



2009

Annual Review

FAMILY COURT OF WESTERN AUSTRALIA





# Contents

02	From the Chief Judge	15	Case Assessment Conferences
05	The Family Court	16	Risks Identified
05	Our Jurisdiction	16	Indigenous Family Liaison Officers
05	Area of Service	17	Senior Practice Development Officer
05	Our Workload	18	Our Services
05	Our People	18	Customer Service
05	Our Budget	18	Legal Aid WA Family Court Service
06	Our Judiciary	18	Information Sessions and Tours
07	Case Workload	18	Website and Publications
08	Court Performance	19	Commonwealth Courts Portal (CCP)
09	Trials	19	Child-Minding Service
10	Judicial Caseload	19	Graduate Program
10	Appellate Work	19	Adoption Records Scanning Project
11	Magistrates' Work	20	Future Directions
12	Registrars' Work		
14	Regional Circuits		
14	Duty Lawyer Service		
15	Counselling and Consultancy Service		



# From the Chief Judge

I have pleasure in presenting my annual review of the work of the Family Court of Western Australia for the period from 1 July 2008 to 30 June 2009.

## Service Delivery

In my last report I noted that the capacity of the Court to continue to provide an acceptable level of service to the public of Western Australia would be dependent upon the outcome of the pending review of the baseline funding of the Court.

Regrettably that review had still not been completed by the end of 2008/2009. As a consequence the Court overspent its budget by \$599,926, of which more than one half was attributable to salary increases.

This is the second year in succession in which the Court's expenditure has exceeded its revenue from normal funding sources. The fact the Court continues to operate at a deficit is not in any way an indication of an expansion of services or inefficiency. It is a reflection of the fact that the income of the Court has not kept pace with increases in the cost of operations. This difficulty continues to be exacerbated by the absence of anything other than nominal funding for the significant resources required to administer the Court's de facto property jurisdiction.

By the time of preparation of this report the review of the baseline funding of the Court had been completed. Regrettably the report of the review did not recommend the increase in resources that the Court requires in order to maintain existing levels of service. My next report will provide details of the changes that will be required to service delivery in an effort to ensure that the Court operates within the level of funding made available to it.

## Delays

During the course of the year under review the Honourable Justice Julienne Penny foreshadowed her intention to retire from office in July 2009. In order to ensure all of her Honour's outstanding business was completed prior to her commission expiring it was necessary, in accordance with usual practice, for her Honour to cease sitting some months prior to the end of the year. In the absence of an early replacement for Justice Penny, the Court once again operated for part of the year with only four Judges.

As has occurred in similar circumstances in the past, the waiting time for trial increased significantly. By the end of June 2009, the waiting time from commencement of proceedings to trial had blown out to around 18 months. Fortunately, due to the cooperation of the State and Commonwealth Attorneys General, arrangements were made for her Honour to be replaced relatively soon after her retirement.

## Acting Magistrate

I drew the unacceptable waiting times referred to above to the attention of the Commonwealth Attorney-General, the Hon Robert McClelland MP. I am extremely grateful to the Attorney and the Commonwealth Government for providing funds to allow for the appointment of an acting Magistrate (and associated support administrative and counselling staff) for a period of 12 months.

Unfortunately, due to circumstances beyond the control of the Court, the appointment of the acting Magistrate was not able to be achieved prior to the end of the financial year; however, arrangements were in place at the end of the year for the appointment to be made relatively early in the 2009/2010 year.

## Collaboration with Department for Child Protection

The Court in recent years has been developing more effective arrangements for collaboration and information exchange with the Department for Child Protection. It is critical for the Family Court and all agencies working for the protection of children to have effective collaboration and information exchange protocols. To this end, with the outstanding assistance of the Director of Court Counselling and the Principal Registrar, a Memorandum of Understanding was developed between the Court, the Department and Legal Aid.

A senior officer from the Department for Child Protection has now been permanently located within the Family Court premises to facilitate information sharing and collaboration in the many cases in which risk of child abuse has been identified. The first officer appointed to this position, Ms Michèle Cohen, has been an outstanding appointment and has quickly put into effect all of the arrangements the Court hoped to achieve in this collaborative exercise. There have been numerous examples of the way in which Ms Cohen (with the cooperation of members of the staff of the Department for Child Protection) has been able to ensure the prompt exchange of information and collaborative work in protecting the welfare of children.

This new arrangement is an “Australia first” innovation. It has attracted widespread interest across Australia, including from the Commonwealth Attorney-General’s Department. In my view it is the most important initiative in the Court since the commencement of the child related proceedings program, which itself has continued to attract interstate and international recognition as “best practice”.

### **Family Violence**

Regrettably the majority of cases in the Court involving children also involve allegations of violence. It is common in such matters for the family also to be involved in proceedings in the Family Violence Courts.

In order to better respond to these complex cases, protect victims and provide the best possible outcomes for children, the Court has entered into information sharing protocols with the Magistrates Court, the Department of the Attorney General, Legal Aid and the Department of Corrective Services. The protocol has now been operationalised and there are already a number of examples of the benefits associated with these arrangements. Again, this is an “Australia first” initiative and yet another example of the excellent collaborative arrangements that have been developed across a wide range of agencies in Western Australia dealing with family law matters.

### **Indigenous Family Liaison Officer program**

The Indigenous Family Liaison Officer program was in full swing by the commencement of the year under review. The Court had the benefit of two outstanding Liaison Officers, Ms Ilana Stack and Mr Dennis Kickett, to implement this important initiative. In the period from February 2008 to June 2009 the liaison officers had assisted in 132 cases involving indigenous families. At the conclusion of the year an evaluation of the program was underway. Advance details concerning the outcome of the evaluation are contained in this report.

### **Court Governance**

In accordance with arrangements I put in place on assuming the office of Chief Judge, the Court has had a Board of Management to oversee the operations of the Court. The Judges have formally delegated to the Board their authority to make decisions on behalf of the Court, subject always to the right of review by the Judges.

The Board has met fortnightly throughout the year and continues to make all decisions for the smooth running of the Court. I am indebted to the Honourable Justice Martin, the Principal Registrar, the Director of Court Counselling and the Executive Manager (and their delegates who attend meetings in their absences) for their dedicated contribution.

I am also indebted to the many Judicial Officers, Family Consultants and members of Court staff who willingly give up lunch times and out of hours time to take part in the work of the Court’s many committees. The committees are of vital importance to the oversight and improvement of the work of the Court.



### **“New look” annual report**

This year’s annual report has a different “look”. It is hoped that the new layout and the use of visual aids will assist the reader to find and comprehend those matters which are of particular interest. I wish to thank the Executive Manager and his staff for bringing about these changes. In particular, I wish to acknowledge the skill and effort of the Manager of Business Services, Ms Kristina Pozar, who has largely been responsible for this project.

### **The Future**

The most crucial issue the Court faces in 2009/2010 will be finding ways to maintain an acceptable level of service in the absence of an acceptable level of funding.

It is a matter of great concern to me that there are many indications of “burn out” at all levels of operation. This Court has been engaged in a sustained program of innovation and improvement in service delivery. The quality and dedication

of the Judicial Officers, Family Consultants and Court staff is exceptional. As the population of the State rapidly grows and the complexity of cases increases exponentially, it is crucial that this dedicated group is given some respite by the provision of sufficient resources to meet the legitimately high expectations of those who use the services of the Court.

I conclude by thanking all of the Judges, Magistrates, Registrars, Family Consultants, Managers and members of Court staff for their dedication and commitment throughout the year.

**The Honourable Justice Stephen Thackray**  
Chief Judge

# The Family Court

## Our Jurisdiction

The Family Court of Western Australia was established in 1976 as a State court under the *Family Court Act 1975*.

