



FAMILY COURT OF  
WESTERN AUSTRALIA

Family Court of Western Australia  
**Annual Review**

2016



# CONTENTS PAGE

From the Chief Judge .....	1
Jurisdiction .....	3
Area of Service .....	3
Our Budget .....	3
Our Judiciary .....	3
Our People .....	3
Workload Summary .....	3
New Workload .....	4
Active Workload .....	4
Court Performance .....	5
Time to Trial Case Study .....	6
Appeals .....	7
Counselling and Consultancy Service .....	8
Our Services .....	9
Key Events and Future Directions .....	10
Appendix 1 .....	12

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# FROM THE CHIEF JUDGE

I am pleased to present the review of the work of the Family Court of Western Australia for the year ending 31 December 2016.

This is the first Annual Review in which the Court reports on a calendar year basis. The change brings us into line with the Supreme Court of Western Australia and the District Court of Western Australia.

## Increase in workload

The 18 months since publication of the last Annual Review have seen a major increase in workload. The growth in applications for parenting orders has been especially pronounced.

In 2016 there was a 7.3% increase in applications for parenting orders, bringing the growth in the last five years to 27.6%. Resources have not kept pace with workload, leading to an unacceptable increase in wait times and placing an intolerable burden on staff, judicial officers and family consultants.

The increase in workload has not been replicated in other parts of Australia. While no research has been undertaken to explain this phenomena, I consider it is reasonable to assume that the challenging economic conditions in Western Australia have played a major part.

## Judicial appointments

The efficient operation of any court is dependent upon an adequate level of funding and the timely replacement of judiciary.

The increase in wait times (and a reduction in the number of trials) is attributable in part to the fact that the funding for an Acting Magistrate was not renewed at the end of 2015, leaving the Court with one less judicial officer throughout the year.

The Court was, however, successful in obtaining funding for an additional temporary Registrar, thereby allowing more expeditious disposition of divorces and applications for consent orders.

Justice Jane Crisford retired on 7 March 2016 after more than ten years of service to the Court. Her Honour was an outstanding judge who served on the Court's Board of Management and performed the unenviable role of List Judge. I am grateful to her Honour for the support she provided me and the other judicial officers.

Justice Crisford was replaced by Justice Richard O'Brien, whose term commenced on 14 March 2016. His Honour has had an exceptional legal career, having worked in two major firms, as well as at Legal Aid WA. At the time of his appointment, Justice O'Brien was the Chair of the Family Law Section of the Law Council of Australia.

Magistrate Catherine Osborn was appointed as a Family Law Magistrate on 4 April 2016. At the time of her appointment, Ms Osborn was a partner in a leading firm in Perth and was acknowledged as a Family Law Specialist.

Magistrate Osborn replaced Magistrate Jill Vander Wal who retired after 14 years of outstanding service as a Magistrate.

## Court Counselling and Consultancy Service

The judicial officers are assisted by highly experienced family consultants who are an integral element of the Court's case management system for parenting cases. This report contains details of the work they have undertaken throughout the year.

The Director of Court Counselling, Yvonne Patterson, retired in October 2015 after five years in the role. I thank Ms Paterson for all her efforts and I also acknowledge the contribution of Mr Paul Kerin, Mr Stephen Clarke and Ms Teresa Tagliaferri who acted in the role during 2016.

## Accommodation needs

I have written in the last two Annual Reviews about the Court's pressing accommodation needs.

Working with our neighbours in the Federal Court, we developed plans for four new courts and a mediation suite in long vacant space in the Commonwealth Courts Building.

Regrettably, our request for funding of these works has not been successful, and we have therefore had to continue to make use of facilities in other venues. This is a serious inconvenience to judicial officers, court staff and litigants.

I am most grateful to Chief Justice Wayne Martin and Chief Magistrate Steven Heath for their cooperation in allowing us access to temporary facilities in their courts.

## eDivorce

During the year under review, the Court implemented an electronic divorce process. The process enables efficient electronic management of all divorce applications.

The work done in implementing the divorce process will assist the Court move toward a fully electronic file for all matters. I am grateful to all those involved in this major exercise, details of which are in this report.

## Court staff

I thank the dedicated and hardworking court staff for their efforts throughout the year.

I would like to pay a special tribute to Mr Stuart Jeffrey who transferred to another court in April 2016 after 32 years of loyal service. Mr Jeffrey was the Manager of Customer Services, having served in many capacities, including as the Acting Executive Manager (and often as court jester!).

I also thank all of the judicial officers, family consultants and managers for their efforts and unfailing support throughout the year. I wish to acknowledge also their partners and families who provide them with support in what is often an exceptionally difficult job.

## Court's 40th Anniversary

The Court commenced operation in 1976. In August 2016, we celebrated our 40th year with a function at Government House attended by many dignitaries, legal practitioners and past and present court staff.

