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The Second Action Plan: Submission by Women's Legal Services Australia

Women's Legal Services Australia

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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.

About Women's Legal Services Australia

Women's Legal Services Australia (WLSA) is the national peak body for 13 specialist Women's Legal Services in each state and territory across Australia, including two Aboriginal and Torres Strait Islander Community Controlled services.

We provide a national voice for Women's Legal Services to influence policy and law reform, and advocate for laws, systems and funding decisions to centre gender equality, justice and safety.

About Women's Legal Services

Women's Legal Services provide high-quality free legal services for women and non-binary people, 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:

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

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About this submission

Women's Legal Services Australia (WLSA) welcomes the opportunity to contribute to the development of the Second Action Plan under the National Plan to End Violence against Women and Children 2022–2032. We acknowledge the extensive consultation process undertaken by the federal government, including the engagement of key ministers and departmental officials with the specialist women's legal sector. We thank the Department of Social Services for the opportunity to build on that dialogue through this submission.

We note that work is underway, or about to commence, on related action plans, including under *Our Ways – Strong Ways – Our Voices*, *Safe and Supported* and the *National Strategy to Prevent and Respond to Child Sexual Abuse*. We have taken onboard the Department's advice about submitting one submission to be considered in relation to work on all the plans. This submission therefore includes recommendations relevant to those other action plans. WLSA understands that consultations for *Our Ways – Strong Ways – Our Voices* are yet to commence. We may make a separate submission to that process, in support of our two Aboriginal and Torres Strait Islander Community-Controlled Women's Legal Service members.

This submission focuses predominantly on legal systems, including policing, because that reflects the expertise of our members. It doesn't address all areas of the legal system relevant to gender-based violence, but prioritises those within WLSA's strategic focus areas, recognising that other peaks bodies, such as Working Women's Centres Australia, will bring their expertise to other areas of law, such as employment law.

We also recognise and support the vital work and expertise of many sister organisations who are making submissions about vital matters outside of the legal system, including domestic and family violence support services, sexual assault support services, housing providers, health services and many others.

Finally, we note that Women's Legal Services provide services to women, including transwomen, and to non-binary people. All references to 'women' and 'woman' in this submission should be understood to include transwomen and non-binary people. We also recognise and support the need for LGBTIQ+ specialist services.

Executive Summary

Women's Legal Services across Australia occupy a unique vantage point. Every day, our members walk alongside women, including transwomen, and non-binary people as they navigate the extraordinary legal complexity that so often stands between a victim-survivor and safety — parenting orders, property orders, protection orders, child protection, migration, child support and criminal processes, frequently all at once. We see where systems work, where they fail and where they are being turned against the very people they are meant to help protect.

This submission seeks to reflect that frontline experience and therefore offers practical, implementable ideas, grounded in the day-to-day realities of victim-survivors and the services that support them.

The Second Action Plan arrives at a critical moment. The First Action Plan delivered important reforms, but women and children continue to be harmed and killed, and the services they turn to for help – legal, housing, support, health, financial - are being forced to turn them away because of a lack of resources. For example, based on 2023 data, we estimate that around 1,000 women every week are turned away from our 13 Women's Legal Services members, while in 2024, Community Legal Centres Australia reported 1000 people being turned away per day across 134 members. Funding through the National Access to Justice Partnership (NAJP), while significant, does not come close to addressing demand.

The central challenge for the Second Action Plan is to hold two commitments at once: sustained investment in preventing violence before it occurs, and, ensuring that the critical services that protect women and children from violence, including specialist legal assistance, are available where and when they are needed. These are not competing priorities. Legal services are prevention. Every safe parenting order, every intervention order, every child kept safe with family and culture, every woman on a temporary visa supported to escape violence, is violence prevented from escalating and costs avoided across crisis, health and justice systems downstream.

The Second Action Plan must recognise legal assistance services, including Women's Legal Services, as *core* and *specialist* frontline services, including through a reportable commitment to ensure access to legal services. The integrated legal-social practice models operated by Women's Legal Services and other community legal services, are best practice models – much can be done to support these, especially in regional and remote areas, for example by reforming legal professional privilege rules and ensuring funding for financial counselling, social workers and cultural support workers.

In addition to highlighting the essential role of specialist legal services, our submission focuses on four themes across the Consultation Paper Priority Areas that reflect key areas of expertise across Women's Legal Services.

Making the family law system safe and shutting down systems abuse.

Eighty-six per cent of parenting matters in the Federal Circuit and Family Court of Australia (FCFCOA) involve allegations of family violence. Seventy-seven per cent involve allegations of abuse against children. The commencement of family law proceedings can be a dangerous time in which violence escalates. Yet the adversarial nature of proceedings and high numbers of victim-survivors forced to self-represent provide fertile ground for users of violence to weaponise the system and prolong coercive control, while the needs of children are too often subordinated.

Systems abuse is also evolving, fast. Our members increasingly see users of violence harness new technologies, including AI, to alter evidence, generate harassing correspondence and excessive quantities of legal documents, and monitor and intimidate victim-survivors. Government systems and emerging technologies must not be instruments through which perpetrators terrorise women and children. We call for the Australian Government's audit of systems abuse to prioritise the family law system and to work with key stakeholders on preventing and responding to adverse impacts of AI and tech-facilitated abuse on family violence-related legal processes.

While important reforms have been made to centre safety in the *Family Law Act 1975 (Cth)* concerted efforts are needed to reform the practice, procedures and culture of the system so that it truly centres the best interests of children and the safety of victim-survivors. Models involving multidisciplinary investigatory approaches, early findings of family violence, guaranteed legal support for victim-survivors, access to therapeutic support, and mandatory competency standards for all professionals should be explored with key stakeholders. This should be done while also properly resourcing and expanding programs that are working for victim-survivors having to navigate family courts, such as the Family Advocacy and Support Service and Lighthouse.

Centring the rights of Aboriginal and Torres Strait Islander victim-survivors self-determination, family, culture and safety

A major barrier to seeking help for Aboriginal and Torres Strait Islander women is the fear of their children being taken into the child protection system. The Closing the Gap target to reduce the rate of over-representation of Aboriginal and Torres Strait Islander children in out-of-home care, is not being met. Family violence is a significant driver of this over-representation.

Given the colonial context in which the legal system operates, it is critical both that child protection and family law power holders are working closely with Aboriginal Controlled-Community Organisations (ACCOs) to centre the unique rights of Aboriginal and Torres Strait people, and that self-determined alternatives to the child protection, family law and other legal processes are prioritised and appropriately resourced.

For matters that do end up in the FCFCOA, particularly those involving non-Indigenous perpetrators of violence, the risks of systems abuse are greater. This necessitates greater investment in the Indigenous List, Indigenous Family Liaison Officers and specialist ACCO legal services.

Addressing the unique needs of victim-survivors of sexual violence

Reports of sexual violence are rising. Some 22 per cent of Australian women have experienced sexual violence, yet up to 85 per cent of reports to police never proceed to charge. Those that do are subjected to invasive subpoenas, personal attacks and re-traumatisation. The Australian Law Reform Commission's (ALRC) *Justice Responses to Sexual Violence* report provides a clear roadmap and the Second Action Plan should embed its implementation with clear timeframes and transparent monitoring.

Critically, victim-survivors need early and independent legal advice and access to legal representation from gender-specialist services. However, the funding of Sexual Assault Legal Services, only recently extended nationally, expires in December 2027. Long-term funding for specialist sexual violence legal services, built on the existing expertise of Women's Legal Services, is essential if governments are serious about improving justice outcomes.

Preventing women on temporary visas from being trapped in violent relationships

One in three refugee and migrant women in Australia has experienced domestic and family violence, with temporary visa holders reporting higher rates still. Gaps in Australia's migration laws mean perpetrators can weaponise a woman's visa status by threatening deportation, separation from her children and destitution if she leaves.

The Second Action Plan should prioritise reform of Australia's migration laws, including a new substantive family violence visa for those not protected by existing family violence visa provisions, drawing on models in New Zealand and Canada. This needs to happen alongside access to income, healthcare, housing and integrated legal and social support while visa matters are resolved. No woman should be forced to choose between violence and deportation.

Across all of these themes, our submission emphasises that legal systems cannot be reformed in isolation. Victim-survivors navigate housing, health, income support, child protection and policing systems alongside legal processes. The Second Action Plan must drive genuine integration and capability building between these systems, including consistent best practice approaches to risk assessment, crisis responses, and family violence intervention/protection orders (FVOs). This needs to be backed by accountability mechanisms, including a properly empowered Domestic, Family and Sexual Violence Commission, independent police review mechanisms and a federal judicial commission, to ensure that key institutions learn and are made stronger from failures.

Ending violence against women and children within a generation is achievable. It requires the Second Action Plan to be honest about where systems are failing, ambitious about reform and unwavering in ensuring that when a woman reaches out for help, the door she walks through is open, resourced and safe.

Summary of submission and recommendations

Proposed Priority Areas 1 (Victim-survivors) and 2 (Prevention & Early Intervention)

Victim-survivors should be guaranteed access to specialist legal services to navigate the multitude of legal processes standing between them and safety

RECOMMENDATION 1:

The Second Action Plan should prioritise putting in place the settings to ensure that all victim-survivors can access the services they need, when they need them, through long-term, adequately indexed, sustainable funding at levels that meet demand. This includes:

- Investing in research to understand the levels of demand for frontline services, including legal assistance and integrated services, with a particular focus on victim-survivors whose needs are typically under-served, including Aboriginal and Torres Strait Islander people, refugee and migrant women, LGBTIQ+ people, older women, younger women, women with disability, women in institutional settings, including residential care, detention and prison and women in regional and remote areas;
- Recognising legal assistance services as core prevention, early intervention and response infrastructure, through a reportable action focused on access to legal assistance;
- Creating a National Family Violence Legal Assistance Guarantee for victim-survivors so victim-survivors, including children, who cannot afford private legal services can obtain timely, specialist and culturally safe legal assistance to navigate domestic and family violence-related legal matters safely;
- Recognising Women's Legal Services and other legal assistance services as part of the specialist domestic, family and sexual violence service system, and integrated legal-social practice models as best practice; and
- Investing in embedding domestic and family violence financial counsellors in all Women's Legal Services to address financial abuse and support integrated practice.

The family law system should prevent abuse, rather than facilitate it

RECOMMENDATION 2

The Australian Government's audit of system abuse should prioritise the family law system. The audit should centre the safety of victim-survivors and the rights of children, with state and territory governments brought on board to ensure that interconnected child protection, criminal and intervention order systems are also audited. The audit should investigate:

- More trauma-informed, problem-solving and investigative (as opposed to adversarial) approaches to family law proceedings, that remove some evidence gathering responsibilities from parties, allow for earlier determination of allegations of family violence, and guaranteed legal support for victim-survivors;
- Measures that need to be put in place to prevent tech-facilitated systems abuse;
- Empowering courts to issue information sharing orders to government agencies where users of violence are not complying with disclosure orders;
- The use of Harmful Proceedings Orders and opportunities to share these with state and territory courts and government agencies as evidence of systems abuse; and
- The role of legal assistance in preventing, de-escalating and stopping systems abuse.

RECOMMENDATION 3

Until the audit is undertaken and actions to reform the family law system to prevent systems abuse are implemented, the Australian Government should:

- Maintain funding for the full-representation model of the Family Violence and Cross-Examination of Parties Scheme;
- Prioritise mandatory competency standards, training, complaints processes and accountability mechanisms for family report writers;
- Increase the availability of lawyer-assisted family dispute resolution services, particularly in regional and remote areas, so that more victim-survivors have the chance to settle their matter earlier and safely;
- Investigate mechanisms for victim-survivors to request financial information directly from financial services prior to mediation to address non-disclosure of finances, building on existing mechanisms like the Superannuation Information Request form; and
- Create affordable, safe and trauma-informed pathways to address non-compliance with parenting orders, shifting the enforcement burden away from victim-survivors and strengthening accountability for contraventions involving family violence or systems abuse.