The Court is presided over by Judges and Registrars. It is vested with State and Federal jurisdiction in matters of family law and deals with divorce, property of a marriage or de facto relationship, matters relating to children, maintenance and adoptions. Specialist family law magistrates work alongside the Family Court structure.

The Department of the Attorney General (WA) provides administrative and logistical support for the operation of the Court, which is principally federally funded.

## Area of Service

Apart from the Perth Metropolitan area, the Family Court also provides services to the following regional centres:

Albany  
Broome  
Bunbury  
Geraldton  
Kalgoorlie  
Karratha  
South Hedland

## Our Workload

Number of applications received	14,136
Matter Finalisations	12,848
Divorce Applications	5,037
Final Order Applications	2,593
Appeals	24
Finalisations by Trial	219

## Our People

5	Judges
9.6	Magistrates/Registrars
52.5	Registry Support Staff
33.2	Judicial Support Staff
15	Family Consultants and IFLOs
6	Counselling support staff

## Our Budget

FAMILY COURT OF WESTERN AUSTRALIA	
STATEMENT OF INCOME AND EXPENDITURE FOR THE YEAR ENDED 30 JUNE 2009	
	\$
Opening Cash Balance as at 1 July 2008	-185,195
INCOME	
Commonwealth Grants <sup>1</sup>	14,002,000
Court Fees	2,314,780
Other Revenue	123,884
State Contribution - De Facto Matters	195,727
State Contribution - Specified Callings <sup>2</sup>	155,726
	<u>16,792,117</u>
EXPENDITURE <sup>3</sup>	
Salaries and Superannuation	11,172,078
Building Rentals and General Maintenance	2,655,282
Administration Expenses	3,564,683
	<u>17,392,043</u>
Subtotal - 2008/09 Operating Result	-599,926
Closing Cash Balance as at 30 June 2009 <sup>4</sup>	-785,121

# Our Judiciary



As at 30 June 2009 Family Court Judges and Registrars/  
Magistrates were:

## **Chief Judge**

The Honourable Justice Stephen Thackray

## **Judges**

The Honourable Justice Carolyn Martin  
The Honourable Justice Jane Crisford  
The Honourable Justice Julianne Penny  
The Honourable Justice Stephen Crooks

## **Principal Registrar**

Magistrate David Monaghan

## **Magistrates/Registrars**

Magistrate Christopher Judges  
Magistrate Ronald Fleming  
Magistrate Annette Andrews  
Magistrate Alan Moroni  
Magistrate Elizabeth Stewart  
Magistrate Jill Vander Wal  
Magistrate Susan Duncanson  
Registrar Colin Kaeser  
Registrar Sally Vanderfeen

# Case Workload

An increase is seen in filings in both children’s cases and matters involving settlement of property in 2008/09.

During the year, over 55% of children’s matters were commenced on the basis that a certificate was filed establishing a ground of exemption from attending compulsory family dispute resolution procedures.

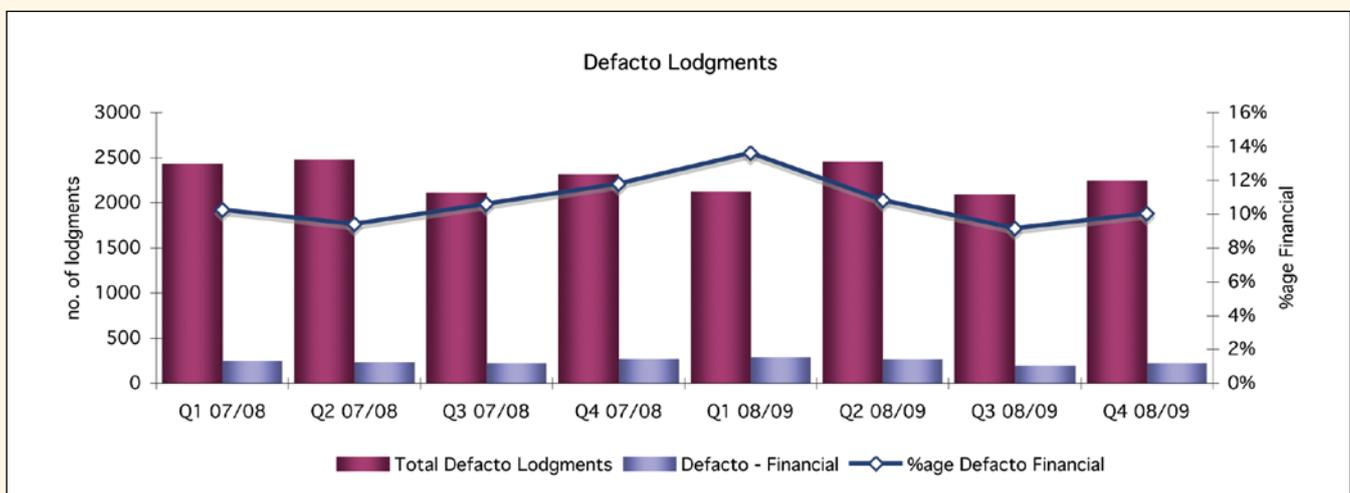
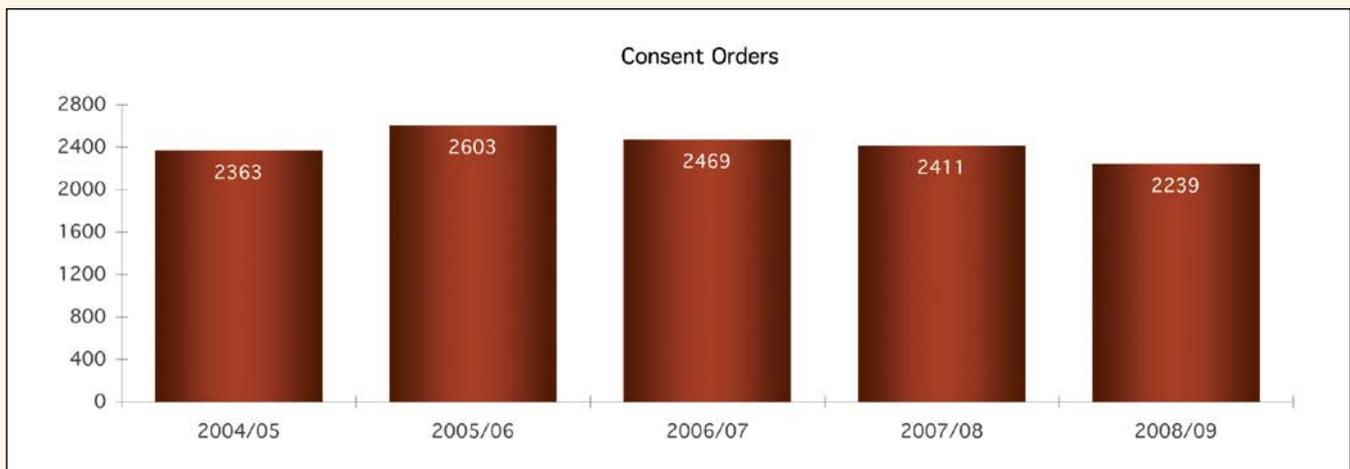
There was a slight reduction in the percentage of matters in which the applicant was self represented at the time of filing of applications in matters involving children (down from 39.6% to 38.5%). An increase in self representation (up from 7% to 13.4%) was recorded in matters involving financial issues. The ratio of self representation in divorces remained steady at around 82%.