I was grateful to have the opportunity at that event to reflect on the many achievements of Australia's only State Family Court.

I am proud to have now served the Court for half of its 40 years. It has been a rare privilege to have been able to work alongside so many talented and committed people who go about their work with such professionalism, commitment and good humour while assisting Western Australian families during what is often their darkest hour.



**Justice Stephen Thackray**  
**Chief Judge**  
**Family Court of Western Australia**

## JURISDICTION

The Family Court of Western Australia (FCWA) was established in 1976 as a state court exercising both state and federal jurisdiction. The Court comprises judges, magistrates and registrars. It deals primarily with disputes arising out of relationship breakdowns. The work of the Court is supported by a specialist team of family consultants in the Family Court Counselling and Consultancy Service.

The Department of the Attorney General (WA) provides administrative and logistical support for the Court.

## AREA OF SERVICE

The Court services the whole of our vast State. Apart from having exclusive jurisdiction in family law matters in the Perth metropolitan area, the Court circuits to five major regional centres:

Albany  
Broome  
Bunbury  
Geraldton  
Kalgoorlie

The FCWA Family Law Magistrates provide support and advice to country magistrates and conduct regular circuits to the five regional centres. The judges circuit to the same centres as required, hearing defended matters. Bunbury continues to be the busiest regional circuit, accounting for over 60% of circuit hearings held.

## OUR BUDGET

Funding for the FCWA is principally sourced through a grant from the Commonwealth Government, which is provided annually to the Western Australian Government. Additionally, the Court retains Commonwealth approved fee revenue. The WA Government provides limited funding for disputes brought under State legislation dealing with property disputes between de facto couples.

## WORKLOAD SUMMARY

Primary Applications	Received	Finalised
Initiating Applications for Final Orders	3,068	2,675
Applications for Interim Orders	5,264	4,657
Divorce Applications	5,496	5,660
Applications for Consent Orders	2,376	2,431
<b>Total</b>	<b>16,204</b>	<b>15,423</b>

## OUR JUDICIARY

As at 31 December 2016

### Chief Judge

The Honourable Justice Stephen Thackray

### Judges

The Honourable Justice Simon Moncrieff  
The Honourable Justice John Walters  
The Honourable Justice Susan Duncanson  
The Honourable Justice Richard O'Brien (commenced March 2016)

### Principal Registrar

Magistrate David Monaghan

### Magistrates / Registrars

Magistrate Annette Andrews  
Magistrate Alan Moroni  
Magistrate Elizabeth Stewart  
Magistrate Gail Sutherland  
Magistrate Francine Walter  
Magistrate Mark Calverley  
Magistrate Colin Kaeser  
Magistrate Ciara Tyson  
Magistrate Catherine Osborn (commenced April 2016)  
Registrar Laura De Maio  
Registrar Thomas Kuurstra  
Registrar Leonie Forrest

## OUR PEOPLE

The approved FTE (124.5) for 2016 was allocated as follows:

5	Judges
10	Magistrates
3	Registrars
88	Registry and support staff
18.5	Family consultant and support staff

# NEW WORKLOAD

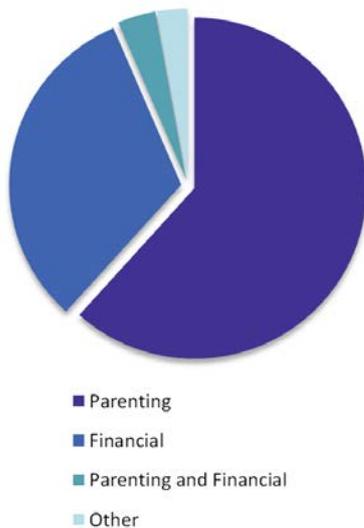
## Initiating Applications for Final Orders and Applications for Interim Orders

Initiating applications for final orders and related applications for interim orders are the Courts most resource intensive application types. Lodgment of these application types increased 5.3% for 2016.

Parenting-only orders continued to be the most commonly sought order when commencing an application for final order, accounting for 61.7% of final order applications lodged. 1,892 of these applications were lodged in 2016, an increase of 7.3% on 2015, and 27.6% on 2012. The high volume of parenting applications has a profound impact on the Court's workload, as additional time and resources are dedicated to assessing the best interests of the children when making orders.

Legislation provides for parties to undertake a Family Dispute Resolution (FDR) process prior to commencing parenting proceedings, but there are a number of grounds on which parties may be exempted from attending FDR. During this year 57.4% of all parenting related applications were commenced on the basis that a ground for exemption was established and as such FDR was not attempted prior to filing.

GRAPH 1 - Initiating applications for final orders by orders sought at lodgment



# ACTIVE WORKLOAD

Applications that remain on hand at the end of the financial year constitute the Court's active workload. While there was a significant reduction in the number of divorce applications and applications for consent orders, these are the least resource intensive of the Court's workload. The reduction in the number of such applications on hand is directly attributable to the engagement of a third Registrar during the year.