RECOMMENDATION 4

The Australian Government should prioritise safety in family law proceedings, including by equipping and tasking the FCFCOA with:

- Expanding Lighthouse to all registries, including in regional registries, and to property matters, and robustly evaluating and publicly reporting on its impact;
- Improving the accessibility of the Family DOORS Triage Questionnaire and ensuring courts are equipped to undertake dynamic risk assessment across the life of a matter;
- Expanding the Family Advocacy and Support Services for the Evatt List and ensuring it is available to all those who need it;
- Supporting judicial officers to identify and respond to coercive control, including systems abuse, including through Harmful Proceedings Orders;
- Making Indigenous Family Liaison Officers, Cultural Liaison Officers and Disability Liaison Officers available to those who need them;
- Undertaking an audit to identify forms and procedures that could be simplified, easier to complete and offered in a greater range of languages;
- Improving the availability of information on the rights of parties, including access to interpreters, information sharing orders, online hearing options and parenting order enforcement; and
- Providing further training and education for self-represented parties and the community on the 2024 and 2025 family law reforms.

Women on temporary visas should not be trapped in violent relationships by their visa

RECOMMENDATION 5

The Second Action Plan should prioritise an audit of systems abuse in the migration system, alongside the following visa reforms to ensure all women and children on temporary visas, or no visa, can escape domestic and family violence:

- Reform the definition of ‘family violence’, as it relates to existing family violence visa provisions, so as to encompass family and close personal relationships beyond intimate partner relationships;
- Lower evidentiary requirements for establishing a ‘genuine’ relationship and family violence in recognition of the evidence about the impacts of coercive control on the ability of victim-survivors to engage with formal services and supports;
- Create a new substantive family violence visa for those on temporary visas that are not captured by the above family violence provisions, drawing from models in New Zealand and Canada; and
- Establish a fast-tracked, low-cost, permanent visa option for parents of minor Australian citizen children who are experiencing family violence and where their removal or departure from Australia would result in forced separation from the child or expose the child to harm.

RECOMMENDATION 6

The audit of systems abuse in the migration system and reforms to visa laws recommended above should also prioritise:

- Ensuring access to social security, Medicare, housing, education, subsidised childcare and work rights for victim-survivors while family violence provisions or family violence-related visa applications are being processed; and
- Ensuring every victim-survivor of violence on a temporary visa or no visa can access trauma-informed and culturally-safe models of integrated legal and social support.

Victim-survivors should feel heard, safe, supported and taken seriously by police

RECOMMENDATION 7

The Second Action plan should include specific and measurable goals aimed at ensuring that all victim-survivors feel heard, safe, supported and taken seriously when they deal with police.

This should include:

- Actions, such as organisational change strategies and mandatory training, to eliminate systemic and intersectional discrimination against systemically marginalised groups, co-designed with ACCOs, multicultural, gender-specialist, disability-specialist, LGBTQIA+ and youth organisations;
- Co-developing and/or expanding trauma-informed and culturally-safe response models for domestic and family violence, suited to different regions and learning from models trialled in other jurisdictions;
- Ensuring legislation, policies, guidelines and Judicial Benchbooks in each jurisdiction include mandatory misidentification factors to take into account in responding to domestic and family violence, that can be reviewed by courts; and
- Ensuring all state and territory police agencies adopt best practice standards that recognise that family violence is a pattern of harm and embed trauma-informed methods to determine the person most in need in protection.

The unique needs of victim-survivors of sexual violence must be addressed

RECOMMENDATION 8

The Second Action Plan should embed implementation of the ALRC's *Justice Responses to Sexual Violence Report* recommendations, with clear timeframes, accountabilities and transparent monitoring. The following reforms, which build on the Report, should be prioritised across federal, state and territory jurisdictions:

- Much stronger protections for counselling communications, alongside a discretionary leave regime for any attempt to access to personal, sensitive or confidential information beyond counselling records, and a right for the complainant to be notified and heard in all cases;
- Ensuring that sexual reputation evidence is inadmissible in all circumstances, and that sexual experience evidence is only admissible in very limited circumstances;
- Ensuring a Charter of Rights for victim-survivors is in place and is enforceable;
- Independent review and accountability mechanisms for matters that do not proceed to charge (see further Recommendation 19);
- Reform the Model Defamation Provisions to ensure that disclosures of gender-based violence that are made without malice are protected by absolute privilege;
- Prohibit the use of NDAs to resolve sexual harassment or discrimination complaints unless requested by the victim-survivor; and
- Actions to make visible sexual violence in institutional settings, including prisons, and to embed prevention, early and ongoing trauma-informed and culturally safe support for victim-survivors, and accountability of people and the state for perpetrating such violence.

RECOMMENDATION 9

The Australian Government, states and territories should ensure:

- Ongoing funding, at levels to meet demand, for all women's legal services to provide sexual assault legal and wraparound services so that victim-survivors of sexual violence can access early advice and independent legal representation from gender-specialist services;
- Robust evaluation of sexual assault legal service models operating across Australia, that centres the lived experience of victim-survivors, and supports services to adapt their models to meet the needs of victim-survivors; and
- Laws are amended to give complainants standing in criminal proceedings for sexual violence offences, including pre-trial proceedings and at trial, to ensure their rights and entitlements are upheld and protected, particularly in relation to evidence.

Proposed Priority Area 3: Children and young people

Centre the rights of Aboriginal and Torres Strait Islander children and their parents to self-determination, family, culture and safety

RECOMMENDATION 10

Australian, state and territory governments should prioritise working with Aboriginal and Torres Strait Islander experts and ACCOs to centre the rights of victim-survivors, including children, of gender-based violence, to self-determination, family, culture and safety. This should include:

- Long-term sustainable investment in ACCO services and self-determined programs for women and children's safety, including guaranteed access to independent, culturally-safe legal assistance for women as soon as safety concerns about a child are raised;
- Develop and resource self-determined alternatives to the formal family law system, including mediation and dispute resolution pathways;
- Establish a working group across family law and child protection legal systems, with representatives from relevant courts, agencies and ACCOs, to focus on working towards consistent strengths-based, Aboriginal and Torres Strait Islander-led, family-led and culturally safe responses for Aboriginal and Torres Strait Islander children; and
- Within the FCFCOA, ensure that that Indigenous Lists are properly resourced, that separate Indigenous Family Liaison Officers are available to all Aboriginal and Torres Strait Islander parties, and identify training and upskilling opportunities required to support Aboriginal and Torres Strait Islander practitioners to take on key court roles.

Investigate truly child-centred approaches to family law parenting matters

RECOMMENDATION 11

Alongside the above recommended audit of systems abuse in the family law system (Recommendation 2), the Australian Government should:

- Task an appropriate body to investigate new approaches to family law parenting matters that centre the safety of victim-survivors, including children, and the rights of children to safety, culture, participation and access to therapeutic support, drawing on international models like multi-disciplinary, child advocacy centres.
- Urgently explore options to improve children's engagement with the FCFCOA, including providing free therapeutic support that is confidential, non-reportable and not able to be subpoenaed, and ensuring that children are informed of court outcomes in a supported, therapeutic environment.

Safeguard children's rights to child support while preventing financial abuse of women

RECOMMENDATION 12

The Australian Government should continue to address the non-payment of child support and its impacts, including further work to strengthen protections for Private Collect arrangements and by delinking child support and Family Tax Benefit payments.

Proposed Priority Area 5: System integration, workforce and accountability

Ensure consistent best practice domestic and family violence laws across Australia

RECOMMENDATION 13

The Australian, state and territory governments should work with key stakeholders to:

- Identify best practice approaches to FVOs and ensure greater consistency across relevant federal, state and territory laws;
- Support greater use and consistency by state and territory courts in applying powers to revive, vary, discharge or suspend a parenting order; and
- Ensure consistent recognition of animal abuse as a form of domestic, family and sexual violence in relevant laws, policy and procedures (including risk assessment and safety planning tools).

Risk assessments should be consistent, best practice and dynamic to save lives

RECOMMENDATION 14

The Second Action Plan should include specific and measurable actions aimed at significantly improving the assessment of risk, including:

- The development of a national best-practice risk assessment framework to improve consistency of risk assessments, including for matters before the FCFCOA, and to promote a shared understanding of risk across jurisdictions, building on ANROWS' refreshed national best-practice family and domestic violence risk assessment principles and risk factors.
- A national domestic and family violence risk information sharing scheme and register, that includes family court orders, family violence orders, child protection orders and other relevant information regarding risk factors. This should be accompanied by strong safeguards to minimise risks associated with information sharing.

Support best practice integrated legal practice for better outcomes for victim-survivors

RECOMMENDATION 15

The Australian, state and territory governments should work with key legal sector stakeholders to create a nationally consistent new category of legal privilege that incorporates social services professionals and that operates absolutely and applies in all settings.

Harnessing the potentials of new technologies while countering the harms

RECOMMENDATION 16

The Australian Government should task an appropriate body or office, such as the eSafety Commissioner, with working with key legal stakeholders on preventing and responding to adverse impacts of AI and tech-facilitated abuse on domestic, family and sexual violence-related legal processes.

Address workforce challenges, particularly in regional and remote areas, so that there are resources to meet demand

RECOMMENDATION 17

The Second Action Plan should include actions across governments to support the narrowing of the gender pay gap in the legal sector and to attract experienced senior staff to regional and remote services.

Establish competency frameworks that set a standard for all professionals to meet

RECOMMENDATION 18

The Second Action Plan should:

- Prioritise the development of best practice competency standards on domestic, family and sexual violence for the legal sector and other key professions; and
- Include actions to embed domestic, family and sexual violence education in law schools and as part of professional legal training and continuing professional development.

Recognise that accountable institutions are safer and smarter institutions

RECOMMENDATION 19

State and territory governments should work with key stakeholders, particularly Aboriginal and Torres Strait Islander and gender-specialist organisations, to:

- Co-design a regular audit mechanism for police responses to domestic and family violence incidents;
- Fully implement Recommendation 4 of the ALRC's Justice Responses to Sexual Violence report to ensure independent review and oversight of sexual violence reports that police do not progress to charge; and
- Establish independent and complainant-initiated review mechanisms that allow people to seek review of police decision-making and conduct.

RECOMMENDATION 20

The Australian Government should establish a federal judicial commission.

Actions plans should be living plans with strong monitoring and accountability frameworks

RECOMMENDATION 21

The Domestic, Family and Sexual Violence Commission should be given the powers to monitor implementation and funding associated with the National Plan and associated Action Plans, and to report publicly.

RECOMMENDATION 22

The Australian and state and territory governments should work with key stakeholders to strengthen data collection, use and linkage practices, to support the long-term monitoring and evaluation of legal system reforms and access to legal assistance, linking in with the National Access to Justice Partnership long term reform priorities.

Detailed responses to Priority Areas 1 & 2

Victim-survivors of domestic, family and sexual violence should feel safe, supported, empowered and heard when they navigate legal systems and legal services. No victim-survivor should be forced to negotiate with their abuser alone through complex legal processes to achieve safety for themselves and their children. Nor should they feel like Australia's legal systems are preventing them from living free from violence.

Despite some positive progress through the First Action Plan, we are a long way from the above being a reality. In the experience of Women's Legal Services, women and non-binary people are forced to navigate complex, intimidating, and re-traumatising legal systems as they try to live free from violence. Too often, they cannot access trauma-informed and culturally safe legal support to help them to achieve safe and fair outcomes.

The Second Action Plan is a critical opportunity to learn from past reviews and previous plans, to create legal systems that are safe, supportive and capable of facilitating just outcomes for victim-survivors.

To do this, there is a pressing need to shift the understanding of legal systems, and the publicly funded legal services that specialise in working with victim-survivors, from their current positioning as 'adjacent' and 'tertiary', to the reality that they are core to prevention, to responding early and to achieve better outcomes for victim-survivors.

When victim-survivors reach for help, services must be resourced to respond

The doors through which victim-survivors walk, whether virtual or physical, are many and varied, reflecting the diversity of trusted relationships and experiences in our communities.

Whatever the door, we should honour the courage to reach out and seek support by ensuring that victim-survivors are not turned away or sent on a referral roundabout. Centring the wellbeing and safety of victim-survivors means adequate funding so that frontline services can provide person-centred, trauma-informed and culturally safe support.

Despite the vital role frontline services play, women and children are being turned away daily by services unable to meet the demand. In New South Wales (NSW), two in three new referrals to specialist domestic and family violence services cannot be assigned to a case worker immediately due to capacity constraints.¹ Sexual assault services report wait times of over months.² Across Women's Legal Services, we estimate that around 1,000 women are turned away each week.³

This a significant number of women who are not receiving the help they need, when they need it, and potentially being forced to return to violence. Women from regional and remote areas, and particularly Aboriginal and Torres Strait Islander women, refugee and migrant women, LGBTIQ+ people and older women are disproportionately impacted.

