



FAMILY COURT OF
WESTERN AUSTRALIA

ANNUAL REVIEW 2013-14

www.familycourt.wa.gov.au



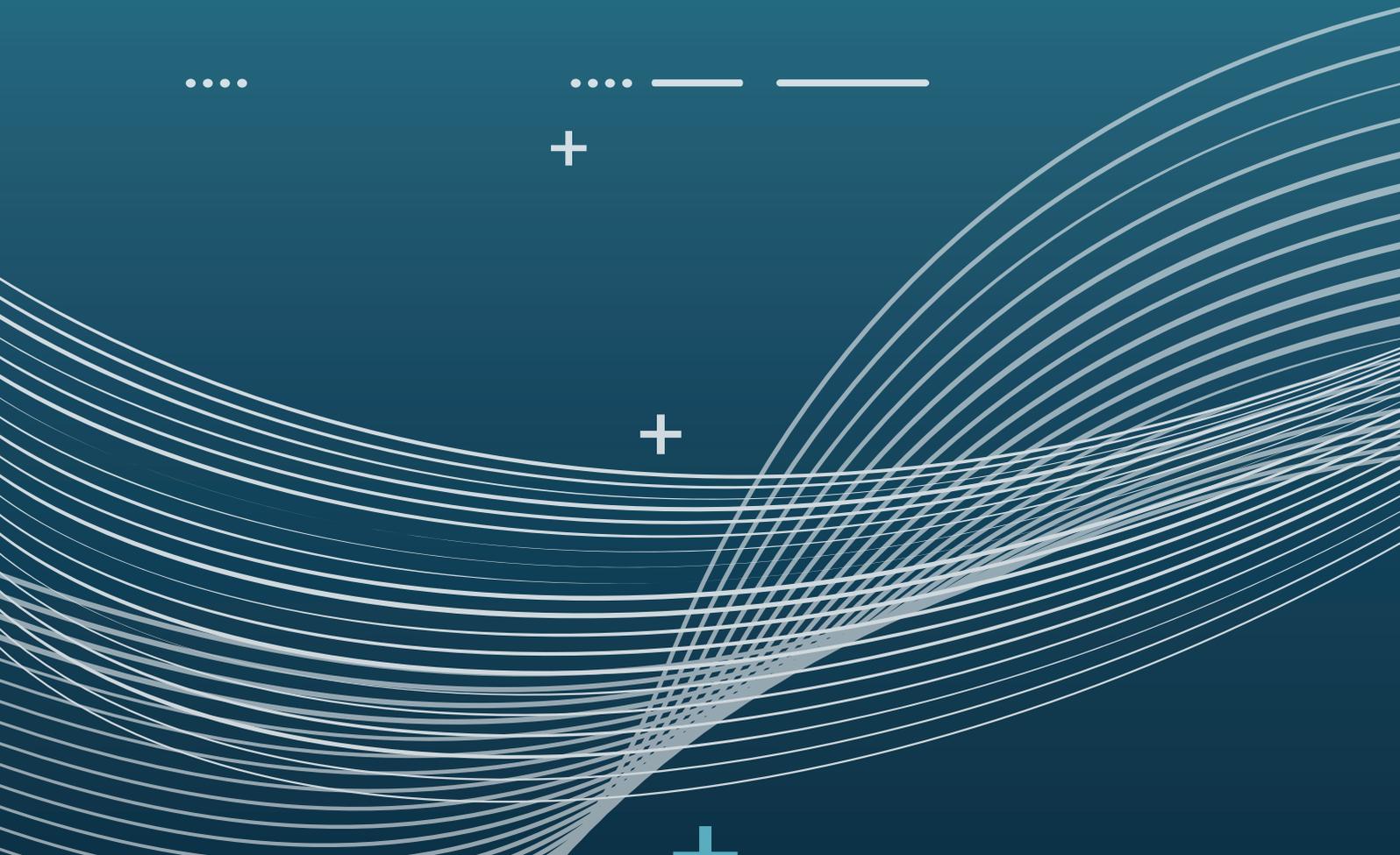
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FROM THE CHIEF JUDGE

I am pleased to present the annual review of the work of the Family Court of Western Australia for the financial year ending 30 June 2014.

A better year

The annual review for the last few years has described the many difficulties the Family Court of Western Australia has experienced at both an institutional and personal level.

