



Australian Government

Australian Law Reform Commission



NSW
Law Reform
Commission
Justice & Attorney General

Media Release

11 November 2010

Improving safety the key aim of the ALRC/NSWLRC Family Violence Report

The Australian and NSW Law Reform Commissions today released their Final Report, [*Family Violence—A National Legal Response*](#) containing 187 Recommendations for reform.

The Report was launched in Sydney by the Commonwealth Attorney-General, the Hon Robert McClelland MP and the NSW Attorney General, the John Hatzistergos MLC. It is the product of a year-long joint inquiry during which the Commissions conducted 236 consultations nationally and received 240 submissions from a wide range of people and agencies.

The Report is extensive, presented in two volumes with a Summary Report. Recommendations are focused on improving safety through:

- **A common interpretative framework**—establishing a shared understanding of what constitutes family violence across relevant legislative schemes.
- **Corresponding jurisdictions**—expanding the jurisdiction of courts dealing with family violence to maximise the chance that families will be able to get all the legal protections they need from any court they approach.
- **Specialist family violence practice**—fostering expertise within magistrates courts with staff who understand the dynamics of family violence and the complex array of legislation that applies.
- **Improving police and prosecutorial practice**—to produce safe, fair and just outcomes for victims.
- **Integrated responses**—ensuring that the many services needed by those who suffer family violence work together, building a better and shared understanding of violence and a national system of registration of family violence orders.
- **Alternative dispute resolution**—developing ADR responses, but with careful and appropriate protections for those who are the victims of violence.
- **Training and information**—underpinning legal changes by better understandings of family violence across the whole system, including a national family violence bench book and a national register of relevant orders.

In addition, sexual assault in the context of family violence is the subject of numerous recommendations to improve legal frameworks, including reducing attrition rates for sexual assault cases and improving the experience of victims in the courts.

ALRC President and Commissioner in charge of the Inquiry, Professor Rosalind Croucher stated, “The significant cost of family violence for all the individuals involved, and the enormous cost to the community, have been well documented. The Commissions were asked to look at the many laws and legal frameworks at state and federal levels that deal with family violence and to find ways to improve the response. For this Report we have considered at least 26 different legal regimes dealing with family violence. We understand why families find the system hard to navigate and may drop out of it without the protections they need. The touchstone throughout our Report is the need to improve safety for the people involved.”

NSWLRC Commissioner for the Inquiry, Emeritus Professor Hilary Astor stated, “In this Report we have taken a ‘helicopter view’ of a very complex system. We want people dealing with family violence to have a seamless engagement with the legal system instead of being referred from court to court, and agency to agency, with the risk that they may fall between the gaps in the system and not obtain the legal protections they require. Our governments have identified a clear goal of reducing violence in our communities. The recommendations in this Report will form one important part of the community’s response to achieve this.”

[*Family Violence—A National Legal Response*](#), (ALRC Report 114, NSWLRC Report 128) and Report Summary is available to purchase, view or download from the ALRC’s website www.alrc.gov.au. The Commissions thank the many stakeholders who assisted us throughout this Inquiry and particularly the people who shared their personal experiences with us so as to help others. Other information in the form of ‘community releases’ are available as podcasts on the ALRC website.