

WLSA also seeks targeted Commonwealth investment of \$1.5 million over 18-24 months to enable us to trial a nationally consistent approach to data collection and reporting with members. This would support a better understanding of, and responses to, women's unmet legal needs, as well as feeding into the development of the National Legal Assistance Data Strategy and Outcomes Framework and future Commonwealth investment in measuring unmet legal need with the broader sector.

Finally, this submission seeks a modest increase in funding for WLSA as the national peak body. With members based across Australia, servicing urban, regional and remote locations, WLSA has an integral role to play in supporting implementation of national reform priorities for women's safety, justice and economic security. Additional funding of \$300,000 per year would support WLSA to expand work with members on capability-building projects that bolster frontline service delivery, while enabling us to redirect contributions from members back into frontline service delivery.

Together, these investments will help strengthen access to justice, gender equity, workforce stability and ensure Commonwealth funding decisions are more equitable, targeted and effective.



# Budget 2026-27 Priorities

## Priority 1:

### Workforce stability and strengthening

Narrow the gender pay gap in the legal sector and value our highly-feminised and skilled workforce, through initiatives designed to achieve pay parity with Legal Aid Commissions and attract experienced senior staff to regional and remote services

## Priority 2:

### Service stability and safety for women escaping violence on temporary visas

Sustain existing specialist migration practices and create migration practices in WA and the NT, recognising the success of Women's Legal Services migration models in ensuring that women on temporary visas are not prevented from living free from violence because of visa insecurity.

**\$4.3 million per year, plus indexation**

## Priority 3:

### Responding to systems abuse and strengthening women's economic security

Support WLSA members to identify and respond to women being harmed by complex systems abuse by perpetrators of violence and to work with government to prevent systems abuse, rather than deal with the consequences.

**\$4.25 million per year, plus indexation**

## Priority 4:

### Investing in measuring women's legal assistance need

Invest in trialing a nationally consistent approach to turnaway and service data collection and reporting with WLSA members, as part of working towards a nationally consistent approach to measuring legal assistance need, and enabling evidence-based funding, planning and accountability.

**\$1.5 million**

## Priority 5:

### Driving national reform and capability-building across Women's Legal Services

Support WLSA as national peak body to harness the expertise of members to support reform implementation through national coordination and advice, and work on targeted capability-building initiatives that strengthen sector sustainability and readiness and deliver tangible outcomes for women and children across Australia.

**\$300,000 per year, plus indexation**

# Context and policy environment

## Dynamic drivers of gendered violence and insecurity

Demand for Women's Legal Services continues to grow, driven by intersecting social, economic, environmental and technological pressures that are increasing both the volume and complexity of legal need.

Growing cost of living pressures and housing insecurity are intensifying women's vulnerability, with some research indicating that up to 90% of women seeking support have experienced financial abuse.<sup>4</sup> These pressures are compounded by the increasing frequency and severity of climate-related disasters, such as this summer's bushfires, which typically exacerbate household financial stress and can escalate violence.<sup>5</sup> These same drivers of financial insecurity are making it harder for our female-dominated workforce to recruit and retain experienced senior staff, particularly in regional and remote locations. There is a desperate need to increase salaries at community legal centres as part of closing the gender pay gap in the legal sector.

The need for experienced staff is highlighted by the increasingly complex legal needs Women's Legal Services are responding to. For example, the precariousness of temporary visas puts migrant women in situations of acute vulnerability to violence. At the same time, perpetrators are increasingly using legal and service systems, such as family law, migration and child support, to perpetrate ongoing abuse. In addition, new research supported by WLSA reinforces that First Nations women continue to face systemic discrimination when seeking justice in the family law system.<sup>6</sup> Responding to these cases requires specialist legal, social, cultural and financial assistance capable of navigating multiple jurisdictions simultaneously, increasing the intensity and duration of casework.

