

8 November 2018

Our ref: FLC

Dr Natasha Molt
Director of Policy, Policy Division
Law Council of Australia
19 Torrens Street
BRADDON ACT 2612

By email: Natasha.Molt@lawcouncil.asn.au

Dear Director

Australian Law Reform Commission Discussion Paper: Review of the Family Law System

Thank you for the opportunity to provide comments on the Australian Law Reform Commission Discussion Paper: Review of the Family Law System. Queensland Law Society (QLS) appreciates being consulted on this important legislative review.

This response has been compiled with the assistance of the QLS Family Law Committee, which is comprised of expert family law practitioners.

We have had the benefit of seeing the Family Law Section responses to Australian Law Reform Commission Discussion Paper: Review of the Family Law System questions and proposals. The Society supports the policy responses prepared by the Family Law Section.

In relation to proposal 12.1 we note that the Society wishes to raise some further concerns in relation to the dual regulation of lawyers. The Society does not support dual regulation in the family law space. In our view, dual regulation, as demonstrated in the dual migration of migration lawyers, would adversely impact legal practitioners for the following reasons:

- the uncertainty and compliance burdens of two separate legislative regimes and the associated differences in law, regulatory policies, practices and procedures of multiple regulatory bodies applying to the same area of legal practice;
- the annual cost of two regulation fees; and the
- burden of being subject of two practice and conduct regimes.

Australian Law Reform Commission Discussion Paper: Review of the Family Law System

If you have any queries regarding the contents of this letter, please do not hesitate to contact our Legal Policy Manager, Binny De Saram by phone on (07) 3842 5895 or by email to b.desaram@qls.com.au.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ken Taylor', with a long horizontal flourish extending to the right.

Ken Taylor

President