¹Domestic Violence NSW and Equity Economics, 'The Unmet Demand Crisis' (2026), 6.

² Karen Barlow, 'Exclusive: Wait times for abuse support reach three years', *The Saturday Paper* (online, March 21 2026) <<https://www.thesaturdaypaper.com.au/news/health/2026/03/21/exclusive-wait-times-abuse-support-reach-three-years>>.

³ Women's Legal Services Australia, 'More than 52,000 women to be turned away from Women's Legal Services due to funding crisis' (2024) <<https://www.wlsa.org.au/more-than-52000-women-to-be-turned-away-from-womens-legal-services-due-to-funding-crisis/>>.

Victim-survivors should be guaranteed access to specialist legal services to navigate the multitude of legal processes standing between them and safety

Publicly funded legal assistance services are a crucial part of the frontline ecosystem. The Report of the *Rapid Review of Prevention Approaches* ('the Rapid Review') recognises that the provision of legal assistance to victim-survivors is not only an access to justice issue, but a frontline service that can improve safety and reduce risk.⁴

The First Action Plan recognises that legal assistance must be part of a connected response but has no dedicated action. The Second Action Plan Consultation Paper ('Consultation Paper') characterises legal services broadly as 'non-specialist' without considering the diversity and specialisation of services available. This mischaracterises the specialist nature of Women's Legal Services – our members specialise in working with victim-survivors of domestic, family and sexual violence every single day.

Women's Legal Services work every day with women and non-binary people seeking to live free of violence. This is often through trauma-informed, integrated practice models that see lawyers, social workers, cultural support officers and financial counsellors working closely together under one roof. They partner and work through best practice models, including Health Justice Partnerships, Domestic Violence Units, Sexual Assault Legal Services and Family Advocacy and Support Services.

Among many other things, our members:

- Negotiate safe living arrangements for victim-survivors and their children;
- Stand with Aboriginal and Torres Strait Islander women misidentified by police and child protection to undo the harm;
- Ensure women on temporary visas aren't trapped in violent relationships;
- Advocate for safe parenting orders and economic justice in the Family Court;
- Stop users of violence from accessing highly sensitive confidential health records;
- Get debts waived that the perpetrator incurred in a victim-survivors name; and
- Apply for circuit-breaking violence intervention orders.

This work is about preventing violence from escalating, women being harmed or killed, and children being taken into care unnecessarily. It is about early action and support to achieve better outcomes and prevent crisis response costs downstream. It is also about being there in the crisis so that the best possible court outcomes are achieved for the safety of victim-survivors, including children. For the many victim-survivors with care responsibilities, the ongoing support of a social worker, financial counsellor, cultural support worker and lawyer working together can allow them to focus on the wellbeing and safety of children.

Mis-categorising Women's Legal Services as non-specialist services also impacts the level of support that our members can provide to clients. For example, Women's Legal Services receive limited brokerage funding and funding for financial counsellors from the Department of Social

⁴ Rapid Review Expert Panel, Department of the Prime Minister and Cabinet, 'Unlocking the Prevention Potential: accelerating action to end domestic, family and sexual violence' (2024), 9 ('The Rapid Review').

Services, creating flow-on impacts for our clients, including the need to refer them to another service and to re-share their trauma.

The Consultation Paper notes that more cases are being taken to court. It is clear that legal systems and legal services need to be seen as core to prevention, early action and response in the Second Action Plan if outcomes for victim-survivors are to be improved.

Recommendation 1

The Second Action Plan should prioritise putting in place the settings to ensure that all victim-survivors can access the services they need, when they need them, through long-term, adequately indexed, sustainable funding at levels that meet demand. This includes:

- Investing in research to understand the levels of demand for frontline services, including legal assistance and integrated services, with a particular focus on victim-survivors whose needs are typically under-served, including Aboriginal and Torres Strait Islander people, refugee and migrant women, LGBTIQ+ people, older women, younger women, women with disability, women in institutional settings, including residential care, detention and prison and women in regional and remote areas;
- Recognising legal assistance services as core prevention, early intervention and response infrastructure, through a reportable action focused on access to legal assistance;
- Creating a National Family Violence Legal Assistance Guarantee for victim-survivors so victim-survivors, including children, who cannot afford private legal services can obtain timely, specialist and culturally safe legal assistance to navigate domestic and family violence-related legal matters safely;
- Recognising Women's Legal Services and other legal assistance services as part of the specialist domestic, family and sexual violence service system, and integrated legal-social practice models as best practice; and
- Investing in embedding domestic and family violence financial counsellors in all Women's Legal Services to address financial abuse and support integrated practice.

Building on recent Family Law Act reforms to make the family law system safer for women and children

The Federal Circuit and Family Court of Australia (FCFCOA) deals with high levels of family violence daily – 86 per cent of parenting matters involve allegations of family violence.⁵ As the

⁵ Federal Circuit and Family Court of Australia, 'Annual Report 2024-25' (2025), 11.

Court has acknowledged, a significant proportion of matters involve very complex circumstances and a variety of intersecting safety risks.

The adversarial nature of family law proceedings exacerbates the risk of an escalation in aggressive and violent behaviour by perpetrators of violence (predominantly men), against women and children.⁶ This is particularly an issue in the context of coercive control – where the perpetrator's sense of power and control is being threatened.

The Second Action Plan is an opportunity to build on the recent *Family Law Act 1975 (Cth)* ('*Family Law Act*') amendments that sought to refocus the family law system on the best interests of children and the safety of caregivers.

The family law system should prevent abuse, rather than facilitate it

Systems abuse is an increasingly recognised form of family violence and requires urgent national action. People using family violence can weaponise family law, child protection, intervention order and other legal processes to continue patterns of coercion, intimidation and control after separation.

The adversarial nature of the courts can disguise abuse as litigation tactics. Unmeritorious applications are one of many abusive tactics used by perpetrators.⁷ Women's Legal Services see clients being subjected to repetitive litigation, unnecessary applications, excessive legal correspondence, non-compliance with financial disclosure orders, repeated requests for adjournments and attempts to isolate them from legal and support services. These behaviours can significantly undermine safety, prolong trauma, increase financial insecurity and create barriers to justice.

Far too many women are unable to access free or low-cost legal assistance and are forced to either represent themselves through a complex and traumatic legal system or spend hundreds of thousands of dollars to keep themselves and their children safe. This creates fertile ground for systems abuse, allowing perpetrators to continue patterns of coercion, control and intimidation through legal processes, while placing significant emotional, financial and safety burdens on victim-survivors.

Systems abuse thrives on power imbalance and the colonial patriarchal structures and culture of Australia's legal systems systemically disempower many women, including Aboriginal and Torres Strait Islander women and women from migrant and refugee backgrounds. Without targeted reforms to identify and shut down systems abuse and ensure access to culturally responsive and trauma-informed legal services, legal systems risk becoming mechanisms through which family violence is continued and legitimised.

In the experience of Women's Legal Services across Australia, systems abuse in the family law system, and across interconnected legal processes, including child protection and intervention/protection orders, is causing preventable and long-term harm to women and children

⁶ House of Representatives Standing Committee on Social Policy and Legal Affairs, Commonwealth of Australia, *Inquiry into A better family law system to support and protect those affected by family violence* (Full Report, December 2017) 58 [3.28]; Dr Jenny Dwyer and Robyn Miller, Victorian Government Department of Human Services, *Working with families where an adult is violent* (Specialist practice resource, June 2014) 96.

⁷ The Family Court is estimated to have the highest rate of vexatious litigants of any jurisdiction in Australia, with three times the number of all other superior courts combined, see Megan Hosiosky, 'Vexatious Litigants and Family Law Proceedings in Australia', *Family Law Express* (29 July 2014, Web Page) <<http://www.familylawexpress.com.au/family-law-brief/legal-proceedings/vexatious-litigant/vexatious-litigants-family-law-proceedings-in-australia/2756/#fn-2756-30>> citing Grant Lester and Simon Smith (2006), 'Inventor, Entrepreneur, Rascal, Crank or Querulent?: Australia's Vexatious Litigant Sanction 75 Years On', Vol. 13(1) *Psychiatry, Psychology and Law* at 17.

and communities. The fragmented and siloed nature of these legally-interconnected systems creates too many opportunities for perpetrators to exploit them.

The promising work of the current Audit of Systems Abuse being coordinated by the Office for Women needs to be extended to include a holistic review of the family law system. Recommendation 16 of the Rapid Review called for an audit of how perpetrators are weaponizing government systems and identified the family law system as a priority.⁸

Stopping systems abuse means reducing the opportunities for people to misuse the system. The drawn out and complex nature of family law proceedings creates too many opportunities. Under *Priority Area 3: Child and Young People* (below), we therefore outline a recommendation that would not only support the centring of the rights, needs and experiences of children in family law proceedings, it would help courts to obtain the evidence they need to determine matters much faster and with more confidence than currently occurs.

Broader reform work must be accompanied by immediate short-term action

A targeted audit of the family law system and consequent reforms will take time. It is also critical that the Australian Government build on existing programs and powers to centre the rights of children, the safety of victim-survivors of domestic and family violence and to prevent systems abuse.

Recommendation 2

The Australian Government's audit of system abuse should prioritise the family law system. The audit should centre the safety of victim-survivors and the rights of children, with state and territory governments brought on board to ensure that interconnected child protection, criminal and intervention order systems are also audited. The audit should investigate:

- More trauma-informed, problem-solving and investigative (as opposed to adversarial) approaches to family law proceedings, that remove some evidence gathering responsibilities from parties, allow for earlier determination of allegations of family violence, and guaranteed legal support for victim-survivors;
- Measures that need to be put in place to prevent tech-facilitated systems abuse;
- Empowering courts to issue information sharing orders to government agencies where users of violence are not complying with disclosure orders;
- The use of Harmful Proceedings Orders and opportunities to share these with state and territory courts and government agencies as evidence of systems abuse; and
- The role of legal assistance in preventing, de-escalating and stopping systems abuse.

⁸ The Rapid Review (n 3) 103.

Maintaining the Family Violence and Cross-Examination of Parties Scheme

The Family Violence and Cross-Examination of Parties Scheme was introduced to stop perpetrators of violence using family court proceedings to control and abuse women, including through direct cross-examination.

Women's Legal Services have reported a range of benefits from the scheme in addition to stopping perpetrators from cross-examining their victim. This includes perpetrators agreeing to safe parenting orders before trial and trials being reduced from multiple days to one day, saving significant legal costs and court resources.

Concerns about funding sustainability and the abuse of the Scheme by perpetrators has led to its review. This highlights the need for a broader approach to tackling systems abuse across family law proceedings, as recommended above. In the meantime, it is critical that the Scheme continues to be funded as a full representation model, and that it is not reformed in a way that will compromise the safety of women, such through means or merits tests or changes that would limit the role of lawyers under the Scheme.

Mandated standards for family report writers

Family reports are frequently the only form of social science evidence available to the parties and the court in parenting matters. Family reports are regarded as vital evidence by judicial officers and their content and recommendations can significantly influence family dispute resolution and other negotiations throughout proceedings, as well as influencing decisions about grants of legal aid. The Family Law Amendment Act 2023 creates the power to prescribe standards and requirements, but comprehensive mandatory competency standards should now be prioritised.

Given the impact family reports can have on the long-term futures of children it is vital that mandated core competencies are put in place as a priority and until more holistic reform of the family law system is pursued. Core competencies should include family violence and trauma-informed practice; understanding child abuse; cultural safety; working with systemically discriminated groups; and working with children. Family report writers should also be provided sufficient evidence beyond short interim affidavits, so their assessments are properly informed by the history, context, and risk dynamics of the matter.

Opportunities for earlier and safer parenting outcomes

As highlighted earlier in our Submission, family law court proceedings are known to increase the risk of an escalation in aggressive and violent behaviour by perpetrators of violence. Not only can proceedings exacerbate harm and violence, the system itself can be weaponised by perpetrators for years to inflict serious emotional, financial and social harm against victim-survivors.

The 2024 and 2025 amendments to the *Family Law Act* ensure that the best interests of children and the safety of caregivers are clearly at the forefront of decision-making. This clearer framework should in turn support earlier resolution of family law disputes and less victim-survivors being forced into traumatic and prolonged family court proceedings. However, opportunities to resolve family law matters safely and fairly before they reach the courts are being missed because of a lack of safe options, in particular trauma-informed and culturally safe lawyer-assisted family dispute resolution services.

