



FAMILY COURT OF
WESTERN AUSTRALIA

Family Court of Western Australia
Annual Review

2025

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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 (the Court) for the year ending 31 December 2025.

Judicial Appointments and Retirements

In July 2025, the appointment of **Acting Magistrate Max Beckerling** was extended until 30 June 2026. Acting Magistrate Beckerling continues to sit as a full-time “trial” Magistrate.

In July 2025, **Registrar Emma Walke**, **Registrar Tonya Jensen** and **Registrar Victor Tham** were permanently appointed as Registrars of the Court.

In November 2025, **Registrar Claire Wyatt** and **Registrar Michelle Rydzewski** were also appointed as Registrars of the Court, on a part time basis.

Accommodation Update

In 2025, the Court constructed additional Registrars’ chambers, as well as additional offices for use by Legal Aid Western Australia’s Duty Lawyer Service, Family Advocacy and Support Services staff and co-located Department of Communities staff. All the new facilities are located on Level 1.

Onsite Drug and Alcohol Testing

In 2025, the Court has continued to accommodate an outside drug and alcohol testing agency onsite, the first Family Court in Australia to do so. The agency conducts hair strand tests from an office on Level 3. The service has enabled the judicial officers to send litigants straight from a Court hearing to do a test. It is a service which has quickly proven itself to be very convenient for litigants. In November 2025, the agency expanded its hours of operation at the Court to five days per week.

The Workload of the Court

In 2025, the Court experienced increased filings in its most resource intensive application types, including an 8.5% increase in Final Order Applications and an 18.1% increase in Interim Order Applications.

The strategies previously introduced by the Court to reduce delays in the litigation pathway (including the appointments of the additional Family Law Magistrates to increase the number of Magistrates allocated to hear defended trials on a full-time basis, and the appointments of additional Registrars to increase the Court’s capacity to provide dispute resolution to litigants) have continued to be effective in reducing the Court’s backlog of work. For example, in the 2025 calendar year, the Court’s Defended List was reduced by approximately 16.8%; and the number of cases awaiting the allocation of a first Readiness Hearing was reduced by 39.5%.

In 2025, the Court finalised a greater number of matters listed for a defended trial (219 - including those listed but which finalised prior to the first day of trial) as compared with the previous year.

In 2025, for the relatively small number of cases that proceeded to trial, the median time to trial was 192 weeks.

Many of these cases involve markers of complexity, such as complex family dynamics, high conflict, and other risk factors, including family violence, substance abuse, and mental health issues. Sometimes, they may also involve delays outside of the control of the Court. The case study featured in this annual review illustrates this.

Justices of the Peace

Thank you to the Justices of the Peace who volunteer to witness documents and assist our clients to ensure their paperwork is in order. Their assistance is invaluable and very much appreciated.

Court Governance

The management of the Court continues to be overseen by the Board of Management. The Board is greatly assisted by the various committees, which are listed later in this Annual Review. I acknowledge and thank all the judicial officers, Family Consultants and members of staff for the work they do in the committees, in addition to their usual tasks. I also acknowledge and thank the Department of Justice, Legal Aid WA (including the Family Advocacy and Support Services staff), the Department of Communities co-located staff, the legal profession, the WA Family Law Pathways Network and other service providers for their ongoing support and assistance to the Court and parties who use the Court’s services.

JURISDICTION

The Court was established in 1976 as a state Court exercising both state and federal jurisdiction. The Court comprises Judges, Family Law 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 Justice 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

Family Law Magistrates provide support and advice to country Magistrates and conduct regular circuits to the five regional centres. Judges and Family Law Magistrates circuit to the same centres as required, hearing defended matters. Bunbury continues to be the busiest regional circuit, accounting for 65% of circuit hearings held in 2025.