Much more troubling is the very significant increase in final and interim order applications on hand shown in Table 2, as these are the applications that consume the most resources.

## Other Applications

The Court's other key application types are consent orders (where the parties apply jointly to the Court) and divorce applications.

During 2016 the Court received:

- 5,496 divorce applications, an increase of 3.7% from the previous year. Of these applications:
  - 48.1% were lodged jointly by both parties, compared to 47.6% in 2015; and
  - 33.5% were filed electronically, compared to 17.7% in 2015.
- 2,376 consent order applications, an increase of 3.3%. Unlike applications for final orders which have a high proportion of parenting issues, consent orders are predominantly sought to formalise financial agreements. This year 83.7% of consent order applications sought orders in relation to financial issues only.

## Self-representation

Many parties engaging with the court do not have legal representation, either by choice or due to financial constraints. The Court is mindful that this can put parties at a disadvantage and cause difficulties in understanding and complying with court processes and orders. This in turn can delay and complicate the progress of matters through the Court. The Court maintains a range of guides designed to ensure that self-represented parties are able to effectively participate in the process, and are aware of their options for seeking legal advice.

The table below details the percentage of applications filed by self-represented litigants:

TABLE 1 - Self-Representation

	2016	2015
<b>Applications for Final Order</b>		
Parenting	47.2%	54.6%
Financial	23.3%	23.7%
Parenting and Financial	30.9%	26.9%
<b>Consent Order</b>		
Parenting	53.3%	57.9%
Financial	42.4%	42.8%
Parenting and Financial	42.9%	46.9%
<b>Divorce</b>	81.0%	82.2%

TABLE 2 - Primary Applications on Hand

	2016	Change from 2015	Change from 2012
Final Order	4,423	9.3%	15.4%
Interim Order	4,870	8.6%	28.7%
Divorce	1,714	-9.3%	0.2%
Consent Order	416	-13.0%	24.2%

73.5% of the applications for final orders on hand are seeking parenting orders, either alone or in combination with financial or other orders. This compares to 72.2% in 2015 and 68.7% in 2012.

# COURT PERFORMANCE

## Clearance Rate

The Court's clearance rate (finalisations as a percentage of filings) is a measure of whether the Court is keeping up with its workload.

A clearance rate of 87.2% was seen for applications for final orders, a slight reduction from 2015. Despite the lower clearance rate, the number finalised by court order increased 5.7% compared to 2015 and 23.2% compared to 2012.

While the Court continues to deem a number of dormant matters finalised to provide an accurate reflection of its active workload, including all application types the number deemed finalised reduced by 26.4% compared to 2015 and 64.3% compared to 2012.

## Time to Finalisation for Non-Trial Matters

The Court's Key Performance Indicator (KPI) is its median time to non-trial finalisation for final order matters. These constitute the majority of final order applications finalised, with 88% of these finalisations having been made by the Court before the matter reached trial.

The KPI for 2016 stood at 39 weeks against the target of 27 weeks. This is an increase of 2 weeks from 2015. The median for parenting-only matters is 44 weeks, compared to 33 weeks for financial-only matters.

The over target result is associated with:

- The reallocation of magistrates to trial work, thus decreasing court availability for interim hearings;
- An increase in the number of KPI finalisations, particularly for parenting applications. The number of KPI parenting finalisations increased 8.8% since 2015 and 49.7% since 2012. This growth is associated with increasing lodgments, and the introduction of a more comprehensive docket system in 2012-13 which reduced the number of matters being deemed finalised, and
- Increasing complexity in the issues involved in parenting cases, and more recently the increasing delay to events before a Family Consultant (refer to page 8 for further discussion of these trends).

TABLE 3 - Median Weeks to KPI Finalisation

	2016	Change from 2015	Change from 2012
Parenting	44	15.8%	37.5%
Financial	33	-2.9%	13.8%
Overall	39	5.4%	30.0%

TABLE 2- Count of KPI Finalisations

	2016	Change from 2015	Change from 2012
Parenting	1,154	8.8%	49.7%
Financial	711	9.6%	0.0%
Overall	2,072	7.8%	22.0%

### Counting Rule Note:

The KPI calculation is based on the time between filing and court-ordered finalisation for all initiating applications for final orders that did not proceed to trial, excluding matters that were deemed finalised after a year of inactivity. Matters with prolonged inactivity are excluded to provide a more accurate representation of the Court's performance, as parties may agree to suspend their proceeding before a final determination is made.

## Time to Trial

The year under review saw the median time to trial increase 5.5 weeks to 87.5 weeks. In parenting-only matters, the median time was 91 weeks, while the median time for financial-only matters was 77 weeks.