Family, domestic and sexual violence remains persistent, with growing recognition of coercive control as a central driver of harm and a corresponding need to prevent the misidentification of women, particularly over-policed women, as perpetrators of violence.<sup>7</sup> At the same time, technology-facilitated abuse is also escalating rapidly, impacting women and children in many aspects of their lives.<sup>8</sup> Perpetrators of violence increasingly use digital surveillance, image-based abuse, cyberstalking and technology-enabled coercion to monitor, harass and intimidate women.<sup>9</sup> These tactics create complex risks that require integrated legal and technical expertise and the need for services to invest in workplace security and support measures.

These intersecting drivers of gender-based violence and inequity make it even more important that essential support systems are preventing systems weaponisation and abuse. Unfortunately, many are not, and are actually enabling it, as the Commonwealth Ombudsman's report on Child Support demonstrates.<sup>10</sup>

These pressures sit alongside major Commonwealth reform priorities, including the National Plan to End Violence against Women and Children 2022–2032, Closing the Gap, NAJP and women's economic equality and workforce participation agendas. However, without adequate workforce investment and equitable funding models there is a real risk that these reforms will not translate into meaningful outcomes for women and children at the point of service delivery.

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4 Bullen, J., Cortis, N., and Hill, T., Responding to Economic Abuse (Issues paper 2, UNSW Social Policy Research Centre, 2016).

5 Respect Victoria, Understanding the Link between Climate Disasters and Gendered Violence (29 January 2025).

6 S O'Donnell & H Douglas, First Nations Women's Engagement with the Family Law System - Insights from Women's Legal Services (Final Report, Centre for the Elimination of Violence Against Women, 2025).

7 P Malins & L Caulfield, Harm in the Name of safety: Victorian Family Violence Workers' Experiences of Family Violence Policing (Beyond Survival Project Report, Flat Out, 2025); Andrew Messenger, 'Controversial domestic violence laws pass Queensland parliament as experts warn they could be weaponised against victims' (The Guardian, 28 August 2025).

8 E-Safety Commissioner, Literature Scan of Tech-based Family, Domestic and Sexual Violence (2023); E-Safety Commissioner, Children and technology-facilitated Abuse in Domestic and Family Violence Situations (2020).

9 E-Safety Commissioner, Track, Harass, Repeat: Investigating Attitudes that Normalise Tech-based Coercive Control (2025); A Flynn et al, Technology-facilitated Coercive Control: Mapping Women's Diverse Pathways to Safety and Justice (Australian Institute of Criminology, 2024).

10 Commonwealth Ombudsman, Weaponising Child Support: When the System Fails Families (2025).



## NAJP funding welcome, but greater investment needed

The recognition of the vital role played by specialist Women's Legal Services through a dedicated funding stream and increased funding through NAJP was welcomed by our members.

Women's Legal Services play a vital role in supporting women and children to navigate complex systems and seek safety and freedom from gendered violence, while working with the legal sector to better identify and respond to victim-survivors of violence and with governments and courts on reform implementation.

The specialist integrated service models at Women's Legal Services achieve outcomes for clients that reduce pressures and costs for health, social and justice systems downstream. By addressing legal, cultural, social and financial support needs in a trauma-informed way under one roof, women are not forced to retell their story and relive their trauma many times over. Their physical, cultural and psychosocial safety can be better prioritised and the issues they need help with more efficiently dealt with, thereby reducing burden on other government and non-government service providers.

However, the increase in funding of approximately \$10 million per year across 13 services fell short of what our members across Australia need to operate sustainably, particularly in regional and remote locations, and once realistic rates of indexation are applied.

These numbers help paint a picture of unmet legal need among women: while our members were able to increase the number of people assisted from over 26,000 in 2023-24 to over 34,000 in 2024-25, targeted data collected in 2023 indicated that our services are forced to turn away around 52,000 people per year. This is only part of the story, however, with our members (like other community legal centres (**CLCs**)) also needing to prioritise investment in the operational and infrastructure essentials that hold services together, connect them to communities and enable them to identify solutions to systemic issues their clients face.