Recommendation 3

Until the audit is undertaken and actions to reform the family law system to prevent systems abuse are implemented, the Australian Government should:

- Maintain funding for the full-representation model of the Family Violence and Cross-Examination of Parties Scheme;
- Prioritise mandatory competency standards, training, complaints processes and accountability mechanisms for family report writers;
- Increase the availability of lawyer-assisted family dispute resolution services, particularly in regional and remote areas, so that more victim-survivors have the chance to settle their matter earlier and safely;
- Investigate mechanisms for victim-survivors to request financial information directly from financial services prior to mediation to address non-disclosure of finances, building on existing mechanisms like the Superannuation Information Request form; and
- Create affordable, safe and trauma-informed pathways to address non-compliance with parenting orders, shifting the enforcement burden away from victim-survivors and strengthening accountability for contraventions involving family violence or systems abuse.

Equipping the Court to centre safety and accessibility

The commencement of family law proceedings, and key decision-making moments in proceedings, can be a time of heightened risk for victim-survivors and children. The DOORS Triage Questionnaire provides an important risk screening function, however it needs to be accessible in all languages and for people of all abilities to ensure that those in vulnerable circumstances are not being missed. The Court also needs to be equipped to undertake dynamic risk assessment.

Specialist case management, with wraparound support, can help provide victim-survivors with appropriate safety and wellbeing supports, particularly for the many women who have to self-represent against their abuser.

There are a range of existing case management pathways and programs for FCFCOA proceedings that can be expanded to better support victim-survivors, including Lighthouse, Family Advocacy and Support Services and Liaison Officer roles. In the experience of our members, court officers, including judges, need to be equipped to identify, triage and use their powers to respond to coercive control and stop the misuse of court processes.

There is also a pressing need for the FCFCOA to make forms and information about its processes much easier for the high number of self-represented litigants to understand.

Recommendation 4

The Australian Government should prioritise safety in family law proceedings, including by equipping and tasking the FCFCOA with:

- Expanding Lighthouse to all registries, including in regional registries, and to property matters, and robustly evaluating and publicly reporting on its impact;
- Improving the accessibility of the Family DOORS Triage Questionnaire and ensuring courts are equipped to undertake dynamic risk assessment across the life of a matter;
- Expanding the Family Advocacy and Support Services for the Evatt List and ensuring it is available to all those who need it;
- Supporting judicial officers to identify and respond to coercive control, including systems abuse, including through Harmful Proceedings Orders;
- Making Indigenous Family Liaison Officers, Cultural Liaison Officers and Disability Liaison Officers available to those who need them;
- Undertaking an audit to identify forms and procedures that could be simplified, easier to complete and offered in a greater range of languages;
- Improving the availability of information on the rights of parties, including access to interpreters, information sharing orders, online hearing options and parenting order enforcement; and
- Providing further training and education for self-represented parties and the community on the 2024 and 2025 family law reforms.

Fixing visa system gaps so women on temporary visas aren't trapped in violent relationships

No one should be prevented from escaping violence because of the visa they are on. But the reality is that many women fear leaving violent relationships because they are on a temporary visa, or no visa, and they fear deportation, losing their children and being thrown into homelessness without access to healthcare.

For refugee and migrant women in Australia, it is estimated that one in three have experienced domestic and family violence, with temporary visa holders reporting disproportionately higher rates

of abuse (40 per cent).⁹ Gaps in Australia's migration laws, a lack of financial support and the complex maze of intersecting legal systems can make it feel impossible to leave. Too often, perpetrators of domestic and family violence weaponise this, for example by controlling all finances and documentation that could be used as evidence of a relationship and threatening deportation away from their children if a woman tries to leave.

Fixing the gaps in Australia's visa system that leave women and children unsafe

Under the First Action Plan, important reforms to Australia's family violence visa framework have been implemented, including expanding family violence visa provisions to cover victim-survivors in a greater range of circumstances, such as secondary applicants for some skilled visa subclasses.

However, there are still many women on temporary or no visa who are being left at risk and in unsafe situations. These gaps also facilitate migration systems abuse by users of violence. The Rapid Review recommended that the migration system be audited of systems abuse.¹⁰

The existing family violence provisions apply unevenly across visa categories and relationship types, limiting their effectiveness. This is particularly the case for victim-survivors on temporary visas.

Key limitations include:

- **Visa category gaps that leave women exposed**, for example victim-survivors who are secondary applicants of temporary visa holders; whose partner is not their permanent visa sponsor; who are experiencing violence used by an Australian sponsor; who are on standalone temporary visas, such as student or visitor visas; and who are at risk of unlawful status but have to remain in Australia to participate in court proceedings.
- **Narrow scope of protected relationships**: the current family violence visa provisions are primarily directed at intimate partner violence. They offer limited protection where violence is perpetrated by other family members or people in a close family relationship, including parents-in-law, adult children, extended family members, or in circumstances involving elder abuse, dowry abuse, modern slavery-like conditions or migration-related abuse. Where these forms of violence fall outside the family violence provisions, women may be forced to remain in unsafe situations to preserve a visa pathway, avoid becoming unlawful, or prevent separation from their children.
- **Lack of protection in cases of migration status deception**: the framework does not protect victim-survivors who have been misled into believing an application for a permanent partner visa has been made, where no such application exists and the person is therefore not on a permanent visa pathway.

⁹ Marie Sagrave, Rebecca Wickes and Chloe Keel, 'Migrant and refugee women in Australia: The safety and security study' (Report, Monash University, 2021) 31.

¹⁰ The Rapid Review (n 3) 103.

These gaps are compounded by the high cost of visa applications and merits review. From 1 July 2026, the Administrative Review Tribunal fee for review of a reviewable migration decision increased to \$3,727, with only a 50 per cent reduction available on financial hardship grounds. Even the reduced fee remains unaffordable for many victim-survivors who are unable to work, have no access to income support, are experiencing economic abuse, or have caregiving responsibilities. Without fee waivers, victim-survivors may be pushed into unsafe choices, including remaining with a person using violence, becoming unlawful, or pursuing unsuitable visa pathways because safer options are financially out of reach.

Recommendation 5

The Second Action Plan should prioritise an audit of systems abuse in the migration system, alongside the following visa reforms to ensure all women and children on temporary visas, or no visa, can escape domestic and family violence:

- Reform the definition of 'family violence', as it relates to existing family violence visa provisions, so as to encompass family and close personal relationships beyond intimate partner relationships;
- Lower evidentiary requirements for establishing a 'genuine' relationship and family violence in recognition of the evidence about the impacts of coercive control on the ability of victim-survivors to engage with formal services and supports;
- Create a new substantive family violence visa for those on temporary visas that are not captured by the above family violence provisions, drawing from models in New Zealand and Canada; and
- Establish a fast-tracked, low-cost, permanent visa option for parents of minor Australian citizen children who are experiencing family violence and where their removal or departure from Australia would result in forced separation from the child or expose the child to harm.

Income, healthcare, housing and legal support are crucial to escaping violence

Many women on temporary visas are not eligible for Medicare or Centrelink. Nor are they permitted to work or study. State and territory laws leave some ineligible for housing and in Tasmania and Queensland, our members report that some women on temporary visas aren't even eligible for women's shelters because of a lack of funding.

The Leaving Violence Program has been a positive development and means access to \$5,000 for short-term assistance, although limitations to the amount that can be accessed in cash, rather than vouchers, and growing costs of living means that the money doesn't stretch so far as is needed. However, complex migration, family law and other legal matters can take years to resolve. When women and their children are left without access to income, healthcare or housing by their visa status, they are being left in highly vulnerable and preventable situations, including exposure to homelessness and further violence.

Women on temporary visas must be able to access high-quality, culturally safe, wraparound models of legal and social support. A recent evaluation of migration programs at seven Women's Legal Services around Australia identified them as highly effective sites for the integration of best-practice wrap-around service models to address matters that involve migration issues and domestic and family violence.¹¹

Recommendation 6

The audit of systems abuse in the migration system and reforms to visa laws recommended above should also prioritise:

- Ensuring access to social security, Medicare, housing, education, subsidised childcare and work rights for victim-survivors while family violence provisions or family violence-related visa applications are being processed; and
- Ensuring every victim-survivor of violence on a temporary visa or no visa can access trauma-informed and culturally-safe models of integrated legal and social support.

Victim-survivors should feel heard, safe, supported and taken seriously by police

Police form an important part of responding to domestic, family and sexual violence. This includes stopping violence as it is happening, applying for civil law protection orders and prosecuting perpetrators for breaches of orders and other criminal offences. However, it is clear from inquiries and coronial inquests that significant work needs to be done to ensure that all victim-survivors feel safe, respected and supported in their interactions with the police. This means being able to engage with the police without the risk of being misidentified, criminalised, having safety concerns dismissed, or experiencing discriminatory or racialised practices.

Many women are not seeking help from the police about their experience of violence – up to 82 percent.¹² In the experience of Women's Legal Services, victim-survivors often express fear of not being believed, fear of retaliation, fear of being misidentified as the predominant aggressor, being criminalised or risking further criminality, and concerns that information will be used against them.

Disrupting systemic racism, sexism and other forms of discrimination

There are well-documented issues with systemic racism, ableism, sexism, ageism, homophobia and transphobia in police agencies across Australia.¹³ While the specific challenges are unique in different jurisdictions, what is common is the need for a long-term and deep commitment to

¹¹ Evaluation can be provided on request.

¹² 'Violence against women: Accurate use of key statistics', *Australia's National Research Organisation for Women's Safety* (Web Page) <https://www.anrows.org.au/publication/violence-against-women-accurate-use-of-key-statistics/read/>.

¹³ For example, see Yoorrook Justice Commission's 'Truth Be Told' Report (2025); State Coroner Fogliani's comments on institutional racism in *Inquest into the Death of Ms Dhu* (Coroners Court of Western Australia, State Coroner Fogliani, 15 December 2016); In Queensland, the Commission of Inquiry into Queensland Police Service responses to domestic and family violence's report 'A Call For Change' identified issues with sexism and the treatment of LGBTQIA+ people by the Queensland Police Service.

structural and cultural change to ensure better experiences for victim-survivors of gender-based violence in all their diversity.

For Aboriginal and Torres Strait Islander women in particular, harmful and distressing interactions with police, in the context of a colonial patriarchal legal system, has caused profound fear, distrust and harm, and contributes to higher rates of deaths, injuries, misidentification and criminalisation.¹⁴

Shifting away from incident-based approaches

The use of incident-based approaches has been identified as inappropriate within the context of domestic and family violence by multiple inquiries and reviews in Australia. This also reflects the experience of Women's Legal Services. Incident-based policing fails to account for the gendered, pattern-based dynamics and non-physical aspects of domestic and family violence. It can lead to inaction or misidentification by police attending an incident,¹⁵ particularly when combined with systemic discrimination as noted above.¹⁶

The *Inquest findings into the deaths of Miss Yunupingu, Ngeygo Ragurk, Kumarn Rubuntja and Kumanjayi Haywood* ('NT Coronial Inquest') in the Northern Territory (NT), highlights the failures of incident-based policing for Aboriginal and Torres Strait Islander women. The Coroner found that police failed "to coordinate or "piece together" multiple incidents, to properly consider relevant histories in accurately assessing the DFV risk in these relationships",¹⁷ as well as failing to identify instances of coercive control.

At a minimum, all regions must have specialist domestic, family and sexual violence teams that can respond to calls for help in a timely way.¹⁸ This is unfortunately not the case in many areas, including in the NT where our members report delays of days at a time in remote communities.

There is also an urgent need to design, embed and expand specialised models for responding to domestic and family violence across Australia. These need to be tailored to different regions and co-designed, in particular with ACCOs, gender-specialist organisations and people with lived experience, with cultural safety at their centre. Examples to learn from include:

- Police-social worker co-responder models, involving domestic, family and sexual violence specialists, social workers and other supports.¹⁹ Mixed experiences in the NT, Queensland and NSW must be learned from in the development co-responder models.
- Alternative first responder models, where appropriate and safe in low-risk settings, for situations involving a health or social crisis, reducing the reliance on police who may be ill-resourced or trained to respond.
- A real-time review process involving domestic and family violence specialists where there is a high risk of misidentification (e.g. where an Aboriginal woman is identified as the aggressor), and ideally before adverse police action is taken.²⁰

¹⁴ Madeleine Ulbrick and Marianne Jago, "Officer she's psychotic and I need protection": Police misidentification of the 'primary aggressor' in family violence incidents in Victoria.' (Policy Paper 1, Women's Legal Service Victoria and Monash University, October 2018) 2.