TABLE 4 - Median Weeks to Trial

	2016	Change from 2015	Change from 2012
Parenting	91	7.1%	19.7%
Financial	77	0.0%	-21.4%
Overall	87.5	6.7%	-6.4%

The Court recognises the importance of trial timeliness, and applies its own internal performance targets, being 52 weeks for parenting-only trials and 60 weeks for financial-only trials.

Based on these internal targets:

- 23% of parenting-only matters reached trial within target; and
- 25% of financial-only matters reached trial within target.

These figures demonstrate the Court's capacity to allocate a trial date for urgent matters within an acceptable timeframe, but also the need for continued improvement. While the Court is committed to exploring how changes in practice and legislation can help reduce the delays, it also considers adequate resourcing, particularly judicial, accommodation and technological resourcing, as central to increasing its capacity to deal with matters effectively and efficiently.

## Other Work

In other key areas of court activity:

- In 2016 there were 23 applications made for adoption and a further 26 made for ancillary applications under the *Adoption Act 1994* (WA). In total, 58 adoption related orders were made.
- From July 2015 to December 2016, 312 applications for Telecommunication Interception Warrants, including Stored Communication Warrants, were made. All judges have volunteered to deal with these applications, which often need to be heard on an urgent basis after hours. 9 after hours referrals were made by Crisis Care, which resulted in 5 watch list orders being made.

# TIME TO TRIAL CASE STUDY

The following is a case study of the progress to trial of a parenting and financial matter. It demonstrates many of the features that make parenting matters more resource intensive, including engagement with a family consultant; allegations of multiple risk factors; and the appointment of an Independent Children's Lawyer, while also including aspects relevant to its financial proceedings that can cause delays.

## Jan 2015

An initiating application was lodged by Party 1 (parent), seeking to discontinue proceedings in the Federal Circuit Court and a recovery order be issued for return of the child to WA. The matter was listed for an urgent Child Related Proceedings List (CRPL) hearing.

## Feb 2015

At the CRPL orders were made for Party 2 (parent) to lodge a response and the matter was adjourned to March 2015. Shortly after, Party 2 filed a response seeking a) leave to relocate interstate with the child and b) that the child live with them but spend time with Party 1.

## Mar 2015

Party 2 filed an amended response adding financial proceedings.

When the matter came back before the Court interim orders were made requesting the appointment of an

**Independent Children's Lawyer** (ICL) for Party 2 to return the child to WA within the month and for the child to live with Party 2 and spend time with Party 1. The matter was otherwise adjourned to a Judicial Duty list in April 2015.

An ICL is a lawyer appointed to represent and promote the best interests of a child. An order seeking to appoint an ICL is generally made in complex cases involving serious allegations of family violence and abuse or where there are other allegations that would seriously impact on the welfare of a child.

## Apr 2015

At the hearing, orders were made by consent for documents to be filed and for the parties to attend a **Case Assessment Conference** (CAC).

A CAC allows a family consultant to speak with each party to discuss the parenting related issues, including any risks towards the child or other parties. After the CAC the consultant will provide the Court with a summary noting any outcomes and recommendations

## May 2015

Legal Aid refused to appoint an ICL on the basis that the matter did not fall within its appointment criteria. A review of this decision was sought by Party 2.

Later that month Party 1 filed a reply, seeking that the child live with Party 2 and spend time with Party 1, and that the former matrimonial home be sold.

## Jul 2015

The CAC was held identifying issues regarding mental health, drug and alcohol misuse, family violence and the potential for harm to the child. The family consultant recommended random urinalysis testing for both parties and that Party 1 attend a parenting program.

## Aug 2015

Following review by Legal Aid, an ICL was appointed.

Later that month, the matter appeared in a Judicial Duty List. Orders were made for the filing of documents in preparation for trial and consent orders were made in accordance with the recommendations of the family consultant. The matter was otherwise listed for a Readiness Hearing (RH) in January 2016.

## Nov 2015

The parties reached an agreement regarding their Christmas arrangements. Both parties signed a **minute of consent orders** which the Court pronounced shortly after.

A minute of consent is lodged by parties who have reached agreement and are asking the Court to make consent orders on an application for final orders or application in a case. Wherever appropriate parties are encouraged to continue working towards an agreement throughout the court process.

## Dec 2015

The parties decided to attend mediation and requested the RH be adjourned to March 2016.

## Mar 2016

At the adjourned RH the financial matters were listed to a **Conciliation Conference** (CC) in April 2016.

Conciliation Conferences encourage parties to find a solution to their financial dispute prior to trial. Conferences are convened by a Registrar, who looks at the case from both sides to help the parties explore their options. The Registrar will not give legal advice, but can talk about the legal principles that are applied in determining cases. Parties are expected to make a genuine effort to settle their dispute at the conference.