Women's Legal Services, like other CLCs, have been chronically underfunded by governments for years. As the *Independent Review of the National Legal Assistance Partnership (Independent Review)* noted "...NLAP indexation arrangements and predecessor agreements have not properly funded cost increases service providers have faced."<sup>11</sup>

NAJP once again did not properly account for indexation and is not sufficient to keep up with inflation and the true cost of delivering services. This, coupled with meeting legislated increases to wages and superannuation, means little NAJP money remains to expand services to meet demand and/or to address pay parity and other workforce challenges. Some services will need to reduce staff over the life of NAJP.

Below are examples from two WLSA members about what happened with funds earmarked for progressing pay parity with Legal Aid Commissions because of the above issues.

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<sup>11</sup> Warren Mundy, *Independent Review of the National Legal Assistance Partnership (Final Report, 2024)*, 100.

## Victoria

The Department of Justice and Community Safety decided that the Commonwealth indexation was inadequate and used some of the new uplift and pay parity funding to provide for more realistic indexation of 5.45 per cent on baseline funding. As a result, instead of new funding (uplift and pay parity) for the Women's Legal Service stream in Victoria being \$15.6 million over five years, it is \$6.4 million over five years, spread across four organisations,<sup>12</sup> with \$9.2 million being reallocated into baseline funding for adequate indexation. Women's Legal Service Victoria received no uplift or pay parity funding as a result.

## ACT

The estimated pay gap between the Women's Law Centre (WLC) and Legal Aid Commission in the ACT is 20-30% for SCHADS Level 6 and above. The amount received from the Commonwealth for pay parity uplift was \$125,145. However, the cost of legislated salary increases for WLC was \$125,622. The funding was therefore not sufficient to take any remedial action on the gap between WLC and the local Legal Aid Commission.

As is explored further below, this issue is particularly acute for members based in or with offices in regional and remote locations, where costs of living and delivering services are very high and the workforce challenges uniquely complex (see Priority 1 below).

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<sup>12</sup> It should be noted that of the four organisations in the Women's Legal Service funding stream in Victoria, three are not members of WLSA.

# Priority 1:

## Workforce stability and strengthening

### Better pay for our female-dominated workforce

The Commonwealth Government has taken important steps aimed at addressing the gender pay gap in Australia and WLSA welcomes the inclusion of money for pay parity as part of NAJP.

For too long, our staff have been providing vital legal, social and financial assistance to victim-survivors of gender-based violence while being paid significantly less than those performing equivalent roles at Legal Aid Commissions and in other public service roles. The story is the same across CLCs and many First Nations services. The gap between female-dominated community legal service salaries and the private sector is even greater and deeply gendered.<sup>13</sup>

The CLCA 2022-23 *State of the Sector* survey reported that community legal sector workers earn an estimated 10 to 35 per cent less than counterparts working in the same roles at Legal Aid Commissions.<sup>14</sup> Across Women's Legal Services, the gap is similar on average and becomes more pronounced as roles become more senior, creating preventable service stability and sustainability risks.

As noted above, once legislated salary increases are paid and a realistic rate of indexation applied, and state-territory processes negotiated, NAJP has made little dent in addressing this long-standing inequity.

### Pay parity key to addressing workforce challenges and gender pay gap

WLSA welcomes the National Legal Assistance Workforce Strategy as a priority long term reform under NAJP and looks forward to progressing this with sector and government partners. However, we are concerned that pay parity with Legal Aid Commissions does not appear to be a priority at this stage and that the time taken to develop the Strategy will delay action on this issue.

Additional funding for Women's Legal Services (as for all CLCs) would help to reduce low wages and retain staff in our highly feminised workforce. Staff across our services, many of whom also perform vital unpaid care roles, provide critical assistance to women as they try to escape and recover from gendered violence and who battle through government systems too easily weaponised against them by perpetrators. Our staff must be properly valued and paid for their huge contributions to the community.

Integrated practice is critical to the way that Women's Legal Services operate, providing wrap-around, trauma-informed support and reducing downstream system costs. Social workers, First Nations support workers, financial counsellors and other support workers play critical roles, focused on women's safety and financial security, and must also be better remunerated.