OUR BUDGET

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

OUR JUDICIARY

As at 31 December 2025

Chief Judge

The Honourable Justice Gail Sutherland

Judges

The Honourable Justice Richard O'Brien
The Honourable Justice Ciara Tyson
The Honourable Justice Michael Berry
The Honourable Justice Robin Cohen
The Honourable Justice Steven Jones

Magistrates

Magistrate Annette Andrews
Magistrate Lisa Stewart
Magistrate Francine Walter
Magistrate Catherine Osborn
Magistrate Eric Martino
Magistrate Neil Anderson
Magistrate Andrew Mackey
Magistrate Megan Wadsworth
Magistrate Rebecca Hall
Magistrate Jocelyn Connick
Magistrate Jane Johnson
Magistrate Jo Brinkley
Magistrate Samantha Craig
Magistrate Stacey Wellings
A/Magistrate Max Beckerling

Principal Registrar

Principal Registrar Leonie Forrest

Registrars

Registrar Andrzej Meysner
Registrar Samantha Padfield
Registrar Simon French
Registrar Fiona Amaro
Registrar Genevieve Smit
Registrar Devin Sanghavi
Registrar Emma Walke
Registrar Tonya Jensen
Registrar Victor Tham
Registrar Claire Wyatt
Registrar Michelle Rydzewski

OUR PEOPLE

The approved FTE (149) for 2025 was allocated as follows:

6	Judges
14	Magistrates
11	Registrars
99	Registry and support staff
19	Family consultants and support staff

WORKLOAD SUMMARY

Primary Applications	Received	Finalised
Initiating Applications for Final Orders	2,958	3,157
Divorce Applications	5,688	5,576
Applications for Consent Orders	3,165	3,037
Total	11,811	11,770

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 Court's most resource intensive application types. Lodgement of Final Order Applications increased by 8.5% since 2024.

Parenting orders continued to be the most commonly sought order when commencing an Application for Final Orders, accounting for 55.9% of applications lodged. 1,655 of this application type were lodged in 2025. The high proportion 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 requires parties to undertake a Family Dispute Resolution (FDR) process prior to starting parenting proceedings, but there are a number of grounds on which parties may be exempted from attending FDR and there is otherwise no mechanism to ensure both parties attend. In 2025, both parties attended FDR in only 12% of cases where an application was made for parenting orders. In all other cases, a ground for exemption had been established or a certificate from a family dispute resolution practitioner was filed advising only one party attended for FDR or alternatively that FDR was deemed inappropriate.

TABLE 1 - Applications Lodged

	2025	Change from 2024	Change from 2015
Final Order	2,958	8.5%	-4.0%
Divorce	5,688	-1.9%	3.5%
Consent Order	3,165	-2.4%	33.1%

Other Applications

The Court's other key application types are Consent Order Applications (where parties apply jointly to the Court) and Divorce Applications.

During 2025 the Court received:

- 5688 Divorce Applications, a decrease of -1.9% from 2024; and
- 3165 Consent Order Applications, a decrease of -2.4% from 2024. Unlike Applications for Final Orders, which have a high proportion of parenting issues, consent orders are predominantly sought to formalise financial agreements. This year, 90.8% 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 because they cannot afford it. The Court is aware 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 self-represented parties can 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 2 - Self-Representation

		2025	2024
Final Order	Parenting	42.4%	47%
	Financial	19.1%	20.7%
	Parenting and Financial	37%	37%
Consent Order	Parenting	41.9%	41.9%
	Financial	27.4%	25%
	Parenting and Financial	34.8%	35.4%
Divorce		72.8%	73.3%

ACTIVE WORKLOAD

Applications that remain on hand at the end of the year constitute the Court's active workload.

Final Order Applications on hand decreased by -4.0%. Divorce Applications on hand increased by 7.2%. Consent Order Applications on hand have increased by 34.6% which can be attributed to an increase of the number of applications listed per hearing list.

TABLE 3 - Primary Applications on Hand

	2025	Change from 2024	Change from 2021
Final Order	4,188	-4.0%	1.5%
Divorce	860	7.2%	-11.7%
Consent Order	436	34.6%	-35.4%

COURT PERFORMANCE

Clearance Rate

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

The Court had a clearance rate of 106.7% for Applications for Final Orders, an increase from the 99.1% clearance rate achieved in 2024.