¹⁵ Domestic and Family Violence Review Coordinator, 'ACT Domestic and Family Violence Review, Biennial Report 2025' (2025) 35 ('ACT Biennial Report').

¹⁶ Family Violence Reform Implementation Monitor, 'Accurate identification of the predominant aggressor' (2021), 12 ('FVR Implementation Monitor's Predominant Aggressor Report').

¹⁷ *NT Coronial Inquest* (Coroners Court of the Northern Territory, Territory Coroner Elisabeth Armitage, 25 November 2024) 150 [493].

¹⁸ Our members in the NT note that there are currently limited specialist units operating in the Territory, and none in the Big River region for over a year.

¹⁹ Co-responder models have been recommended by a number of reviews and inquiries, including the Rapid Review, the *NT Coronial Inquest*, and the Women's Safety and Justice Taskforce 'Hear her voice Report' (Qld). The ACT Biennial Report recommended the ACT Government consider a multi-agency, pattern-based approach for domestic and family violence.

²⁰ This recommendation builds on Action 5 of the FVR Implementation Monitor's Predominant Aggressor Report'. See n 18.

These models must also include safeguards and ongoing evaluation to ensure that they are operating as intended and not having unintended consequences – like increased involvement of Child Protection services.

Law and policy reforms to reduce risks of misidentification

Too many women are being misidentified as the predominant aggressor, when they are actually the person most in need of protection. Systemic sexism, racism, ableism and other forms of discrimination are a driving factor. Data analysis of Women's Legal Service Victoria duty lawyer intake forms from January to May 2018 inclusive at Melbourne Magistrates' Court found that when police identified a female respondent as the primary aggressor, they were mistaken 58 per cent of the time.²¹

Misidentification has long-term impacts, including criminalisation and loss of housing, employment and children. Misidentification can also make victim-survivors more vulnerable to systems abuse by the perpetrator.²²

Recent family violence reforms in Victoria include some of the first legislative provisions in Australia specially aimed at reducing the misidentification of victim-survivors as 'predominant aggressors' and to recognise who is most in need of protection through the application of a family violence intervention order. The reforms introduce mandatory misidentification factors to assist police and courts to identify the person most in need of protection by requiring them to consider the broader context of the relationship, rather than focusing on the immediate incident.

These factors direct attention to the history of family violence, the potential use of legitimate self-protective actions or violent resistance, consideration of characteristics that tend to increase their risk of being misidentified and specifically if they are Aboriginal and Torres Strait Islander in recognition of the disproportionate harm they face. This helps ensure assessments are grounded in a person's full circumstances and provides Magistrates with a clear basis to scrutinise incident-based police decision making.

²¹ Ulbrick and Jago (n 16) 1.

²² Heather Nancarrow et al, 'Accurately identifying the "person most in need of protection" in domestic and family violence law' (Research Report Issue 23, ANROWS, November 2020) 69.

These reforms were also complimented by a review of Victoria Police's practice guides in consultation with the family violence and legal assistance sectors to promote a consistent, evidence-based approach to family violence risk assessments and identification of the predominant aggressor. Together, these legal and practice changes provide a strong model for other states and territories seeking to strengthen safeguards against the misidentification of victim-survivors and improve responses.

Recommendation 7

The Second Action plan should include specific and measurable goals aimed at ensuring that all victim-survivors feel heard, safe, supported and taken seriously when they deal with police.

This should include:

- Actions, such as organisational change strategies and mandatory training, to eliminate systemic and intersectional discrimination against systemically marginalised groups, co-designed with ACCOs, multicultural, gender-specialist, disability-specialist, LGBTQIA+ and youth organisations;
- Co-developing and/or expanding trauma-informed and culturally-safe response models for domestic and family violence, suited to different regions and learning from models trialled in other jurisdictions;
- Ensuring legislation, policies, guidelines and Judicial Benchbooks in each jurisdiction include mandatory misidentification factors to take into account in responding to domestic and family violence, that can be reviewed by courts; and
- Ensuring all state and territory police agencies adopt best practice standards that recognise that family violence is a pattern of harm and embed trauma-informed methods to determine the person most in need in protection.

Addressing the unique needs of sexual violence victim-survivors

Sexual violence is widespread in Australia, with 22 per cent of women having experienced sexual violence from the age of 18.²³ Yet up to 85 per cent of sexual violence reports made to police do not progress to charge.²⁴ Numerous past inquiries have heard victim-survivors speak about their experiences of disempowerment, disrespect, and re-traumatisation by police, prosecutors, lawyers and judges.

Aboriginal and Torres Strait Islander women are estimated to be three times more likely to experience sexual violence,²⁵ however it is estimated that up to 90 per cent of Aboriginal and Torres Strait Islander victim-survivors do not disclose experiences of sexual violence.²⁶ The barriers to reporting range from fear of being misunderstood, a lack of gender specific services, fear and distrust of police or authorities, and fear of the offender or community including shame and guilt, stigmatisation, and pressure to protect the perpetrator from the police.²⁷

Implementing the ALRC's recommendations

For the few matters that do proceed to prosecution, victim-survivors are subjected to intense scrutiny and personal attacks, including invasive subpoenas for counselling, health and other sensitive records and unjustified inquiries into their sexual history or experience. Some victim-survivors avoid counselling for fear that their records will be subpoenaed and used against them, undermining their recovery.²⁸ Clients have told Women's Legal Service lawyers that before being able to access independent legal assistance, they were going to withdraw from proceedings or were feeling suicidal after having their sensitive records subpoenaed. WLSA members have also observed defamation and non-disclosure agreements (NDAs) being weaponised to silence victim-survivors of sexual violence.

It is clear that changes need to be made across the entire legal system to improve outcomes for victim-survivors seeking justice and to ensure perpetrator accountability through the legal system. It is therefore important that the Second Action Plan recognises sexual violence both in the context of domestic and family violence, and also as a distinct form of gender-based violence, with specific prevention and response measures required. The ALRC's *Justice Responses to Sexual Violence Report* provides a clear roadmap for all governments to follow to improve legal system responses to sexual violence.

²³ Australian Bureau of Statistics, *Personal Safety Survey* (15 March 2023) <<https://www.abs.gov.au/statistics/people/crime-and-justice/personal-safety-australia/latest-release>>.

²⁴ Australian Law Reform Commission, *Safe, Informed, Supported: Reforming Justice Responses to Sexual Violence* (Report No 143, January 2025) 172 ('*Justice Responses to Sexual Violence Report*').

²⁵ *Ibid* 95.

²⁶ Matthew Willis, 'Non-disclosure of violence in Australian Indigenous communities' (2001) (Trends & issues in crime and criminal justice no. 405, Australian Institute of Criminology, 19 January 2011) 1.

²⁷ Dr. Heather Lovatt and Dr Bronwyn Honorat, 'Prevention, Early Intervention and Support for Aboriginal and Torres Strait Islander People who have Experienced Sexual Violence' (Practice Paper, Queensland Centre for Domestic and Family Violence Research, February 2019) 5 <<https://noviolence.org.au/wp-content/uploads/2020/10/2019-ATSI-SV-Paper-Digital.pdf>>.

²⁸ *Justice Responses to Sexual Violence Report* (n 21), 373 and 378.

Recommendation 8

The Second Action Plan should embed implementation of the ALRC's Justice Responses to Sexual Violence Report recommendations, with clear timeframes, accountabilities and transparent monitoring. The following reforms, which build on the Report, should be prioritised across federal, state and territory jurisdictions:

- Much stronger protections for counselling communications, alongside a discretionary leave regime for any attempt to access to personal, sensitive or confidential information beyond counselling records, and a right for the complainant to be notified and heard in all cases;
- Ensuring that sexual reputation evidence is inadmissible in all circumstances, and that sexual experience evidence is only admissible in very limited circumstances;
- Ensuring a Charter of Rights for victim-survivors is in place and is enforceable;
- Independent review and accountability mechanisms for matters that do not proceed to charge (see further Recommendation 19);
- Reform the Model Defamation Provisions to ensure that disclosures of gender-based violence that are made without malice are protected by absolute privilege;
- Prohibit the use of NDAs to resolve sexual harassment or discrimination complaints unless requested by the victim-survivor; and
- Actions to make visible sexual violence in institutional settings, including prisons, and to embed prevention, early and ongoing trauma-informed and culturally safe support for victim-survivors, and accountability of people and the state for perpetrating such violence.

Legal advice and access to independent legal representation for criminal matters

Early and ongoing legal advice, alongside specialist non-legal support, allows victim-survivors to make informed decisions about the legal pathways (e.g. criminal, civil and/or administrative) they may wish to pursue to seek justice and hold a perpetrator to account.

For victim-survivors who wish to report to police and pursue criminal charges, early legal advice is critical to supporting informed engagement with police, for example on disclosure of sensitive personal records.²⁹ For matters that proceed to charge, independent legal representation is necessary to hold powerholders in the legal system to account on behalf of the victim-survivors and to ensure their rights and entitlements are upheld – in plea negotiations, pre-trial hearings, during

²⁹ The *Justice Responses to Sexual Violence Report* calls for complainants to have access to legal advice as required during the criminal justice process (Recommendation 9).

the trial and in sentencing. This can be done while safeguarding the rights of the accused and the interests of the state and is a distinct role from non-legal navigators and advocates.³⁰



CASE STUDY

SALSWA was approached by Vanessa who had experienced sexual and physical abuse by an ex-friend, Luke. Vanessa advised she had just met with Victim Support Services and felt confused by what she was told regarding the trial procedure. Vanessa had received a summons to give evidence in the upcoming trial and did not know what to expect. She advised she had not heard anything for a long time and felt nervous about retelling her story again as it happened over 3 years ago.

When SALSWA met Vanessa, they did not ask her to re-tell her story. Rather, SALSWA clarified the information that was provided by Victim Support Services. SALSWA was able to explain the information in a digestible manner and answer specific questions she had regarding what to expect when she is called to give evidence. Vanessa felt concerned about cross-examination.

SALSWA advised Vanessa that this was a normal part of the process but that there were legal protections in place which meant defence counsel could not ask her questions that were for instance misleading, intimidating, offensive or belittling. With support from the SALSWA social worker, Vanessa was also provided strategies with how to self-regulate herself during this process.

After liaising with the prosecutor and Victim Support Services, arrangements were made for the SALSWA lawyer to be present in the courtroom and for the SALSWA social worker to remain with Vanessa in the remote room. This provided Vanessa with more security around logistics and minimised the risk that she would come across Luke's supporters.

When the trial concluded, the jury returned a verdict of not guilty on all charges. SALSWA provided Vanessa with support regarding the outcome and arranged for Vanessa to meet with the prosecutor. Together with the prosecutor, SALSWA assured Vanessa that she was believed and empathised with the frustration and disappointment she felt. Vanessa was reminded of the high standard of proof in criminal cases and the normal difficulty in securing a guilty conviction in sexual assault matters.

While it was not the outcome Vanessa had hoped for, she said she felt proud of herself. Through her work with the SALSWA social worker, she was able to re-frame her experience as being let down by the system. Vanessa no longer felt self-blame or shame for what happened and said that being heard, believed and supported was extremely empowering.

³⁰ Justice Responses to Sexual Violence Report (n 21) 76.

The Australian Government funded three pilot Sexual Assault Legal Services (SALS) in Western Australia, Australian Capital Territory (ACT), and Victoria in response to the ALRC's recommendations, from 2023-26. This pilot funding was expanded across the rest of Australia in 2026. However, funding is due to expire in December 2027.

Five Women's Legal Services have received SALS funding. Two members did not receive the funding until 2026 and are now having to stand up multi-stakeholder partnership models across regional and remote areas with only 18 months funding guaranteed. Other Women's Legal Services are having to piece together other funding sources to deliver services to victim-survivors of sexual assault.

If governments want to improve the experiences of victim-survivors of sexual violence they need to build on existing expertise, such as in Women's Legal Services, and adequately fund specialist Sexual Assault Legal Services for the long-term.³¹

Recommendation 9

The Australian Government, states and territories should ensure:

- Ongoing funding, at levels to meet demand, for all women's legal services to provide sexual assault legal and wraparound services so that victim-survivors of sexual violence can access early advice and independent legal representation from gender-specialist services;
- Robust evaluation of sexual assault legal service models operating across Australia, that centres the lived experience of victim-survivors, and supports services to adapt their models to meet the needs of victim-survivors; and
- Laws are amended to give complainants standing in criminal proceedings for sexual violence offences, including pre-trial proceedings and at trial, to ensure their rights and entitlements are upheld and protected, particularly in relation to evidence.