## Apr 2016

Just prior to the CC, Party 2 filed an amended application, seeking additional financial orders.

At the CC, no agreement was reached and the matter was adjourned to the July Callover for listing to trial.

Later that month, the ICL filed a notice of ceasing to act on the basis that Legal Aid was unable to assist any further in relation to the outstanding parenting issues.

## Jul 2016

At the Callover, the matter was listed for trial in October 2016.

## Oct 2016

The solicitors for Party 2 filed a notice of ceasing to act due to the withdrawal of Legal Aid funding. A new legal representative came on record less than a week before the trial was due to commence.

On the first day of trial, orders were made by consent finalising the outstanding financial matters. On the second day of trial an ex-tempore judgment was delivered in relation to the parenting issues, granting Party 2 leave to relocate with the child and providing specific arrangements for Party 1 to spend time with the child.

# APPEALS

In 2016 there were 24 appeals filed in the Western Appeal Region of the Family Court of Australia from decisions of judges and Family Law Magistrates (there were also 30 appeals pending at the start of the year, a number of which were not being actively pursued.)

Of the appeals finalised by a Full Court of the Family Court of Australia in 2016, one appeal was allowed and 13 were dismissed. 15 appeals were discontinued or abandoned.

Of the appeals finalised against decisions of Family Law Magistrates where the jurisdiction of the Full Court of the Family Court of Australia was delegated to a single judge, no appeals were allowed and 6 appeals were dismissed.

At 31 December 2016, 19 appeals to the Family Court of Australia were pending.

Three applications for leave to appeal out of time were filed in 2016. Two were dismissed and the remaining application was awaiting determination at the end of the year.

Appeals from orders of judges exercising non-federal jurisdiction and from final orders of Family Law Magistrates exercising non-federal jurisdiction are heard by the Court of Appeal of the Supreme Court of Western

Australia rather than by the Family Court of Australia or the Family Court of Western Australia. There were 6 such appeals filed. Of the appeals filed in 2016 or in previous years which were finalised in the year under review, 1 appeal was allowed, 8 were dismissed and 3 were discontinued.

As a result of the decision of the Court of Appeal in *CDW v LVE* (2015) 54 Fam LR 297 most orders made in parenting cases, even those which conclude the proceedings between the parties, are now to be regarded as interlocutory orders (because “the decision of the magistrate cannot be said to have finally determined the rights of the parties in relation to the parenting orders governing the upbringing of their child”). The consequence is that in parenting cases most appeals from Family Law Magistrates will now be dealt with by the Family Court of Western Australia, which will increase the workload of judges of this Court.

In 2016, 12 applications seeking leave to appeal from interlocutory orders of Family Law Magistrates were made to the Family Court of Western Australia. Of the appeals filed in 2016 or previous years which were finalised in the year under review, 2 were allowed, 3 were dismissed and 1 was discontinued.



# COUNSELLING AND CONSULTANCY SERVICE

The Family Court Counselling and Consultancy Service (FCCCS) is involved in Family Court proceedings where children are involved. A FCCCS Family Consultant attends the Child Related Proceedings List (CRPL) which is the first hearing for most parenting matters. This sees FCCCS conduct a preliminary assessment for the majority of parenting cases in court, along with advice to the magistrate on case management issues and cases that are appropriate for FCCCS involvement.

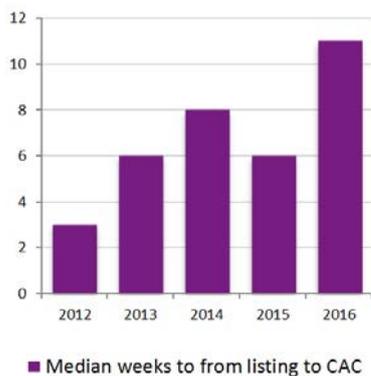
Following their attendance at an CRPL, a Family Consultant may provide further case management support, including convening and undertaking activities such as Case Assessment Conferences (CAC), Child Dispute Conferences (CDC), Child Inclusive Conferences and Family Reports. The aim is to assist parents to negotiate sustainable child-focused arrangements and address issues affecting their parenting.

## Case Assessment Conference (CAC)

In total, 1,087 CACs were conducted during the year, which is consistent with the previous year (1,140). Combined with the 413 CDCs held during the year, these conferences made up 84.5% of all FCCCS out of court activities.

The count of CRPL hearings in 2016 was 2,039 which is a 3.2% increase from 2015 and a 40.9% increase from 2012. This increased number of CRPL hearings as well as having one less Family Consultant due to staffing changes has resulted in the median weeks to a CAC being 11 weeks. This has increased dramatically from 2015 when it was six weeks. FCCCS is currently identifying strategies to address and reduce this wait time over 2017, including a full complement of Family Consultants.