I am therefore pleased to report that many of these difficulties have been put behind us and that significant gains have been made, especially in reducing the delay to trial.

These advances have been achieved as a result of the dedication of judicial officers, family consultants and staff and I record my thanks to each one of them for their contribution.

Judicial appointments

The improvement in the overall position of the Court is, in no small measure, due to having a full complement of judicial officers for the first time in many years. I record my thanks to both the State and Federal governments for their support in achieving this outcome.

During the year under review, decisions made by both governments paved the way for two Acting Magistrate appointments to be made into permanent positions. Although this did not result in any overall increase in judicial numbers, the decisions have provided certainty and permitted the Court to begin a process of longer-term planning.

No additional funding was necessary to achieve the two new permanent appointments, as the Court has been

able to meet the cost from existing budget allocations, which have been augmented by revenue from increased filing and hearing fees.

In the year under review, Mr Mark Calverley was appointed as a permanent Magistrate. As I reported last year, Mr Calverley had previously been appointed as an Acting Magistrate and prior to that had been a senior legal practitioner.

The appointments of Mr Colin Kaeser and Ms Laura de Maio as Acting Magistrates were also extended during the year, pending a further permanent appointment being made.

Increased workload

Last year, I reported a 10.7% increase in applications for final parenting-only orders and a 13.9% reduction in applications for final financial-only orders. In the year under review, there was a further 6.8% increase in applications for final parenting-only orders and an 8.6% increase in applications for final financial-only orders. While the increase in filings of financial applications was predicted in the last annual review, the upward trend in the filing of applications for parenting orders is a worrying development.

As this annual review demonstrates, a large proportion of the work in children's cases involves issues of real complexity and therefore requires the commitment of significant resources. An increase of more than 16% in filings of final parenting-only applications over the last two years has put strain not only on judicial resources, but also on the resources of the Family Court Counselling and Consultancy Service. It is clear that the FCCCS cannot continue to maintain its level of service without an increase in the number of family consultants.

Delay to trial

Notwithstanding the increase in workload, I am pleased to report that there was a substantial reduction in the time to trial in the year under review.

The median time to trial was 95 weeks, which is an improvement of 12 weeks on the previous financial year. This delay is still unacceptable, but it is gratifying to note that many of the cases which do proceed to trial do so within acceptable time frames. In parenting-only cases, about a quarter of matters reached trial within 52 weeks, while in financial-only cases about a fifth reached trial within 60 weeks.

These figures demonstrate that where parties are ready to proceed with their matter, the Court is able to accommodate a trial within an appropriate time frame. It also demonstrates the Court's capacity to hear urgent matters in a timely way.

Clearance rates

This annual review provides data on the efficiency of the Court, as measured by the "clearance rate". Such data needs to be approached with care, as it is dependent on many factors which I consider are unrelated to the efficiency of the Court.

It must also be appreciated that under the unique case management system applied in this Court, it is accepted that there are some cases, particularly those dealing with children, where it is desirable that the matter remain within the court system, under ongoing review by the managing judicial officer and assigned family consultant.

Notwithstanding the need for caution in analysing the data, it is gratifying to note that the Court achieved a fairly remarkable clearance rate of 119.7% for applications for final orders.

Future accommodation needs

During the year under review, the Court received a comprehensive report from independent consultants commissioned to consider future accommodation needs.

The report demonstrates that the Court has an immediate need for more courtrooms, since we are often unable to allocate a judicial officer to hear matters due to a lack of space.

Much work has gone into dealing with this problem on a short-term basis, but the options identified are unsatisfactory, as they involve hearings being conducted at various locations away from our main premises. I nevertheless wish to record my thanks to the Federal Court of Australia, the Magistrates Court of Western Australia, the State Administrative Tribunal and the officers of the West Australian Department of the Attorney General for their cooperation in endeavouring to arrive at an acceptable temporary solution.

I am hopeful that planning will continue with the Federal Court in the coming year with a view to the construction of courtrooms in a vacant area in the Commonwealth Law Courts building, which will ease our pressing needs, at least in the short-term. However, the consultants' report highlights what I anticipate will be significant growth in the demand for family law services in WA over the coming 10 to 20 years, which will require much increased judicial and other resources, and hence the need for longer term solutions.