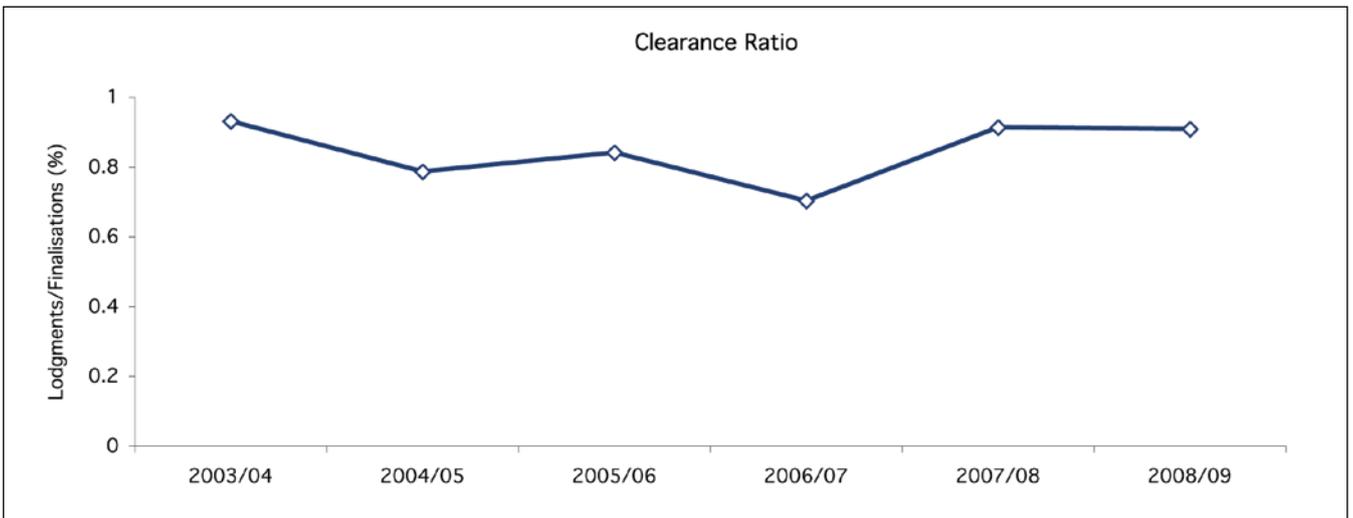
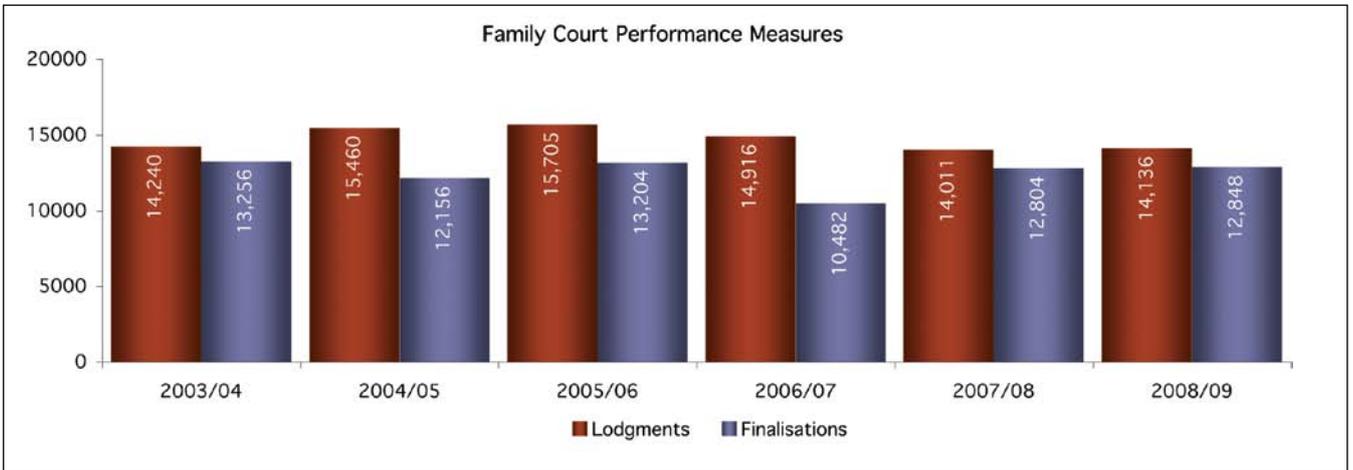
There continues to be an increasing proportion of applications made in proceedings where the parties were never married. These now represent about 45% of the total

number of applications (excluding divorces). This is up from about 44% last year and 38% in the previous year.

Applications for property settlements in de facto matters now represent over 9.8% of all applications for final orders.

There continues to be a very high volume of applications seeking only consent orders. There were 2,239 such applications this year, the great majority of which related to property settlement.





**Court Performance**

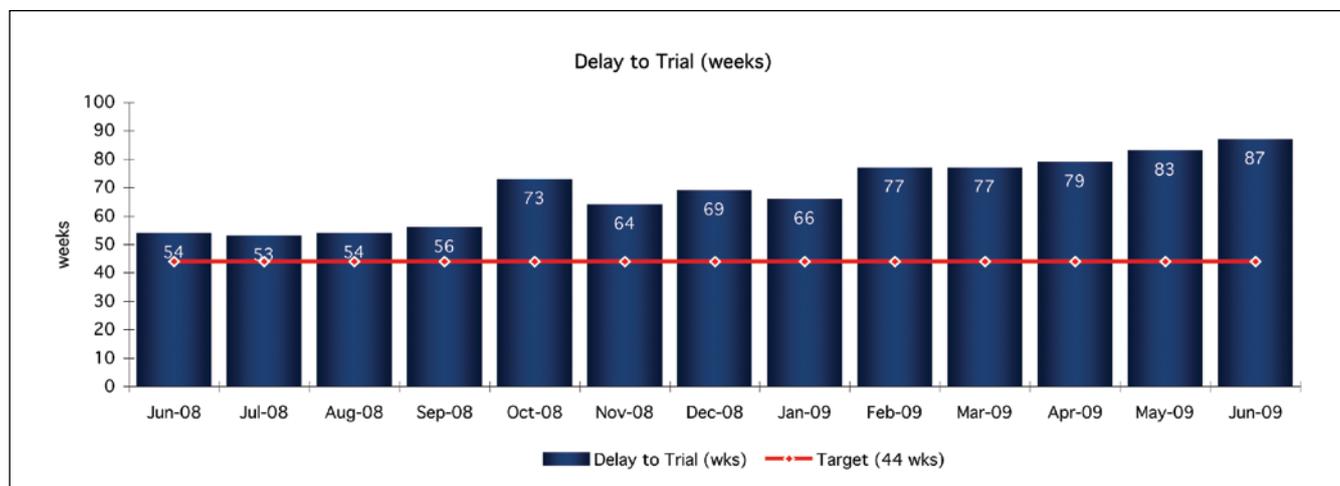
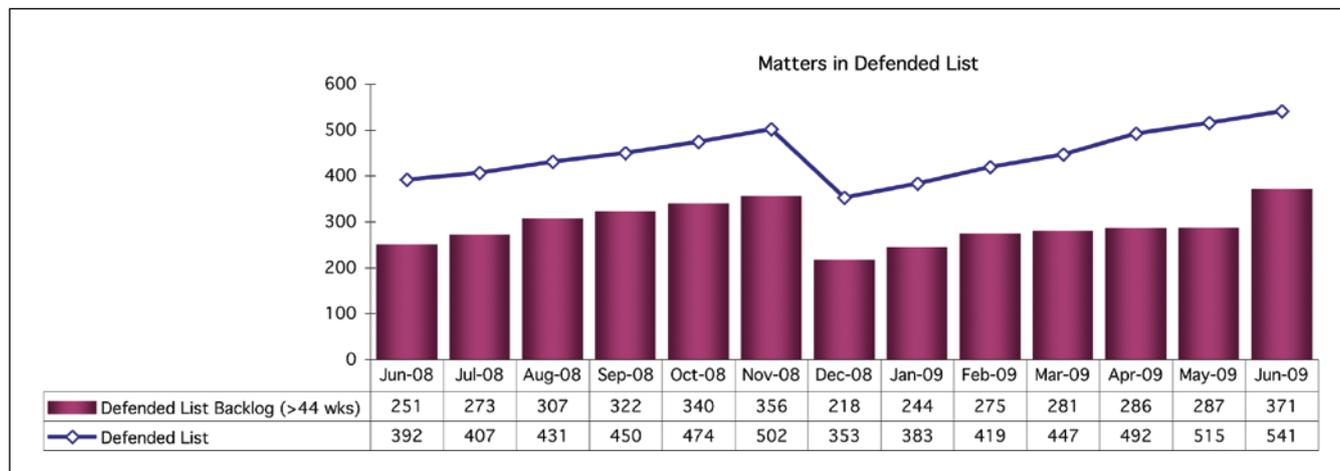
The overall number of lodgements slightly increased in 2008-09, as did finalisations. The Court now applies a rule which deems matters to have been finalised where there has been no lodgements or hearings associated with the matter for 12 months or longer. This provides a more accurate reflection of the efficiency of the Court.

