



YOUR  
VOICE  
AGAINST  
VIOLENCE

Friday 15 June 2018

Manager, Early Release of Superannuation  
Retirement Income Policy Division  
The Treasury  
Langton Crescent  
PARKES ACT 2600

Submitted by email to: [superannuation@treasury.gov.au](mailto:superannuation@treasury.gov.au)

Dear Manager,

**RE: Letter of support for Women's Legal Service Victoria Submission to Treasury Review of Superannuation and Victims of Crime Compensation**

I am writing on behalf of Domestic Violence Victoria to express our support for Women's Legal Service Victoria's submission to the Treasury Review of Superannuation and Victims of Crime Compensation. Domestic Violence Victoria (DV Vic) is the peak body for specialist family violence services for women and children in Victoria. Our vision is for a world where women and children can live fulfilled lives, free from fear and violence.

DV Vic agrees with the principle that family violence offenders should personally be held accountable for compensation to the victims of their crime/s. Perpetrators of violence should not be allowed to use superannuation to deliberately shield assets from victims of crime and deny them compensation. DV Vic supports the proposal for the ATO to have central role in building a new, secure electronic system to give courts more visibility of superannuation information. We agree with Women's Legal Service Victoria that it should be extended to survivors of family violence seeking property entitlements in the family law system. A mechanism of this kind would be an important step in reducing the ways perpetrators can 'use the system' to continue their coercive and controlling behaviour towards the victim.

Any initiative designed to facilitate financial support for survivors of family violence, including this proposal to access perpetrator's superannuation, must be complementary to financial support from the state, whether it is via discretionary funding (e.g. Family Violence Flexible Support Packages), Victims of Crime Compensation or other means. DV Vic has advocated consistently for the state's responsibility to provide adequate and appropriate support to victims of domestic and family violence. In [our submission](#) on the early release of superannuation we argued that appropriate funding for family violence services and adequate publicly funded support for women and children is fundamental to a comprehensive response to family violence.

---

**Domestic Violence Victoria**

PO Box 21175, Little Lonsdale Street, Melbourne, Victoria 8011  
Tel: 03 9921 0828 ABN: 77 965 665 912 [www.dvvic.org.au](http://www.dvvic.org.au)

DV Vic has also advocated that survivors must have the choice to pursue compensation directly from their perpetrators for their own safety and well-being. In [our submissions](#) to the Sentencing Advisory Council on restitution and compensation orders in Victoria, we outlined how survivors of violence will consider the possible increased risk of continued family violence in deciding whether to pursue a compensation order. In circumstances where the survivor is still in an intimate relationship with the offender, they are at particular risk of orders being used as a continued tactic of control. We must ensure that survivors of violence are not pressured to pursue compensation orders, and that the system does not view orders as a replacement to victims of crime compensation schemes. Survivors must be able to choose not to pursue criminal proceedings and compensation from the perpetrator and know there is a system to support their recovery either way.

In their submission to this review Women's Legal Service Victoria suggests exploration of whether consideration should be given to victims who are unable to pursue criminal proceedings and compensation from the perpetrator for various reasons, including their own safety. We would support this suggestion.

Thank you for the opportunity to provide feedback to this review. We would be happy to assist you with any further questions about our position on the proposals. Please contact Jess Gregory, Policy and Communications Advisor at [jessgregory@dvvic.org.au](mailto:jessgregory@dvvic.org.au)

Kind regards,



Alison Macdonald  
Policy Manager  
Domestic Violence Victoria