

05.07.11

Committee Secretary
Senate Legal and Constitutional Committees
PO Box 6100
Parliament House
Canberra ACT 2600
Email: legcon.sen@aph.gov.au

Dear Committee Secretary,

RE: Family Law Legislation Amendment (Family Violence and Other Measures) Bill

I am writing to express my support for the changes to the *Family Law Act* proposed in the Family Law Legislation Amendment (Family Violence and Other Measures) Bill 2011, and to recommend that further changes be made to the Bill to ensure that the family law system does prioritise at all times the safety of women and children.

I strongly support the measures proposed in the Bill to provide better protections for people who have experienced family violence within the family law system and believe that the proposed amendments are essential to placing the safety and protection of children and family members at the forefront of the *Family Law Act*.

As a professional in the FV sector of community services in Victoria, I can provide numerous examples of prioritising the needs of parents over the needs of children under the current legislation.

In particular, I strongly support:

- Prioritising family violence when considering what is in the best interests of the child
- Broadening the definition of 'family violence' to include elements of coercion and control, a wider range of behaviour, and removing the objective test of 'reasonableness' so that family violence can be properly considered whenever the victim actually fears for their safety
- A broader definition and understanding of child abuse that includes exposure to violence.

I believe that a number of further changes are necessary to better protect the safety of children and their family in the family law system. In particular, I recommend that:

- The safety and protection of children should be prioritised above all else, made the PRIMARY consideration in all matters. Its priority should not be subject to proving an inconsistency with other considerations.
- The Act should make it clear that exposure to family violence is a form of family violence and that it applies to behaviour by the person perpetrating violence, and not the victim of the violence.

Based on my own professional experiences and the evidence presented in numerous research reports over the last few years, I strongly recommend you support the amendments suggested in this letter and the expeditious passage the Family Law Legislation Amendment (Family Violence and Other Measures) Bill 2011.

Yours sincerely,
(Name Withheld)