We note that the Independent Review described the need to address low pay in the community legal sector as *urgent*, requiring immediate funding and implementation.<sup>15</sup> The Review recommended that the Commonwealth provide an extra \$66 million in 2024-25 and \$69 million in 2025-26 to address the pay parity issue. We note with support that CLCA has also raised this issue in its budget submission, seeking an additional \$72 million per year to be applied across the sector.

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<sup>13</sup> Warren Mundy, Independent Review of the National Legal Assistance Partnership (Final Report, 2024), 156.

<sup>14</sup> Community Legal Centres Australia, State of the Sector 2022-23 Survey Report: A Sector in Crisis (March 2024), 15.

<sup>15</sup> Warren Mundy, Independent Review of the National Legal Assistance Partnership (Final Report, 2024), section 12.1.1.

In line with the Government's commitment to women's economic security, we call on the Commonwealth to prioritise funding to address the gender pay gap in the legal sector, through a targeted initiative focused on the community legal sector as a feminised industry. We would welcome the opportunity to work closely with government on this, alongside other community sector colleagues, and explore other alternatives, such as possible taxation system measures.

## Recruitment and retention in regional and remote services

The under-valuing of our female-dominated sector is an active driver behind challenges our members face in recruiting and retaining experienced staff, including vital First Nations support workers and other social and financial support workers. This in turn directly impacts on the wellbeing of our staff and the number of victim-survivors of gendered violence that our services are forced to turn away.

As is well-documented, the situation is particularly challenging in regional and remote locations and at senior lawyer levels, and particularly in family law and migration law. Some WLSA members in regional locations, have described making decisions not to fill vacant roles that would allow them to help more clients so that they could provide more competitive employment conditions to retain their experienced staff.

The situation is particularly challenging for WLSA members in the NT, where the costs of living and providing legal services are much higher and where there is an acute shortage and high turnover of skilled lawyers, particularly at senior levels. The workforce challenges, combined with telecommunications barriers and systemic racism across systems, have a disproportionate impact on First Nations women.

In addition to funding to help close the gender pay gap in the legal sector, additional measures urgently need to be funded to address entrenched regional and remote workforce challenges. For example, given the lack of affordable housing is a barrier to people taking up jobs, measures are needed to address affordable housing supply and to provide additional resources to staff to cover higher costs of living. In addition, investing in the cost-effective outreach and partnership models that many of our members operate, in collaboration with trusted local partners, is also needed.

We note that the Independent Review proposed a HECS-HELP forgiveness scheme for community sector lawyers and private practitioners undertaking substantial legal work in regional and remote areas, drawing on established models used for the medical and teaching workforces. Under the Review's assumptions, HECS-HELP balances would be forgiven after five years of continuous service, with the first fiscal impact realised in 2030–31 at an estimated cost of \$6 million. WLSA is cautiously supportive of such a scheme but notes that it is more likely to attract graduate and junior lawyers who require close supervision and that it is senior and supervising lawyers that are most difficult to attract and retain.



### Priority 1: Workforce stability and strengthening

Narrow the gender pay gap in the legal sector and value our highly-feminised and skilled workforce, through initiatives designed to achieve pay parity with Legal Aid Commissions and attract experienced senior staff to regional and remote services

## Priority 2: Service stability and safety for women on temporary visas

### Acute insecurity of women on temporary visas

Women on temporary visas face structural barriers to safety that other women do not, such as the threat of visa cancellation by perpetrators, deportation upon leaving a violent relationship or the loss of access to healthcare or an income by becoming ineligible for social security and Medicare. These structural barriers, together with language and cultural differences and the slowness of Australia's visa determination process, create unique forms of precariousness that prevent women from escaping violence.

Existing visa categories do not adequately accommodate the unique needs and experiences of women on temporary visas who are experiencing domestic and family violence, which is why WLSA and our members have called for a standalone family violence visa.<sup>16</sup>

### Women's specialist migration practices have made a difference

WLSA welcomed the Pilot funding for seven Women's Legal Services across Australia to provide legal assistance as part of the Temporary Visa Holders Experiencing Violence Pilot. This funding has now been rolled into NAJP baseline funding.

