

**MEDIA ALERT**  
**13 July 2016**



## **ST KILDA LEGAL SERVICE IS PROTECTING VICTIMS OF FAMILY VIOLENCE FROM PERPETRATORS WITH GUNS**

St Kilda Legal Service is seeking to reduce the risk to affected family members under a family violence intervention order, by restricting the respondent's access to firearms.

If you are subject to a final family violence intervention order you automatically become what is known as a "prohibited person". A prohibited person cannot retain or possess a firearm under s47A(1) of the *Firearms Act 1996* (Vic). Where an intervention order is made the prohibited person's firearms licence is immediately suspended for three months. However, under section 189(1) of the Act a perpetrator can make an application to be deemed a non-prohibited person for the purposes of having a firearms licence.

The law requires victims of family violence to oppose this application after what is often a traumatic and challenging process of application and court hearings for a family violence intervention order to be finalised.

There is currently no legal aid funding to assist victims of family violence with these proceedings. We believe that due to the lack of assistance and understanding of this legal issue many applications will go unchallenged and victims of family violence are left terrified knowing the person who abused them has a weapon.

In May 2016 St Kilda Legal Service implemented the innovative Firearms Pilot Project, the first of its kind in Victoria, which will provide specialist legal advice and representation, to a person protected under a family violence intervention order where the perpetrator is making an application in regards to a firearms licence. This service will allow respondents to challenge the firearms application. This service is available to provide advice and in some cases representation to victims of domestic violence who are respondents to Firearms Applications under s189 across Victoria.

This program is an extension of the Family Violence program that the St Kilda Legal Service has offered since 2008. Currently St Kilda Legal Service act as duty lawyers for the family violence lists at the Moorabbin Justice Centre From 2014 to 2015 they assisted 351 clients which impacted 417 children. They provided 503 court representations.

The Firearms Project is funded by the Department of Justice & Regulation - Community Legal Centre Family Violence Fund.

### **Quotes attributable to the St Kilda Legal Service- Principal Solicitor, Philip Cottier:**

"St Kilda Legal Service has always aimed to be at the forefront of family violence service provision. The firearms project ensures that we are supporting victims of family violence throughout the entire legal process and keeping them safe from further harm."

"The firearms project is vital for the safety of family violence victims. Allowing perpetrators to have access to guns is dangerous and offensive."

**ENDS.**

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