



FAMILY COURT
AND FEDERAL
CIRCUIT COURT

Sydney Registry
97-99 Goulburn Street
SYDNEY NSW 2000

GPO Box 9991
SYDNEY NSW 2001

DX 1015 Sydney

Ms Anna Kerr
Feminist Legal Clinic

By email: anna@feministlegal.org

Dear Ms Kerr,

I am writing on behalf of the Family Court of Australia and Federal Circuit Court of Australia, Sydney Registry.

In 2015, the former provider of the Women's Family Law Support Service (WFLSS), Domestic Violence Service Management advised the courts they were no longer in a position to provide the WFLSS officer due to an absence of available funding from within their budget. Fortunately, the Marrickville Women's Refuge saw the importance of the WFLSS and subsequently took over delivery of the service late in the year.

In 2017, the Family Advocacy and Support Service (FASS) was introduced by Legal Aid bodies across the country, including the Sydney Registry. The FASS has been a valuable addition to the suite of services offered to clients affected by family violence, and importantly has been complementary to the support offered by the WFLSS.

The WFLSS has had a long history in the Sydney Registry, and the judges, staff and other service providers within the sector have been most supportive of the WFLSS. Judges make a number of referrals and the partnership between court staff and the WFLSS has been very successful and cooperative. We understand more than 3,000 women have been supported through the court process, or referred into appropriate services. As a result, many children have been kept safe as a result of the service.

On behalf of the Chief Justice of the Family Court of Australia and Chief Judge of the Federal Circuit Court of Australia, I offer the support of the courts for funding to be provided to enable the employment of staff in the WFLSS and women's refuges more broadly.

Yours sincerely,

Simon Kelso
Regional Registry Manager
NSW/ACT
Sydney Registry

18 April 2018

To whom it may concern

Support for Women's Family Law Support Service

1. I am writing on behalf of Women's Legal Service NSW to express support for the continuation of funding for the Women's Family Law Support Service (WFLSS) which operates from the Sydney Registry of the family law courts.
2. WLS NSW is a community legal centre that aims to achieve access to justice and a just legal system for women in NSW. We seek to promote women's human rights, redress inequalities experienced by women and to foster legal and social change through strategic legal services, community development, community legal education and law and policy reform work. We prioritise women who are disadvantaged by their cultural, social and economic circumstances. We provide specialist legal services relating to domestic and family violence, sexual assault, family law, discrimination, victims support, care and protection, human rights and access to justice.
3. It is essential that women have access to a safe room and support workers experienced in domestic and family violence to provide them with the confidence to be safely at court both physically and emotionally. We have confidently referred clients to the service over many years. It would be a great loss to women and children if it was not able to continue.

Yours faithfully,

Women's Legal Service NSW



Janet Loughman
Principal Solicitor



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Wednesday 18 April 2018

The Hon. Mark Speakman SC, MP
52 Martin Place
SYDNEY NSW 2000

Via email only

Dear Mr Speakman

RE: Women's Family Law Support Service

The Women's Family Law Support Service is again under threat of closure due to loss of funding. This is despite the fact that this service continues to have the strong support of the community as well as the Family Court itself, which is eager to see this essential service continue.

This service was set up over a decade ago as a joint project of the NSW Women's Refuge Movement and the Sydney Family Court, which provides the office space. Since then this unique, specialist service has been providing free assistance to women, including emotional support, practical help and referrals and a safe space within the court for women to compose themselves during a stressful time.

This assistance is distinct from, but complementary to, the assistance provided by the Legal Aid Commission and court staff. Staff from the service actively search out women and check that they are adequately supported, accept referrals from court staff of women in distress and accompany and stay with women within the courtroom when required. However, cutbacks in recent years to the women's refuge sector have placed this essential service under threat.

In 2011 Professor Rosalind Croucher, then President of the Australian Law Reform Commission, launched an evaluation report of the service entitled: "They should have this in every court". Indeed, in view of the extreme level of concern surrounding access to justice in the Family Court, particularly for those who are victims of domestic violence, this service is a model that should be expanded and replicated in other Family Courts around the country.

In the year 2016/2017 over 25% of the women assisted were self-represented. Clients were from 48 different cultural backgrounds, with 14% of them being indigenous. The vast majority of women accessing the service were victims of domestic and family violence. Testimonials provided by clients talk of how the service brought them comfort and reassurance during difficult times, empowered them and restored some balance to a system that otherwise felt stacked against them.

The service won a 2-year funding reprieve back in 2016 and is currently being operated by a combination of paid and volunteer staff provided by the Aboriginal Women and Children's Crisis Service. However, once the current funding ceases on 30 June they will not be in a position to supply a staff member to operate the service. For a relatively small amount this valuable support for some of the most vulnerable women and children in NSW can continue.

The Declaration on the Elimination of Violence against Women, to which Australia is a signatory, requires in Article 4 that States recognize the important role of the women's movement and non-governmental organizations worldwide in raising awareness and alleviating the problem of violence against women and further that they facilitate and enhance the work of the women's movement and non-governmental organizations and cooperate with them at local, national and regional levels.

Furthermore, the Committee of the Convention on the Elimination of All Forms of Discrimination Against Women specifically recommends that appropriate support services should be provided to women who are victims of violence or are at risk of violence (Recommendation 19).

In view of this, we would ask that you act in accordance with Australia's international human rights obligations and ensure adequate long-term funding for this essential support service which is a product of the women's movement and should be maintained, if not expanded.

Yours faithfully

Rita

Digitally signed by Rita
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ALHR was established in 1993 and is a national association of Australian solicitors, barristers, academics, judicial officers and law students who practise and promote international human rights law in Australia. ALHR has active and engaged National, State and Territory committees and specialist thematic committees. Through advocacy, media engagement, education, networking, research and training, ALHR promotes, practices and protects universally accepted standards of human rights throughout Australia and overseas.