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. Such matters constitute the majority of Final Order Applications finalised, with 90.8% of these applications finalised by the Court before the matter reached trial.

The KPI for 2025 stood at 48 weeks against the target of 27 weeks. The median for parenting-only matters was 66 weeks, compared to 27 weeks for financial-only matters.

The higher than target result is primarily due to long-term increases in the volume and complexity of parenting applications lodged, and the introduction of case management practices that encourage matters to remain active until a finalising order is made.

TABLE 4 - Median Weeks to First KPI Finalisation

	2025	Change from 2024	Change from 2021	Change from 2015
Parenting	66	1.5%	22.2%	57.1%
Financial	27	0.0%	-16.9%	-18.2%
Parenting and Financial	140	-19.1%	70.7%	118.8%
Overall	48	3.2%	4.3%	26.3%

TABLE 5 - Count of KPI Finalisations

	2025	Change from 2024	Change from 2021	Change from 2015
Parenting	1,575	23.7%	31.2%	35.1%
Financial	1,142	7.5%	31.3%	49.3%
Parenting and Financial	143	9.2%	-22.3%	17.2%
Overall	2,868	16.1%	26.9%	39.4%

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 to 192 weeks. In parenting-only matters, the median time remained unchanged at 185 weeks, while the median time for financial-only matters increased to 187 weeks.

TABLE 6 - Median Weeks to Trial

	2025	Change from 2024	Change from 2021
Parenting	185	0.0%	83.2%
Financial	187	21.4%	54.5%
Parenting and Financial	201	-1.0%	34.0%
Overall	192	1.1%	52.4%

The complexity of a matter is difficult to quantify, as is the impact of complexity on a matter's time to trial. It is, however, possible to get some sense of the potential impact by comparing matters with a specific marker for complexity to those without that marker.

For example, one marker for complexity in parenting matters is the appointment of an Independent Children's Lawyer (ICL). An ICL represents the child's/children's best interests in proceedings about parenting arrangements. An ICL is often appointed in disputes involving:

- allegations of abuse or neglect in relation to the children
- a high level of conflict and dispute between the parents
- allegations of family violence
- allegations of substance abuse
- serious mental health issues in relation to one or both of the parents or children
- difficult and complex issues involved in the dispute.

When comparing parenting applications based on the involvement of an ICL, those with an ICL had a median time to trial of 230 weeks, and those without had a median time of 161 weeks. Parenting matters with an ICL accounted for 27.6% of all "time to trial" matters in 2025, compared to 72.4% with no ICL.

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.

While these figures demonstrate the Court's capacity to expedite the trial in urgent matters, the Court remains committed to exploring how changes in practice and legislation can help reduce the delays for all litigants. It is recognised however, that adequate resourcing, particularly judicial, accommodation and technological resourcing, is central to increasing the Court's capacity to deal with matters effectively and efficiently.

Other Work

In other key areas of Court activity:

- 41 Adoption Applications and a further 21 Ancillary Applications were made in 2025 under the *Adoption Act 1994* (WA).
- 7 Surrogacy Applications were made in 2025 under the *Surrogacy Act 2008* (WA).
- 5 Hague Applications were made in 2025 pursuant to the International Child Abduction Convention.
- 231 Applications for Telecommunication Interception Warrants; including Stored Communication Warrants and Surveillance Device Warrants, were made. All eligible Judges have volunteered to deal with these applications, which often need to be heard on an urgent basis or after hours.

CASE STUDY: COMPLEXITY AND TIME TO TRIAL

The following case study has been selected to demonstrate the impact of complexity on time to trial and how delays can also occur for reasons unrelated to the Court process itself (such as waiting for criminal proceedings involving the parties to be completed). The case involves significant concerns in relation to family violence and substance misuse. During the proceedings, the Court appointed an Independent Children's Lawyer (ICL) and a Single Expert Witness (SEW). The case study also demonstrates the impact of the way the parties choose to conduct the proceedings, including delays caused when one party fails to file trial documents on time.

