



**HARMONY ALLIANCE**  
MIGRANT & REFUGEE WOMEN FOR CHANGE

Joint Select Committee on Australia's Family Law System  
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### **Submission to Joint Select Committee on Australia's Family Law System**

Harmony Alliance is one of six National Women's Alliances funded by the Australian Government to promote the views of all Australian women, to ensure their voices are heard in decision-making processes. Harmony Alliance's purpose is to provide a national inclusive and informed voice on the multiplicity of issues impacting on experiences and outcomes of migrant and refugee women, and to enable opportunities for women from migrant and refugee backgrounds to directly engage in driving positive change. The Harmony Alliance membership comprises over 120 organisations and individuals representing and working for the advancement and inclusion of migrant and refugee women.

Migrant and refugee women face significant structural barriers to accessing justice—including through the Family Law System—in Australia. These barriers include inadequate or insufficient access to interpreting services, low levels of systems literacy in a new country, complex interactions between migration regulations and family law system, and limited access to specialist legal aid and advice services. All of these factors impact migrant and refugee women's access to justice, particularly in situations of family and domestic violence and family breakdown. A family law system reform must take these barriers into account and provide sufficient resources and training to all entities involved in family law proceedings to ensure that the family law system is accessible to those with special cultural and linguistic needs.

We welcome the opportunity to make a submission to the Joint Select Committee on Australia's Family Law System. In particular, we would like to respond to the following point in the committee's Terms of Reference:

**h. any further avenues to improve the performance and monitoring of professionals involved in family law proceedings and the resolution of disputes, including agencies, family law practitioners, family law experts and report writers, the staff and judicial officers of the courts, and family dispute resolution practitioners**

Courts are particularly alienating and intimidating environments for migrant and refugee women, who often have little familiarity with the court system and may have traumatic backgrounds. Training in cultural and gender responsiveness, family violence considerations



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and working with interpreters is essential to ensure judicial officers and court staff respond appropriately to the needs and situations of migrant and refugee women.

The *National Framework to improve accessibility to Australian courts for Aboriginal and Torres Strait Islander women and migrant and refugee women* developed by the Judicial Council on Cultural Diversity and authorised by the Council of Chief Justices aims to improve access to justice for, inter alia, migrant and refugee women, particularly in the context of family violence and family breakdown.

Supporting and resourcing the family law courts to implement the Framework will particularly address such critical gaps as training in cultural competency, family violence and working with interpreters for all judicial officers and court staff; employment of Cultural Court Liaison Officers; and the development of information and resources on court proceedings and processes. Further, this will enhance migrant and refugee women's capacity to navigate and better understand the court system, reducing their feelings of stress and improving their experience.

## **Recommendation:**

- Support and resource family law courts to implement the *National Framework to improve accessibility to Australian courts for Aboriginal and Torres Strait Islander women and migrant and refugee women* with a view to enhancing access to justice for migrant and refugee women, and particularly for those who are victims/survivors of family and domestic violence.

## **Contact Information:**

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