Throughout the Pilot phase, our members identified the need for more resources to:

- support existing services to manage practice risks, noting the highly specialised nature of migration law and that the funding was only enough for some services to hire one migration lawyer, which exacerbates practice risks and sustainability challenges;<sup>17</sup> and
- to establish specialist trauma-informed practices at Women's Legal Services in Western Australia and in Central Australia and the Big Rivers Region of the NT (who were excluded from the Pilot).

Demonstrating the commitment of WLSA members to evidence-based practice, WLSA funded an independent evaluation of the Pilot. This evaluation has found that Women's Legal Services migration practice models reflect best practice and are highly effective in the integration of holistic wrap-around services that support women on temporary visas to pursue lives free from violence.

The evaluation recommended adequate and sustainable long-term funding that accurately reflects staffing ratios needed for case complexity and duration. Among other recommendations, it also urged additional resources for training, education and support of lawyers to assist with workforce challenges and resources for outreach to at-risk communities.<sup>18</sup>

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<sup>16</sup> National Advisory Group on Women on Temporary Visas Experiencing Violence, *Blueprint for Reform: Removing Barriers to Safety for Victims/survivors of Domestic and Family Violence who are on Temporary Visas* (2023).

<sup>17</sup> Some services used other sources of temporary funding to top up the Pilot funding to hire a second lawyer but this has not been sustainable. Migration law is a highly specialized, time-sensitive and complex area of practice. Non-migration lawyers cannot step in to fill gaps. Thus, where only one migration lawyer or agent is employed, there are significant practice management challenges, particularly if that person needs to take leave or resigns.

<sup>18</sup> Evaluation report can be provided on request.

## Supporting service stability and the safety for migrant women

The National Plan to End Violence Against Women and Children 2022-32 recognises the unique impacts of family violence on migrant women, as have recent Commonwealth initiatives, such as the Leaving Violence Program.

Women's Legal Services are making a significant contribution to the safety of migrant women on temporary visas, but the workforce challenges remain significant, particularly where only one migration lawyer can be hired. Migration matters are highly specialised, time-sensitive and emotionally challenging. Staff need to be able to take breaks without worrying about what is going to happen to their clients in the absence of another migration lawyer in the organisation. Some members have had to negotiate external supervision arrangements to mitigate practice risks that could be better managed internally with additional resourcing. The recent loss of community migration lawyers to the Administrative Review Tribunal has created an acute need to upskill experienced lawyers and support emerging lawyers.

With additional funding of \$4.3 million per year (appropriately indexed), the highly successful existing Women's Legal Service migration practice models could be sustainably resourced. In particular, additional funding would help to:

- Address workforce stability challenges, including upskilling and training existing and emerging lawyers to manage migration matters and to ensure adequate practice supervision.
- Establish migration practices at the following services that have identified a need for one: Women's Legal Service WA, Katherine Women's Information and Legal Service and Central Australian Women's Legal Service.
- Enable greater cross-sector collaboration, outreach and capability training within the legal sector.
- Coordinate advocacy and advice to government, informed by lived experience, about reform of intersecting migration, social and health systems that prevent migrant women from leaving violence.

The adequate and sustainable funding of specialist integrated legal services, alongside the development of a standalone family violence visa, will complement existing Commonwealth actions to address the exploitation and insecurity of migrant women.



### Priority 2:

#### Service stability and safety for women escaping violence on temporary visas

Sustain existing specialist migration practices and create migration practices in WA and the NT, recognising the success of Women's Legal Services migration models in ensuring that women on temporary visas are not prevented from living free from violence because of visa insecurity.

**\$4.3 million per year, plus indexation**

## Priority 3:

# Responding to systems abuse and strengthening women's economic security

### Systems abuse dramatically increases case complexity

Women's Legal Services are increasingly responding to systems abuse – where perpetrators misuse legal, administrative and government systems to continue coercion, control and harm following separation. This includes the strategic use of family law, income and child support, debt recovery, migration, child protection and other bureaucratic processes to continue to abuse women, for example by delaying outcomes, draining their resources and undermining their credibility.

