

29 March 2022

Family Dispute Resolution Services for Aboriginal and Torres Strait Islander Families Consultation
Attorney-General's Department
By email: FamilyLawServices@ag.gov.au

Dear Family Dispute Resolution Services for Aboriginal and Torres Strait Islander Families Consultation Project Team,

New Family Dispute Resolution Services for Aboriginal and Torres Strait Islander Families

1. Women's Legal Service NSW (**WLS NSW**) acknowledge the Traditional Custodians of the lands on which we live and work across NSW. We pay our respects to Elders past, present and emerging.
2. WLS NSW thanks the Attorney General's Department for the opportunity to comment on the implementation of culturally safe and appropriate Family Dispute Resolution (**FDR**) services for Aboriginal and Torres Strait Islander families.
3. WLS NSW is a specialist accredited women-led community legal centre that aims to achieve access to justice and a just legal system for women in NSW. We seek to promote women's human rights, redress inequalities experienced by women and to foster legal and social change through strategic legal services, community development, community legal education and law and policy reform work. We prioritise women who are disadvantaged by their cultural, social and economic circumstances. We provide specialist legal services relating to domestic and family violence, sexual assault, family law, discrimination, victims support, care and protection, human rights and access to justice.
4. For over twenty years WLS NSW has provided a state-wide First Nations Women's Legal Program (**FNWLP**). This program delivers a culturally safe legal service to First Nations women, including regular engagement with communities across NSW. We provide a First Nations legal advice line, casework services including a specialised family law service to assist First Nations women access the family law courts, participate in law reform and policy work, and provide community legal education programs and conferences that are topical and relevant for First Nations women.
5. An Aboriginal Women's Consultation Network supports and enhances the work of the FNWLP. It meets quarterly to ensure that Women's Legal Service NSW delivers a culturally safe service. The members include regional community representatives and the FNWLP staff. There is a representative from the Aboriginal Women's Consultation Network on the WLS NSW Board.

Our work in family law

6. We provide legal advice, assistance and representation in family law and related issues through our telephone advice lines; apprehended violence order list days at various Local Courts; outreaches at Women's Health Centres, Family Relationship Centres and Women's Correctional Centres. We regularly represent clients in legally assisted FDR conferences and appear in the Federal Circuit and Family Court of Australia.



Women's Legal Service NSW
PO BOX 206 Lidcombe NSW 1825
Admin (02) 8745 6900
Fax (02) 9749 4433

www.wlsnsw.org.au
Women's Legal Resources Ltd.
ACN 002 387 699
ABN 88 002 387 699



7. This work is also a key part of the work of the First Nation's Women's Legal Program – with community access officers and solicitors working together to support First Nations women to engage in the family law system. This includes supporting and representing clients through the Indigenous List operating in the Sydney Registry of the Federal Circuit and Family Court of Australia.
8. Another important part of the FNWLP is in community development and community education across NSW. A key component of this is focused on raising awareness in First Nations communities about the importance of early access to legal advice and accessing the family law system.
9. This submission is informed by the First Nations Women's Legal Program and Aboriginal Women's Consultation Network members' expertise in culturally safe FDR.

Use of language

10. While acknowledging that anyone can experience family violence, the research and our experience of more than thirty-five years clearly highlights that family violence is predominantly perpetrated by men against women and children. Our language in this submission is gendered to reflect this.

Introduction

11. Comparative to formal court processes, FDR mechanisms can provide considerable flexibility so that outcomes are targeted to the specific needs and interests of children, families and their culture. In turn, this can mean that agreements reached through FDR may be more likely to be maintained and succeed.¹
12. The complex nature and dynamics of the issues commonly experienced by First Nations families when accessing FDR processes requires careful consideration. The implementation of FDR services for First Nations families' needs to be tailored to foster a culturally safe and appropriate approach as well as being family violence and trauma informed.
13. We provide a response to some of the Discussion questions below.
14. In summary we recommend:
 - 14.1 Proper consultation with First Nations people and organisations to ensure culturally safe, family violence and trauma informed FDR is designed, developed and delivered by First Nations people for First Nations people consistent with First Nations peoples' right to self-determination.
 - 14.2 Any culturally safe FDR service must be flexible, nuanced and client centric to ensure the various needs of First Nations people accessing the service are sufficiently catered for.
 - 14.3 Implementation of a workforce development strategy to increase First Nations people in the workforce within the FDR services.
 - 14.4 Service provision that is culturally safe and family violence and trauma informed.
 - 14.5 Adequate resources and funding for:
 - a. a varied, more time consuming and labour-intensive FDR model;

¹ Australian Law Reform Commission (2013) [Culturally Responsive FDR](#) paragraph 21.103.