CASE STUDY:

Note: Both parties were legally represented for the trial in August 2025 under the Cross-Examination Ban scheme. An Independent Children's Lawyer was also appointed to represent the best interests of the children.

2010 to May 2021

The parties commenced an on/off relationship in 2010. They never married. The parties had three children together (**the Children**).

During the relationship, the father was diagnosed with a medical condition (**MC**) which impacted upon his judgement, insight and capacity to regulate his emotions and behaviour. The father also drank alcohol to excess, and abused illicit drugs and prescription medication which exacerbated the impacts of his MC.

The parties separated on a final basis in March 2019. At the time of their final separation, the Children were aged between four years old and one month old.

In May 2020, the mother obtained an interim Family Violence Restraining Order (**FVRO**) from the Magistrates Court of Western Australia for her protection against the father, which was later made final.

June 2021

The father commenced parenting proceedings in the Family Court of Western Australia (**the Court**) by filing his Form 1 Initiating Application. At this time, the Children were aged between six and two years old.

An Initiating Application (Form 1) is a form completed by the party who wishes to commence proceedings at the Court. If the application is accepted for filing, the application and its accompanying documents are then sealed and added to the file, and the applicant is to serve the sealed copies to the responding party.

The father sought orders that the parties have equal shared parental responsibility for the Children, the Children live with the mother and spend time with him for around five nights per fortnight.

July 2021

The mother filed her responding documents, including a Notice of Child Abuse or Family Violence (or Risk) (**Form 4 Notice**).

Under family law legislation, a party who alleges that a child has been abused or is at risk of being abused, must file a Notice of Child Abuse or Family Violence (or Risk), setting out particulars of the alleged abuse (or risk). The Court in turn provides a copy of that Notice to the relevant child protection authority, who assess the allegations and determine whether it is necessary to intervene in the proceedings.

At the first return date, orders were made by consent for: (1) the father to spend supervised time with the Children; (2) the appointment of a Single Expert Witness (**SEW**); and (3) the father to undergo hair strand testing for the detection of alcohol for a period of six months.

The Court may appoint a Single Expert Witness to provide expert evidence in relation to an issue in the case. The Court may appoint an SEW on its own initiative or on the application of a party. In a financial case, property valuers or financial consultants are often appointed as experts. In a parenting case, such as this one, clinical psychologists and social workers are often appointed as experts.

September 2021

The father also filed a Form 4 Notice.

In the same month, the SEW report was published. In their report, the SEW opined that whilst they did have some concerns about the father's capacity to care for the Children, particularly due to the impacts of the father's MC and his negative attitude towards the

mother, the father should spend time with the Children, but in shorter, more frequent blocks of time. The SEW also recommended that the father should undertake not to make derogatory comments to the Children and abstain from alcohol, given its more significant impacts on people with the MC.

November 2021

The parties attended an Interim Hearing where orders were made for the father to spend time with the Children for four nights per fortnight.

In the same month, the Department of Communities (**DOC**) provided the Court with its response to the Form 4 Notice filed by the father in September 2021. The DOC determined that there was no action warranted in relation to the matter.

February 2022 to March 2022

The mother filed a Form 2 Application in a Case (**Form 2 Application**) seeking that the father's time with the Children be suspended and a Form 4 Notice.

A Form 2 Application in a Case deals with interim orders sought by a party whilst the Court makes its decision on the substantive matter. They are usually made when there is an urgent issue that needs action whilst Court proceedings are underway.

Later in the month, the father also filed an urgent Form 2 Application seeking a recovery order on the basis that the mother had unilaterally withheld the Children.

In March 2022, the parties attended an Interim Hearing in respect of both the mother and father's applications. The Magistrate discharged all previous interim orders in relation to time with the Children and ordered that the father spend time with the Children for two nights each fortnight.

The Court also ordered that a Cross-Examination Ban applied to the matter as a final FVRO applied to both parties.

