

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE  
ATTORNEY-GENERAL'S DEPARTMENT

**Output 1.1**

**Question No. 8**

**Senator Stott Despoja asked the following question at the hearing on 14 February 2006:**

- (a) What are the budgets and timelines for each of the four elements of the Family Law Violence Strategy set out at paragraph 19 of the Government's Response to the Recommendations of the Legal and Constitutional Affairs Committee on the draft Bill ('the Response')?
- (b) What is the budget and timeline for the research into how courts deal with allegations of family violence referred to at paragraph 26 of the Response?
- (c) What is the process for determining who will be conducting the monitoring and evaluation of:
  - i) the Family Relationship Centres referred to at paragraph 90 of the Response;
  - ii) the effect of the legislation referred to at paragraph 89 of the Response; and
  - iii) how will these evaluations be conducted?
- (d) What are the measures of 'success' of the new family law system?

**The answer to the honourable senator's question is as follows:**

- (a) The Government announced the Family Law Violence Strategy (the Strategy) on 26 February 2006. The objectives of the Strategy have been significantly developed since the response to the House of Representatives Standing Committee on Legal and Constitutional Affairs in December 2006. The objectives are to:
  - (i) gain a better understanding of how family violence and child abuse issues arise in family law proceedings and how those issues are dealt with
  - (ii) identify and highlight how the proposed legislative provisions in the Shared Parenting Bill and the assistance that will be available through Family Relationship Centres and support services will help address family violence and child abuse issues in the family law system
  - (iii) work collaboratively with the States and Territories to ensure that family violence and child abuse allegations are properly investigated once they arise in family law proceedings
  - (iv) work with courts to improve processes for dealing with cases where allegations of family violence and child abuse are raised; and
  - (v) engage with relevant stakeholders to identify further areas of improvement to the family law process.

In relation to the budget for elements (i) and (iv) see the response to part (b). Other elements of the Strategy will be implemented within existing resources. Timelines will be particularly dependent on the progress of discussions with the States and Territories. The Attorney-General has written to

State and Territory Ministers seeking their assistance and offering to meet with them to discuss the strategy. The objectives will be progressed in the first part of 2006.

(b) The Australian Institute of Family Studies will undertake research into the prevalence and veracity of allegations of family violence in the context of family law proceedings and develop a methodology for possible future research into the prevalence of false allegations and false denials in family law proceedings. Funding of \$150,000 has been provided for this research. It is expected that this project will be completed by the end of September 2006.

The Department has also provided funding of \$50,000 to the Family Court to assist in a further evaluation of the Magellan project. This project deals with case management of cases involving allegations of serious physical and sexual abuse of children.

(c) The Department is in the process of developing appropriate selection strategies in consultation with other departments. It has yet to be decided whether all parts of the evaluation will be conducted by the same organisations. The Department advises that:

- (i) Family Relationship Centres will be required to participate in a multi-tiered evaluation of the Government's package of measures, as set out in the selection documentation. These will include:
  - longitudinal research on the effect of different clients pathways (including use of Family Relationship Centres and other services and processes) on long-term family outcomes
  - a meta-evaluation of the range of new services funded under the Government's family law reforms, including the interaction between the different service types
  - formative evaluation of the Family Relationship Centres service delivery models to continue to inform improvements to these models
  - the development of ongoing performance benchmarks for Family Relationship Centres, and an evaluation of each Family Relationship Centre to identify areas of success and potential improvement
- (ii) evaluation measures with respect to the effects of the legislation are still being determined, and
- (iii) the exact nature and scope of the evaluation strategy have not been decided.

(d) The evaluation questions will be developed as part of the overall evaluation strategy.