



Law Council
OF AUSTRALIA

Office of the President

4 August 2017

Mr Tom Sharp
Criminal Law Policy Branch
Attorney-General's Department

By email: foreign.bribery@ag.gov.au

Dear Mr Sharp

Law Council of Australia Submission – AML/CTF regulation of lawyers

Thank you for facilitating the Law Council's participation in the meeting with the international review team led by the Organisation for Economic Co-operation and Development on 19 July 2017.

At that meeting, the Law Council committed to providing to the review team its recent submission regarding the extension of anti-money laundering and counter-terrorism financing (**AML/CTF**) regulation to the legal profession. Please find attached the Law Council's submission of 7 February 2017 to the Attorney-General's Department on this matter for forwarding to Ms Christine Uriarte of the review team.

As the Law Council noted in the meeting, the legal profession is already extensively regulated by the States and Territories under a comprehensive and robust regulatory system. We have seen no evidence of a systemic risk of the legal profession's involvement in financial criminality. The legal profession is concerned that imposing the full AML/CTF regulatory regime would create conflicts with the lawyer's duty of confidentiality and the principle of client professional privilege, as well as increasing the cost of legal services to the community.

The Law Council looks forward to continuing to work with the Australian Government to ensure a reasonable and proportionate outcome that respects and accommodates existing regulatory arrangements.

Yours sincerely

Fiona McLeod SC
President