- b. training; and
- c. accreditation.

Culturally safe family dispute resolution

What does culturally safe and appropriate FDR look like?

15. It is important to recognise that First Nations people experience and enjoy diverse and living cultures. Each with their own unique cultural systems and practices, beliefs, languages and knowledge. Communities may vary according to their language groups, geographic location and traditional country or ecological environment and resources. These varying communities have distinct needs and aspirations. WLS NSW recommends that any culturally safe and appropriate FDR must be flexible, nuanced and client centric to ensure the various needs of the First Nations people accessing FDR are sufficiently catered for. Models need to be developed with First Nations people and organisations at the local level.
16. First Nations people experience structural and systemic inequalities, structural violence and discrimination. They also experience trauma that is complex and unique. In addition to high levels of sexual, domestic and family violence and abuse, First Nations trauma includes trans-generational and community trauma arising from the ongoing trauma experienced as a result of colonisation, dispossession and the Stolen Generations. First Nations trauma is the loss of identity, belonging, love, legacy, community and country and the ongoing forced removal of children from their families and communities.
17. The ongoing impacts of past and current government policies, as well as systemic racism in institutions, legal structures, laws and legal systems manifests in many different ways, including the disproportionate representation of First Nations people in custody,² including First Nations women,³ as well as the significant over-representation of First Nations children in out-of-home care.⁴ Much more work is required to address the impacts of structural violence on First Nations people.⁵
18. Given this, many First Nations people may be hesitant to access legal and other perceived 'government' services that offer and facilitate FDR. This is why FDR models developed by and for First Nations people are so important.
19. WLS NSW makes the following recommendations with respect to features that help to ensure culturally safe FDR:
 - 19.1 **Include identified roles.** The FDR practitioner and other staff, including support workers or intake officers, are an Aboriginal and/or Torres Strait Islander person.
 - 19.2 **Face-to-face FDR.** The FDR conference is conducted face-to-face as much as is safe and practicable to do so.

² Australian Law Reform Commission (2018) *Pathways to Justice – Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples Report*, paragraph 3.13

³ *Ibid*, paragraph 3.25 – 3.29 and Chapter 11

⁴ AIFS (2020) *Child Protection and Aboriginal and Torres Strait Islander Children Resource Sheet*, p1.

⁵ See Women's Legal Service NSW (2020) *Submission to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability in response to Issues Paper: The experience of First Nations People with Disability in Australia*

- 19.3 **Appropriate venue.** The FDR conference should be conducted in an environment that feels safe, comfortable and culturally appropriate to the participants. This may be in an informal, non-adversarial or non-institutional setting and could also be outdoors. Any environment would need to be a confidential space. We recommend that FDR services adopt flexibility and offer a range of locations for the FDR participants to choose from. It ultimately should be the participants that decide on the venue.

In April 2002, a pilot program named the Aboriginal and Torres Strait Islander Family Mediation Program (**ATSIFAM**) began operation in Dubbo and Campbelltown in Sydney's southwest region. The program created a FDR service that targeted the needs of First Nations people in New South Wales. In that program, the local courthouse was the most commonly used venue (nearly 40% of FDR sessions). Albeit, other locations including conference rooms, church halls, youth centres, schools, motels and conference rooms were also utilised. An evaluation of the ATSIFAM program found 86% of participants found the venues suitable.⁶

- 19.4 **Have knowledge and understanding of the complex issues facing Aboriginal and Torres Strait Islander families.** Professionals, including FDR practitioners, support services, intake officers and legal representatives within the FDR field may approach FDR with an assumed knowledge and understanding of the nature, dynamics and complexities that can exist within First Nations families.

It is WLS NSW experience that some practitioners working in the broader family law sector and FDR field can lack understanding and insight into First Nations culture and practices and fail to acknowledge and recognise cultural practices and the importance of kinship arrangements. For example, the family law system often largely focusses on the nuclear family and does not adequately recognise First Nations' family structures and child rearing practices and that multiple people may have a role in raising a child.