Child protection jurisdiction

The Court continues to take advantage of its position as a state court by working in close cooperation with the Department of Child

Protection and Family Support. We continue to enjoy the huge benefit of having a senior officer of the Department located in our premises and it was particularly pleasing to have additional resources provided to augment this service.

I wish to pay tribute to the outgoing director of the Department, Mr Terry Murphy, and his senior staff, for the work we have done together over many years to develop what is unquestionably the closest and most effective working relationship between a family court and a state child protection agency in Australia.

Discussions continued during the year with a view to developing proposals for consideration by government for an improved statutory framework to assist the Family Court and the Children's Court to provide a better model of service delivery for those families who previously have had proceedings in both courts. I anticipate that real progress will be made in dealing with this important issue in the coming year.

Court governance

The management of the Court continues to be overseen by the Board of Management, to which the judges have delegated their authority, subject always to the right of review.

The work of the Board is greatly assisted by the various committees listed at the end of this annual review. I wish to thank again the many judicial officers, family consultants and members of staff who so willingly take part in the work of the various committees, usually out of normal hours. The Court could not function without their work, and without the generous support we receive from the Department of the Attorney General, Legal Aid WA, the legal profession, the Family Pathways Network and the many service providers.

I conclude by thanking everyone for working so hard to bring our Court through what have been very difficult times. I look forward to working with you to achieve even further improvement in the delivery of our services to the people of Western Australia.

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 and registrars. It deals with disputes arising out of the breakdown of marriages and de facto relationships. Specialist Family Law Magistrates work alongside the judges. The work of the Court is supported by the family consultants working in the Family Court Counselling and Consultancy Service.

The Department of the Attorney General (WA) provides administrative and logistical support for the Court. The Court is principally funded by the Federal Government, with support from the State Government to assist in dealing with the de facto financial jurisdiction.

OUR JUDICIARY

As at 30 June 2014

Chief Judge

The Honourable Justice Stephen Thackray

Judges

The Honourable Justice Jane Crisford
The Honourable Justice Simon Moncrieff
The Honourable Justice John Walters
The Honourable Justice Susan Duncanson

Principal Registrar

Magistrate David Monaghan

Magistrates/Registrars

Magistrate Annette Andrews
Magistrate Alan Moroni
Magistrate Elizabeth Stewart
Magistrate Jill Vander Wal
Magistrate Gail Sutherland
Magistrate Francine Walter
Magistrate Mark Calverley
(Appointment commenced 6 August 2013)
Magistrate Colin Kaeser (Acting)
Magistrate Laura De Maio (Acting)
Registrar Leonie Forrest
Registrar Thomas Kuurstra

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 these regional centres:

Albany
Broome
Bunbury
Geraldton
Kalgoorlie

OUR BUDGET

The audited budget summary of the Court was not available at the time of printing. It will be displayed on the Court's website when it becomes available.

OUR PEOPLE

As per the approved FTE levels for 2013-14:

5	Judges
8	Magistrates
2	Acting Magistrates
2	Acting Registrars
52.5	Listings and judicial support staff
23.5	Customer service staff
11	Business services and records staff
14.6	Family Consultants
4	Counselling support staff

WORKLOAD SUMMARY

Primary Applications	Received	Finalised
Initiating Applications for Final Orders	2,731	3,270
Applications for Interim Orders	4,403	4,892
Divorce Applications	5,122	4,629
Applications for Consent Orders	2,505	2,514
Total	14,761	15,305
Final Order Defended Trials Commenced		368
Median Weeks to Final Order Trial		95 weeks
Final Order Non-Trial Finalisations		2,506
Median Weeks to Final Order Non-Trial Finalisation		57 weeks

NEW WORKLOAD

Applications received by the Court increased in relation to both parenting and financial applications.

Initiating Applications for Final Orders

Initiating applications for final orders are the Court's most resource intensive application type. This is due to their volume and the time required for a judicial officer to reach an appropriate resolution of the issues in dispute, including any subsidiary issues raised via interim applications.

