



National Campaign Headquarters

13 August 2010

Mr R Hooper
Family Law Practitioners
Association of WA (Inc)
PO Box 3108
Adelaide Terrace
PERTH WA 6832

Dear Mr Hooper

Thank you for your letter of 3 August 2010 on behalf of the Family Law Practitioners Association of Western Australia.

A re-elected Gillard Labor Government will strengthen the ability of the family law system to address family violence and protect children. We will promote the early resolution of family disputes, including through encouraging alternatives to court based resolution in Family Relationship Centres.

The Gillard Labor Government will continue to pursue changes to ensure our family law system remains strong and effective. We will:

- Consider any necessary legislative amendments to improve the family law system's handling of violence cases arising from the 'Evaluation of the 2006 Family Law Reforms,' conducted by the Australian Institute of Family Studies and the 'Family Courts Violence Review,' conducted by Professor Richard Chisholm AM.
- Strengthen the ability of Family Relationship Centres to support the early resolution of family disputes by encouraging alternatives to court based resolution.
- As part of our new structure for Australia's federal courts, finalise the single Family Court to provide a one stop shop for family law litigation and ensure that people can access assistance when they need it.
- Consider any necessary action following the conclusion of the Australian Law Reform Commission's reference into family violence, focusing on the interaction of Federal and State laws regarding domestic violence and sexual assault, and on how a range of Federal laws support victims of family violence.
- Continue implementing the National Plan to Reduce Violence Against Women and their Children.

Child support legislation

The Gillard Labor Government is committed to a child support system that is geared to the best interests of children.

The Child Support Scheme has undergone significant reforms over the last few years. The previous Child Support Scheme was reviewed by an independent Taskforce on Child Support which recommended reforms to recognise changes in the way separated parents support and care for their children.

The new Child Support Scheme provides a more balanced approach for parents, recognises changing family circumstances and takes account of the increases in financial assistance that the Government provides to Australian families.

The new child support formula came into effect on 1 July 2008, and is based on the best available evidence about the costs of raising children in Australia. The new formula also uses an 'income shares' approach that calculates and shares the costs of caring for children.

We believe that the current formula appropriately balances the costs of raising children with the income of parents, to ensure that childrens' interests are put first.

Funding of the family law judicial system

As part of an effective and accessible justice system, the Gillard Labor Government supports adequate funding for the federal courts and tribunals and is providing over \$295 million in 2010-11. We will continue to monitor the ongoing resourcing of funding for the federal courts and tribunals and other services.

Legal assistance services

Federal Labor is committed to ensuring that legal assistance programs are appropriately resourced including those services which support separating families to resolve matters as quickly as possible.

We are making the largest and most significant injection of new funding into the legal assistance sector for well over a decade. Additional funding of \$154 million over four years in legal assistance programs will improve access to justice in the community. It includes:

- \$92.3 million over four years for legal aid.
- \$34.9 million over four years for Indigenous legal services.
- \$26.8 million over four years for community legal services programs.

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This investment takes Federal Labor's total funding for legal assistance services to over \$1.2 billion over four years. We have also injected an additional \$70 million in one-off funding for legal assistance programs over the last three years.

In terms of Western Australia, our injection will mean an additional \$23.5 million in funding for legal assistance providers over the next four years for Western Australia, commencing 1 July 2010. This includes \$15.8 million for legal aid, \$4.5 million for Indigenous legal services and \$3.2 million for community legal services. Including this new funding, the Federal Government will provide \$165 million to legal assistance service providers in Western Australia over the next four years.

You may also be aware that on 2 July 2010 Federal Labor announced the commencement of the new National Partnership Agreement on Legal Assistance Services. All States and Territories have now indicated that they have become, or are in the process of becoming, a party to the new Agreement.

The Agreement gives States and Territories greater flexibility in service delivery to achieve quicker and better outcomes for legal aid clients. Key features of the agreement include promoting early intervention services, which avoids the need for litigation, and more appropriate targeting of legal assistance services to people who experience, or are at risk of experiencing, social exclusion. The new Agreement provides greater flexibility for Legal Aid Commissions to provide preventative and early intervention services regardless of whether the matter comes within Federal, State or Territory law. Commissions will have the flexibility to use Federal funds for grants of aid for State law matters where a child's welfare or an applicant's safety is at risk and there is an overlapping family law matter.

Thank you again for the opportunity to advise you of these policies of Federal Labor.

Kind regards,
ALP Information Services

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