Professionals working within a culturally safe and appropriate FDR service need to understand First Nations' family structures and child rearing practices. Further, they need to understand the multiple and diverse factors contributing to the high levels of family violence perpetrated against First Nations' women and children, including family violence perpetrated by non-Indigenous males.

- 19.5 **A varied FDR model.** WLS NSW advocates for a model of FDR that varies from the current practice and includes the following:
- a. **Broad participation options for extended family members and important people in a child's life.** FDR should be an inclusive place for extended family or community members, Elders or other significant people in a child's life to participate in the FDR process. Procedures should be put in place so that these significant people in a child's life can be identified in the FDR intake and assessment process and given the opportunity to be involved if they choose to and it is safe to do so. Adequate safety screening and assessment of all potential participants needs to be conducted.

⁶ Cuneen, Chris; Luff, Jocelyn; Menzies, Karen; Ralph, Nin (2005), "Indigenous Family Mediation: The New South Wales ATSIFAM Program" 9(1) *Australian Indigenous Law Reporter* 1

- b. **Adequate preparation time.** The complex nature of the issues faced by First Nations families means that a culturally safe FDR service needs to have sufficient administrative processes, and in particular, the expenditure of more time at the intake process.

Due to the complexity of these matters as well as many First Nations people often preferring face-to-face contact, intake needs to occur face-to-face as much as it is safe and practicable to do so. Intake meetings with the client also need to occur as often as is necessary and is likely to be across a number of meeting sessions. This will mean the work for people in these roles is more labour intensive and must be adequately resourced and funded to do so.

It would be beneficial for intake processes to be undertaken by someone different to the mediator.

The intake process needs to allow participants to build a rapport and develop trust with the service. Engagement at the intake stage may be the first time a person has interacted with the family law process. It is important that intake staff have a clear approach that is welcoming and flexible to support the needs of the participants.

The approach should be client centric and responsive to their particular needs so they can feel comfortable to discuss and disclose complex and relevant information to the FDR service. The intake may touch on topics that can engender feelings of shame or embarrassment and are not easy for a person to speak about, especially on their first encounter with the service. It is likely to take time for a person to build to a point where they feel they can speak about these issues.

The Australian Institute of Family Studies (**AIFS**) evaluation of the 2006 family law reforms revealed that practitioners in the family relationship sphere were not confident they could adequately engage with First Nations families.⁷ This can impact on their ability to properly identify and assess the complex needs of First Nations participants in the FDR process.

It is crucial that culturally safe and appropriate FDR services provide a comprehensive intake process that includes a thorough risk assessment for every case. The risk assessment needs to be ongoing throughout the entirety of the FDR process. A face-to-face intake process will assist to create an environment where the participant feels comfortable to disclose their complex needs. It also allows the practitioner to develop trust and sufficient opportunity to glean relevant information from the client. In turn, this means a proper safety assessment can be conducted and consideration given to the appropriateness of the FDR session proceeding.

Prior to the mediation it would be beneficial if the mediator is able to meet with participants individually so there is an understanding of the key issues to be discussed at mediation. To do this well takes time.

- c. **Multiple FDR sessions.** If multiple FDR sessions are required this should be available in a timely manner, for example, in a matter of days after the first FDR while the matters are fresh in people's minds. Access to multiple sessions may also be important to allow parties to properly consider proposals and digest information that has been shared at the conference, without feeling pressured to enter into an agreement that may not be safe or workable.

⁷ Australian Institute of Family Studies (2009) [Evaluation of the 2006 Family Law Reforms](#) p54 (79)

- d. **Extended FDR times with breakout sessions and moments to rest.** During the FDR conference, participants should be given ample opportunity to take breaks and have break-out sessions with a support person and/or legal representative.
 - e. **Sufficiently resourced and funded.** Such an FDR model requires more time and resources, and it needs to be adequately funded.
20. WLS NSW has considerable experience in representing First Nations clients in parenting matters listed in the Indigenous List at the Sydney Registry of the Federal Circuit and Family Court of Australia. Through this experience, we have been able to identify certain aspects of that process that work well. These could be developed and adapted for the purposes of culturally safe and appropriate FDR practices. This includes:
- 20.1 An acknowledgement of country is made by the Judge at the beginning of an Indigenous List day.
 - 20.2 A less adversarial and more relaxed environment exists within the courtroom. The Judge sits at the bar table, in close proximity but opposite to the parties and their legal representatives. When addressing the court, usually parties and/ or their legal representative will remain seated.
 - 20.3 A more flexible approach to case management is generally adopted.
 - 20.4 There is an emphasis on the professionals working within the Indigenous List to identify family and/ or community members who may have an interest in the care and welfare of a child, such as grandparents, aunts, uncle, cousins or Elders. Practitioners are strongly encouraged to attempt to engage these people in the court proceedings for the best interest of the child and to facilitate relevant referrals for legal advice and/ or cultural support. Where appropriate family members and kin can sit at the bar table and be part of the discussions.
 - 20.5 Support services are available to help the parties to understand and engage with court processes and connect parties to legal and other support.
 - 20.6 Specialised support services available on Indigenous List days for litigants and others to access.