The Court's clearance ratio is a measure of whether the Court is keeping up with its workload (number of finalisations divided by the number of lodgements). In 2008/09 the clearance ratio was 90.9%, only a slight decrease from the previous year (91.4%).

**Trials**

The number of matters awaiting trial had peaked at 502 in November 2008 followed by a decrease in December 2008. However, in the months to follow the Court has recorded an increase in the number of matters awaiting trial. As at June

2009 the Court has a total of 541 matters awaiting trial. As at June 2009 the delay to trial stands at 87 weeks which is an increase of 33 weeks from June 2008. An increasing trend is seen in the delay to trial which is reflected in the graph below.



# Judicial Caseload

In 2008/09, there were 280 matters listed for trial before Judges, which represents an increase of 14.3% (35 trials) from the previous year.

There were 56 trials listed before Magistrates, a decrease of 11.1% from the 63 trials in the previous year.

In addition to matters listed for trial there were 357 matters listed for appointments in Duty Judge Lists and 1062 matters listed for other appointments before Judges. These statistics were not previously kept and are now provided to indicate that the work of the Judges involves a great deal more than the conduct of trials. The statistics reflect changes made in recent years to case management arrangements which have seen Judges assume conduct of matters at a much earlier stage in the proceedings than has historically been the case.

The Judges deal with all work associated with the Court's jurisdiction under the *Adoption Act* 1994. There were 37 applications made for adoption and 43 ancillary applications filed in relation to adoption proceedings. In total 34 adoption orders were made in the course of the year.

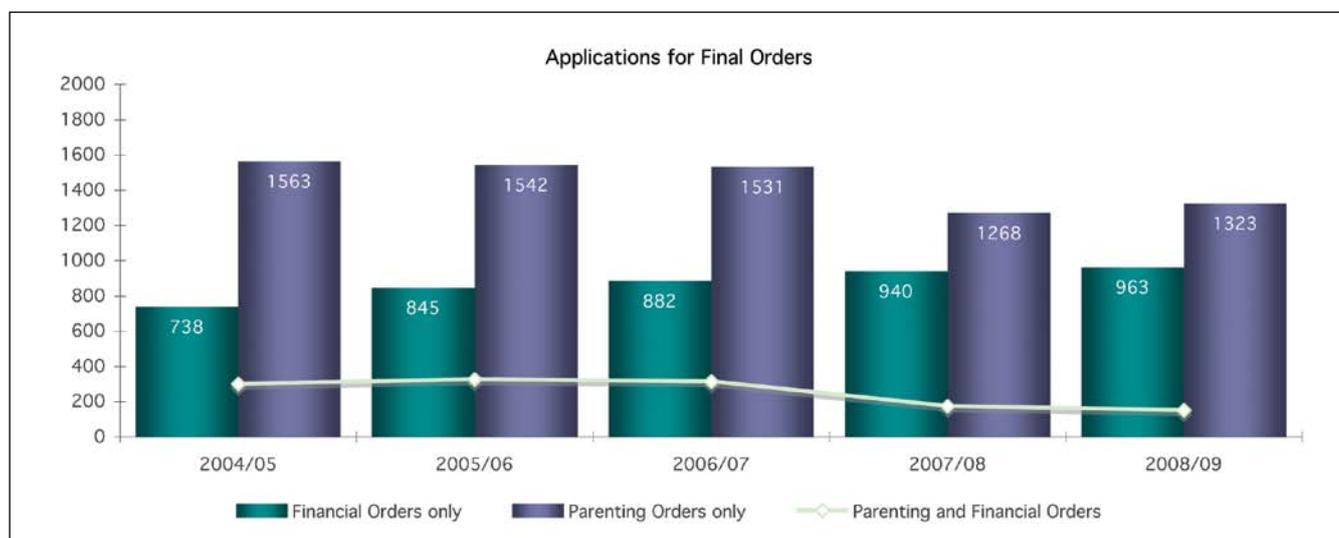
## Appellate Work

This year there were 17 appeals/applications for leave to appeal filed in relation to decisions of Judges of the Family Court of Western Australia. There were also 17 Appeals/Applications for Leave to Appeal finalised during the year.

There were 7 appeals/applications for leave to appeal filed in relation to decisions of the specialist Family Law Magistrates. There were 9 appeals/applications for leave to appeal finalised during the year.

Appeals from Judges of the Family Court of Western Australia exercising non-federal jurisdiction are heard by the Western Australian Court of Appeal, rather than by the Full Court of the Family Court of Australia. Ten such appeals were filed during the year under review. Of these 4 were dismissed, 3 discontinued, 2 appeals in which the judgment is reserved and one appeal which is still ongoing.





## Magistrates' Work

### Applications for Final Orders

There was a total of 2,591 Applications, for final orders regarding property and/or children, compared with 2,367 for the previous year.

Of those 2,591 applications 1,323 (51.1%) sought parenting orders only, 963 (37.1%) sought property orders only, and 153 (5.9%) sought both parenting and property orders. The remaining 5.9% of applications relate to other orders sought such as passports and injunctions.

In the preceding year, the corresponding percentages were 50%, 36.9% and 6.8% respectively and 6.3% representing other orders sought. Numerically, 55 more applications seeking parenting orders only, 23 more applications seeking property orders only and 21 fewer applications seeking both parenting and property orders, were filed than in 2007/2008.

Of the 1,323 applications filed seeking parenting orders only, 553 (41.8%) were filed by married parties and 770 (58.2%) by unmarried parties. In the preceding year the corresponding percentages were 43% and 57% respectively.

Of the 963 applications filed seeking property orders only, 704 (73.1%) were filed by married parties and 259 (26.9%) by unmarried parties. In the preceding period the corresponding percentages were 77.4% and 23.5% respectively. 3 applications were filed by same gender couples compared with 2 in the preceding period. 129 of these property settlement applications (13.4%) were filed by parties without legal representation, compared with 7% in the preceding period.

Of the 153 applications filed seeking parenting and property orders, 114 (74.5%) were filed by married parties and 39 (25.5%) by unmarried parties. In the preceding year the corresponding percentages were 78% and 22% respectively.