³¹ The ALRC's *Justice Responses to Sexual Violence Report* identified key aspects of independent legal advice and highlighted the need to resource existing trusted services like Women's Legal Services, Community Legal Centres, ACCOs, and Legal Aid Commissions.

Priority Area 2: Further comment on legal services

Many of the recommendations outlined above focused on victim-survivors are also part of prevention and early intervention³² and are not restated here. Our recommendations above target changes to laws, systems and practices that would support victim-survivors to escape violence early, resolve legal issues before they escalate and set the foundations to prevent violence in their future.

Recommendations about the need for domestic and family violence competency frameworks, education and training outlined under *Priority Area 5: System Integration and Workforce*, are also critical to early identification, action and support in the legal system.

Legal services are part of the prevention and early support ecosystem

The importance of primary prevention and addressing the gendered drivers of violence has been long recognised in Australia, including in the National Plan to End Violence Against Women and Children 2022-2032 ('National Plan').³³ Investment in primary prevention can, over the long-term, reduce the demand on response services. It should remain a priority in the Second Action Plan.

Prevention should also be understood in terms of the role that legal services play in working with victim-survivors.³⁴ For example, our Women's Legal Services members are variously involved in in school and lawyer education programs, community events and outreach, Health Justice Partnerships (highlighted below), and legal sector workforce capability training. Their day-to-day work involves working with women and non-binary people to identify coercive control, to plan for their safety and security, to prevent violence from escalating and to set the foundations (e.g. through safe parenting orders) for women and children to live free from violence.

We note that the Rapid Review also highlighted the essential, preventative role played by frontline legal services, concluding:

*"Investment in public legal assistance that is directed towards DFSV is therefore a clear mechanism for preventing future—and often irreparable—harm, including harm escalating to homicide. It must therefore be an area of urgent attention."*³⁵

In addition, as outlined under *Priority Area 1: Victim Survivors*, the specialist integrated service models employed by Women's Legal Services achieve safe and positive outcomes for clients across intersecting federal, state and territory legal systems, which in turn reduce pressures and costs for health, social and justice systems downstream.

We reiterate **Recommendation 1** and the need to recognise and invest in legal assistance services as part of the prevention and early action and support infrastructure.

³² A note on terminology: The term "early action and support" is used instead of "early intervention". "Early action and support" is intended to mean being offered strengths based, client-centred, trauma informed, culturally safe support at the earliest opportunity when an issue of safety is identified. Concerns have been raised by community members about the connotations associated with the term "intervention" for Aboriginal and Torres Strait Island people.

³³ The Australian Government, *The National Plan to End Violence Against Women and Children 2022-2032* (2022) 79.

³⁴ This includes Family Violence Prevention and Legal Services, Aboriginal and Torres Strait Islander Legal Service, Legal Aid Commissions, Community Legal Centres and Women's Legal Services.

³⁵ The Rapid Review (n 3) 67.



CASE STUDY

Health Justice Partnerships (HJPs) integrate health and legal services to support people experiencing domestic and family violence. Women experiencing domestic and family violence more commonly seek help from, or are in contact with, health services than legal assistance services as health professionals are seen as trusted advisers and carers.

By embedding legal assistance in healthcare settings, HJPs provide discrete and timely help in a trusted and supportive environment and ensure coordinated support to address the intertwined issues affecting the health, safety, and wellbeing of those affected by domestic and family violence.

Through HJPs, Women's Legal Services can provide direct legal assistance to women in hospitals and other healthcare settings through outreach clinics. There are nine Women's Legal Services across Australia with HJPs, and many have multiple HJPs with a range of hospitals, health services, and child and family services. Evaluations and feedback from women who have accessed legal assistance through the HJPs has been positive.

For example, from 1 September 2023 to 29 February 2024, Women's Legal Services WA assisted 156 clients, addressing legal needs in areas such as protection and care, family law, family violence restraining order and criminal injuries compensation. Client rating feedback indicated significant improvements in various aspects: 77 per cent reported improved physical health, 82 per cent reported improved emotional health, and 68 per cent reported increased personal safety.

Priority Area 3: Children and Young People

Centre the rights of Aboriginal and Torres Strait Islander children and their parents to self-determination, family, culture and safety

It is well-reported that a major barrier to seeking help for Aboriginal and Torres Strait Islander victim-survivors is the fear of their children being taken away from family and culture and into the child protection system.³⁶ This is a fear that is currently being exacerbated by the repeal of the Aboriginal Child Placement Principle in the NT. Despite a Closing the Gap target to reduce the rate of over-representation of Aboriginal and Torres Strait Islander children in out-of-home care, rates over the past couple of years have increased. Family violence is a significant driver of this over-representation.³⁷

Given the colonial context in which the legal system operates and the ongoing trauma of the Stolen Generations, it is critical both that child protection and family law power holders are working closely with ACCOs to centre the unique rights of Aboriginal and Torres Strait Islander people, and that self-determined alternatives to the child protection, family law and other legal processes are prioritised and appropriately resourced. Where safety concerns about a child are identified, their caregiver should be immediately referred to a culturally safe legal and support services to help ensure children are not harmed by removal from culture and family, and that women experiencing violence are not further victimised through the removal of their children.

In the family law context, Women's Legal Services have observed that Aboriginal and Torres Strait Islander clients attempt to resolve matters informally through conversation and dialogue, and take a stronger cultural road in resolving family issues. This echoes calls from other that Aboriginal and Torres Strait Islander-led reports and organisations for self-determined alternatives and family-led decision-making.³⁸

Within the FCFCOA, efforts to address a lack of cultural safety in the family law system must be adequately resourced. Currently, the Indigenous List is not operating in the ACT or the NT. Indigenous Family Liaison Officers are only available for 47 percent of matters involving an Aboriginal and Torres Strait Islander person,³⁹ and in some cases, our members report that only one IFLO is available to support both parties.

³⁶ For example, National Family Matters Leadership Group, 'Family Matters' (Report, SNAICC – National Voice for our children, 2025) 25.

³⁷ Ibid 76.

³⁸ Dr Samantha O'Donnell et al, 'First Nations Women's Engagement with the Family Law System - Insights from Women's Legal Services: Final Report' (Report, Centre for the Elimination of Violence Against Women, November 2025) 51.

³⁹ Domestic, Family and Sexual Violence Commission, '2024-25 Yearly Report' (2025) 119.

Recommendation 10

Australian, state and territory governments should prioritise working with Aboriginal and Torres Strait Islander experts and ACCOs to centre the rights of victim-survivors, including children, of gender-based violence, to self-determination, family, culture and safety. This should include:

- Long-term sustainable investment in ACCO services and self-determined programs for women and children's safety, including guaranteed access to independent, culturally-safe legal assistance for women as soon as safety concerns about a child are raised;
- Develop and resource self-determined alternatives to the formal family law system, including mediation and dispute resolution pathways;
- Establish a working group across family law and child protection legal systems, with representatives from relevant courts, agencies and ACCOs, to focus on working towards consistent strengths-based, Aboriginal and Torres Strait Islander-led, family-led and culturally safe responses for Aboriginal and Torres Strait Islander children; and
- Within the FCFCOA, ensure that that Indigenous Lists are properly resourced, that separate Indigenous Family Liaison Officers are available to all Aboriginal and Torres Strait Islander parties, and identify training and upskilling opportunities required to support Aboriginal and Torres Strait Islander practitioners to take on key court roles.

Investigate truly child-centred approaches to family law parenting matters

Research indicates a need for more coordinated, trauma-informed and survivor-centred approaches to address the rights and interests of children and protective parents in family law proceedings, particularly where there are co-occurring allegations of family violence and child abuse.

Children are at the centre of parenting disputes but have a limited voice. Even in cases where the court decides to appoint an Independent Children's Lawyer (ICL), the ICL is only required to meet the child once and act on what they believe to be the child's best interests (which may be different to the child's views, including on questions of safety and disclosure of sensitive information).⁴⁰ It can be difficult for children to access support because of threats, pressure and fear of upsetting those around them, as well as the lack of child-centred therapeutic options. Mandatory reporting legislation can complicate the response of adults that children might see as safe, such as teachers.

⁴⁰ The case of *Re K Appeal* [1994] FamCA 21 sets out the criteria for ICL appointment and section 68L of the *Family Law Act* provides for the ICL's role.

Protective parents, generally women, struggle to find services that can help both them and their children and can face the challenge of navigating conflicting demands of multiple investigations, misidentification issues, ongoing coercive control and legal proceedings.⁴¹

In these complex contexts, courts are being asked to evaluate evidence from different agencies and family report writers are preparing highly influential reports based on very limited observation of the parties and their children. Proceedings are largely adversarial and are being drawn out for years, with each parent being responsible for the collection and presentation of evidence, often without legal representation. As noted above, these conditions are ripe for systems abuse by users of violence.

WLSA believes that alternative approaches to the resolution of family law parenting disputes need to be explored that better centre the rights of children and provide greater safety and safeguards against systems abuse for victim-survivors. Any such approaches would have to be co-designed with ACCOs and modelled to ensure that Aboriginal and Torres Strait Islander experts lead on matters involving Aboriginal and Torres Strait Islander children.

Recommendation 11

Alongside the above recommended audit of systems abuse in the family law system (Recommendation 2), the Australian Government should:

- Task an appropriate body to investigate new approaches to family law parenting matters that centre the safety of victim-survivors, including children, and the rights of children to safety, culture, participation and access to therapeutic support, drawing on international models like multi-disciplinary, child advocacy centres.
- Urgently explore options to improve children's engagement with the FCFCOA, including providing free therapeutic support that is confidential, non-reportable and not able to be subpoenaed, and ensuring that children are informed of court outcomes in a supported, therapeutic environment.

⁴¹ Michael Salter et al, 'Improving legal, policy and practice responses to the intersection of domestic violence perpetration and child sexual abuse offending' (Report, National Centre for Action on Child Sexual Abuse, March 2026) 36.

Safeguard children's right to child support, while preventing financial abuse of women

Child support is a payment for children. The child support system was established to ensure children are financially supported by their parents. Where a parent does not pay, or underpays, this is a harm to the financial wellbeing of their child.

The child support system is being used as a tool of financial abuse by perpetrators of domestic and family violence. This overwhelmingly impacts single mothers. Advocates, inquiries and reports have repeatedly highlighted the weaknesses of the system and how they create the conditions for harmful financial abuse to be perpetrated against women and their children.

The 2026-27 Budget committed to a number of reforms to the child support system, including new pathways to move from Private Collect to Agency Collect; improving enforcement of non-payment or payment minimisation, and pausing Family Tax Benefit (FTB) debts caused by reassessments of child support for those in private collect. These are positive and are the first step in creating fairer system. But more can be done to prevent the weaponisation of the system.

The FTB payment is designed to help parents with the cost of raising children. However, the linking of child support payments to the calculation of FTB payments means that an abusive parent can deliberately raise debts for the other parent by misreporting their income or delaying tax returns.

This not only impacts the financial wellbeing of women but has flow on impacts for the child whose mother is being punished twice – first through underpayment of child support and then by shouldering the financial burden of the debt.

Recommendation 12

The Australian Government should continue to address the non-payment of child support and its impacts, including further work to strengthen protections for Private Collect arrangements and by delinking child support and Family Tax Benefit payments.

Priority Area 5: System Integration, Workforce and Accountability

Ensure consistent best practice domestic and family violence laws across Australia

Victim-survivors bear a considerable burden navigating the complex, cross-jurisdictional legal systems that exist in Australia when attempting to keep themselves and their children safe from perpetrators of violence. Australia has a disjointed system for responding to domestic and family violence, caused by the federated structure of Australia's legal system. For example, the Australian Government is responsible for family law, migration, social security and other areas of federal law, whereas the states and territories largely deal with child protection, criminal law and family violence intervention/protection orders (FVOs).

As a result, victim-survivors are often required to traverse through multiple legal systems and courts in an effort to keep themselves and their children safe. This is confusing, costly, time consuming and traumatic. Compounding this issue is that there are different process, timeframes and enforcement mechanisms between the Australian Government and state and territory jurisdictions. The FVO legislation and procedures in each state and territory also vary significantly.

