

## Current family law system does not adequately protect women and children from violence, say Australian social workers

Commission's Family Law System Review without delay. AASW National President Christine Craik said that the current family law system does not adequately protect women and children from family violence. Ms Craik said, "Although the family law system recognises physical violence, it has not identified coercive control such as psychological, emotional and financial abuse. Family violence and abuse is overwhelmingly perpetrated by men and its victims are overwhelmingly women and children. "Since the current system cannot always recognise or intervene when violence and abuse are present, it does not always respond to the needs of the people who are trying to escape this abuse. This means that it denies them their right to safety." The family law system is built on the assumption that both parties enter the system as equals, but social workers know that this is unlikely to be the case where violence and abuse is involved. Ms Craik said, "Having lived under years of fear, coercion, and humiliation, women who are attempting to escape abuse and violence are more susceptible to threats and more easily discouraged by the slow and complex legal process. Social workers have observed many instances where perpetrators know this and use the adversarial process to their advantage. This is called systems abuse, and the current Family Law system enables this abuse." Ms Craik was speaking as the AASW made its written submission to the joint select committee on the Family Law system. The Australian Law Reform Commission's Family Law System Review was conducted by some of the most respected professionals in their fields and heard from service users, health and community service professionals and legal practitioners. It made 60 recommendations for a widespread reform of the legislation and improvements to the system. The AASW endorses the Review's main finding that the current Family Law system is under-resourced and therefore struggles to deal with the ever-increasing complexities of the families who use it. Changing the Family Law system so that it protects people from abuse means improvements to all aspects of it, and this is what the Review proposed. Ms Craik said, "It represents a once-in-a-generation opportunity to acknowledge, validate and take steps to protect women and children from abuse."

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