Under the Family Law legislation, a Cross-Examination Ban applies in certain circumstances where allegations of family violence have been raised. The ban prevents the parties from personally cross-examining each other. The Commonwealth Government provides funding (through Legal Aid) for both parties to have legal representation at the trial.

The Court also ordered that an Independent Children's Lawyer (ICL) be appointed.

An Independent Children's Lawyer is a legal representative appointed by the Court to represent the Child's best interests. There are guidelines that set out circumstances where it may be appropriate for an ICL to be appointed, such cases involving intractable conflict or allegations of abuse. The ICL will collate information about the child's welfare and may recommend orders to the Court.

By consent, orders were made for the parties to vacate the next listed hearing and attend a Case Assessment Conference.

Where there are risks alleged by either party, the Court may require the parties to attend a Case Assessment Conference with a Family Consultant. Parties can attend with their legal representatives (if they are represented). Discussions during the Conference are not confidential. After the Conference, the Family Consultant will prepare a written report for the Court. The Consultant will seek to identify any risk issues and may provide recommendations in their report regarding the next steps in the matter.

June 2022 to July 2022

In June 2022, the parties attended a Case Assessment Conference with a Family Consultant.

The Family Consultant assessed that the Children were at significant risk of harm from the parental separation and post-separation behaviours, particularly from the father. The Family Consultant also noted several factors that significantly heightened the risk of harm to the Children in the father's care, including his MC, lack of

insight, reported family violence including strangulation, alcohol and/or substance misuse and a pattern of behaviour that suggested a fixation on the mother.

In the same month, the DOC provided the Court with its Response to the Form 4 Notice filed by the mother in February 2022. The DOC determined that there was no action warranted in relation to the matter.

December 2022 to January 2023

In late December 2022, an incident occurred in which the father attended the mother's residence and physically assaulted both the mother and her partner in the presence of the Children.

The father was charged with assault occasioning bodily harm, common assault and trespass. The mother and her partner each obtained a FVRO for their protection against the father from the Magistrates Court of Western Australia, with the mother's FVRO also extending to the Children.

The mother subsequently filed an urgent Form 2 Application, seeking that the father's time with the Children be suspended.

In January 2023, interim orders were made suspending the father's time with the Children. Orders were later made by consent for the mother to facilitate weekly video calls between the father and the Children.

February 2023 to October 2023

The Court made orders requesting that the ICL provide the Court with an update as to the progress of the father's criminal matters and otherwise adjourned the proceedings generally.

In October 2023, the ICL advised the Court that the father's criminal matters were resolved. The father pleaded guilty to trespass and common assault and received fines and a spent conviction.

The ICL also advised the Court that the parties intended to obtain an updated SEW report and that a re-listing of the matter would only be sought following publication of the updated report.

The mother's FVRO against the father was finalised by way of a Conduct Agreement Order.

January 2024 to April 2024

On two occasions between January 2024 and April 2024, the ICL was requested to provide the Court with an update as to the status of the matter. The ICL informed the Court that the parties were awaiting the updated SEW report.

In late April 2024, the SEW published their updated report. The SEW assessed that the December 2022 incident highlighted serious risk factors, further compounded by the father's lack of responsibility for his actions and the fact he continued to blame the mother. The SEW identified various options dependent on the Court's findings as to risk, including that the father have no contact with the Children, aside from the sending of birthday and Christmas presents.

May 2024

The mother filed a Form 2 Application seeking orders that: (1) she have sole parental responsibility for the Children; (2) the orders providing for the father to have video call communication with the Children be suspended; and (3) the father be restrained by injunction from, amongst other things, removing the Children from the care of the mother/the mother's agents.

August 2024

The parties attended an Interim Hearing in respect of the mother's application. The Court made orders that: (1) the mother have sole parental responsibility for the Children; (2) the father be restrained by injunction from removing the Children from the care of the mother/mother's agents; and (3) the father communicate with the Children once per week via video call.

Procedural orders were also made for the matter to be included in the Defended List and for the parties to file their trial documents prior to the Readiness Hearing listed for December 2024.