GRAPH 2 - Median Weeks from Listing to CAC

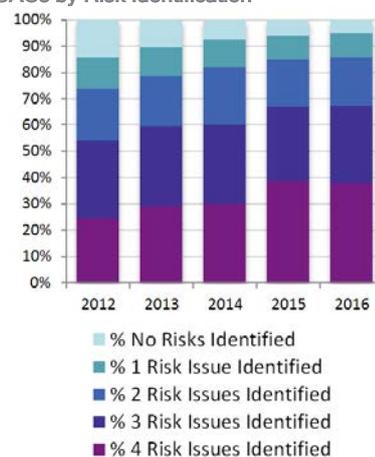


## Risks Identified at CAC

In completing a CAC, the Family Consultant identifies and assesses a number of risks such as family and domestic violence, child abuse, alcohol and/or substance abuse and mental health. In 95.1% of CACs there is at least one risk identified which is consistent with the previous year (94.1%). In the '4 risk issues identified', there has been an increase since 2012.

During a CAC, assessing the nature and type of risks presenting in families is a critical early intervention focus. Family and domestic violence continues to be the most prevalent significant risk issue (83.3%), followed by alcohol and/or substance abuse (73.1%), child abuse (67.3%) and mental health (62.2%).

GRAPH 3 -CACs by Risk Identification



## Stakeholder Relationships

The involvement and engagement of stakeholders and services involved in FCCCS matters continues to be an integral component to ensure case management of cases resulting in better involvement, referral, and feedback for all parties and support services.

The Department of Child Protection and Family Support (CPFS) is a key stakeholder within the Court with a Child Protection Consultant located in FCCCS and working on matters where there has been a Notice of Child Abuse or Family Violence (or Risk). CPFS' presence in the Court enables sharing of information and collaboration in the management of highly complex cases.

The Notice of Child Abuse or Family Violence (or Risk) forms lodged have steadily increased over the last 10 years. In 2016, the number of forms lodged was 903, a 19.4% increase from 2015 and a 74% increase from 2012.

# OUR SERVICES

## Information Sessions and Tours

The Court provides online information sessions via its webpage, making information readily available 24 hours per day. The Court continues to develop the content of the webpage to ensure it services the changing needs of clients.

Tours for Departmental officers, law students and community agencies have been maintained. In 2016 the Manager of Customer Services conducted monthly court inductions and bimonthly "Walk in Their Shoes" tours.

The Walk in Their Shoes tour offers an opportunity for participants from a wide range of government and not-for-profit agencies, including WA Police, the Department of Child Protection and Family Support, Legal Aid WA, and family law support workers, to learn more about the court process and the complexities facing a self-represented litigant. The tour is a joint initiative between the Court, Legal Aid WA and the WA Family Pathways Network, with the administration undertaken by WA Family Pathways.

## Website and Publications

The Court's website continues to be an effective means of providing information to litigants and legal practitioners. The website offers a range of information, including court listings, procedural advice, links to legislation, anonymised judgments, access to forms, and links to outside agencies where clients can obtain further assistance. Forms and kits remain the most frequently viewed and downloaded items available on the website.

## Commonwealth Courts Portal (CCP)

The Family Court of Australia, Federal Court of Australia and Federal Circuit Court, together with the FCWA, continue to develop and promote the CCP, which enables online inquiry about matters proceeding through the Court. Lawyers and self-represented litigants are able to view details about parties, documents filed and court events via the portal.

## Child-Minding Service

A crèche service is offered for clients attending court or who have appointments with the Family Consultant. The service is well patronised with 1,124 attendances during the year.

## Legal Aid WA Family Court Services

Legal Aid WA continues to provide services to the Court's clients on-site. Services include representation in court, assistance with documents, and referral to Alternative Dispute Resolution.

The service saw 3,329 clients in 2016, including those referred by judicial officers, family consultants and registry staff.

A total of 3,510 occasions of service were provided as follows:

