



Women's Legal Services Australia

MEDIA RELEASE

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Safer systems for family violence victims

Women's Legal Services Australia (WLSA) welcomes the motion brought today by the Honourable Cathy McGowan MP member for Indi, calling on the Government to amend the Family Law Act to stop domestic violence abusers from directly cross examining their victims in family law trials.

“This has been an ongoing problem for many years,” Ms Lynch said. “Most State-based legislation for domestic violence orders and sexual assault criminal matters have protections in place that prevent a victim of violence from being directly cross-examined by their perpetrator when they are un-represented. Family Law has not kept up with our current understandings of trauma and the responsibility of systems to not perpetuate further harm.”

Ms Lynch said, “WLSA recently conducted a recent survey about the issue and the findings are disturbing.”

“Survey respondents described a number of concerning impacts of the direct cross examination including being physically ill, having to be medicated to be able to get into the court room, having their post traumatic stress symptoms triggered and perhaps most disturbingly, some had become suicidal.”

“To make decisions in the best interests of children the court needs the best evidence” Ms Lynch said but the quality of evidence was questionable in such cases.

“Women told us they didn't raise issues of violence because they were too afraid” she said.

The survey findings also found evidence that victims were being bullied into agreements because of their fear of undergoing direct cross examination.

“We would like to thank Ms McGowan for bringing this important issue to the attention of parliament. This is happening across the country and is an issue of national importance” Ms Lynch said.

“We look forward to the Government moving quickly to put into place protections for victims of violence in family law, including protections for victims of violence who are self-representing and have to conduct the cross examination of the perpetrator” Ms Lynch said

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