



**Australian Government**

# Media Release

2 October 2018

**Australian Law Reform Commission**

## **ALRC Family Law System Review – Discussion Paper**

The Australian Law Reform Commission (ALRC) today released a Discussion Paper, *Review of the Family Law System* (DP 86), and is calling for comments and feedback on its proposals for reform.

The Terms of Reference for this Inquiry ask the ALRC to consider reform in relation to range of issues including the early and cost effective resolution of all family law disputes; the protection of the best interests of children and their safety; the best ways to inform decision makers about the best interests of children and their views; family violence and child abuse, including protection for vulnerable witnesses; and laws in relation to parenting and property division after separation.

In DP86, the ALRC makes proposals to enhance appropriate participation by children in the family law system, including providing a right for children to express their views on parenting arrangements after separation and providing for Children’s Advocates to assist children express those views and navigate the system.

A further proposal is the creation of a new body, the Family Law Commission, to oversee the operation of the family law system and to accredit professionals who work in it. The Family Law Commission would also receive and investigate complaints against family law system professionals.

These proposals are among 124 suggestions for change to the family law system put forward in DP86. Other proposed changes include:

- the creation of Families Hubs so that separating families would have access to a whole range of services in one place, including legal assistance, dispute resolution and counselling and advice;
- an information and education campaign for separating families about the law and where to get help;
- locating family court registries in state and territory local courts;
- making the law about separation simpler and easier to understand; and
- a new service to help parents manage their court ordered parenting arrangements to reduce the need for families to go back to court for further orders.

The family law system would work more closely with state and territory systems and agencies under the reform plan.

The ALRC released an Issues Paper in March 2018, to which it received over 480 submissions. Over 800 individual stories were also received via an online portal, and the ALRC conducted more than 100 consultations with organisations and participants in the family law system. These contributions informed the development of proposals for change to family law systems and processes in DP86.

The ALRC invites submissions in response to the proposals and analysis in DP86, which is available on the ALRC website: [www.alrc.gov.au/inquiries/family-law](http://www.alrc.gov.au/inquiries/family-law) Submissions are due to the ALRC by **13 November 2018**.

The ALRC is required to present its report on family law reform to the Attorney-General by 31 March 2019.