

1 February 2019

Senator the Hon Zed Seselja
Assistant Minister for Treasury and Finance

By email: prebudgetsubs@treasury.gov.au

Dear Minister

Budget 2019-2020 – public consultation – pre-Budget submissions

Thank you for the opportunity to make a submission on priorities for the 2019-2020 Federal Budget.

The work of Relationships Australia

Relationships Australia is a federation of community-based, not-for-profit organisations with no religious affiliations. Our services are for all members of the community, regardless of religious belief, age, gender, sexual orientation, lifestyle choice, cultural background or economic circumstances.

Relationships Australia provides a range of family services to Australian families, including counselling, dispute resolution, children's services, services for victims and perpetrators of family violence, and relationship and professional education. We aim to support all people in Australia to live with positive and respectful relationships, and believe that people have the capacity to change how they relate to others.

Relationships Australia has provided family relationships services for over 70 years. Relationships Australia State and Territory organisations, along with our consortium partners, operate around one third of the 66 Family Relationship Centres (FRCs) across the country. In addition, Relationships Australia Queensland operates the national Family Relationships Advice Line and the Telephone Dispute Resolution Service.

The core of our work is relationships – through our programs we work with people to enhance and improve relationships in the family, whether or not the family is together, with friends and colleagues, and within communities. Relationships Australia believes that violence, coercion, control and inequality are unacceptable.

We respect the rights of all people to live life fully within their families and communities with dignity and safety, and to enjoy healthy relationships. These principles underpin our work.

Relationships Australia is committed to:

- Working in rural and remote areas, recognising that there are fewer resources available to people in these areas, and that they live with pressures, complexities and uncertainties not experienced by those living in cities and regional centres.
- Collaboration. We work collectively with local and peak body organisations to deliver a spectrum of prevention, early and tertiary intervention programs with elders, men, women, young people and children. We recognise that often a complex suite of supports (for example, family support programs, mental health services, gambling services, drug and alcohol services, and public housing) is needed by people affected by family violence and other complexities in relationships.
- Enriching family relationships, including providing support to parents, and encouraging good and respectful communication.
- Ensuring that social and financial disadvantage is not a barrier to accessing services.
- Contributing its practice evidence and skills to research projects, to the development of public policy and to the provision of effective supports to families.

This submission draws upon:

- our lengthy experience in delivering diverse programs
- evidence-based programs and research, and
- our leadership and policy development experience, including our recent submissions to the review of the family law system being undertaken by the Australian Law Reform Commission.

The Australian Government funds a range of support services to support happy, healthy families. These funds are administered by the Department of Social Services and the Attorney-General's Department, through the Family and Relationship Services and Family Law Services programmes. The priorities identified by Relationships Australia in this submission relate to these programmes.

Key priority 1 for family services – Children's Contact Services (currently administered through the Family Law Services Programme)

Children's Contact Services are critical facilities that, when well-designed and resourced, support healthy relationships between children and their parents. Properly-resourced, they can offer support in response to a crisis (eg by providing supervised contact opportunities in circumstances of high family conflict) and, as families stabilise, support parents to (re-) establish healthy relationships with their children (eg with education and referrals to appropriate support services). Relationships Australia notes that there is general agreement among providers and users that existing CCSs are desperately underfunded. This severe shortfall:

- causes unacceptable delays in accessing services (often to the point of completely undermining contact orders made by family law courts) and

- preventing them from realising their full potential as enablers of healthy parenting.

We vigorously urge the Commonwealth, as a matter of urgency, to fund these services to not only provide timely supervised contact, but also to offer parenting education and other support services, as needed. This would better support, over time, reductions in services to families as parenting capability grows. Properly funded CCSs would:

- proactively transition families from high to lower need, and ultimately, to self-management, and
- offer longer-term support for higher needs families with complex needs (something not addressed by current CCSs operating as standalone services).

Relationships Australia is mindful that this would involve considerable expenditure. However, the current pattern of spending money on short-term crisis responses is unsustainable, and only guarantees an ongoing need for recurrent spend. It deprives society of the opportunities to reap the benefits of healthy families and to enjoy the downstream savings delivered by lower expenditure on health and intergenerational social welfare dependency.

Key priority 2 for family services – Family Advocacy Support Services

Family Advocacy and Support Services are an initiative of the Coalition Government that falls within the Third Action Plan under the *National Plan to Reduce Violence against Women and their Children 2019-2022*. The Coalition Government committed \$18.5 million over three years (2016-2019) to implement the FASS in family law court registries across Australia. Legal Aid Commissions were funded to establish and implement the FASS in 23 locations, including 16 family law courts (and local courts in the Northern Territory) and seven circuits. The Services comprised duty lawyer services, specialist family violence support, and referrals to other services such as counselling, housing, employment, education and financial assistance.

The recent evaluation of the FASS was that it was

...an effective and important program that fills a gap in legal and social service provision to family law clients with family violence matters.¹

The evaluation report notes features that should be retained, as well as potential enhancements.

Relationships Australia respectfully recommends that the Budget provide ongoing funding for the existing service locations, as well as providing for broader rollout across Australia. This aligns with proposals made by the Australian Law Reform Commission in its Discussion Paper 86 for its review of the family law system:

Proposal 4–5 The Australian Government should, subject to positive evaluation, expand the Family Advocacy and Support Service (FASS) in each state and territory to include:

¹ Inside Policy, *An Evaluation of the Family Advocacy and Support Services – Final Report*, 18 October 2018, 4.