The Defended List is a list of all matters awaiting the allocation of a trial date. The Court will make a raft of procedural orders when adding a matter to the Defended List, including requiring the parties to file various documents for trial.

[December 2024](#)

At the Readiness Hearing, the mother had complied with the Court's orders for the filing of her trial documents, but the father had not. The Magistrate made orders extending the time for the father to file his trial documents.

The matter was included in the March 2025 Callover.

The Callover List is a procedural hearing where the Court allocates trial dates for matters awaiting trial.

[February 2025](#)

Orders were made by consent extending the filing deadline for the father's trial documents.

[March 2025](#)

The father filed a Form 2 Application requesting that the Court issue him with a certificate under s 11 of the *Evidence Act 1906* (WA) prior to him filing his trial documents due to his concerns about incriminating himself. The father also sought interim orders for the re-commencement of supervised time with the children.

At Callover, the matter was listed for trial, commencing "not before" 11 August 2025 before a Judge.

[April 2025](#)

In April 2025, the father's application was dealt with by a Magistrate who made orders extending the time in which the father had to file his trial documents, failing which consideration would be given to dismissing the father's Form 1 Application. The Magistrate otherwise dismissed the father's Form 2 Application, including for a s 11 certificate (and noting that the appropriate time to make such an application is at the trial itself).

[May 2025](#)

In May 2025, the father filed his trial affidavit.

[June 2025 to July 2025](#)

As of June 2025, the father had still failed to comply with the Court's orders for the filing of his remaining trial documents.

The Court made orders extending the time in which the father had to file his documents for trial a further three times.

By mid-July 2025, the father had filed all his necessary documents for trial.

In late July 2025, the parties attended a Conciliation Conference with a Registrar. At the Conference, the parties were able to agree some issues. The parties later filed a Minute of Final Consent Orders which was pronounced by the Court. In summary the parties agreed that: (1) the Children live with the mother; (2) the mother have sole parental responsibility for the Children; and (3) from the time each child attains the age of 16 years, any contact and communication with the father is to be in accordance with their wishes.

[August 2025](#)

Around one week prior to the commencement of the trial, the father filed a Form 2 Application seeking that the trial be adjourned so that the SEW could provide an updated report.

On the first day of trial, the father's application was dismissed by the trial Judge.

The trial proceeded and lasted three days. At the time of the trial, the Children were aged between 11 and six years old.

On the final day of trial, further orders were made by consent. Consequently, the primary issue to be determined by the trial Judge was whether the Children were to spend any time with the father prior to them turning 16 years old.

In late August, the trial Judge published their reasons for decision from chambers and listed the matter to make orders pursuant to judgment.

In summary, the trial Judge found that: (1) the father had perpetrated family violence against the mother and her partner to which the Children had been exposed; (2) the Children were at risk of psychological and emotional harm from the father; (3) contact between the father and the Children would compromise the mother's ability to parent; and (4) the risks to the Children could only be ameliorated by making orders for no contact between the father and the Children.

APPEALS

There are different appeal processes depending on:

- Whether state or federal jurisdiction is being exercised;
- Whether the decision being appealed was final or interlocutory; and
- Whether the said decision was made by a Judge, Family Law Magistrate or other Magistrate.

The Federal Circuit and Family Court of Australia (Division 1) (FCFCoA) hears appeals from Judges and Family Law Magistrates exercising federal family law jurisdiction, that is, pursuant to the *Family Law Act 1975* (Cth). Information in relation to appeals to the FCFCoA is available at: www.fccoa.gov.au.

In relation to the exercise of non-federal family law jurisdiction that is, pursuant to the *Family Court Act 1997* (WA), the Court of Appeal of the Supreme Court of Western Australia hears appeals from Judges, and appeals concerning final orders made by Family Law Magistrates. Information in relation to appeals to the Court of Appeal of the Supreme Court of Western Australia is available at: www.supremecourt.wa.gov.au.

All appeals filed in Western Australia against a decision of a Magistrate exercising non-federal jurisdiction, or an interlocutory decision of a Family Law Magistrate exercising non-federal jurisdiction are heard by a Judge of the Court.