Training and support

- 21. Noting that some First Nations people want to access Aboriginal Community Controlled Organisations and some may prefer a mainstream service if it is culturally safe it is important there be a variety of models to allow this choice. It is essential that any FDR model for First Nations people is designed and led by First Nations people and adequately funded. It is also important that any model employs multiple First Nations people.
- 22. It is important that First Nations people delivering FDR services have ready access to relevant training and support. This requires a First Nations workforce development strategy that includes “*sustained, pro-active measures to develop, recruit and retain an appropriately skilled and qualified Aboriginal and Torres Strait Islander workforce*”.⁸

⁸ Family Law Council (2012) *Improving the Family Law System for Aboriginal and Torres Strait Islander Clients* p99 (105)

23. The importance of First Nations people being employed in a variety of roles across the family law system was noted in the Family Law Council's Report *Improving the Family Law System for Aboriginal and Torres Strait Islander Clients*. The Family Law Council recommended:
- *scholarships, cadetships and support for education and training opportunities for Aboriginal and Torres Strait Islander professionals to work in the family law system*
 - *consideration of the cultural and social experiences of potential Aboriginal and Torres Strait Islander professionals as professional attributes of significance in developing selection criteria for relevant positions*
 - *funding for family law system services (courts, legal assistance and family relationship services) to proactively recruit, train and retain Aboriginal and Torres Strait Islander peoples, and*
 - *resourcing and supporting service providers to develop mechanisms for continuing professional supervision, support and networking opportunities for Aboriginal and Torres Strait Islander professionals.*⁹
24. These strategies could be adapted and implemented in the development and delivery of culturally safe and appropriate FDR services. It is important that as much as possible the facilitators of the training be First Nations people.
25. Training should be regular, ongoing, comprehensive and meaningful.
26. All forms of training and accreditation should be appropriately funded.

Accessible services to support participation in FDR

What measures could be put in place to help address and mitigate some of the identified barriers to service access, to support participation in FDR?

What should we consider when selecting which organisations should receive funding for this program?

27. Given the complex needs of First Nations' families accessing the family law system and FDR services, taking an intersectional approach is essential. This involves recognising intersecting structural inequalities such as colonisation, intergenerational trauma, racism, sexism, ableism, ageism, poverty cisgenderism and heteronormativity.
28. It is important that FDR services are equipped to provide a culturally safe, family violence and trauma informed service.
29. Family violence is extremely prevalent in family law matters. The Australian Law Reform Commission (**ALRC**) highlighted the prevalence of family violence in its 2019 report.¹⁰
30. Since then, the Federal Circuit and Family Court of Australia (**FCFCoA**) has noted that a new risk screening, triage and assessment process being piloted in Lighthouse Project sites has highlighted a higher prevalence of family violence than previously reported. Initial court data showed that:

⁹ Family Law Council (2012), *Improving the Family Law System for Aboriginal and Torres Strait Islander Clients*, Recommendation 5, p 100 (106)

¹⁰ ALRC (2019) *Family Law for the Future - An Inquiry into the Family Law System: Final Report* (Report 135) p 103-104.

