

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Group 2

Program 1.1

Question No. 120

Senator Boyce asked the following question at the hearing on 29 May 2013:

Senator BOYCE: As to the nine [recommendations in the ALRC 114 report *Family Violence – a national legal response*] that are being looked at, when would you expect responses to be happening on those?

Mr Wilkins: I will have to take that on notice. I think that is being dealt with by the National Justice CEOs Group, of which I am a member. We are meeting this Friday, so maybe I can have a talk to them about that—sorry; Friday week I think it is.

...

Ms Glanville: If I could just continue on from Ms Rainsford's response, a significant number of the Commonwealth response recommendations have already been progressed and are in the public domain—things like the changes to the Family Law Act in relation to family violence and definitions of family violence; that is one of the recommendations, as is a greater focus on training packages around family violence... So, even though the Commonwealth response is not public as yet, when it is public the good news will be that many of the things in it we have already been progressing over time.

...

During the May Budget Estimates 2013 Ms Glanville said and quote; “, a significant number of the Commonwealth response recommendations have already been progressed and are in the public domain”. Could you please list each one of those and list those yet to be completed or placed in the public domain?

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

Response to Question on Notice No 42 from Senate Estimates hearing on 12 February 2013 detailed the breakdown of the recommendations in the Australian Law Reform Commission Report 114 and NSW Law Reform Commission Report 128 *Family Violence – A National Legal Response*. That response also detailed how the recommendations had been divided up between Commonwealth and States and Territories.

The Response further notes that nine of the recommendations are “Joint Commonwealth and State and Territory (via National Justice Chief Executive Officers (NJCEOs)) “Collaboration Project”. These specific recommendations are 19.1-19.5, 23.13, 30.4, 30.5, 30.17. Most of these relate to enhanced information sharing between the family courts and child protection systems.

Professor Richard Chisholm AM was engaged by the Department in April 2012 to assist with the development of a best practice framework to improve the exchange of information by the family courts and the state and territory child protection systems. This report is publically available at: <http://www.ag.gov.au/FamiliesAndMarriage/Families/Pages/Familylawandchildprotectioncollaboration.aspx>

The report includes a model information sharing agreement to guide the development of agreements between the family courts, child welfare authorities and relevant stakeholders. This report will assist in developing or updating the agreements which are the subject of the Collaboration Project. The October 2013 meeting of NJCEOs will discuss the progress of the Collaboration Project.

At the Standing Council of Law and Justice on 4 April 2013, Ministers endorsed the national response to Australian Law Reform Commission Report 114 and NSW Law Reform Commission Report 128 *Family Violence – A National Legal Response*. The Report is publically available at http://www.sclj.gov.au/sclj/standing_council_publications/standing_council_other_pub.html

Since this question was received, the Commonwealth response to Australian Law Reform Commission Report 114 and NSW Law Reform Commission Report 128 *Family Violence – A National Legal Response* has been tabled (25 June 2013) and is publically available at <http://www.ag.gov.au/FamiliesAndMarriage/Families/FamilyViolence/Pages/default.aspx>