

Submission to the CSW70 Youth and Adolescent Recommendations

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UN Women

Submitted via the website

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The NSW Young Lawyers Human Rights Sub-Committee (**Sub-Committee**) makes the following submission in response to the call for input for CSW70 Youth and Adolescent Recommendations.

NSW Young Lawyers

NSW Young Lawyers is a Committee of the Law Society of New South Wales that represents the Law Society and its members on issues and opportunities arising in relation to young lawyers i.e. those within their first five years of practice or up to 36 years of age. Through its multiple sub-committees, each dedicated to a substantive area of law, NSW Young Lawyers supports practitioners in their professional and career development by giving them the opportunity to expand their knowledge, advance their career and contribute to the profession and community.

The Human Rights Sub-Committee comprises a group of volunteers and subscribers interested in human rights law, including lawyers working in academia, for government, private and NGO sectors and other areas of practice that intersect with human rights law. The objectives of the Sub-Committee are to raise awareness about human rights issues and provide education to the legal profession and wider community about human rights and their application under both domestic and international law. Members of the Sub-Committee share a commitment to effectively promoting and protecting human rights and to examining & legal avenues for doing so. The Sub-Committee takes a keen interest in providing comment and feedback on legal and policy issues that relate to human rights law and its development and support.

Summary of Recommendations

1. The Sub-Committee recommends that States consider increasing funding for legal aid services and updating accessibility guidelines to reflect a person's real financial circumstances, including disposable income, dependants, and other financial responsibilities. This will ensure that women and girls can access quality, free, and affordable legal advice and representation, strengthening their ability to seek justice.
2. The Sub-Committee recommends that States consider developing youth-focused legal education programs in primary and secondary schools. Young women often lack accessible information about their rights and available remedies. Tailored education would empower them to seek help earlier and make informed decisions.
3. The Sub-Committee recommends that States consider collaborating with culturally competent NGOs and community organisations to co-design and deliver justice initiatives. This approach ensures that justice services meet cultural needs, are culturally safe, build trust, with the aim of ultimately improving engagement with legal systems by culturally diverse women and girls.

Background

In March 2026 at the 70th session of the Commission on the Status of Women (CSW70), Member States are expected to adopt a set of Agreed Conclusions on the priority theme, *"Ensuring and strengthening access to justice for all women and girls, including by promoting inclusive and equitable legal systems, eliminating discriminatory laws, policies, and practices, and addressing structural barriers."*

The Human Rights Sub-Committee held a Consultation titled "Barriers to Access to Justice for Girls and Young Women". It took place on 29 November 2025 in Australia and drew participants from metropolitan, regional, and rural New South Wales. The consultation was

conducted online via Microsoft Teams, and the discussion was held in English. The 60-minute consultation followed a structured, discussion-based format. The facilitator and Chair of the Human Rights Sub-Committee began by outlining the purpose of the consultation, which was to gather youth perspectives for the 2026 Commission on the Status of Women's priority theme. The agenda included an introduction to access-to-justice issues affecting girls and young women, followed by a group discussion. Participants were invited to respond to prompts about legal barriers, discriminatory systems, and the ways young clients experience or avoid justice systems. They were encouraged to provide examples from their practice and to identify potential enablers or solutions. The findings and outcomes from the Consultation discussion are included below.

What prevents girls and young women from accessing justice in your context? Consider costs, distance, legal aid, documentation, language barriers, digital access, disability, stigma, and bias.

Introduction

Australia's justice system is built on the principle that all people should be able to access justice, regardless of gender, age, background, or circumstances. In practice, this is not always the case, and significant barriers continue to prevent girls and young women from seeking help or participating fully in legal processes. Many of the barriers raised relate to broader social and structural factors, including culture and community expectations, cost, education, language, stigma, and unequal power dynamics. These issues often overlap and reinforce each other. This submission focuses on these interconnected challenges and identifies practical changes that could help improve access, including stronger community education, culturally informed engagement, and better funding models.

Access to Justice for Women and Girls to Family Law

Girls and young women face significant obstacles when engaging with the family law system in Australia. Family law matters are often expensive, requiring ongoing legal representation, specialist reports, and multiple court appearances. Young women, who may be studying, casually employed, or victims of financial abuse, often cannot afford these expenses and are pushed into self-representation. This dramatically reduces their ability to pursue safe and fair outcomes.