- *Approximately 80% of family law cases allege at least one major risk factor (including family violence).*
 - *54% of the 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; and*
 - *There has been a substantial increase in the prevalence of family violence and high risk cases than has previously been reported.*¹¹
31. Given the prevalence of family violence in family law matters, it is vital that workers in a culturally safe FDR service – FDR practitioners, intake officers, legal representatives and support workers are also experienced and trained in family violence, including the nature and dynamics, screening and risk assessment and responding appropriately to disclosures.
32. This would entail practitioners receiving training that is developed and delivered by services that have expertise in responding to sexual, domestic and family violence and working in a culturally safe, sexual, domestic and family violence informed and trauma informed manner.¹²
33. It is vital that FDR practitioners are able to respond appropriately to risk. This at times, may mean that FDR is deemed not appropriate. There are numerous factors that can pose risks to participants and children including family violence, abuse, mental health, threats of suicide, substance abuse and being prevented from enjoying and experiencing their culture. It is WLS NSW experience that multiple risk factors will often be prevalent within a family at any one time, including and particularly in First Nations' families. In addition to the above statistics on family violence, the Lighthouse Project media release also highlighted the prevalence of multiple risk factors in family law cases. Initial data showed:
- Around 50% of high-risk matters screened as part of the FCFCoA's Lighthouse Project, contained four or more risk factors, from family violence to substance use and alcohol misuse or mental ill-health.
 - 39% of parties allege that drug, alcohol or substance misuse has caused harm or poses harm to a child; and

¹¹ Federal Circuit and Family Court of Australia (2021) *Media Release: New court initiatives help uncover higher prevalence of family violence and other risks* 10 November 2021

¹² For example, Women's Legal Service Victoria (WLSV) has developed the Safer Families program which is a family violence professional development program for lawyers. WLSV receives funding through Victoria Legal Aid to undertake this work. Funding has enabled WLSV to undertake consultations with key stakeholders from the outset of the program, including with Magistrates, Victoria Legal Aid and community legal centres to inform the development of the program, facilitate "buy in" for the program as well as to ensure continuous improvement of the program. The program has been independently evaluated and we understand results have shown a positive change in practice of community lawyers responding to family violence in Victoria. Women's Legal Services across Australia, including specialist Aboriginal and Torres Strait Islander Women's Legal Services, with their nuanced understanding of sexual, domestic and family violence and wealth of experience in working with victims-survivors in a sexual, domestic and family violence informed and trauma informed way are well placed to provide training similar to the Safer Families program provided by WLSV.

- 40% of parties allege that mental health of a party has caused harm or poses harm to a child.¹³
34. Professionals working within a culturally safe and appropriate FDR service, including support workers, FDR practitioners and intake officers should be proficient at identifying such complex issues and have the knowledge and understanding to make on-going informed decisions about the ways in which these risks can be addressed and mitigated throughout the FDR process. This may mean the FDR session needs to be conducted in a shuttle process, additional support needs to be provided to the participants or in some cases, FDR deemed unsuitable or inappropriate. Failure to do so can have serious and adverse consequences.
 35. Trauma can influence both children and adults. It can have significant impacts on children's attachments and development. FDR practitioners and support workers should have the ability to conduct trauma-informed practice and to recognise, know and understand trauma responses. For a culturally safe FDR service, it is particularly important that the service can identify the effects of intergenerational trauma on First Nations people and that this forms part of the FDR services' trauma informed practice.
 36. Referral pathways and access to services to support participation in FDR should be encouraged and promoted by the FDR service. Referrals could include to specialist Aboriginal and Torres Strait Islander women's legal services such as Wirringa Baiya Aboriginal Women's Legal Centre in NSW and to specialist programs such as to Women's Legal Service NSW First Nations Women's Legal Program where the client can receive support from a community access officer working alongside a solicitor both of whom have expertise in responding to sexual, domestic and family violence and working in a culturally safe, sexual, domestic and family violence informed and trauma informed manner with a focus on response-based practice.
 37. All services delivering FDR services must be culturally safe and family violence and trauma informed.

Existing models and further consultation

Are there stakeholders we should directly approach to be involved in the consultation process

What formal or informal culturally safe and appropriate dispute resolution or family law service model currently exists? What is working well? What could we learn from them?

38. WLS NSW recommends that further in-depth consultation about the proposal for culturally safe and appropriate FDR takes place to ensure that its design, function and outcomes are fit for purpose.
39. We understand there is a culturally safe model of FDR in Dubbo and recommend consultation with community on the effectiveness of their model.
40. We also recommend consulting with First Nations FDR experts such as Aunty Bronwyn Penrith who is a member of Women's Legal Service NSW Aboriginal Women's Consultation Network.
41. We support further consultation with Aboriginal and Torres Strait Islander people and Aboriginal and Torres Strait Islander organisations about this proposal and reiterate that any reforms impacting upon Aboriginal and Torres Strait Islander people must be developed and led by First Nations people.