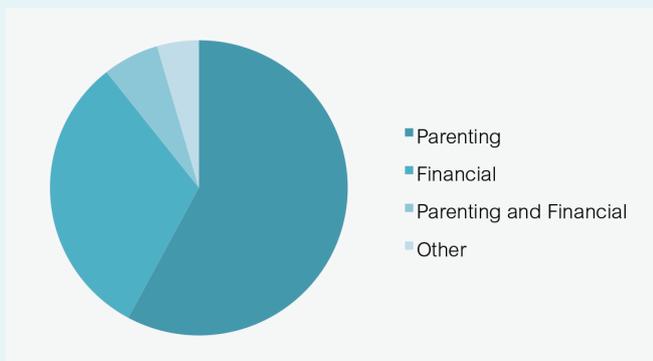
There were 2,731 initiating applications for final orders lodged in 2013-14, a 5.6% increase from 2012-13.

Of those applications, 57.9% sought parenting-only orders, 31.5% sought financial-only orders, and 6.1% sought both parenting and financial orders. The remaining applications sought other relief, such as for the issue of passports and injunctions.

Compared with the previous year, there was a 6.8% growth in parenting-only applications, an 8.6% growth in financial-only applications and a 6.2% reduction in applications for both parenting and financial orders. Overall this equates to a 5.4% increase in applications involving parenting issues and a 5.9% increase in applications involving financial issues.

The trend for financial matters is notably different from the prior year where these applications were in decline. This decline was attributed to the introduction of new Case Management Guidelines on 7 May 2012. As foreshadowed by the Chief Judge in the last annual review, this reduction has not been sustained.

GRAPH 1 – Initiating applications for final orders by orders sought



Other Applications

After initiating applications for final orders, the Court's key application types include interim orders (generally subsidiary applications to an initiating application for final orders), consent orders (where the parties apply to the Court for binding orders) and divorce applications (seeking the dissolution of a marriage).

During 2013-14 the Court received:

- 4,403 interim order applications, a decrease of 3.1%;
- 5,122 divorce applications, consistent with 2012-13; and
- 2,505 consent order applications, an increase of 4.4%.



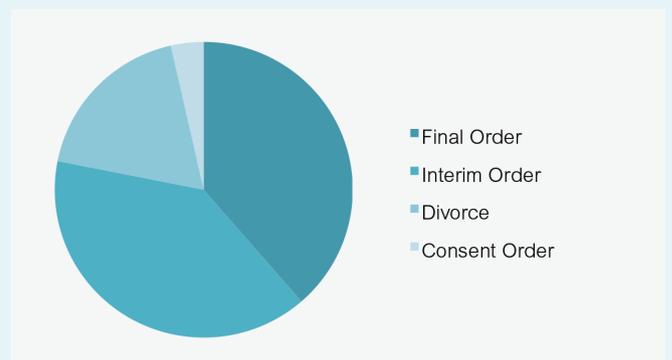
ACTIVE WORKLOAD

In addition to the new applications received, the Court continues to manage outstanding matters lodged in prior years.

Applications which have had a document lodgment or hearing event to progress the matter in the past 12 months constitute the Court's active workload. At the end of June 2014, excluding appeal matters, the Court's active workload included:

- 3,873 final order applications;
- 3,962 interim order applications;
- 1,839 divorce applications; and
- 357 consent order applications.

GRAPH 2 – Active workload by application type



Other inactive applications remain with the Court, with their lack of activity often due to parties informally deciding to withdraw from proceedings without notifying the Court. Inactive matters may however reactivate at any time, should one or both parties make a request to re-list.

COURT PERFORMANCE

Timeliness continued to be a high priority for the Court over 2013-14, with the maintenance of a high clearance rate critical to long term improvements in the time to trial and time to finalisation.

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 119.7% was achieved for initiating applications for final orders, the second consecutive year the Court has disposed of a greater number than were filed. It is pleasing to note the continued progress in addressing the backlog which developed over previous years.

The improvements to the clearance rate since 2009-10 reflect the Court's efforts to ensure that matters reach a final determination. Historically, a significant volume of matters became dormant without final orders being made. While the Court continues to deem inactive matters finalised to provide an accurate reflection of its active workload, the 14.4% growth in active final order finalisations since 2012-13 and 85.4% growth since 2009-10 is a positive result.

Time to Trial

The year under review saw continued growth in the number of trials commenced. 164 final order matters reached their first trial day before a judge and 204 before a magistrate. This is an overall increase of 23 trials from the previous year when 179 matters reached their first trial day before a judge and 166 matters before a magistrate.

Notwithstanding this increase in workload, the time to trial reduced by 12 weeks to 95 weeks (this calculation is based on the median time between filing and trial for all initiating applications for final orders that proceeded to trial during the year). Hence, over 2013-14, half of all matters proceeding to trial had been pending for more than 95 weeks and half had been pending for fewer than 95 weeks.

