



THE FAMILY LAW  
PRACTITIONERS  
ASSOCIATION OF WA (INC)

Your ref: A721520 & RFV

2 November 2018

The Hon. Dr Sally Talbot MLC  
Chair  
Standing Committee on Legislation  
Legislative Council of Western Australia

**By Email:** [lc@parliament.wa.gov.au](mailto:lc@parliament.wa.gov.au)

Dear Dr Talbot

**RESIDENTIAL TENANCIES LEGISLATION AMENDMENT (FAMILY VIOLENCE) BILL 2018**

I refer to your letter dated 24 October 2018.

I note that consideration is being given to the question of who might be within the “class” for the purpose of being able to complete a Report of family violence.

My suggestion is that consideration be given to defining the class as being any person who is a “legal practitioner” within the meaning of the *Legal Profession Act 2008 (WA)*.

The reason for suggesting the wider definition of the class (as compared to the possible narrower definition limited to members of my Association) is that there may well be legal practitioners who are working with victims of family violence who may not be members of my Association. So far as I am aware there are no formal statistics available as to precisely how many legal practitioners in Western Australia are working in the field of family law. Anecdotally the impression is that the legal practitioners who are members of the Association represent a majority (but not the entirety) of those legal practitioners in Western Australia who are working in the field of family law.

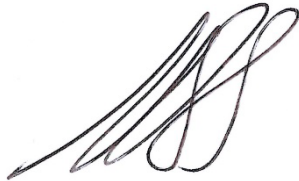
Based on your letter it is my understanding that the proposal currently being considered would involve making a person within the prescribed class *eligible* to issue a Report (as distinct from imposing any *mandatory* requirement to issue a Report). We would not support a proposal that involved imposing any mandatory requirement to complete a Report. This is because of the issue raised in your letter, namely the potential to have an adverse impact on the relationship between the legal practitioner and the family law client.

PO Box Z5717  
PERTH WA 6831

[www.flpawa.com.au](http://www.flpawa.com.au)

Thank you for the opportunity to provide comment on these matters. Please do not hesitate to contact me by telephone on 6380 3900 if there is any further assistance that I can provide.

Yours sincerely

A handwritten signature in black ink, appearing to be 'W. Sloan', written in a cursive style.

William Sloan  
President