¹³ Federal Circuit and Family Court of Australia (2021) *Media Release: New court initiatives help uncover higher prevalence of family violence and other risks* 10 November 2021

42. Over 2 days in June 2022, the Big Yarn Up is being held where First Nations people working at community legal centres across New South Wales have been invited to gather on Gumbaynggirr Country (Coffs Harbour) to share experiences, provide peer support, and develop principles for supporting First Nations employment in the community legal sector. This event may be a good opportunity to engage with First Nations people in the sector and seek further consultation on culturally safe and appropriate FDR services.
43. It may also be useful to consider models of mediation outside the family dispute resolution context to see if there are learnings for the FDR context. For example, youth conferencing.
44. Between mid-2002 and December 2003 when an evaluation of the ATSIFAM program took place, 51 matters had been referred to the program and 23 of those progressed to mediation. One party to the dispute had to be a First Nations person to be eligible for the program. There were 60 people who were participants in the 23 FDR conferences. Largely, the participants were First Nations people (84%), the majority women (55%) and mostly in their early to mid 30s.¹⁴ The evaluation of the program found the following:

The results of the client interviews suggest that ATSIFAM was a successful mediation program across a range of measures.

- *If we measure success by outcomes such as agreements reached, then nearly three quarters had reached an agreement or partial agreement. In addition three quarters were happy with the outcome from the mediation.*
- *If we measure success through client-focused outcomes such as participation, whether people would use the service again or refer it to a friend, then 90% or more of those interviewed gave a positive response. Furthermore, more than 60% said they had learnt something from the mediation process that could help them find solutions to other problems.*
- *If we measure success by satisfaction with the process, then the mediations scored very highly on questions of neutrality, fairness and impartiality, with 90–95% of the interviewees satisfied with these issues.*

The results concerning ATSIFAM's success as an Indigenous program are perhaps more ambiguous, but still generally positive. Certainly a majority of Indigenous people interviewed thought it was important that an Indigenous mediation service was available. Many would not have used a non-Indigenous mediation service.¹⁵

Ways to measure success

How do we measure success for this program?

45. WLS NSW is cognisant that measurements of success in the context of culturally safe and appropriate FDR may be difficult to ascertain. Not all data points and outcomes can provide a detailed analysis of success. For instance, the measure of how many agreements are entered into through the FDR process

¹⁴ Cuneen, Chris; Luff, Jocelyn; Menzies, Karen; Ralph, Nina (2005) "Indigenous Family Mediation: The New South Wales ATSIFAM Program" 9(1) *Australian Indigenous Law Reporter* 1,

¹⁵ Ibid

does not necessarily reflect the appropriateness of the actual agreement and whether it could be sustained by the parties.

46. The following is a non-exhaustive list of measures that WLS NSW recommends would be of assistance to ascertain whether the FDR process was a success:
- a. Did the agreement sufficiently address the parties' issues identified during the intake process?
 - b. Were participants happy and satisfied with the process itself and not just the outcome or agreement reached?
 - c. Did participants feel they were given the opportunity to have their views heard and concerns raised?
 - d. Did the FDR process provide a space where participants felt respected?
 - e. Did participants feel safe when accessing the FDR service?
 - f. Would participants choose to use the service again if the need arises?

Conclusion

47. FDR mechanisms should offer flexibility so that outcomes are targeted to the specific needs and interests of children and families. Often disputes in the contexts of First Nations families are complex. First Nations people's needs are diverse. Any culturally safe and appropriate FDR service must be adaptive, refined and client focused to ensure the various needs of First Nations people accessing the service are appropriately addressed.
48. Given the complex needs of First Nations' families accessing the family law system, including FDR services, taking an intersectional approach is essential. It is important that FDR services are adequately equipped to provide a culturally safe service which is also family violence and trauma informed.
49. First Nations people's self-determination needs to be at the centre of new FDR services for Aboriginal and Torres Strait Islander families. Such services should be developed by First Nations people and primarily delivered by First Nations people for First Nations families.

If you would like to discuss any aspect of this submission, please contact Amy Power, Solicitor or Liz Snell, Law Reform and Policy Coordinator on (02) 8745 6900.

Yours faithfully,

Women's Legal Service NSW

Dixie Link-Gordon
Senior Community Access Worker

Gabrielle Craig
Assistant Principal Solicitor