

Thursday, 11 May 2017

Federal Budget: a missed opportunity for the family law system

NSW Young Lawyers welcomes the Federal Government's allocation of additional funding to improve the family law system.

"Access to justice is not just about the ability of parties to take their matter to court but also to ensure their matter is dealt with in a quick and efficient manner," President of NSW Young Lawyers Emily Ryan said.

"We commend the Government for reversing cuts to community legal centres and apportioning more funding for family consultants. However we remain significantly concerned the family law courts continue to lack resources, leaving parties languishing in the system."

Ms Ryan said delays in replacing family law judges who had retired in recent years had increased the workload of the courts to breaking point. Some members of NSW Young Lawyers reported having waited more than three years for their matter to be finalized.

Ms Ryan said she was pleased the Federal Government was listening to the profession and looked forward to the review into the family law system. However this process should not detract from the pressing need to address the underfunding of the family law courts.

"The Law Society of New South Wales and NSW Young Lawyers have previously called on the Federal Government to undertake an urgent review of resourcing for the Family Court and the Federal Circuit Court," Ms Ryan said.

"The system must meet the needs of modern Australian families. We are concerned the review process could delay decisions to allocate much needed funding."

Ms Ryan said The Family Law Committee of NSW Young Lawyers would continue seek a longer term solution for the family law sector from the Federal Government.

"The Federal Government's pledge of a further \$3.4 million to expand the number of domestic violence units and \$10.7 million for family consultants will assist families in desperate need of help," she said.

"However, these decisions need to be backed by proper judicial resourcing to ensure parties do not find themselves waiting months, if not years, for their matter to be determined.

"Judges are still required to hear matters after the parties have received independent assessments from family consultants, particularly those in which serious concerns about family violence or risk to children are raised."

About NSW Young Lawyers:

- NSW Young Lawyers is the largest body of young and newly practising lawyers, and law students, in Australia, with 16 Committees each dedicated to a particular area of law.
- Active, innovative and dynamic, we support practitioners in the early stages of their career development, giving them the opportunity to extend their network, expand their knowledge, advance their career and contribute to the profession and community.
- Membership is free for all young legal practitioners (including barristers) in New South Wales under 36 years and/or in their first five years of practice, and law students

Media Contact: NSW Young Lawyers President, Emily Ryan at president@younglawyers.com.au and 0438 875 038.