Recent scrutiny of system design and administration, such as the Commonwealth Ombudsman's report on the weaponisation of the child support system,<sup>19</sup> has confirmed what women's legal services see daily: systems intended to support families and children are instead being weaponised, particularly in the absence of risk-informed decision-making, proactive safeguards and accountability mechanisms. Failures at both operational and legislative levels place the burden on victim-survivors to identify and respond to abuse occurring through systems that should be protective.<sup>20</sup>

As a result, women experience prolonged legal entanglement, financial instability and heightened risk. Frontline services like Women's Legal Services are absorbing the consequences of systemic failure. Lawyers, social workers, First Nations support workers and financial counsellors are increasingly required to manage complex, multi-jurisdictional matters involving overlapping systems - often without commensurate resourcing or systemic levers to prevent further harm.

### Recognising progress while addressing gaps

WLSA acknowledges the ongoing audit of Commonwealth systems for weaponisation by perpetrators of violence. We also welcome the Government's announcement to waive certain Centrelink debts, recognising the role unfair debt burden plays in undermining women's economic security and independence following separation. This measure represents an important step in reducing structural financial harm and supporting women to stabilise their circumstances after leaving abusive relationships.

However, debt relief alone does not address the broader misuse of systems as tools of abuse. Without systemic reform, perpetrators remain able to exploit administrative processes to perpetuate harm, delay resolution and maintain control - often across multiple systems simultaneously.

Systems abuse directly undermines women's economic security, safety and capacity to rebuild their lives after violence. It compounds existing gendered inequalities, including the gender pay gap, caring responsibilities, unpaid labour and reduced workforce participation, while exposing women to prolonged legal stress and financial depletion. For children, systems abuse can delay access to stable arrangements, financial support and safety, with long-term impacts on wellbeing.

More broadly, when systems fail to recognise and respond to abuse, they erode trust in public institutions and shift responsibility onto those least able to carry it.

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<sup>19</sup> Commonwealth Ombudsman, *Weaponising Child Support: When the System Fails Families* (2025).

<sup>20</sup> See e.g. Elena Campbell et al, *Unlocking the Prevention Potential: Accelerating Action to End Domestic, Family and Sexual Violence* (2024), 100.

Addressing systems abuse is therefore central to achieving the Government's commitments to women's safety, economic equality and access to justice.

## Supporting women failed by systems

To prevent systems abuse, rather than respond to its consequences, and to recognise the growing resource demands this work places on Women's Legal Services, WLSA seeks targeted Commonwealth funding of **\$4.25 million** per year (appropriately indexed) to support:

- Specialist systems abuse capability within Women's Legal Services, enabling sustained, trauma-informed legal assistance and preventative work with women dealing with intersecting systems.
- Policy, reform and implementation input, drawing on frontline expertise to ensure system redesign actively mitigates risk rather than placing the onus on victim-survivors.
- Workforce capacity and coordination, recognising that systems abuse requires longer-term, more intensive legal support than traditional single-issue matters.

Equipping Women's Legal Services to respond effectively to systems abuse is essential to ensuring that reforms translate into real-world safety, fairness and economic security for women and children.



### Priority 3:

#### Responding to systems abuse and strengthening women's economic security

Support WLSA members to identify and respond to women being harmed by complex systems abuse by perpetrators of violence and to work with government to prevent systems abuse, rather than deal with the consequences.

**\$4.25 million per year, plus indexation**

## Priority 4:

# Investing in measuring women's legal need

### Unmet legal need is widespread and inadequately measured

Successive national reviews have identified unmet legal need as both widespread and poorly measured, limiting the capacity for governments to properly target and fund legal assistance needs.

In its Access to Justice Arrangements inquiry, the Productivity Commission found that many Australians experience legal problems for which assistance would be beneficial, yet a significant proportion of these needs remain unmet because people do not seek help or cannot access appropriate services. Critically, the Commission noted that existing data sources - such as service usage statistics and infrequent surveys - provide only a partial and inconsistent picture of need.<sup>21</sup>

The Commission emphasised that governments cannot rely on service demand as a proxy for need, as this excludes people who are turned away, deterred, or unaware of available assistance. It called for more systematic, nationally consistent approaches to measuring legal need and unmet need to support evidence-based planning and equitable allocation of resources.<sup>22</sup> These findings were reinforced by the Independent Review, which found that current funding models rely on proxies rather than objective assessments of need, undermining transparency, accountability and the effectiveness of investment.

