



Ms Sabina Wynn
Executive Director
Australian Law Reform Commission
GPO Box 3708
SYDNEY NSW 2001

By email: cwllh_family_violence@alrc.gov.au

30 September 2011

Dear Ms Wynn,

Submission to the Australian Law Reform Commission 'ALRC' regarding Family Violence and Commonwealth Laws: Child Support and Family Assistance Issues Paper (IP) 38

The Gippsland Community Legal Service 'GCLS' welcomes the opportunity to comment on the ALRC Family Violence and Commonwealth Laws Inquiry.

About GCLS

We are a rural, regional and remote ('RRR') community legal service in Gippsland providing free and confidential legal information, advice, and casework to members of the Gippsland community. We are also active in educating members of our community on their legal rights and responsibilities, and separately in advocating for law reform.

We have been in operation for more than ten years and aim to provide accessible legal services to the Gippsland community, with a particular focus on disadvantaged groups and those with special needs.

The Inquiry

We endorse the submissions by National Legal Aid and the Legal Aid Commissions.

We agree that the following points are key to building common understandings about the nature and dynamics of family violence across all organisations dealing with child support and family assistance.

Training

A consistent training and legal education program is needed for workers in social welfare and benefit organisations. These organisations also need to identify with a definition of family violence consistent with that recommended by the ALRC/NSWLRC Report, Family Violence - A National Legal Response.



1800 004 402 Tel 03 5135 9555 Fax 03 5135 9595 Email info@anglicarevic.org.au Web www.anglicarevic.org.au

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Supporting families, building communities

We would urge that family violence screening and risk assessment training be compulsory for all Centrelink and Child Support Agency staff to ensure best practice responses to victims of family violence across the organisations. This training could be facilitated by providers of Common Risk Assessment Framework (CRAF) training.

This training would require that all staff inquire about any safety concerns with clients asking about or making applications for child support. In addition to this, a policy requiring staff to consider whether any action or decision by them may result in an escalation of or exposure to further family violence is needed.

Child Support

We believe it is appropriate for the Child Support Agency to consider adopting the New Zealand approach of paying the payee the assessed child support and then pursuing the payer for reimbursement. This would enable the government (who are better equipped and staffed to handle perpetrators of family violence) to shield the payee and/or the children from being exposed to the effects of family violence.

Collaboration

A collaborative approach is needed to improve safety of victims by creating policies and practices that support appropriate and ethical sharing of information and referral to social workers, the police or community lawyers where violence is identified as an issue of concern.

Conclusion

The development and delivery of consistent definitions, policies, legal and family violence education, risk management guidelines and practice directions will enhance the safety of women and children experiencing family violence, and we urge the Commission to consider the recommendations in the National Legal Aid submission and in this letter of endorsement.

We thank you for the opportunity to comment on the Family Violence Issues Paper and should you require any further information please do not hesitate to contact us on 1800 004 402 or by email at gippsland_vic@clc.net.au.

Yours faithfully,



Gippsland Community Legal Service
Anglicare Victoria
PO Box 103, Morwell, VIC 3840
Ph: (03) 5133 9555
Fax: (03) 5133 0577
Email: Gippsland_Vic@clc.net.au