In 2025, there were 7 appeal applications filed in the Court seeking leave to appeal interlocutory orders of a Family Law Magistrate. There were 2 applications filed seeking leave to extend the time in which to file an appeal application. One of these applications was approved and the other application was dismissed.

Of the 7 appeal applications filed in 2025, 5 applications were finalised in the year.

Two appeals were allowed - in one the appeal Judge exercised his discretion in relation to the quantum of a costs order the subject of the appeal, and in the second, the matter was listed for rehearing.

Two Notices of Appeal were discontinued by the appellants before final hearing, and a third Notice of Appeal was summarily dismissed.

Two appeals remain listed for hearing in February 2026.

In relation to the last 2 appeals filed in 2024 that were listed for determination in 2025, one appeal was allowed and the matter listed for rehearing, and the second matter settled by consent with the parties agreeing to vary the interim orders.



COUNSELLING AND CONSULTANCY SERVICE

The Family Court Counselling and Consultancy Service (FCCCS) is involved in Family Court child-related proceedings. A FCCCS Family Consultant usually attends the Child-Related Proceedings (CRP) List which is the first hearing for most parenting matters. As part of this process, the Family Consultant may carry out a preliminary assessment and provide the Family Law Magistrate with information about parenting queries and determine which cases may be appropriate for FCCCS involvement to assist the Court in assessing and managing risk issues or concerns to members of families.

After the CRP List, a Family Consultant may provide further case management support, including convening and undertaking activities such as Case Assessment Conferences (CAC), Child Review Conferences (CRC), and Child Inclusive Conferences (CIC). The aim is to identify potential risks to children and parents, and help parents negotiate safe and sustainable child-focused arrangements addressing issues that are affecting their parenting.

To ensure consistent and timely service delivery, including in regional and more isolated areas of the state, the FCCCS is able to provide service by video (MS Teams) and/or telephone.

Family Consultant Events

FCCCS carried out 1747 events in the 12 months to 31 December 2025 compared to 1733 for the previous 12 months. The new cases referred to Family Consultants represents 65% of all parenting cases before the Court. They are identified as requiring a focussed risk assessment by the Family Consultant. Other follow up events including interviewing children increased by 19%.

For matters referred to FCCCS for CACs, the median weeks for a conference increased from 7 to 10 weeks. It is expected this timeframe will be reduced in 2026 subject to retaining the staff numbers, and to retain the increased CICs by prioritising children's interviews over CRCs with parents.

Risks Identified at Family Consultant Events

When undertaking assessments, 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. Assessing the nature and type of risks presenting in families is a critical early intervention focus.

Due to the changeover to ICMS as the Court's client record management system in 2021, unclear risk reporting data was impacted for 2022 and 2023. The data appeared to be an underreporting of risk issues being assessed by Family Consultants.

Improved reporting of data has identified the levels of risk being assessed by Family Consultants for each new conference undertaken. This reflects the high complexity of parenting cases referred to the service with multiples of these risks identified in the majority of cases.

	2025	2024
New parenting applications	1795	1530
Case Assessment Conferences	1175	1262
Risk reporting from CACs		
Family and domestic violence	77%	75%
Alcohol and/or substance abuse	58%	59%
Child abuse	59%	63%
Mental health	63%	62%

OUR SERVICES

Information Sessions and Tours

The Walk in Their Shoes tour offers an opportunity for participants from a wide range of government and not-for-profit agencies, including the WA Police Force, the Department of Communities, 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 the WA Family Pathways Network.

Website and Publications

The Court's website continues to be an effective means of providing information to customers and Court users, including 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.

Regular reviews and updates of the content occurs to ensure any information is current and up to date.

Registry and Call Centre Services

The Court has a self-service kiosk area where there are Customer Service Officers in attendance to assist with the upload of documents onto the e-Courts Portal. The service provides the opportunity for parties to e-lodge applications and documents, view the Court's website and have access to other information and resources online.

Child-Minding Service

A crèche service is offered for clients attending Court or who have an appointment with a Family Consultant.