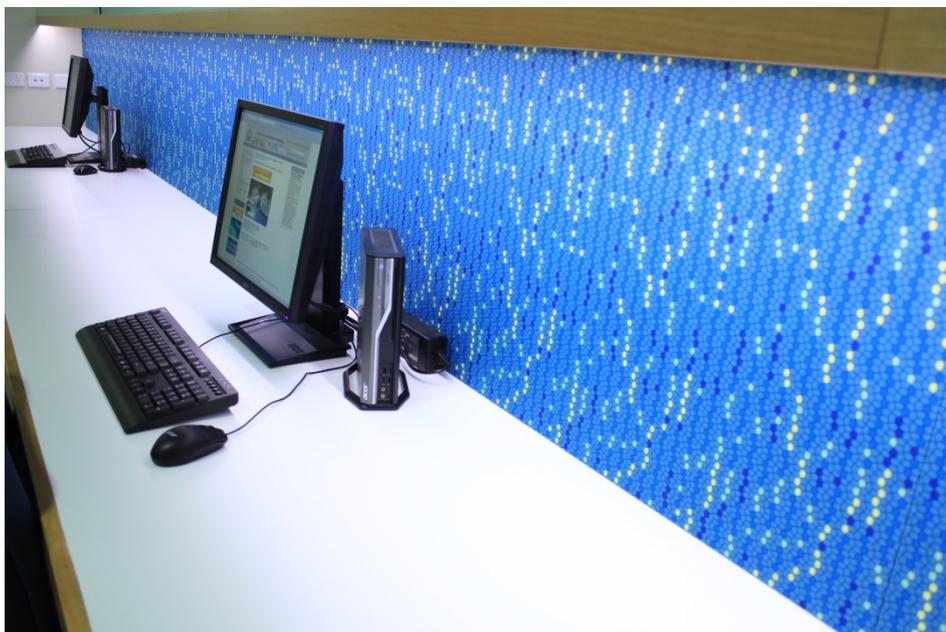
- Legal advice - 935.
- Duty Lawyer - 467.
- Legal task (encompasses legal advice and urgent documentation preparation) - 148.
- Information/referral to other services (including non-legal) - 1,960.

The Court is most grateful for the excellent service provided by the dedicated staff of Legal Aid WA.

## Justices of the Peace

Justices of the Peace carry out a range of important administrative and judicial duties in the community. These include witnessing affidavits and other documents.

An afternoon tea for the very small but highly dedicated group of volunteer Justices of the Peace is hosted by the Chief Judge in appreciation of the valuable assistance they provide to the clients of the Court.



# KEY EVENTS AND FUTURE DIRECTIONS

## Digital Court Program

This year a review commenced of the Court's case management system, with a project established to undertake the review. This project, labelled the "Digital Court Program Project" (DCPP), is being led by the Federal Court of Australia. Representatives from the FCWA belong to various governance committees and working groups that support the project, with the FCWA's primary objectives being to achieve a system that is:

- a) user friendly;
- b) allows efficient case management; and
- c) better supports electronic communications between the Court and parties.

It is anticipated that changes relating to the new system will commence over the coming year.

## eDivorce

In October 2016 the FCWA implemented an electronic divorce process. The new process enables the electronic management of divorce applications, including lodgment, listings and order production. The Court has dedicated substantial time during this process to reviewing its forms and requisitioning practices to streamline the lodgment process and minimise administrative delays.

## Self Service Kiosk

The FCWA has a self-service kiosk area in its registry, providing an opportunity for parties without personal access to online services to access them at the Court, while also providing an alternative in some instances to waiting in line at the registry counter. Improvements were made to the kiosk area in November 2016, expanding the number of computers available and improving the design of the workstations.

## Website

Early in 2017 the Court will undertake a review of its website. The aim is to have a website that is user friendly, easy to navigate, a useful source of information and a gateway for the lodgment of applications and documents electronically.

## Statistical Note

*Variances may be seen in some figures in this review compared to those which have been published in previous annual reviews. This is due primarily to the Court's housekeeping practices to ensure the accuracy of retrospective data, the ongoing refinement of the reports, and the underlying statistical model. Explanations for variances are provided where the revised historical figures differ significantly from those previously reported.*



The advertisement features a blurred background image of a man and a woman in a professional setting. In the top left corner, there is the Family Court of Western Australia logo and name. The main headline reads "AVOID THE QUEUES" in large, bold, orange letters. Below this, the text says "File your divorce online" and provides details about the online service, including the website URL [www.familycourt.wa.gov.au](http://www.familycourt.wa.gov.au) and a button labeled "Apply for Divorce". The bottom of the advertisement includes the website URL [www.familycourt.wa.gov.au](http://www.familycourt.wa.gov.au).



# APPENDIX 1

## FAMILY COURT OF WESTERN AUSTRALIA COMMITTEES 2016

**Board of Management**  
**Casetrack and Statistics Committee**  
**Case Management Committee**  
**Continuing Professional Education Committee**  
**Indigenous Committee**  
**Information Resources Committee**  
**Occupational Health and Safety Committee**  
**Research Committee**  
**Security and Violence Committee**  
**Social Club Committee**

### COMMITTEES INVOLVING EXTERNAL AGENCIES

#### **CHIEF JUDGE'S CONSULTATIVE MEETING**

Representatives from:

- FCWA & FCCCS
- Family Law Practitioners' Association

#### **FAMILY LAW NETWORK**

Representatives from:

- FCWA & FCCCS
- Numerous external agencies

#### **FAMILY VIOLENCE COURT / FCWA PROTOCOLS**

Representatives from:

- FCWA & FCCCS
- Department of Corrective Services
- Family Violence Service
- Legal Aid WA
- Magistrates Court