### Applications for interim orders

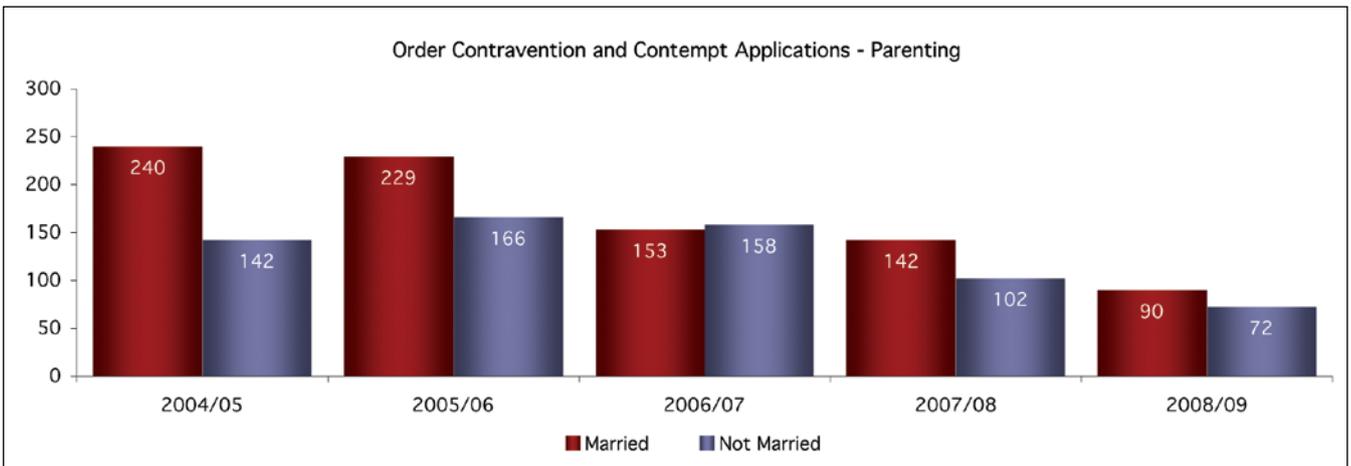
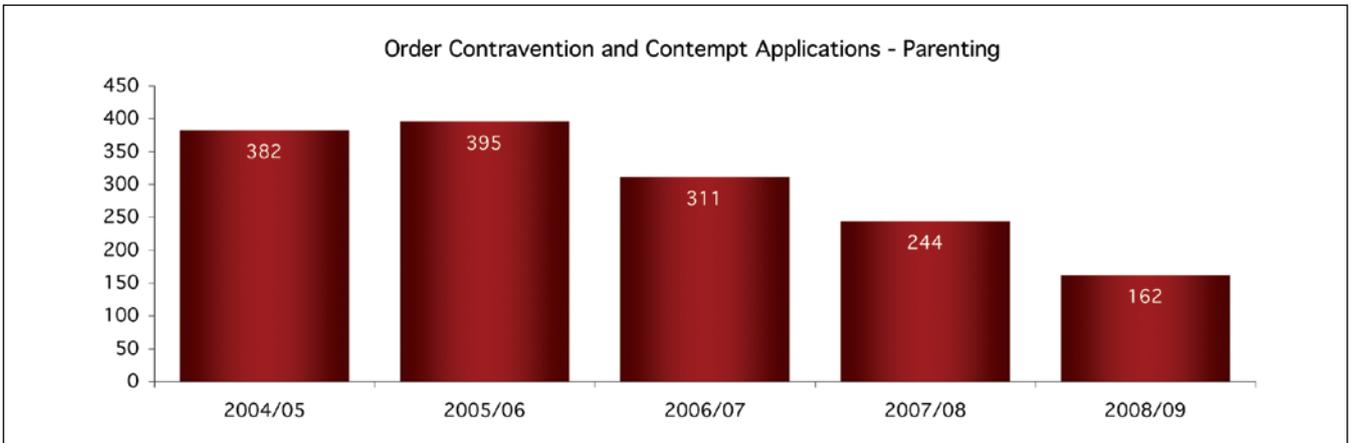
There were 4,028 applications for interim orders, compared with 3,894 in the previous period.

### Applications for Spousal Maintenance, Child Maintenance and Child Support

There were 140 applications seeking spousal maintenance, child maintenance or child support orders, compared with 165 for the preceding period. This reduction reflects changes to the applicable legislation.

### Case assessment conferences and hearings

Magistrates and Family Consultants conducted 1,505 case assessment conferences/hearings in cases where only parenting orders were sought and 180 case assessment conferences/hearings where both parenting and property orders were sought. The comparable figures in the previous year were 1,390 and 130 respectively, consequent upon the increased numbers of Applications for Final Orders filed as detailed above.



**Order contravention and Contempt Applications**

There were 162 applications alleging contravention of a parenting order, compared with 244 in the previous year and 311 in 2006/2007. This is a most encouraging statistic, demonstrating one of the benefits of the individual management of parenting order cases and the Court’s control over the filing of applications in child-related proceedings.

Of those 162 applications, 111 (68.5%) were filed by Applicants without legal representation. 90 of those applications were filed in relation to children of a marriage (55.5%) and 73 in relation to exnuptial children (45.1%).

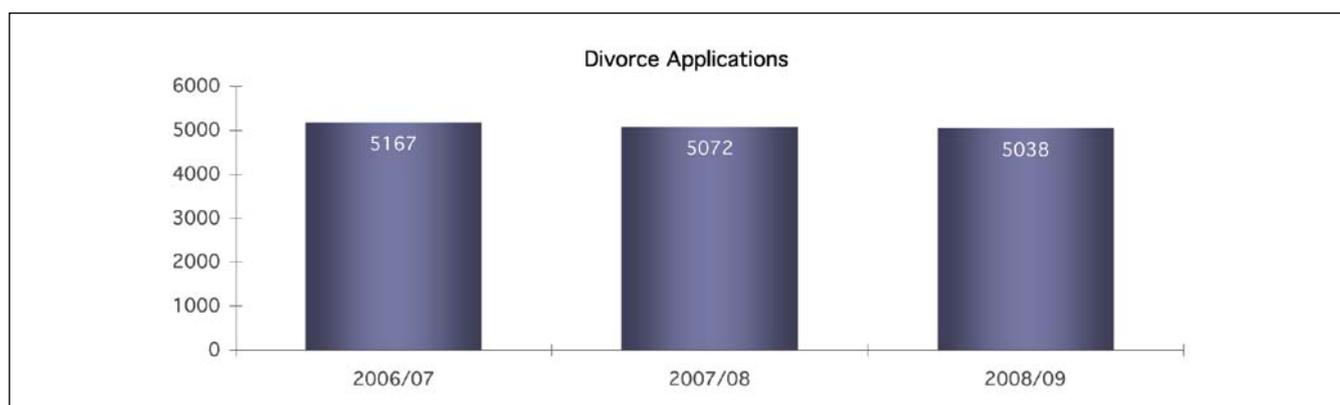
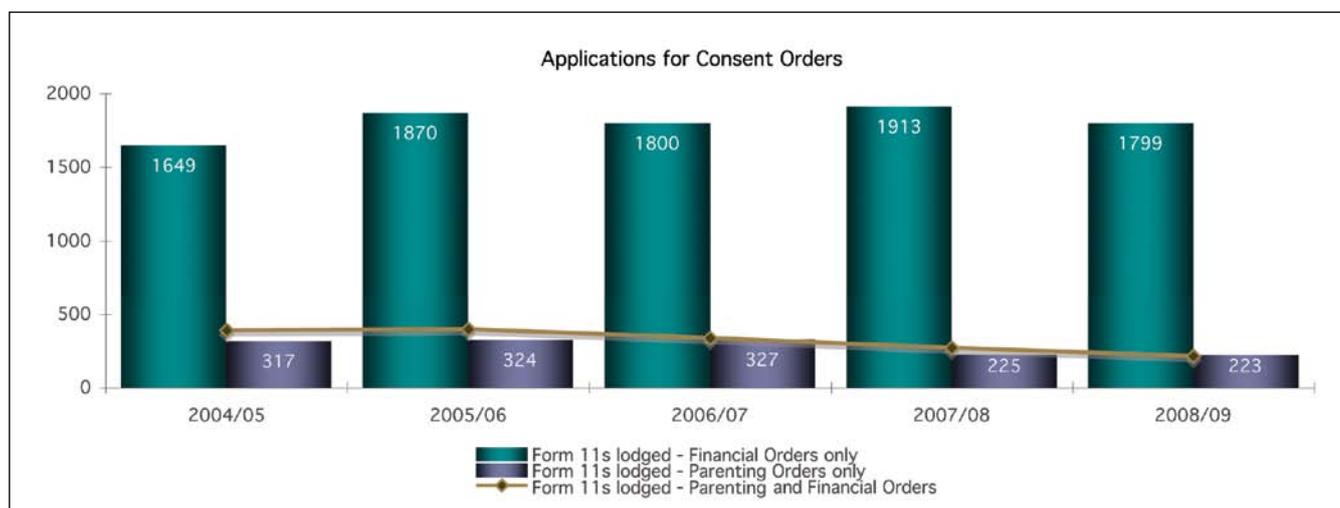
**Registrars’ Work**

**Conferences**

Registrars conducted 856 procedural conferences compared with 1,105 in the preceding year. 10.6% of cases settled at a procedural conference, which is slightly up compared with the preceding year (7.7%).

