

Media Release



“Savings” from means-testing free legal help will increase the risk for women facing family violence

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A Federal Government proposal to means test free legal help from community legal centres will increase the risk for women facing family violence, according to the Federation of Community Legal Centres.

The proposal is included in a new funding agreement with States and Territories that Prime Minister Tony Abbott is expected to send to Premiers and Chief Ministers within days.

‘Coming on the back of deep cuts in the May Federal Budget, means-testing would narrow the legal help community legal centres can offer and restrict what counts as legal need at the cost of greater risk to women and their children,’ said Liana Buchanan, executive officer of the Federation, today.

‘The cuts and means-testing risk leaving women threatened by violent ex-partners on their own in court as they seek intervention orders, and on their own as they seek to untangle legal issues around custody of their children, where they live, and the financial control that perpetrators often seek over their victims.

‘With around two women dying every week in Australia through family violence, means-testing would also likely mean that community legal centres would be prevented from assisting families through the inquest process.

‘Legal help cuts and means-testing undermine the protection of women from family violence, and abandon them – or the families left behind – in its too often fatal aftermath,’ Buchanan said.

Australian of the Year and family violence advocate Rosie Batty supports community legal centres’ stance and says she is ‘dismayed and disappointed’ with the Federal proposal.

‘I know from my own experience and from many women who’ve spoken to me, how important it is that women get more help to navigate the legal process, not less. In the long run the comparatively small amount that would be spent on properly funding legal assistance saves Australia money. Restricting women who can be helped only to those who can pass a strict means test flies in the face of the Federal Government’s stated commitment to addressing family violence. Australia needs to do much better than this,’ Batty said.

Despite a recommendation from the Productivity Commission that legal assistance be boosted by \$200 million a year, in 2017–18 community legal centres nationally will face a cut of nearly 30 per cent, receiving just \$30.1 million – a figure in stark contrast with the nearly \$700 million the government spends each year on legal assistance services for itself.

‘Community legal centres already focus on helping those who need help the most, but the vulnerability of women facing family violence is not limited to financial disadvantage – we need to consider other key factors like safety and protection, rather than ruling women out due to their income level,’ Buchanan said.

In Victoria alone, community legal centres help more than 100,000 people every year. Around 40 per cent of new cases opened each year relate to family violence.

'The Federal Government is counting the savings from denying women free legal help with family violence, but the reality is that these savings come with a heavy human cost,' Buchanan concluded.

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