



Australian
Bar Association

The ABA acknowledges the relationship between the land on which it and its members work and the First Nations' peoples of Australia.

Media release

Proposed Family Court Merger Bill will not address the problems in the family law system

16 February 2021

The Australian Bar Association (ABA) notes that the proposed “Family Court Merger Bill” has been brought on overnight at short notice to be considered by the Senate today.

The ABA notes the Law Council of Australia has expressed its opposition to the “proposed merger” in a joint press release it issued today with other stakeholders.

“The ABA’s position remains that the ‘proposed merger’ will not significantly and positively impact on the problems that the family law system in this country faces,” President of the ABA, Matthew Howard SC said.

“As the ABA had stressed previously, the Family Court of Australia has been under-resourced for many years and before dismantling the court careful consideration must be given to the value that maintaining a properly resourced specialist family court would bring.

“The ABA fully supports steps being taken to address the practical challenges faced in the family law jurisdiction, including proper resourcing, implementation of harmonised rules and forms between the Family Court of Australia and the Federal Circuit Court and simplification of the Part VII of the *Family Law Act*.

“The ABA sees the principal problem with the family law system as being one of chronic under resourcing and the ‘proposed merger’ does not address the problems that necessarily flow from such under resourcing”, Mr Howard added.

[ends]

About the ABA

The Australian Bar Association is the peak body representing nearly 6,000 barristers throughout Australia. Established in 1963, the ABA is committed to serving, promoting and representing its members, as well as advocating for fair and equal justice for all.

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