Victim-survivors often are required to present evidence about family violence perpetrated against them in multiple court settings. Despite the evidence being largely the same, different definitions and approaches to family violence can result in different outcomes. Access to legal assistance is vital to support victim-survivors to navigate multiple legal systems in a safe and supported way.

Further, where parenting orders are put in place by the FCFCOA, they will generally override inconsistent state/territory FVOs. Where an FVO is made after FCFCOA parenting orders are in place, state/territory courts have the power to review, vary, discharge or suspend a parenting order to ensure that safety is prioritised. However, it is the experience of Women's Legal Services that state and territory courts are reluctant to use these powers and will often refer victim-survivors back to the FCFCOA.

Better recognition of animal abuse as a form of violence

Clients of Women's Legal Services frequently report intentional animal abuse as a form of domestic, family and sexual violence, whereby abusers exploit the close emotional bond shared by them, their children, and their animals, to inflict significant harm upon our clients. Clients have disclosed abuse, torture, and death of their animals at the hands of users of violence.

Whilst there has been some recognition of animal abuse and the intersections with coercive control, there is significant inconsistency across federal, state and territory laws, policy and risk assessment frameworks. For example, risk assessment tools may limit animal abuse questions to physical harm.

Recommendation 13

The Australian, state and territory governments should work with key stakeholders to:

- Identify best practice approaches to FVOs and ensure greater consistency across relevant federal, state and territory laws;
- Support greater use and consistency by state and territory courts in applying powers to revive, vary, discharge or suspend a parenting order; and
- Ensure consistent recognition of animal abuse as a form of domestic, family and sexual violence in relevant laws, policy and procedures (including risk assessment and safety planning tools).

Risk assessments should be consistent, best practice & dynamic to save lives

Different jurisdictions have different approaches to screening and assessing domestic and family violence risk. These different approaches can create confusion, act as a barrier to collaboration and result in different approaches to the same victim-survivor, which in turn can cause preventable harm. In the experience of Women's Legal Services, there is a need for a more consistent approach to risk screening, but this must build on best practice. We note existing work being led by the Australian government to develop a national model best-practice risk assessment framework.

Information sharing across agencies can be a tool that enables a more complete assessment of the safety of victim-survivors, including children, while reducing the burden on individuals to collect evidence and retell their trauma. WLSA supported the introduction of the *Family Law Amendment (Information Sharing) Act 2023 (Cth)* for parenting matters and supports the expansion of these provisions to property, maintenance and Hague Convention matters, with appropriate safeguards.

Information sharing should not however, be seen as a panacea. In some cases, information sharing will lead to more timely and safer outcomes, however an increase in information will not address systematic issues such as delay, unconscious bias or inexperience in matters involving family violence. It also risks exacerbating risk, for example where a woman is misidentified as a predominant aggressor when acting protectively. Or it may provide an incomplete picture – for example, a lack of reporting, charges or convictions to share does not mean that there is no family violence. Safeguards, competency standards, training and clear guidance are therefore all vital elements of any information sharing scheme that centres the safety of women and best interests of children.

Together with a national model best-practice risk assessment framework, risk information sharing scheme and risk register would better enable prescribed organisations and services across jurisdictions to share information to consistently assess and manage family violence risk to children and adults based on information available in real-time. This scheme could be modelled on

the strengths, and learn from the challenges, of the Victorian Family Violence Information Sharing Scheme.

Recommendation 14

The Second Action Plan should include specific and measurable actions aimed at significantly improving the assessment of risk, including:

- The development of a national best-practice risk assessment framework to improve consistency of risk assessments, including for matters before the FCFCOA, and to promote a shared understanding of risk across jurisdictions, building on ANROWS' refreshed national best-practice family and domestic violence risk assessment principles and risk factors.
- A national domestic and family violence risk information sharing scheme and register, that includes family court orders, family violence orders, child protection orders and other relevant information regarding risk factors. This should be accompanied by strong safeguards to minimise risks associated with information sharing.

Support best practice integrated legal practice for better outcomes

Multidisciplinary practice is key to the approach of Women's Legal Services, whether through external partnerships or the gender-specialist integrated practice models operated by most of our members. These approaches achieve safe and positive outcomes for clients across intersecting systems, which in turn reduce pressures and costs for health, social and justice systems downstream.

Integrated services models see social workers, Aboriginal and Torres Strait Islander support workers and financial counsellors working with lawyers under one roof. They provide wraparound services that can prevent the escalation of violence, re-victimisation, and support the healing and recovery process. In the highest risk cases, it can prevent fatalities.

Recommendation 15

The Australian, state and territory governments should work with key legal sector stakeholders to create a nationally consistent new category of legal privilege that incorporates social services professionals and that operates absolutely and applies in all settings.



CASE STUDY

Over a six-month period, the Women's Legal Service Tasmania (WLST) integrated team provided intensive social and legal support to a mother following the removal of her newborn child. The infant was placed into Child Safety custody within one hour of birth. At the time, the client also had three older children subject to assessment orders and in out of home care, each with complex social, emotional, and physical needs.

Our involvement commenced immediately. The client was connected with both legal and social work support within one week of the birth. In the beginning, she presented as highly distressed, fearful, and confused about the concerns raised by Child Safety. She also expressed understandable anger and, initially, had difficulty recognising or accepting the issues identified as impacting her parenting capacity.

Through a coordinated and consistent approach, the WLST lawyer and social worker established a strong, trusting relationship with the client. While the lawyer provided clear legal advice, representation, and advocacy within the court process, the social worker focused on engagement, therapeutic support, and case management.

Over time, the client demonstrated significant personal growth. She developed increased insight, emotional regulation, and confidence in her identity as a mother. Through values-based work, she was able to make informed and, at times, difficult decisions that aligned with her long-term goals for her children.

The integrated support model enabled consistent messaging, reduced disjointed support, and strengthened the client's engagement. Importantly, the client remained actively involved with both legal and social work support throughout the whole time of the process. Within six months, the client successfully achieved reunification with her baby and regained full custody. This outcome reflects not only the client's hard work and commitment, but also the effectiveness of a coordinated, trauma-informed, socio-legal response.

The Australian Government has recognised the benefits of integrated practice to victim-survivors, listing integrated, client-centric services as one of the outcomes of the National Access to Justice Partnership (NAJP). However, information sharing between lawyers and other professionals and the implications for legal professional privilege remains a key challenge, creating uncertainty and risk for legal assistance services. The Victorian Law Reform Commission is currently investigating legal professional privilege in integrated practice settings and has proposed a number of options for reform. One option is to create a new category of legal privilege incorporating social service professionals, that is absolute and applies in all settings.⁴²

⁴² Victorian Law Reform Commission, 'Legal Privilege and Integrated Legal Assistance Services: Consultation Paper' (Consultation Paper, June 2026) 46[7.28].

Harness the potentials of new technologies while countering the harms

The impact of AI and other new technologies on legal practice is rapidly evolving. Among law firms, there is a huge focus on harnessing AI to dramatically increase lawyer productivity. Community legal services have largely been excluded from these advancements because of a lack of resources and access to expertise.

We therefore welcome the Attorney-General's Department's recent pilot funding to Community Legal Centres Australia to develop tailored AI tools for the sector, together with structured training and a framework for safe and ethical AI deployment. This should provide a foundation for long-term policy and funding to support AI use in the community legal sector. However, AI should never be seen as a replacement for funding frontline professionals working directly and humanely with victim-survivors of violence.

While AI promises much in efficiency gains, it also comes with significant risk. Clients are confusing AI results for legal advice, preferring the 'advice' of AI over that of their lawyer and providing community legal services with large volumes of often incorrect AI-generated material to review.

AI is being used by self-represented litigants to prepare court documents and correspondence, placing them at risk of waiving legal professional privilege and committing a criminal offence.⁴³ AI tools can also be used to create or edit evidence in court proceedings through tools such as voice cloning,⁴⁴ and video and photo editing. AI tools can be misused to coach a witness regarding how to answer cross-examination questions, impacting on the evidence the court has to make safe decisions. Courts need to be equipped to deal with the rapidly evolving impact on AI in the context of gender-based violence.

There is also an urgent need for an intersectional and gender-based violence lens to be applied to the development and deployment of all new technologies. The risks of automation and AI reinforcing or turbo-charging misogynistic and racist views are well documented.⁴⁵ The use of technology and AI to perpetrate new forms of violence against women and LGBTIQ+ people is becoming increasingly pervasive. Further, every new AI tool made available to the public, is a tool that could be misused by perpetrators of violence to coerce victim-survivors or to manipulate legal/administrative systems or used to mask coercive control behaviour (such as the My Family Wizard Application Tone Meter).⁴⁶

We note that the Rapid Review recommended ongoing support to the eSafety Commission to protect victim-survivors from tech-based abuse and to work with the technology industry and government on improving policies, practice, transparency and accountability.

Recommendation 16

The Australian Government should task an appropriate body or office, such as the eSafety Commissioner, with working with key legal stakeholders on preventing and responding to adverse impacts of AI and tech-facilitated abuse on domestic, family and sexual violence-related legal processes.

⁴³ For example, Part XIVB of the *Family Law Act*.

⁴⁴ For example, Eleven Labs free AI voice cloning tools <<https://elevenlabs.io/>>.

⁴⁵ Ana Carmo, 'AI is getting women wrong as gender bias persists, data reveals', *UN News* (online, 22 June 2026) <<https://news.un.org/en/story/2026/06/1167776>>.

⁴⁶ See <<https://www.ourfamilywizard.com.au/product-features>>.

Address workforce challenges, particularly in regional and remote areas, so that there are resources to meet demand

The under-valuing of the female-dominated frontline service sector is an active driver behind the challenges our Women's Legal Services members face in recruiting and retaining experienced staff. This in turn directly impacts on the number of victim-survivors that our members can assist.

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 experienced staff. The situation is more acute 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 lawyers.

Multiple measures, across governments, need to be developed 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.

WLSA welcomes the National Legal Assistance Workforce Strategy as a priority long term reform under NAJP. Given the complex and entrenched workforce challenges in regional and remote areas are not unique to the legal sector, and that the levers for addressing it sit across departments and governments, a cross-government, multifaceted approach is required.

Recommendation 17

The Second Action Plan should include actions across governments to support the narrowing of the gender pay gap in the legal sector and to attract experienced senior staff to regional and remote services.

Establish competency frameworks that set a high standard for all professionals to meet

Lifting the capability of professionals working across the different systems that victim-survivors engage with is critical. For example, state and territory judicial officers in the lower courts often have criminal law backgrounds and, therefore, may not have sufficient expertise in family law and domestic, family and sexual violence. This may mean worse outcomes for victim-survivors.

Lifting capability should be underpinned by the establishment of competency standards or frameworks that make clear the knowledge, skills and practice required in different roles, including lawyers, support workers, registrars, family report writers, police, family dispute resolution practitioners and judicial officers.

Competency frameworks should set minimum expectations and create a framework against which long-term education and training needs can be assessed and planned. Pre-existing frameworks provide a strong foundation, for example:

- The Victorian Responding to Family Violence Capability Framework describes the knowledge and skills needed to prevent and respond to domestic, family and sexual violence safely and effectively. It is intended to inform workforce development, training, qualifications, organisational planning, performance assessment and cross-sector collaboration.
- The First Nations Cultural Capability Framework, developed through a partnership between the Victorian Aboriginal Legal Service, Victoria Legal Aid and the Law Institute of Victoria, identifies the knowledge, skills and attitudes legal practitioners need to work in a culturally responsive and appropriate way with Aboriginal and Torres Strait Islander people.

Competency standards should cover coercive control, trauma-informed practice, culturally-safe practice, sexual violence, systems abuse, economic abuse, technology-facilitated abuse, misidentification of the person most in need of protection, and the ways different systems can intersect to compound harm. It is critical that these standards are co-designed with specialist domestic, family, and sexual violence, legal assistance, disability, migrant and refugee and LGBTIQ+ services and ACCOs.

Competency standards must build understanding of the strength of Aboriginal and Torres Strait Islander family structures and child-rearing practices, the ongoing impacts of colonisation and systemic racism, and the multiple and diverse factors contributing to family violence most often used by non-Aboriginal men against Aboriginal women. Competency standards must also emphasise the importance of appropriate referral pathways, policies and relationships with ACCOs.

Opportunities to build the capability of the legal profession

Users of violence will exert coercion and seek to manipulate victim-survivors across many areas of law – in family businesses, taxation arrangements, property, tenancy, migration, as well as in family law, child protection and civil intervention orders. If the dynamics of coercive control are not understood, the risks of lawyers unwittingly colluding with perpetrators, or missing opportunities to support victim-survivors early, are greater.