#### **FCWA / DCPFS / LAWA PROTOCOLS MEETING**

Representatives from:

- FCWA & FCCCS
- Legal Aid WA
- Department of Child Protection and Family Support

#### **FCWA REFERENCE GROUP**

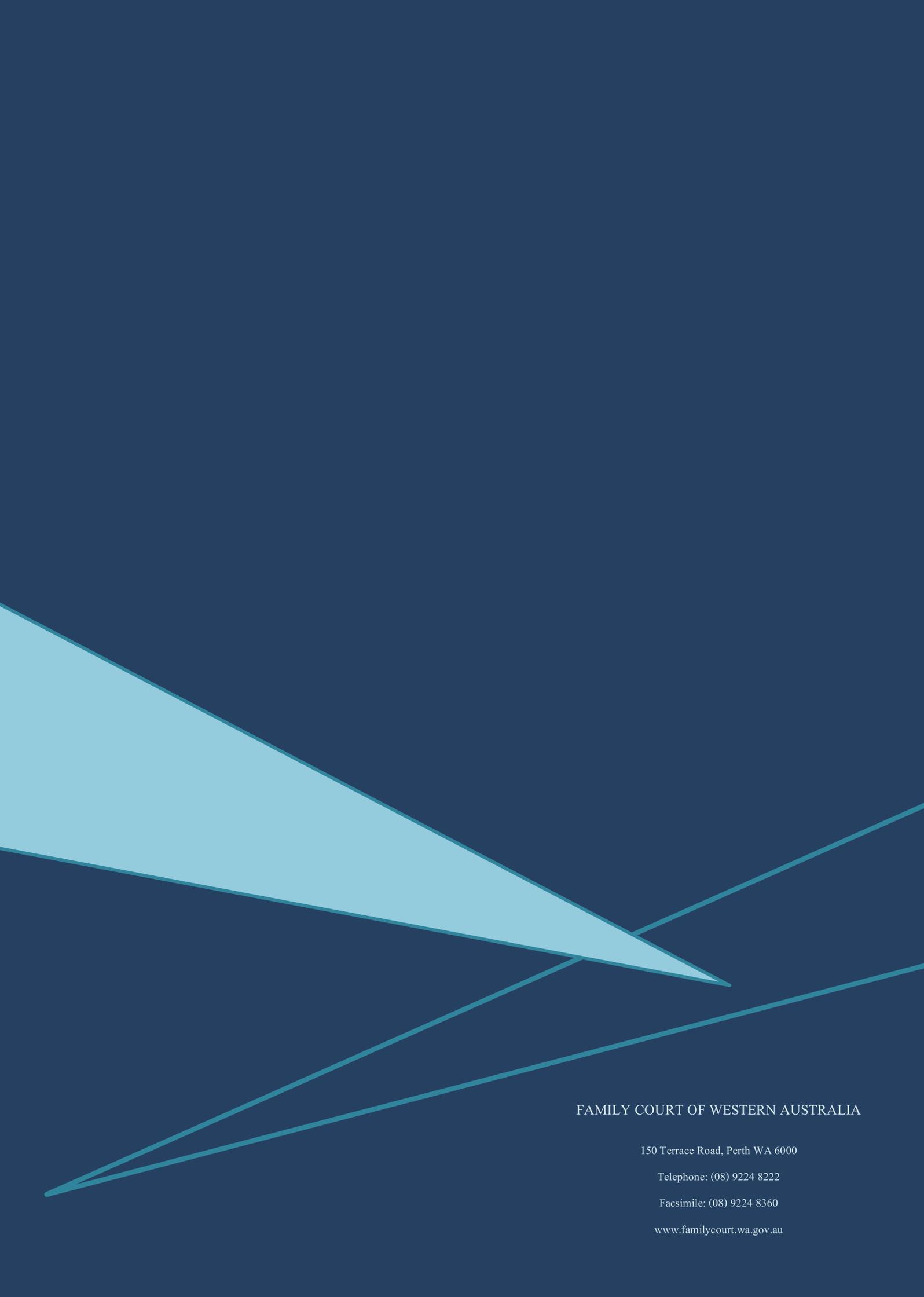
Representatives from:

- FCWA & FCCCS
- Aboriginal Legal Service
- Anglicare
- ARCS Adoption Research & Counselling Service
- Centrecare
- Child and Adolescent Health Service
- Citizen's Advice Bureau
- Communicare
- Department of Child Protection and Family Support
- Family Law Practitioners' Association
- Legal Aid WA
- Relationships Australia
- Women's Council Domestic and Family Violence
- Women's Law Centre

#### **LEGAL AID WA FAMILY COURT SERVICES USER GROUP**

Representatives from:

- FCWA & FCCCS
- Legal Aid WA
- Department of Child Protection and Family Support
- Various members from the legal profession



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