Legal Aid WA Family Court Services

Legal Aid WA continued to provide free duty lawyer assistance at the Court to ensure that all Western Australians had an opportunity to access justice regardless of poverty, disadvantage or location. On site services included legal advice, Court representation, assistance with the preparation of urgent Court documents, information and referrals (including to family dispute resolution, other legal practitioners and legal services, and non-legal support).

The Family Advocacy and Support Service (FASS) provided integrated and trauma-informed legal and social support services to families affected by family violence and other issues as they navigated the Family Court system. FASS services were provided in Perth and at our circuit regions in collaboration with partner stakeholder agencies, with Legal Aid WA's Perth Duty Lawyer staff travelling to each circuit location to provide assistance.

Clients were referred to Family Court Services and FASS by judicial officers, Court staff and a range of other stakeholders.

Between 1 January and 31 December 2025, a total of 5,546 occasions of service were provided by FASS and the Family Court Services team:

- Duty Lawyer - 1,871
- Social Support - 821
- Information and/or referrals to other services (including non-legal) - 2,854

Justices of the Peace

Justices of the Peace are volunteers who attend the Court to witness affidavits and other Court documents. The Court is also most grateful for the excellent service provided by the small team of dedicated JPs who attend at the Family Court.

FUTURE INITIATIVES

Information Sharing

The Court has continued consultation with the Western Australian Department of Justice, various State government agencies and family law sector organisations, together with the Commonwealth Attorney General's Department, in relation to enhancing information sharing protocols and arrangements. In addition to this, the Court will continue to seek feedback from the legal community and Court users in relation to enhancements to the Western Australian e-Courts portal and further improve functionality to automate the sharing of information between the Court and agencies in relation to Family Court proceedings.

System and Process

The Court continues to work in partnership with the Courts Technology Group to identify further improvements to the State e-Courts portal and ICMS case management system.

The Court continues to refine internal processes, including improvements to the Court's website which will assist in making it easier for Court users to lodge applications and documents with the Court.

Accommodation

The additional courtroom which was constructed on Level 4 of the building became operational from July 2025.

In late 2025, the Court also completed the construction of additional offices to accommodate Registrars, the Legal Aid Duty Lawyer and FASS services on Level 1.

The Court continues to experience a shortage of courtrooms from time to time. In 2025, the Court commenced an e-Court pilot program, whereby some Directions Hearings and Interim Hearings were conducted electronically from the judicial officer's chambers.

Statistical Note

Variances may be seen in some figures in this review compared with 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.

FAMILY COURT OF WESTERN AUSTRALIA COMMITTEES 2025

Board of Management
Case Management / Rules Committee
Continuing Professional Education Committee
Indigenous & Torres Strait Islander Network Engagement Committee
Occupational Health and Safety Committee
Security and Violence Committee
Social and Wellness Committee

COMMITTEES INVOLVING EXTERNAL AGENCIES

CHIEF JUDGE'S CONSULTATIVE MEETING

Representatives from:

- FCWA and FCCCS
- Family Law Practitioners' Association

FCWA / DOC / LAWYER PROTOCOLS MEETING

Representatives from:

- FCWA and FCCCS
- Legal Aid WA
- Department of Communities

LEGAL AID WA FAMILY COURT SERVICES USER GROUP

Representatives from:

- Legal Aid WA
- FCWA and FCCCS
- Department of Communities

FCWA REFERENCE GROUP

Representatives from:

- FCWA and FCCCS
- Aboriginal Legal Service
- Aboriginal Family Law Service
- Anglicare
- ARCS Adoption Research and Counselling Service
- Centrecare/WAFLPN
- Centre for Women's Safety and Wellbeing
- Child and Adolescent Health Service
- Children's Court of Western Australia
- Citizen's Advice Bureau
- Communicare
- Community Legal Centres Association
- Department of Communities
- Department of Education
- Family Law Practitioners' Association
- Legal Aid WA
- Relationships Australia
- WA Police
- WA Family Law Pathways Network



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