



Family Law System Review Discussion Paper: Information Sheet

What is this information sheet about?

This information sheet is about the Discussion Paper for the Australian Law Reform Commission (ALRC) Review of the Family Law System. The Discussion Paper sets out the main proposals for change that the ALRC thinks would improve how the family law system operates. The ALRC is asking for feedback on these proposals so that it can make final reform recommendations to the Australian Government by 31 March 2019.

What are the main proposals in the Discussion Paper?

Families Hubs

The ALRC is proposing that there should be Families Hubs where families who are separating can go and get legal advice, dispute resolution services, counselling and other services. This would mean that the help families need would be brought together in one place. (Chapter 4)

Family Law Commission

The ALRC is proposing that a new body, called the Family Law Commission, should be established to oversee the family law system. The Family Law Commission would monitor how the system is working, establish and administer accreditation requirements for professionals working in the system and investigate complaints against professionals. (Chapter 12)

Information, education and awareness campaign

The ALRC is proposing the development of a campaign to help families that are separating to understand where to get help, what their obligations are under the law and what options are available to help them sort out their parenting and property arrangements. This campaign should include an information package to help people understand how the family law system works. (Chapter 2)

Support for children and young and people

The ALRC is proposing better help for children and young people to understand what is happening when their parents separate and to make their views known about their care arrangements if they want to express a view. The information package would include information especially for children and young people. The law would be changed to give children and young people the right to express a view about their care arrangements when their parents use family dispute resolution, lawyers or courts to make care arrangements. There would be more family dispute resolution models where children speak to a professional as part of the process. If families go to court, there would be a child advocate who helps the child in the court process and tells the court what their view is. (Chapter 7)

Laws that are easy to understand

The ALRC is proposing that the *Family Law Act 1975* (Cth) be re-written so that it is clear, simple and easy to understand. (Chapter 3)

Why is the ALRC having this Inquiry?

In October last year, the Attorney General asked the ALRC to look at the family law system to see how it could be improved. The terms of reference provided by the Attorney General are available here: <https://www.alrc.gov.au/inquiries/family-law-system/terms-reference>

How is the ALRC running this Inquiry?

The ALRC put out an Issues Paper (<https://www.alrc.gov.au/publications/family-law-system-ip>) asking for feedback in March 2018. It received about 480 submissions from organisations and individuals, and contributions from almost 800 people who have had recent experience of the system. The ALRC also conducted more than 100 consultations across the country, including in regional centres. The proposals in the Discussion Paper are aimed at improving the help people receive when they separate and are sorting out their parenting and property arrangements.

Submissions on the proposals are due by **13 November 2018**.

The Discussion Paper can be downloaded for free from the ALRC website: www.alrc.gov.au