

Thousands join survivor's campaign to stop cross-examination by abusive partners

PRESS RELEASE

After escaping an abusive relationship in which her ex-partner physically, sexually and emotionally abused her for 11 years, family violence survivor Eleanor was sickened to find that she would be forced to endure his direct cross-examination in family court.

Now, determined to ensure no other woman has to suffer the same invasive, disempowering and cruel process, Eleanor has launched a campaign calling on the federal Attorney-General to change the laws that make this possible.

Within 48 hours of launch, her campaign on FairAgenda.org has already attracted more than 4,000 supporters.

"The day I took the stand and was forced to answer the questions of a man who had sexually assaulted and abused me for over a decade was a massive slap in the face. Having to endure that horrific experience was a major obstacle in my recovery from the trauma of his abuse." Says Eleanor (not her real name).

She adds: "No person should be cross-examined by the person who sexually assaulted and beat them".

Key family violence and legal experts have joined Eleanor in calling for the change, signing onto an open letter calling for federal protections to be brought in line with those in place at a state and territory level to ensure family violence victims aren't put through direct cross-examination by their abusers.

"The laws need to be updated urgently. There are a growing number of unrepresented people in the family law system, which means the risk of being directly cross-examined by your abuser is now more likely than ever before." Says Pasanna Mutha from Women's Legal Services Australia.

"What's more, this process is likely also leading to poor outcomes for vulnerable children, because we know that many survivors of violence feel pressured to settle before their family law trial because they're so afraid their perpetrator will continue the abuse in court through cross-examination." She added.

"It's been ten months since the Productivity Commission recommended the federal government amend the law to address this problem." Says Renee Carr, Executive Director of Fair Agenda.

"This is a problem which is clearly compounding the trauma of the people our legal system is supposed to protect. Attorney-General Brandis needs to act urgently to ensure this cruel process isn't allowed to continue." Says Ms Carr.

Alarming statistics suggest Eleanor is far from alone in her experience. A recent scoping survey by Women's Legal Services Australia identified over 250 victims

of domestic violence either subject to or at risk of direct cross-examination in the family law system.

Last week Eleanor's local MP, Cathy McGowan, took this issue to parliament - introducing a private member's motion calling for the federal law to be updated. Her motion received support from a number of MPs, including Coalition member Karen McNamara.

Eleanor is hoping her campaign and the broad show of community support will prompt Attorney-General Brandis to make the changes needed to protect other victims. She is urging other survivors and community members to join the campaign for change at www.fairagenda.org/family_court.

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For more information on the campaign please visit www.fairagenda.org/family_court.

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NOTE:

If you cover this story, or any story regarding violence against women and children, please include the following tagline: If you or someone you know is impacted by sexual assault, domestic or family violence, call 1800RESPECT on 1800 737 732 or visit 1800RESPECT.org.au. In an emergency, call 000.

Men can access anonymous confidential telephone counselling to help to stop using violent and controlling behaviour through the Men's Referral Service on 1300 766 491.