Registrars conducted 1,246 conciliation conferences, compared with 1,110 in the preceding period. 13% of cases settled at a conciliation conference, a decrease from 15.5% in the preceding year.

Registrars conducted 346 pre-trial conferences compared with 491 in the preceding year. The settlement rate of 9.8% at pre-trial conferences was slightly higher than the 9.1% in the preceding year.



**Applications for Consent Orders**

There were 2,239 Applications for Consent Orders filed compared with 2,411 in the preceding year. Of these applications, 1,799 (80.3%) sought property settlement orders only. 1,317 (73.2%) of those property applications were filed by parties to a marriage, 482 (26.8%) by de facto partners (36%) and 8 by same gender couples (0.4%).

Of the 2,239 applications, 223 (10%) sought parenting orders only. 119 (53.4%) of those applications were filed by parties to a marriage and the balance by unmarried parties.

Of the 2,239 applications, 214 (9.6%) sought both property and parenting orders. 171 (80%) of those applications were filed by parties to a marriage and the balance by unmarried parties.

**Divorce Applications**

There were 5,038 Applications for Divorce filed compared with 5,072 in the preceding year.

Of the 5,038 applications 82.3% were filed by persons without legal representation. In 64.6% of cases the application was dealt with in the absence of the parties.



### **Regional Circuits**

The FCWA specialist Family Law Magistrates provide valuable support and advice to country Magistrates and conduct regular circuits to regional centres. The Judges circuit to the same centres as required, hearing defended matters.

The Court provided Magistrate/Registrar circuits, each of one week's duration, to Albany, Bunbury, Kalgoorlie, Geraldton and the North-West (comprising Karratha, South Hedland and Broome). There were three Magistrate/Registrar circuits to each of these centres (except Bunbury which was visited 11 times). The Bunbury circuit continues to be the busiest for both Magistrates and Judges.

### **Duty Lawyer Services**

Legal Aid Western Australia continues to provide a permanent on-site service in the Family Court at Perth. This service provides a full range of Legal Aid services, including representation in Court, assistance with documents, advice and referral to Legal Aid's Alternative Dispute Resolution services.

Referrals to the service are made by judicial officers in Court, Family Consultants, Registrars in conferences and staff at the Registry. The Court is grateful for the outstanding service provided to clients by Legal Aid (WA).

The Legal Aid WA Family Court Service provided 2,952 services to 2,933 clients referred for the 2008/2009 period.

# Counselling and Consultancy Service

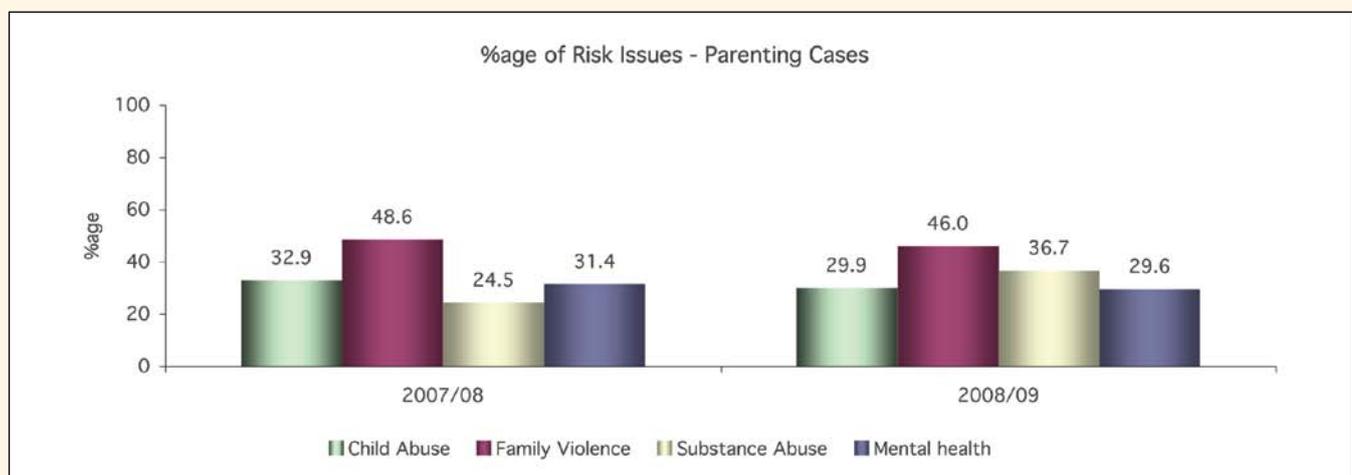
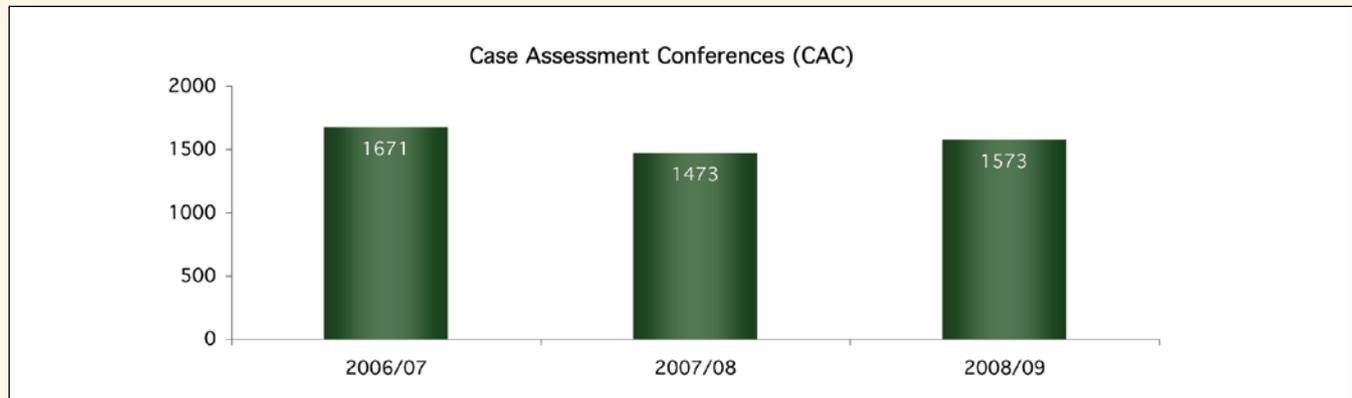
The primary role of the Family Consultants is to work with the Judiciary and individually case manage children's cases. This includes assessing each case for risk and identifying the key issues, assisting parents to negotiate agreements, interviewing children and preparing family reports, referring to other agencies, gathering information and reporting back to the allocated Judge or Magistrate who is responsible for the case.

