

National Legal Aid welcomes the passing of the Family Law Amendment Bill 2023

19 October 2023

National Legal Aid, representing the eight State and Territory Legal Aid Commissions, welcomes the passing of the Family Law Amendment Bill in Parliament today.

Legal Aid Commissions provide legal assistance in often the most complex family law matters and welcome the amendments as this will assist to better support separating families to make parenting decisions, help keep victim-survivors of domestic and family violence and children safe and promote the best interests of children.

“Around 192,000 family law, family violence, and child protection services requiring the skill of a lawyer, were delivered in 2022-2023 by Legal Aid Commissions. Family violence is a factor in nearly 86% of all legally aided cases before the family law courts.” said Louise Glanville, Chair of National Legal Aid.

“From our work, we see how important it is to consider the best interests of children and the safety of victim-survivors. The Family Law Amendment Bill puts the best interests of children at the heart of care arrangements for families post separation.”

“These changes are long overdue and will significantly improve the family law system’s ability to help ensure the safety of victim-survivors and children.”

National Legal Aid is also calling for additional investment for legal assistance to help ensure that the family law system is appropriately resourced, alongside the legislative changes.

“The family law system works best when there is legal assistance available for all parties, including children.”

Legal assistance services have not been resourced to meet the increasing family law demand. From 2014 to 2021 there has been a 14% increase in total family law court applications and a nearly 25% increase in independent children’s lawyer appointments without any ongoing additional funding for legal assistance services to assist in meeting this demand.

“We welcome the current independent review of the National Legal Assistance Partnership as the main funding mechanism for family law legal assistance and look forward to its consideration of the increasing demand for services. We hope that it identifies the need for additional investment for legal assistance in the family law area.” said Louise Glanville.

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