

2016 CPD Immigration Law Conference: Law Council calls for amendments to the Migration Act before federal election

The Law Council of Australia's president-elect, Fiona McLeod SC, has used an address at the 2016 CPD Immigration Law Conference to call on the federal government to dismantle the dual regulation of migration lawyers before Parliament is prorogued for this year's federal election.

Last year, the federal government endorsed most of the recommendations made by Dr Christopher Kendall in his Review of the Office of the Migration Agents Registration Authority, including that lawyers should be able to offer their services entirely independently of the regulatory body for migration matters.

Addressing the CPD Immigration Law Conference, attended by many of Australia's leading migration lawyers, Ms McLeod said the days of dual regulation needed to be brought to a close as a matter of urgency.

"Dual regulation is unnecessary, inefficient, burdensome, and confusing. It does not improve the level of consumer protection," Ms McLeod told the audience.

"Consumers are already well protected by lawyers' professional standards and the availability of lawyers' professional indemnity insurance.

"The cost of dual compliance is currently passed onto consumers in the form of higher advisory fees and reduced access to legal services, meaning access to justice would be more affordable without dual regulation.

"More lawyers would be able to offer pro bono migration advice without having to be supervised by a registered migration agent, such as in community legal services.

"The keen hope of the Law Council is that amendments to the Migration Act are passed before the Parliament is prorogued for the federal election this year.

"The Law Council looks forward to continuing its constructive engagement with the Australian Government to ensure that this important reform is implemented."

Ms McLeod noted that the reform is consistent with the Law Council's long-held objective of a single, comprehensive and uniform regulatory framework for the legal profession throughout Australia.

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