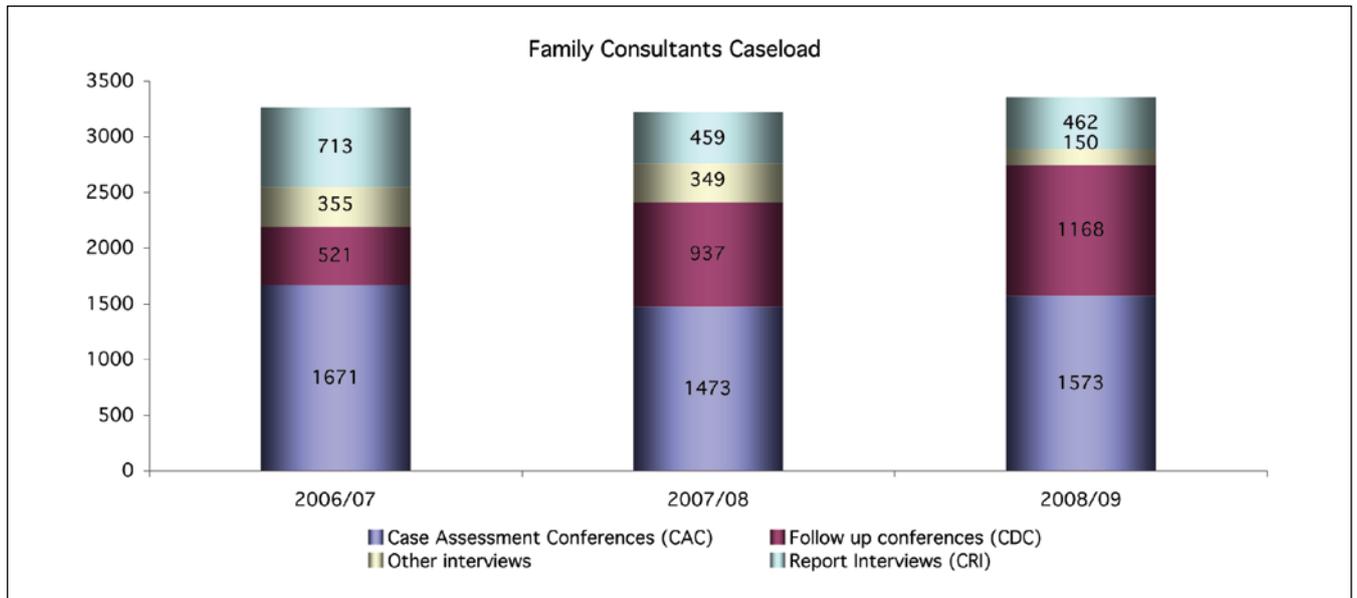
## Case Assessment Conferences

Despite the introduction of the final phase of mandatory pre-filing dispute resolution in July 2008 there has been a gradual increase in the number of new cases in the past 12 months with numbers greater than the previous year. It is anticipated that this upward trend will continue in the future.

The total number of interviews conducted by Family Consultants this year has increased to above the level prior to the introduction of mandatory pre-filing dispute

resolution in 2006. The nature of those interviews has also changed and reflects the increased priority on follow up case management Child Dispute Conferences of complex high risk families. The reduction in the number of non child related proceedings interviews (Other) correlates with the reduction in the capacity of the service to meet the needs of regional clients on circuit where the intensive case management model is not able to be provided due to insufficient Family Consultant resources.





**Risks Identified**

The level of risk identified and reported to the Court by Family Consultants has continued at similar levels to the previous year. In the following table the range of risk issues identified in 60% of new cases highlights the continued need to focus on family violence, and the increased incidence and reporting of substance abuse. Many of these cases have a multiplicity of risk issues requiring collaboration with agencies within and external to the family law sector to ensure children are safe and to assist families to overcome some of the complex issues that impact on their ability to parent their children effectively.

This is further reflected in the high number of cases where Form 4 Notifications of Child Abuse and/or Family Violence are filed as shown in the graph on page 17. The capacity of the Court to properly respond to and manage these cases has been greatly enhanced by the placement of a senior worker from the Department for Child Protection at the Court on a full time basis.

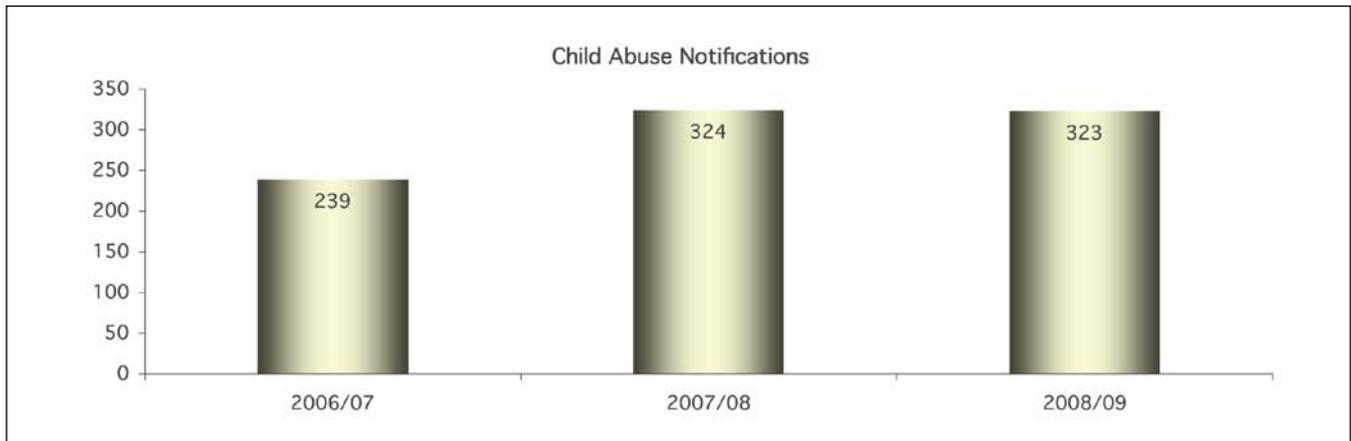
**Indigenous Family Liaison Officers**

In January 2008 two Indigenous Family Liaison Officers (IFLO) were appointed as part of a three year pilot to assist the Court to better meet the needs of Indigenous clients. During the 18 month period since this has involved 132 families involving 201 children receiving assistance.

The formal independent evaluation of the IFLO program was received after the conclusion of the year under review. The evaluation confirmed that Indigenous families involved in proceedings in the Court typically have very complex needs and present with multiple risk factors including family violence, child abuse, mental health and drug and alcohol issues. The key findings were that the IFLO initiative is greatly valued by litigants and other key stakeholders as well as the Court. It has met its objectives in maintaining or enhancing



children’s links to their extended families, providing litigants and families with information that enables children’s safety to be enhanced and increasing awareness of Family Court services. The evaluation recommended that the two IFLO positions continue to be funded. The Court is waiting to hear the outcome of its funding submission.



### Senior Practice Development Officer

In 2008 the Memorandum of Understanding between the Department for Child Protection, Legal Aid WA and the Family Court of Western Australia was revised. The MOU sets out the provisions for the referral of clients from the Department to the Court, collaborative working arrangements between the parties, and the exchange of information between the three sectors to achieve “the best possible outcomes for children.”

In March 2009 Michèle Cohen was appointed the Department’s Specialist Child Protection Consultant to the Family Court.

Michèle is located at the Court within the Counselling and Consultancy Service where she provides support to the Department in respect of all Family Court matters and acts as the liaison between the Department and the Court and between the Department and Legal Aid. Michèle does not consult with parties or their legal counsel at the Court.

