



Media Release: New court initiatives help uncover higher prevalence of family violence and other risks

The Federal Circuit and Family Court of Australia (the Court) is undertaking world-leading initiatives that have helped uncover concerning data about the widespread prevalence of family violence and other risk factors in family law cases.

In addition to court data showing approximately 80% of family law cases allege at least one major risk factor (including family violence), we now know that around 50% of high risk matters screened as part of the Court's [Lighthouse Project](#), contain four or more major risk factors. This is significantly higher than previously reported.¹

Initial court data at the point of filing reveals that:

- 54% of parties allege a child has been abused or is at risk of abuse
- 64% of parties allege they have experienced family violence
- 57% of parties allege a child has experienced family violence
- 39% of parties allege that drug, alcohol or substance misuse has caused harm or poses a risk of harm to a child
- 40% of parties allege that the mental ill-health of a party has caused harm or poses a risk of harm to a child.

For the past year the Court has been piloting a world-first risk screening, triage and assessment process called the Lighthouse Project. It provides intensive case management and safety planning provided by a team of skilled Senior Judicial Registrars, Judicial Registrars and Court Child Experts. Litigants are interviewed as part of the risk assessment, referred to targeted support services to enable better public health outcomes, and cases identified as high risk are referred to the Court's specialist Evatt List.

The Lighthouse Project has enabled the Court's initial data to be properly interrogated and validated by the project, which has found that the prevalence of risk in some cases is significantly higher.

Data from the Lighthouse Project has found that not only are litigants presenting with these **major risk** factors, but that **64%** of litigants are initially screening in the **high** risk category. More than 1000 triage interviews of high risk litigants with the Court's specialist Family Counsellors have been conducted, finding that **50%** of litigants have four or more risk factors, from family violence to substance and alcohol misuse or mental ill-health.

This is a substantial increase in the prevalence of family violence and high risk cases than has previously been reported, such as data from the Australian Institute of Family Studies in 2015 that found only 38% of family law matters had four or more risk factors. Advisors and stakeholders working closely with vulnerable parties have consistently said that the levels of family violence were in fact much higher, and now the Court's data independently supports this view.

¹ Kaspiew, R., Carson R., et al, (2015) Experiences of Separated Parents Study (Evaluation of the 2012 Family Violence Amendments). Melbourne: Australian Institute of Family Studies.

The Chief Justice of the Federal Circuit and Family Court of Australia, the Hon Will Alstergren, explained that the new data demonstrates the need to expand and increase the focus on the safety and welfare of families involved in the family law system.

“The Lighthouse Project has enabled the Court to shine the light on the details of allegations raised in individual cases, and provide critical tailored support for those families.

“The project is currently being piloted in Adelaide, Brisbane and Parramatta. However, the increased prevalence of risk in family law cases, makes it critical that the project be extended nationally to ensure risks are appropriately managed in all locations, including regional Australia, to ensure safer outcomes for all vulnerable parties and children involved in family law disputes.

“So many parts of the country need this critical support, especially in places like Launceston, Newcastle, Wollongong and Townsville where more than two-thirds of our litigants allege exposure to family violence,” Chief Justice Alstergren said.

Newly appointed Judge Samantha Murdoch, whose ceremonial sitting will be held this Thursday in Parramatta, was previously a Senior Judicial Registrar and an integral member of the Lighthouse Project team. Her Honour has dealt with many of the project’s complex cases, and assisted in the development of its case management approach and the establishment of the high risk Evatt List. In her new capacity as a Judge, her Honour will now be assigned to sit on trials arising from the Lighthouse Project.

Lighthouse Project creator, Senior Judicial Registrar Lisa O’Neill, said that the project has also demonstrated how proactive risk screening can detect both victimisation and perpetration which can lead to better management of matters by addressing safety issues and concerns of systems abuse, or the use of court orders to further perpetuate family violence.

In less than a year, approximately 2000 risk questionnaires have been completed, more than 1000 interviews undertaken and over 230 interim hearings conducted as part of the project in the three pilot locations. In addition, more than 500 matters from the Lighthouse Project have been placed onto the Court’s high risk Evatt List to receive intensive case management.

Additional quotes:

Hayley Foster, CEO of Rape and Domestic Violence Services Australia:

There is now undeniable evidence that the majority of family law matters involve high risk family violence and abuse. The Lighthouse Pilot is changing the way in which the Federal Circuit and Family Court of Australia is handling these matters, putting safety first in family law. But it’s not uniformly available across Australia. It’s time we expanded the pilot to make it national.

Philippa Davis, Principal Solicitor, Women’s Legal Service NSW:

The number of high risk matters identified through the Lighthouse Project confirms the concerns women’s legal services have been raising for many years – that family violence is drastically underreported. The innovative Lighthouse Project highlights the importance of effective risk screening and assessment processes and specialised case management for family law matters involving family violence which should be expanded beyond three registries to ensure all survivors of family violence and their children can have safe processes and a focus on safe outcomes in family law. Specialist wrap around legal and other services are also essential.

Helen Matthews, Director – Legal & Policy, Women’s Legal Service Victoria:

We are keen to have the benefit of the Lighthouse pilot becoming a fixture in our family law system and extending to Victoria.