MEDIA RELEASE:

Protection also required for victims in family law trials

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Women's Legal Services Australia (WLSA) welcomes the recent introduction of the Government's Bill strengthening protections for vulnerable witnesses in Commonwealth criminal trials but continues to call for better protections for victims in family law trials.

The Attorney General, Mark Dreyfus, introduced the changes by highlighting the Labor Government's commitment to the most vulnerable in society, stating that victims of crime deserved support and assistance in court proceedings.

"The Government's strong commitment to protecting victims of crime should not stop with this Bill" said WLSA Law Reform Coordinator, Angela Lynch.

"We believe that legal protections are desperately needed in family law trials to protect victims of family violence from direct cross-examination by their abusive ex-partners."

In family law, no specific protections exist to stop a perpetrator of violence from cross-examining their victim. A violent perpetrator, who is unrepresented by a lawyer in a family law trial, can directly question a vulnerable victim in court as part of their case.

"For women who have been raped, assaulted and psychologically abused by their ex-partner, the trauma and distress of being questioned by the person who has harmed them so deeply is profound" said Ms Lynch.

At the State level, specific laws are in place to stop an accused person from directly cross-examining their victim in sexual offence cases and, in some States, in family violence protection order cases. In these cases an accused person must have legal representation to cross-examine the victim.

 "The Government has a window of opportunity to demonstrate its commitment to supporting and assisting family violence victims in family law. It is only fair and just that vulnerable witnesses in family law also be protected."

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