Michèle manages the Department’s response to Form 4 Notifications of Child Abuse and Risk across the state; provides information to the Court pursuant to the *Family Law Act 1975* and *Family Court Act 1997*; attends ex parte hearings and applications for Recovery Orders when necessary; acts as a consultant on child protection matters to the Family Court Counselling and Consultancy Service and also represents the Department on the Family Court Reference Group; MOU Reference Group and the Family Pathways Network.



# Our Services

In 2008/09 the Family Court has made considerable progress in the areas described below which highlight the initiative of the jurisdiction and its progressive approach to the management of family law matters in Western Australia.

## Customer Service

The Family Court continues to focus on streamlining and improving its customer service practices, with the aim of better delivery of services with a greater focus on the needs of clients. Initiatives commenced or finalised in this period include:

### Legal Aid WA Family Court Service

The Legal Aid WA Family Court Service continued to provide a strong and well patronised service to Family Court customers. The Service dealt with 2,952 referrals throughout 2008/09. There was a slight increase of referrals directly from the Family Court front counter (up to 60.9%). A further 14.4% of referrals came from a court hearing or Case Assessment Conference. The duty lawyer represented 440 clients at a court hearing; of those clients 63 received representation at the Case Assessment Conference.

## Information Sessions and Tours

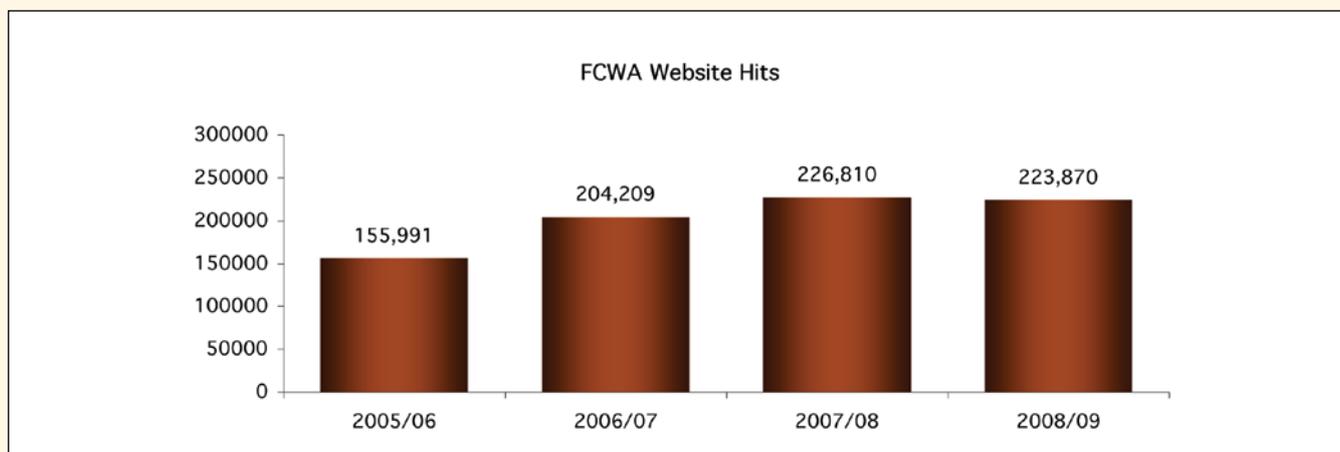
The Family Court continues to conduct weekly information sessions for people commencing actions within the Court, covering both child related and financial matters. These sessions continue to be well attended and form a key base for supporting parties through matters in the Court. The same sessions are accredited and offered by 4 suburban community legal centres and two regional centres.

The Family Court offers Court Induction tours to departmental officers, legal students and a range of community assistance agencies. During the year the Manager, Customer Service conducted a total of 26 tours.

## Website and Publications

Since its development in 2004, the Court's website continues to be the most effective means of providing information to litigants and legal practitioners. It offers a range of information including court listings, procedural advice, links to legislation, access to forms and links to outside agencies where clients may obtain further assistance.

The graph below shows a very minor decrease in the number of visits recorded in 2008/09, however the website continues to be very popular amongst legal practitioners and clients.



### Commonwealth Courts Portal (CCP)

The Family Court of Australia, Federal Court of Australia, and the Federal Magistrates Court of Australia, together with this Court have been working towards the development of a CCP which will enable online inquiry via a website. Lawyers will be able to view details about parties to a case they represent, documents filed and court events. Self represented litigants can also access similar information via the Court's website using the *File Search* facility.

The CCP officially went live early in 2008/09.

### Child-Minding Service

A child-minding service is offered for those clients who are attending court or have appointments with the counselling service. This service is well patronised with a total of 1,342 children utilising the on-site facilities throughout the year, with a monthly average of 111 children. The centre cared for a total of 16 children on its busiest day of the year in January 2009.

During the course of the year pin-up display boards were located in the public waiting area displaying artwork created by children who were spending time in the child-minding service.



### Graduate Program

Thirteen graduates commenced with the Department in the Graduate Development Program on 24 November 2008. This was the largest intake of graduates since the Program's inception in 2002. The graduates are employed as Graduate Policy Project Officers (Level 3) for the 18 month program.

The graduates commenced rotations in Court and Tribunal Services, which included placements in Aboriginal Services, Policy and the Public Trust. Graduates undertake three rotations, each six months in length, and are due to move into permanent placements in May 2010.

### Adoption Records Scanning Project

In last year's report reference was made to the project to convert the hard copy adoption records dating back to 1896 to an electronic document and records management database. This is to enable electronic access to the records by the Court and the Department for Child Protection, as well as archiving the records in a manner consistent with the *State Records Act 2000*. The project was established for 18 months, ending September 2009. Scanning is currently completed up to 1975. Due to funding difficulties the project has been placed on hold and the Court is considering the options available to complete the scanning project.

# Future Directions

The Family Court of Western Australia has identified a number of future initiatives which will continue to improve the family law service the Court is able to provide. The initiatives include:

## **Development of Quality Assurance Procedures**

The Family Court of Western Australia has been working towards developing a quality assurance package for governance of its key registry procedures. The Caseflow section of the Court has been working with the Information Technology contractors in order to develop an automated system. It is expected that this project will be completed during the 2009/10 financial year.

## **Development of e-Filing for Casetrack**

The introduction of the e-Filing process provides lawyers with the ability to electronically file supporting documents, view details about parties to a case they represent, documents filed and court events. It is anticipated that in early 2010 e-Filing of divorce applications will be possible through the Commonwealth Courts Portal (CCP). This work is being conducted in conjunction with the Family Court of Australia.

## **Sharing of Information with the Family Violence Courts**

In February 2009, the Family Court of Western Australia, Magistrates' Court, Department of Corrective Services and Legal Aid WA agreed to share information in cases involving family violence. This includes cases where an offender who is being case managed in a Family Violence Court is also a party to a parenting application and/or cases where a party in Family Court proceedings has applied for a Violence Restraining Order. During the establishment of these protocols the Magistrates' Courts also granted the Family Court access to its criminal record data base.

## **Implementation of Cognos, a new reporting tool to Family Court of Western Australia**

The implementation of Cognos would bring the Family Court of Western Australia in line with all other Western Australian Courts which are now using the Cognos reporting tool. The Cognos reporting platform can be used to provide detailed and complex multipage reports that are automatically generated on a monthly basis, daily listing capacity reports and case management reports.

Cognos is being used by other Western Australian courts to extract Key Performance Indicators and automatically populate documents or spreadsheets with data. The Family Court of Western Australia currently does this manually.

The reporting platform reduces the amount of time taken to deliver reports by a significant factor and enables the court to produce complex queries and in turn present this information in a multipage report which contains graphs and tables to show trends in the court's performance.

The Court is working together with the Family Court of Australia on this project and anticipates having Cognos implemented in 2009/10 to enable the Court to start reporting using Cognos at the commencement of 2010/2011.







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