NAJP's long term reform priorities include a focus on developing a data strategy linked to a shift from input and activity-based metrics to an outcomes framework. This is welcome but does not appear to have a clear focus on systematically and consistently measuring unmet legal need across Australia.

### Harnessing WLSA's efforts to understand unmet legal need

A consistent and accurate understanding of legal assistance need is fundamental to ensuring public investment delivers equitable access to legal services, which is critical to women's safety, justice and equity. WLSA is well placed to work alongside CLCA and other sector colleagues, including through the NAJP Data and Outcomes Project Team, to inform the design of a nationally consistent and robust approach, and to support consistent data collection focused on unmet need.

In 2023–24, WLSA undertook a national survey of members to capture instances where women seeking legal assistance are unable to be assisted due to capacity constraints, eligibility limitations or service gaps. As noted above, the results indicated that around 1,000 women each week (52,000 each year), are 'turned away' from legal assistance. This data highlights that unmet need is not theoretical; it is systemic, ongoing and directly linked to constrained resourcing.

In 2024–25, 89 Degrees East conducted an independent review of WLSA's turnaway data. The review assessed the consistency, reliability and analytical potential of current practices and identified opportunities to strengthen national aggregation, comparability and use of turnaway data to help understand unmet legal need. This work confirms both the value of existing data and the scope to further develop it into a nationally consistent evidence asset. It also aligns with sector-wide efforts led by CLCA to establish a shared definition and measure turnaways, strengthening consistency and comparability across legal providers and improving visibility of unmet need.

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<sup>21</sup> Productivity Commission, Access to Justice Arrangements (No. 72, 2014) 90–96.

<sup>22</sup> Productivity Commission, Access to Justice Arrangements (No. 72, 2014) 97-101.

## Trialing a nationally consistent approach

WLSA seeks targeted Commonwealth investment of **\$1.5 million** over 18-24 months to enable us to work with our members across Australia, and in collaboration with CLCA, to strengthen and standardise data collection and reporting practices focused on unmet need.

This would represent a practical, efficient and low-risk step towards implementing long-standing national review findings, with a cost across 13 members of around \$115,000 per centre. Dedicated funding would allow WLSA to trial a nationally consistent approach to measuring visible unmet legal need, looking at our members as a subset of the broader community legal sector.

It would enable more accurate identification of women's unmet need, support fairer and more transparent funding decisions, and provide a sound basis for monitoring whether reforms and investments are reaching women most at risk. Importantly, it would complement existing work in this area, including the iterative development of the National Legal Assistance Data Strategy and Outcomes Framework under NAJP. It could also provide a scalable foundation for the design of a future national legal need data framework with adequate Commonwealth investment.

With a robust, nationally consistent dataset in place, there is also significant potential to responsibly leverage artificial intelligence and advanced analytics to identify emerging patterns of unmet need, forecast system pressure points, and support earlier, more targeted interventions.



### Priority 4: Investing in measuring women's legal assistance need

Invest in trialing a nationally consistent approach to turnaway and service data collection and reporting with WLSA members, as part of working towards a nationally consistent approach to measuring legal assistance need, and enabling evidence-based funding, planning and accountability.

**\$1.5 million**

## Priority 5: Driving national reform and capability-building across Women's Legal Services

### WLSA's important peak body role

WLSA welcomed the receipt of five years funding of approximately \$287,000 per year through NAJP. The funding recognises WLSA's role as a national peak body and voice for Women's Legal Services.