A foundational understanding of the nature and dynamics of coercive control and skills for supporting victim-survivors and working in non-collusive ways with perpetrators is therefore essential for all legal practitioners. As noted above, competency standards should outline minimum expectations on lawyers and inform education and training needs in law schools, practical legal training and continuing professional development.



CASE STUDY

The recently launched *Understanding Coercive Control when Providing Legal Assistance* training provides an example of a collaborative and scalable approach to driving sector wide change that sustainably improves service responses for victim-survivors of family violence. The training was developed collaboratively by Women's Legal Service Victoria and First Nations Advocates Against Family Violence, as part of a consortium with WLSA and National Legal Aid, and includes vital content on the dynamics and impacts of coercive control on Aboriginal and Torres Strait Islander people.

Launched in June 2026, already over 650 people have registered for the training online, demonstrating the need for greater investment in skills-based training on coercive control for legal professionals. Further training in non-collusive practice and training on coercive control tailored for migration agents and criminal lawyers have been identified as needs, alongside the need for competency standards.

Recommendation 18

The Second Action Plan should:

- Prioritise the development of best practice competency standards on domestic, family and sexual violence for the legal sector and other key professions; and
- Include actions to embed domestic, family and sexual violence education in law schools and as part of professional legal training and continuing professional development.

Recognise that accountable institutions are safer and smarter institutions

Police review mechanisms are essential to justice and safety for all victim-survivors

Review of domestic & family violence responses

Review of police attendance at incidents, decisions to charge, and police interactions involving allegations of domestic and family violence, by specialist domestic and family violence units, can strengthen the focus on the safety of victim-survivors. It can, for example, quickly identify and rectify cases of misidentification, or identify where risk factors have been missed or misinterpreted. It can also help identify incidents that occur within a broader pattern of violence, coercion and control.

There is an opportunity to learn and build on the experience of the Family Harm Coordination daily auditing program pilot program in Alice Springs. The *NT Coronial Inquest* recommended expanding this program noting that: “as of 1 September 2023, of the 3215 reported incidents of intimate partner violence, 1424 incidents had been reviewed by the FHCP. Of these, 100 had been tasked to frontline officers for follow up.”⁴⁷

Independent systems-driven review of sexual violence reports

Attrition of sexual violence reports at the police investigation stage is higher than other crimes.⁴⁸ In NSW, no legal action was taken in 85 per cent of sexual assault incidents.⁴⁹ In Victoria, 75 per cent of reported incidents do not proceed to charge.⁵⁰

The ALRC’s *Justice Responses to Sexual Violence Report*, highlighted the impact that engaging with police can have on victim-survivors, with many feeling disempowered and re-traumatised by police responses. It emphasised the need for independent accountability mechanisms.

Recommendation 4 of the *Justice Response to Sexual Violence Report* calls for each state and territory to establish a taskforce to review of all reports of sexual violence made within the prior 12 to 18 months that did not progress to charge (modelled on the Sexual Assault (Police) Review in the ACT) and to develop both an ongoing independent systems-driven review mechanism and complainant-driven review mechanism. WLSA notes that research is currently being undertaken by the Australian Institute of Criminology as a preliminary response to this recommendation.

⁴⁷ *NT Coronial Inquest* (n 14) 160 [515].

⁴⁸ *Justice Responses to Sexual Violence Report* (n 24) 172.

⁴⁹ Brigitte Gilbert, ‘Attrition of sexual assaults from the New South Wales criminal justice system’ (Crime and Justice Statistics Bureau Brief, No 170, NSW Bureau of Crime Statistics and Research) 1 <<https://bocsar.nsw.gov.au/documents/publications/bb/bb151-200/BB170-Report-Attrition-sexual-assaults.pdf>>.

⁵⁰ Sarah Bright et al, ‘Attrition of sexual offence incidents through the Victorian criminal justice system: 2021 Update’ (Crime Statistics Agency, September 2021) 16.

A systems-driven review mechanism would need to be in addition to an independent complainant-initiated mechanism. This is important in terms of lessening the burden on victim-survivors to hold police accountable for the deep cultural change that needs to happen.

Independent complainant-driven oversight mechanisms

Independent oversight mechanisms help keep police accountable, improve the community's trust in police agencies and offer opportunities to improve decision-making and ultimately outcomes for victim-survivors.

Police decisions not to investigate, charge or about how they use their powers in relation to domestic, family and sexual violence can be influenced by conscious and unconscious biases.

For example, the *Inquiry into Missing and Murdered First Nations Women and Children* received evidence that “authorities continue to hold discriminatory and racist attitudes, which impede investigations of missing and murdered First Nations women and children.”⁵¹ In this same inquiry, evidence highlighted that police routinely dismissed calls for help or failed to respond with urgency.⁵²



CASE STUDY

Myriam* was sexually assaulted in 2024 and reported the sexual assault to police. In her interview with police, Myriam felt frustrated at being questioned extensively on her ‘failure’ to avert the sexual assault. Myriam had described a typical ‘freeze’ response to being sexually assaulted. However, she was questioned about matters including whether she resisted with a verbal ‘no’, tried to push the perpetrator off her, tried to run away, or screamed for help. She was not asked anything about whether the perpetrator made any efforts to ascertain her consent. She was highly distressed at being made to feel at fault for the sexual assault.

From this initial interview, the officer in charge (OIC) drafted Myriam’s statement and she was asked to sign it. She did not feel that the statement drafted by the OIC adequately captured the experience from her perspective.

⁵¹ Legal and Constitutional Affairs References Committee, Commonwealth of Australia, *Inquiry into missing and murdered First Nations women and children*, (Full Report, August 2024) 91 [4.47].

⁵² Ibid 80 [4.5].



CASE STUDY (cont.)

Myriam wanted to write her own statement but was told that this was not permitted. She later returned and was assisted by the officer to make a second supplementary statement but still was not happy with the way it was drafted.

Over time, Myriam became increasingly frustrated by the lack of action and understanding of the OIC. The OIC repeatedly told her to think carefully about whether she wanted to proceed with her complaint, making her feel pressured to drop the matter. She did not feel the OIC was investigating thoroughly or trying to collect all available evidence. She was concerned that the OIC may not be treating her complaint seriously because of stereotypes connected to her cultural identity. Myriam became so disillusioned with the conduct of the OIC that she requested a new OIC be appointed. This request was refused, and Myriam had to keep engaging with the OIC she had lost faith in. In subsequent communications with the OIC, Myriam directly voiced her frustrations and became increasingly hostile in her responses.

Myriam was then notified that the OIC had applied for an Apprehended Personal Violence Order (APVO) against her. Myriam had not had any contact with the OIC that was outside of their communications in relation to the investigation of her complaint. She had not made any threats against the OIC, nor did they have any cause to have contact with one another beyond the sexual assault investigation.

The perpetrator was ultimately not charged in relation to the sexual assault against Myriam. Myriam herself was left to respond to proceedings against her by police, which took almost a year to resolve. In dismissing the application for a final APVO, the magistrate noted that police had questioned Myriam in a way that did not accord with the legislated standard for consent. Although a final APVO was not granted, Myriam's trust in the justice system has been lost.

Victim-survivors must have the right to hold police accountable and have confidence in the impartiality and fairness of the review process. The importance of independent, transparent and accessible accountability mechanisms to deal with conscious and unconscious bias infecting police conduct has been stated in numerous reports.⁵³ It would enable victim-survivors to have their voices heard by a neutral investigator and to obtain a direct response.⁵⁴

⁵³ For example, the ALRC's Pathways to Justice—Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples (ALRC Report 133) affirmed the Royal Commission into Aboriginal Deaths in Custody's key principles for police accountability. See also Recommendation 4 of the ALRC's Justice Responses to Sexual Violence Report.

⁵⁴ *Justice Responses to Sexual Violence Report* (n 24) 188.

Recommendation 19

State and territory governments should work with key stakeholders, particularly Aboriginal and Torres Strait Islander and gender-specialist organisations, to:

- Co-design a regular audit mechanism for police responses to domestic and family violence incidents;
- Fully implement Recommendation 4 of the ALRC's Justice Responses to Sexual Violence report to ensure independent review and oversight of sexual violence reports that police do not progress to charge; and
- Establish independent and complainant-initiated review mechanisms that allow people to seek review of police decision-making and conduct.

A federal judicial commission is needed

Unlike lawyers and other professionals regulated by professional and regulatory bodies, poor judicial conduct requires impacted individuals to commence legal action. Currently, appeals are the mechanism by which litigants can raise issues of actual or apprehended bias on the part of judges. However, as noted in the ALRC's *Without Fear or Favour: Judicial Impartiality and the Law on Bias* ('*Judicial Impartiality Report*'), appeals are costly, not available where matters are settled, and do not always result in a correction of the judicial officer's behaviour.⁵⁵

Whilst there exists an internal complaints mechanism for federal judicial officers, this mechanism has been criticised for its lack of independence, formality and transparency.⁵⁶ The effect of these largely unsatisfactory or inaccessible mechanisms to resolve complaints damages confidence in the judiciary and does not adequately address misconduct or biases. In jurisdictions where judicial commissioners already exist (NSW and Victoria), our members have found the commissions as a useful tool to assist clients in some cases.

The *Judicial Impartiality Report* recommended the establishment of a federal judicial commission (Recommendation 5). The Australian Government agreed in principle in its response to the report,⁵⁷ and released a scoping paper on the establishment of such a commission in 2023.⁵⁸

Recommendation 20

The Australian Government should establish a federal judicial commission.

⁵⁵ Australian Law Reform Commission, *Without Fear or Favour: Judicial Impartiality and the Law on Bias* (Report No 138, December 2021) 312.

⁵⁶ Ibid 315.

⁵⁷ The Attorney-General's Department, 'Government Response to Australian Law Reform Commission Report 138: *Without Fear or Favour: Judicial Impartiality and the Law on Bias*' (September 2022) 4.

⁵⁸ See the Attorney-General's Department, 'Scoping the Establishment of a Federal Judicial Commission' (Consultation Paper, 17 January 2023) <<https://consultations.ag.gov.au/legal-system/federal-judicial-commission/>>.

Actions plans should be living plans with strong monitoring and accountability frameworks

Empowering the Domestic, Family and Sexual Violence Commission

Clear timeframes, accountabilities between governments, and transparent monitoring of the implementation of Second Action Plan commitments is critical, along with strengthening of lived-experience-led data, monitoring and evaluation practices.

We note that the Rapid Review recommended the expansion of the functions and powers of the Domestic, Family and Sexual Violence Commission ('DFSVC Commission'), establishing it as a statutory authority, with responsibility for monitoring the National Plan.⁵⁹ As part of this role, the DFSVC Commission should also report on state and territory actions.

Recommendation 21

The Domestic, Family and Sexual Violence Commission should be given the powers to monitor implementation and funding associated with the National Plan and associated Action Plans, and to report publicly.

Measuring the impact of legal system reforms and access to legal services

The National Plan recognises victim-survivors' experiences of legal systems, including family law and in relation to misidentification as outcomes to be measured, but without a current data source.⁶⁰ Government evaluations of legal assistance services highlight gaps in the measuring, collection and linkage of data.⁶¹ Current work under the NAJP on a national legal assistance Data Strategy and Outcomes Framework provide an opportunity to connect with and measure justice-related actions under the National Plan and related plans.

The Rapid Review recommended improved data collection in relation to domestic, family and sexual violence, including to ensure compliance with Indigenous Data Sovereignty Principles.

We note that courts have the potential to be a rich source of data and learning. For example, understanding the impact of reforms, and the different ways that family law matters can be resolved for families in the longer term, can help drive policy-making on family violence across prevention, early intervention, response and recovery and healing.

Recommendation 22

The Australian and state and territory governments should work with key stakeholders to strengthen data collection, use and linkage practices, to support the long-term monitoring and evaluation of legal system reforms and access to legal assistance, linking in with the National Access to Justice Partnership long term reform priorities.

⁵⁹ The Rapid Review (n 3) 114.

⁶⁰ See Outcomes 1 and 6 of the Outcomes Framework 2023–2032 under the National Plan <<https://www.dss.gov.au/system/files/resources/np-outcomes-framework.pdf>>.

⁶¹ Dr Warren Mundy, Attorney-General's Department, 'Independent Review of the National Legal Assistance Partnership' (Final Report, March 2024) 221.