Legal Aid is available for low-income earners, but eligibility tests are strict and can exclude many women who do not earn enough to realistically afford a private lawyer.¹ Even when Legal Aid is granted, it is often limited to specific tasks, such as mediation, which is helpful but not always enough to resolve disputes. If mediation fails or new disputes arise, women may have no choice but to enter litigation without adequate support. Women experiencing financial abuse are especially vulnerable. When a relationship ends, they may suddenly find themselves without access to funds, despite having contributed financially or through unpaid care work for many years. This financial insecurity can force women to accept unfair settlements simply to end the process or avoid conflict. Many young women earn slightly above the threshold to qualify for Legal Aid but still cannot afford private legal services after rent, bills, dependents, and other necessary expenses are considered. As a result, they fall through the gaps. For meaningful access to justice, Legal Aid needs increased funding and more flexible eligibility criteria that consider a person's actual disposable income, dependents, and financial responsibilities. A broader service scope and increased resourcing for staff would also help address the significant demand for assistance.

Family violence is also a major factor in cases that reach court. When violence is present, communication between parties becomes strained or impossible, and young women may experience trauma symptoms that affect their ability to participate in legal processes. The

¹ Law Council of Australia, *Addressing the Legal Needs of the Missing Middle* (Research Paper, November 2021) 7-12.

pressure of making decisions, giving instructions, and engaging with complex systems can be overwhelming. For some, the stress becomes so great that they withdraw altogether, effectively losing access to justice.

Recent reforms under the *Family Law Amendment Act 2024* (Cth), which took effect from 10 June 2025 recognise the relevance of family violence, including economic and financial abuse, in property settlements, are promising.² The sector is awaiting case law to see how these changes will be applied in practice.

Access to Justice for Women and Girls to Education

A lack of understanding of the justice system is another major barrier for girls and young women seeking to enforce their rights in Australia. While Australia provides extensive access to general education, schools and tertiary institutions do not usually teach basic legal literacy. Many young women do not know what their rights are, how to recognise when they have been wronged, or where to seek help.

Legal rights education is usually left to NGOs, community legal centres, and government programs, but these are not always accessible or targeted. Given that young people spend most of their time in school, basic legal awareness should form part of the curriculum. This should start early and be tailored to each stage—primary, secondary, and tertiary—with clear, practical information about rights, consent, safety, reporting pathways, and where to seek advice. This is particularly important for regional and remote communities, where access to legal services is already limited.

² *Family Law Amendment Act 2024* (Cth) including ss 2-26.

The Impact of Cultural Differences on Access to Justice for Women and Girls

Cultural norms and expectations strongly influence how young women respond to harm and whether they feel able to seek justice. Australia's population includes many culturally and linguistically diverse communities, and young women from these backgrounds often face additional layers of stigma and pressure.

In some cultures, women are expected to resolve issues privately or maintain silence to protect the family's reputation. Experiences such as sexual assault, domestic violence, and divorce may be considered shameful, making disclosure extremely difficult. Fear of judgement, exclusion, or retaliation from family or community members can prevent young women from seeking legal help, even when their safety is at risk. These cultural dynamics often coexist with language barriers, unfamiliarity with Australian laws, and distrust of government institutions. Effective access to justice requires more culturally engaged approaches, including partnerships with community leaders, faith-based groups, and cultural organisations to build understanding and trust.

Changes Needed in Australia to Increase Access to Justice for Women and Girls

Legal Education

Australia needs compulsory, age-appropriate legal education across primary, secondary, and tertiary levels. This should include basic rights, how to recognise red flags, where to seek help, how the law works, and what confidentiality means. Early awareness empowers young women to act sooner and with more confidence.

Cultural Differences

Governments and legal institutions should work alongside community, cultural, and religious organisations to promote understanding of legal rights and processes. Community-led

education can help reduce stigma and reinforce that no cultural norm or expectation should prevent someone from seeking safety and justice.

Legal Aid Funding

Eligibility should be based on practical financial capacity rather than gross income. Increased funding and expanded service scope would allow more young women to receive timely support without falling into the “missing middle”-those who earn too much for Legal Aid but too little to afford private lawyers.

How will Progress be Measured?

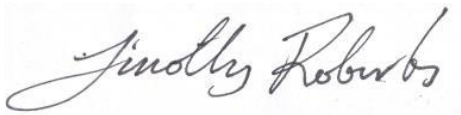
Progress should be monitored through regular surveys of girls and young women to understand the barriers they face, what support they need, and how comfortable they feel accessing justice. A baseline survey should be conducted prior to changes being implemented, with follow-up surveys after reforms are implemented to assess their impact.

Comparative data should be collected on complaints and service usage across agencies such as the Law Society, Legal Aid, the Australian Human Rights Commission, domestic violence services, disability bodies, and community legal centres. A rise in reporting may indicate increased confidence in the system, while a decline may suggest continued barriers or gaps. Tracking trends over time will help identify which reforms are working and where further action is needed.

Concluding Acknowledgements

NSW Young Lawyers and the Sub-Committee thank you for the opportunity to make this submission. If you have any queries or require further information, please contact the undersigned at your convenience.

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