

# MEDIA RELEASE

## SCRUTINY OF PROPOSED RESTRUCTURE OF FAMILY LAW SYSTEM CUT SHORT BY FOUR MONTHS



27 August 2018

The New South Wales Bar Association has today joined with the Law Council of Australia and the Law Society of NSW in expressing concern at the inadequate time allowed for public consultation and parliamentary scrutiny of two bills to restructure Australia's family law system.

The Federal Circuit and Family Court of Australia Bill 2018 and the Federal Circuit and Family Court of Australia (Consequential Amendments and Transitional Provisions) Bill 2018 were introduced into Parliament on Thursday, 23 August 2018, to give effect to the Government's proposed restructure of Australia's federal courts.

On Thursday the Senate referred these bills to the Legal and Constitutional Affairs Legislation Committee for report due 15 April 2019 to enable the Parliament to carefully examine and consider the detail of this proposed reform with the benefit of having received the Australian Law Reform Commission's review of the family law system in March 2019 and with the opportunity to engage in meaningful consultation with the Australian community including the legal profession.

The reporting date was subsequently brought forward by the Legal and Constitutional Affairs Legislation Committee to 26 November, leaving just three weeks for the Australian community and legal profession to consider almost 600 pages of legislation and make submissions by 14 September.

"I concur with the views expressed by the Law Council and the Law Society," Mr Moses SC said today.

"The Senate was very clear in its resolution last week. The purpose of it was to provide for proper consultation with the community and all relevant stakeholders about draft legislation which has the potential to deal with the most important decisions confronting the Court – the care and protection of children as well as dealing with the ramifications of breakdowns in relationships.

"There should be no indecent haste to attempt to ram through the Parliament proposed legislation that should be carefully considered and assessed based on evidence. A short consultation period is, in essence, a consultation period without meaning. The Senate and the community should not be disrespected in this way," Mr Moses SC said.

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