

## **MEDIA RELEASE**

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### **Long-awaited reforms will stop abusive partners hiding super assets in family law cases**

**The Australian Institute of Superannuation Trustees and Women's Legal Service Victoria** warmly welcome the Government's release of draft legislation that will make it much easier to identify superannuation assets in family law proceedings.

AIST and WLSV said the long-awaited legislation was critical in preventing family violence perpetrators from hiding their superannuation assets when they are going through the family law courts.

The draft legislation provides for a party to family law property proceedings to apply to the court to request their former partner's superannuation information from the ATO.

This new information-sharing process was first recommended by WLSV in their [Small Claims Large Battles report](#) in 2018. While the Government had promised to introduce the required legislation in the middle of last year, this has been delayed until now.

**Tania Clarke, Manager of Policy & Campaigns at Women's Legal Service Victoria**, said the release of the draft bill was welcome news for the thousands of women across Australia who have had to walk away from their superannuation entitlements after splitting from their partner.

"Once this legislation is passed, it will be harder for perpetrators of family violence to hide information about their superannuation accounts, as the court will be able to get that information directly from the ATO.

"For many of our clients this reform will be the difference between walking away from a relationship with nothing, and getting a fair split of super assets that will help them recover financially from years of abuse.

"We urge the Government to introduce the legislation as soon as possible and look forward to working with stakeholders on how the process can work best in practice."

**AIST CEO Eva Scheerlinck** congratulated the Government on delivering the legislation, noting the scheme - following on from the recent Budget announcement to remove the \$450 monthly income threshold for compulsory super contributions - was another important step in improving the retirement outcomes of women.

Ms Scheerlinck called on Parliamentarians to pass the legislation quickly, in the August sittings, noting it would make a significant difference to the financial wellbeing of women going through difficult separations, or escaping abusive relationships.

“Superannuation is often the biggest – or only – asset in a relationship. Importantly, this new measure will speed up what can be a very difficult process. Providing a single, reliable source of truth about which super funds their former spouse is a member of will make it much harder for parties to hide or under-disclose their superannuation assets.”

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