



Australian Government
Department of Social Services

Sophie Dunstone
Committee Secretary
Legal and Constitutional Affairs Legislation Committee

Dear Committee Secretary

Submission to the Inquiry into the Family Law Amendment (Federal Family Violence Orders) Bill 2021

The Department of Social Services (the department) welcomes the opportunity to provide a submission to the Senate Legal and Constitutional Affairs Legislation Committee inquiry into the Family Law Amendment (Federal Family Violence Orders) Bill 2021, following the introduction of the Bill into the House of Representatives on 24 March 2021.

The department supports the establishment of federal family violence orders and provision for their criminal enforcement. Proposed federal family violence orders will benefit people with matters before the family law courts, removing the requirement for them to navigate a separate court system should they need to apply for a criminally-enforceable protection order.

The Family Law Amendment (Federal Family Violence Orders) Bill 2021 is consistent with priorities agreed by all Australian governments under the *National Plan to Reduce Violence Against Women and their Children 2010-2022* (in particular, that justice responses are effective and that perpetrators are held to account).

The Bill demonstrates national leadership towards Australia's commitment to the principle that violence against women and children is never acceptable and that family and domestic violence is criminal behaviour. Criminal enforcement provisions in the Bill make clear that family violence is not a private matter but a public, criminal matter of public concern.

This Bill is consistent with the Australian Government's commitment to ensure women can be safe from violence, economically secure and realise their potential. Consistent with this commitment, the Government has announced investment of \$3.4 billion through the 2021-22 Budget, to improve outcomes for women's safety, economic security, health and wellbeing.

This includes investment of \$1.1 billion to prevent and respond to violence against women and children over the next four years. This funding will go towards a range of measures including: leading prevention efforts; improving frontline responses; supporting perpetrator interventions; increasing research and data; and improving the family law system – including through additional legal assistance and support services to support those who have experienced violence.

Key initiatives the department is progressing to ensure the safety of women and their children include the new Escaping Violence Payment, a new two-year National Partnership with states and territories to support frontline family, domestic and sexual violence services meet demand and an expansion of the Safe Places program.

- The Escaping Violence Payment Trial for two years at a cost of \$147.3 million will provide women with access of up to \$5,000 in financial assistance (a cash payment of up to a maximum of \$1,500 and the remainder in goods, services and support from a community service provider or other items needed to establish a home free from violence). It is estimated the program will help up to 12,000 women annually who need financial support to leave a violent relationship. The trial will be demand driven to ensure that all women experiencing financial stress when leaving a violent relationship are able to be supported by the program.
- The Government has committed up to \$260 million over two years (2021-22 and 2022-23) for a new, two-year National Partnership with states and territories to boost local frontline family, domestic and sexual violence services and trial new initiatives during the transition to the next National Plan. This new funding builds on the \$130 million the Commonwealth provided to states and territories as part of its COVID-19 Domestic and Family Violence Response Package. States and territories will be asked to contribute to the agreement reflecting their primary role and responsibilities in the delivery of frontline services.
- The Government is also investing \$12.6 million over three years (2021-22 to 2023-24) to expand the Safe Places emergency accommodation program. The funding will support new projects, some of which target Indigenous women and children as a priority cohort. These projects are expected to assist about 450 women and children experiencing family and domestic violence each year, including additional safe places in regional and remote areas.

The \$1.1 billion investment in the 2021-22 Budget is on top of the \$340 million the Government provided to implement initiatives under the Fourth Action Plan of the current National Plan, and the \$150 million committed very early in the pandemic for the COVID-19 Domestic Violence Response Package. This brings Government investment in women's safety to over \$2 billion since 2013.

The department considers the Bill is consistent with Australia's international responses to its obligations under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights on the Child (CROC). The Bill's focus on the wellbeing and protection of children who have experienced, or maybe exposed to domestic or family violence, is particularly welcomed.

The department welcomes the opportunity to provide any further additional assistance or information that is required by the Committee to support their inquiry deliberations.

Yours sincerely,

Liz Hefren-Webb
Deputy Secretary
Families and Communities

16 June 2021