- an information and referral officer to conduct intake, risk and needs screening and triage, as well as providing information and resources;
- a family violence specialist legal service and a family violence specialist support service to assist clients who have experienced or are experiencing family violence; and
- an additional legal service and support service, to assist clients who are alleged to have used family violence and clients who are not affected by family violence but have other complex needs.

Proposal 4-6 The FASS support services should be expanded to provide case management where a client has complex needs and cannot be linked with an appropriate support service providing ongoing case management.

Proposal 4-7 The level and duration of support provided by the FASS should be flexible depending on client need and vulnerability, as well as legal aid eligibility for ongoing legal services.

Proposal 4-8 The Australian Government should, subject to positive evaluation, roll out the expanded FASS to a greater number of family court locations, including in rural, regional and remote locations.²

We note that numerous other submitters participating in that review have called for national rollout of the FASS programme. Further, in its *Closing the Gap* report of 2018, the Department of the Prime Minister and Cabinet observed that

Early feedback from legal aid commissions is that [the FASS] is meeting a crucial need and that their lawyers' enhanced ability to intervene early and liaise with social workers is helping them to better identify clients' non-legal needs and support them to access other supports.³

Relationships Australia New South Wales currently manages the men's FASS in Sydney. This is proving to be very beneficial. However, current funding arrangements limit the presence of FASS staff in the Court to just one day per week and half a day in Wollongong. This simply is not sufficient for the number (and complex needs) of clients, and we respectfully recommend that a national rollout of FASS be funded to provide an improved service level for male clients (at least two days per week). In our submission responding to ALRC DP86, Relationships Australia provided several case studies of how access to the service has benefited men.

More broadly, services for men should include parenting services, as suggested by the ALRC at paragraph 4.32 of Discussion Paper 86. The Parenting Centre has recently reported on data about how fathers seek help and advice about parenting, with a view to developing parenting services targeted to fathers. This research brief noted that, in a survey of over 1000 fathers,

² The ALRC is not required to provide its final report to Government until the end of March 2019.

³ *Closing the Gap*, 2018, Department of the Prime Minister and Cabinet, 122.

18% reported that they had experienced symptoms of depression and 19% reported symptoms of anxiety since becoming a parent.⁴ Greater funding for men's services through the FASS (and elsewhere) would also align with the Government's priorities around promoting improved mental health.

Key priority 3 for family services – Legally Assisted and Culturally Aware FDR Services

The Coalition Government also initiated a pilot, to run from 2016-2019, of Legally Assisted and Culturally Aware Family Dispute Resolution Services. Like the FASS, the pilot emanated from the Third Action Plan under the *National Plan to Reduce Violence against Women and their Children 2019-2022*. It also aligned with recommendations previously made by the Family Law Council.

The pilot has served high risk, intensive needs families by delivering a safe, strengths-based, collaborative and culturally competent experience. For example, in several cases in Queensland, where mediation has been assessed as not suitable, the family has been offered the Consolidated Support Model for Legally Assisted and Culturally Aware FDR used by Relationships Australia Queensland. A range of child feedback mechanisms have also been adopted, aimed at improving family relationships, and ensuring children feel respected, understood, unburdened and heard.

Relationships Australia would recommend that the 2019-2020 Budget provide ongoing funding for this important service.

Key priority 4 for family services – Aboriginal and Torres Strait Islander liaison workers in family court registries

Numerous expert reports have, over several years, noted the particular vulnerabilities of Aboriginal and Torres Strait Islander people in their engagement with the family law system. The ALRC, in its review of the family law system, has also drawn attention to these vulnerabilities, and made a range of proposals to better support Aboriginal and Torres Strait Islander people.

In our submission responding to ALRC Discussion Paper 86, Relationships Australia noted that, in the past, family court registries often employed Aboriginal and Torres Strait Islander people as liaison workers. We understand that this resource was removed for budgetary reasons. The submission from Relationships Australia recommended that Government should restore the necessary funding to support this.

Consistent with this recommendation, the Alice Springs office of Relationships Australia Northern Territory is currently participating in the early stages of a pilot Indigenous list around the Northern Territory, partially modelled on the Indigenous List run in Sydney. The pilot draws on the expertise and support of the policy advisor/analyst based in the Federal Circuit Court, who has been assisting with similar projects in South Australia and New South Wales. A key feature of this model is to have Aboriginal Liaison staff based within the court registry to provide

⁴ Parenting Research Centre, *Focus on Fathers: How are fathers faring and what affects their parenting?*

a culturally safe and responsive service, including the provision of information and ongoing support to families, as well as referrals to appropriate support services.

We welcome the opportunity, in the context of the 2019-2020 Budget, to recommend funding to employ Aboriginal and Torres Strait Islander liaison workers across all family law court registries.

Concluding remarks

Thank you again for the opportunity to make this pre-Budget submission. Should you require any clarification of any aspect of this submission, or need information on the services that Relationships Australia provides, please contact me ,or Dr Susan Cochrane, National Policy Manager, Family Law, Relationships Australia, on (02) 6162 9301.

Yours sincerely,



Paula Mance
Acting National Executive Officer