



THE LAW SOCIETY  
OF NEW SOUTH WALES

Our ref: FLC/DHsp1436332

13 February 2018

Mr Christopher White  
President  
Hunter Valley Family Law Practitioners Association  
PO Box 19  
Newcastle NSW 2300

By email: [secretary@hvflpa.org.au](mailto:secretary@hvflpa.org.au)

Dear Mr White,

**Re: Judicial Resourcing in the Federal Circuit Court in Newcastle**

Thank you for your letter of 18 January 2018, raising issues of concern to family lawyers in your area. I appreciate the time taken to highlight matters that are of direct impact to practitioners in the Hunter and Newcastle areas.

Late last year, the Law Council of Australia ("Law Council") invited the Law Society of NSW ("Law Society") to make submissions on the Family Law Amendment (Family Violence and Other Measures) Bill 2017, and the Family Law Amendment (Parenting Management Hearings) Bill 2017. The Family Law Committee of the Law Society established a subcommittee of experienced current practitioners who, working with the broader Committee and my policy department, examined in detail the proposed amendments and their impact on lawyers and litigants in the context of the current family law system.

On 17 January this year I wrote to the Law Council by way of formal submission, and provided a summary of issues, concerns, and proposals in relation to the two Bills.

Clearly, we share the same views on several issues that you and your membership have highlighted. We agree that resourcing allocated to the Parental Management Hearing pilot program would be better redirected to immediate measures to alleviate the backlog of family law matters in the Courts. We also share the view that this program may unintentionally create more issues for litigants than it solves, and have raised strong concerns with aspects of the Bills that touch on rule of law and procedural issues, including the importance of judicial determination and the role that lawyers have in assisting litigants navigating family law matters. I understand that the Law Council, as the representative body on Federal law issues, shares these concerns.

As you are aware the Australian Law Reform Commission ("ALRC") will be undertaking a broad review of the family law system in Australia in coming months. We will be actively participating in that review. I note that both the Chair and Deputy Chair of the Family Law Committee are based in the Newcastle region, and I am confident that the views of lawyers in your area will be well represented.

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Should you have any questions or require further information, please contact Steven Patrick, Policy Lawyer on (02) 9926 0212 or email [steven.patrick@lawsociety.com.au](mailto:steven.patrick@lawsociety.com.au).

Yours sincerely,

A handwritten signature in blue ink that reads "Doug Humphreys". The signature is written in a cursive style with a large initial "D".

Doug Humphreys OAM  
**President**