

20 January 2020



Committee Secretary  
Senate Legal and  
Constitutional Affairs Committee  
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To Committee Secretary.

Re: Migration Amendment (Regulation of Migration Agents) Bill 2019 and Migration Agents  
Registration Application Charge Amendment (Rates of Charge) Bill 2019

My name is Robinson, Anthony Robinson. I am an Australian Immigration Solicitor.

For the last twenty years I have owned the Melbourne CBD based law firm **ARLAW Services: Lawyers & Consultants**. I hold a law degree, an LLB from Monash University and a LLM – Master of Migration Law & Practise. Since 2004 I have been a member of the Law Institute of Victoria's **Migration Committee**. I am also a member of the Law Counsel of Australia and the MIA and MA. Additionally, I am the MD and **Fellow** of the **Victorian Immigration Solicitors' Alliance**.

I welcome the opportunity to make this submission to the Senate Legal and Constitutional Affairs Committee.

Recently I formed a group called **VISA: The Victorian Immigration Solicitors' Alliance** (Pty Ltd), a powerful motivation and central purpose behind the formation of **VISA: The Victorian Immigration Solicitors' Alliance** (Pty Ltd) is the notion that the provision of legal support is essential for the rule of law and to ensure that Australian Courts and Tribunals make the correct determination in migration and refugee matters.

It is important to understand that without sound legal advice, there are concerns that people seeking asylum, refugees and migrants will not be able to adequately express their claims or fight their cases. This is clearly not only detrimental to the applicant but may also pose a risk to the entire Australian legal process.

I strongly support removing dual regulation of lawyers when practising migration law. VISA:  
The record will show that I have consistently advocated against dual regulation of the legal profession and views this as an unnecessary and costly regulatory burden for legal practitioners, and a source of confusion and uncertainty for their clients.

Further I believe that “Lawyers” are already tightly regulated: they are required to maintain registration and uphold their ethical duties under their own state-based legal profession regulatory framework. I believe this system is sufficient to ensure lawyers provide sound advice and adhere to their ethical obligations. Indeed, I agree with The Refugee Council of Australia (RCOA) in saying the legal profession regulatory framework in some ways provides more comprehensive requirements for lawyers than the Migration Agent’s Code of Conduct. Further, the complaints mechanism within each state-based legal profession is also sufficient to provide a satisfactory process in which to make complaints against lawyers. Likewise, the legal professions complaint’s mechanism can often be a more rigorous process for people to have their complaints remedied.

Consequently, I recommend these Bills should be passed.

Regards

Anthony Robinson  
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