WLSA has played a critical role in effectively channeling the expertise of Women's Legal Services across Australia and the experiences of their clients into reform processes, with a focus on justice, safety and equality for women and their children. Recent examples include:

- Working closely with the Attorney-General's office, courts and sector colleagues on the landmark parenting and property amendments to the *Family Law Act*, the statutory review of the Family Court and Federal Circuit Court merger and targeted review of the family law cross-examination scheme.
- Joint report on First Nations women's engagement with the family law system, with the ARC Centre for Excellence on the Elimination of Violence Against Women.<sup>23</sup>
- Providing the evidence base and expertise from WLSA members involved in Sexual Assault Legal Service pilots to support their national expansion across Australia, utilising data and case insights to inform advocacy to the ALRC and Commonwealth government.
- Utilising evidence from our member's specialist migrations practices to advocate for much-needed reforms to the migration system<sup>24</sup> and commissioning an independent review of these migration practices to identify opportunities to improve outcomes for women on temporary visas.
- Expert advice to government and statutory agencies on systems weaponisation by perpetrators of violence, such as in the child support, migration, family law and criminal legal systems.<sup>25</sup>

WLSA and our members are active participants in a number of key court, government, women's and legal sector advisory and reference committees. Parliamentary Members and government representatives regularly seek WLSA's input on the development of policy and legislation.

### Supporting reform implementation, coordination and capability building

Delivering on the Commonwealth's commitments to women's safety, justice and economic security will require close collaboration with gender equality peak bodies like WLSA. Our 13 members represent the diversity of women across Australia, with members based in urban, regional and remote locations, First Nations community-controlled members, programs focused on migrant women and First Nations women and integrated practices that work with women through intersecting health, social and financial challenges.

WLSA is well-positioned to harness the expertise, data and casework insights of our members to support the Commonwealth's reform priorities. We are also focused on working with the Commonwealth, states and

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<sup>23</sup> S O'Donnell & H Douglas, First Nations women's engagement with the family law system - Insights from Women's Legal Services (Final Report, Centre for the Elimination of Violence Against Women, 2025).

<sup>24</sup> See e.g. National Advisory Group on Women on Temporary Visas Experiencing Violence, *Blueprint for Reform: Removing Barriers to Safety for Victims/survivors of Domestic and Family Violence who are on Temporary Visas* (2023).

<sup>25</sup> See e.g. Women's Legal Services Australia, *Non-Payment of Child Support as Economic Abuse of Women and Children: A Literature Review* (Research Paper, 2024),

territories and sector colleagues on workforce security and data collection, focused on legal need, service delivery and outcomes.

To properly support national coordination, reform advocacy, implementation advice and capability building functions, WLSA needs a team of at least three skilled full-time staff. The significant shortfall in NAJP funding is currently being raised through membership fees from frontline WLSA member services.

With additional funding of **\$300,000** per year (appropriately indexed) WLSA could redirect some resources that members currently contribute to WLSA back into frontline service delivery and:

- Better harness the expertise of members to inform the development and implementation of key Commonwealth reforms, in particular to make the migration system safer for migrant women escaping violence; to stamp out systems abuse; improve safety and justice for First Nations women in the family law system; and to improve justice responses to victim-survivors of sexual violence.
- Work with WLSA members to adapt and evolve their services to respond to the dynamic political, technological and financial forces driving legal need, by identifying best practice responses and supporting capability and capacity building to ensure consistent service delivery.
- Lead the national roll out of successful state/territory workforce training programs that our members are either currently operating<sup>26</sup> or have identified a need for, such as on-the-job training for emerging community lawyers and specialist domestic and family violence training for migration lawyers and for family lawyers responding to Hague Convention applications.
- Work with CLCA and governments to focus on alternative solutions to entrenched workforce sustainability challenges in regional and remote areas.

Sustainable funding for WLSA will strengthen Commonwealth investment effectiveness, reform uptake, and the response to workforce challenges, and mean more women and children can live free from violence.



#### Priority 5:

#### Driving national reform and capability-building across Women's Legal Services

Support WLSA as national peak body to harness the expertise of members to support reform implementation through national coordination and advice, and work on targeted capability-building initiatives that strengthen sector sustainability and readiness and deliver tangible outcomes for women and children across Australia.

**\$300,000 per year, plus indexation**

<sup>26</sup> Examples include Women's Legal Service NSW's Next Gen in-house graduate program and Women's Legal Service Victoria's Emerging Lawyers program for community legal centres.