Improvements were seen against the Court's internal measures of performance, being 52 weeks for parenting-only trials and 60 weeks for financial-only. In parenting-only cases, 27% reached trial within target, compared to 25% in 2012-13, while 20% of financial matters were within target, compared to 12% in 2012-13. These figures demonstrate the Court's improved capacity to allocate a trial date within an acceptable timeframe, and deal with matters urgently if required.

The continuing long wait for a trial date is attributable to many factors including:

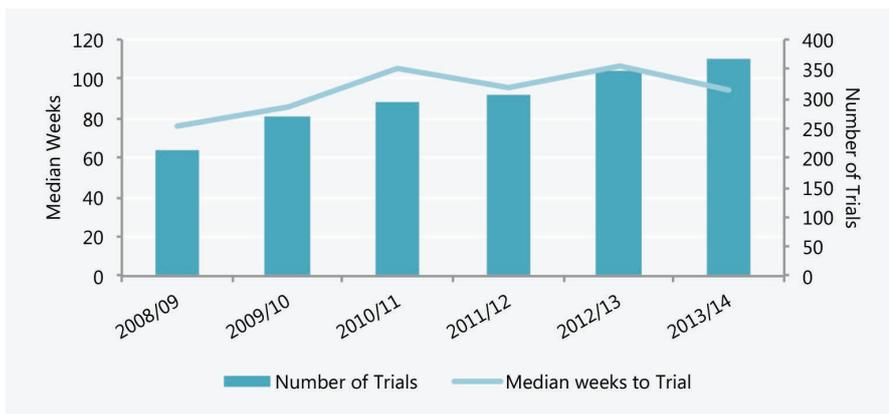
- the increasing complexity of matters coming before the Court, including a high proportion of parenting cases where multiple risk factors are identified (refer to page 13 for further discussion of this trend);
- the incremental effect of the Court having taken on the de facto financial jurisdiction in 2002 without any increase in judicial resources to deal with the jurisdiction until 2012-13; and
- the continued impact of the backlog which resulted from the long-term illness of two of the five judges in recent years. Although acting judges were appointed, the total time served by the acting judges was eight months less than the time lost due to illness.

Another significant factor in delays arises from the failure of parties to seek to progress their own matter to a conclusion. This can be seen in the page 10 and 11 case studies.

Time to Finalisation for Non-Trial Matters

For the year under review, the median time to non-trial finalisation for final order matters stood at 57 weeks against the target of 27 weeks, up 11 weeks from the end of the previous year (this calculation is based on the median time between filing and court ordered finalisation during the year, for all initiating applications for final orders that did not proceed to trial). Over the same period, the number of non-trial finalisations grew to 2,506, an increase of 16.7%.

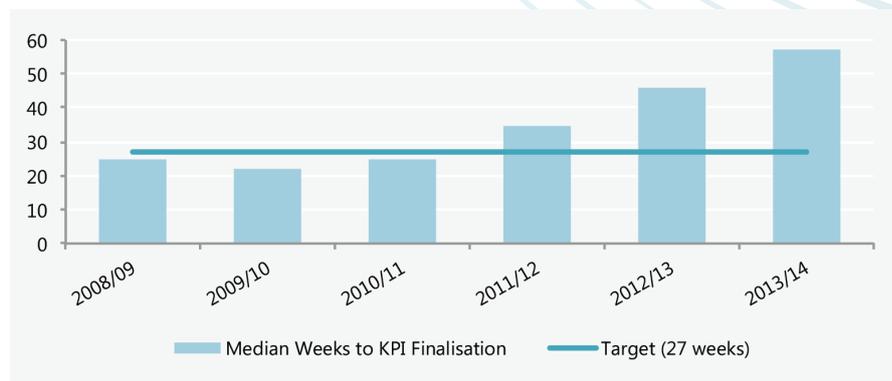
GRAPH 3 – Time to Trial



The increasing time to finalisation is strongly associated with a 30.2% increase in the non-trial finalisation of parenting-only cases, which generally take longer to reach finalisation than financial cases. Other factors influencing the result include the reallocation of magistrates to trial work, thus decreasing court availability for interim hearings, and an increasing complexity in the issues involved in parenting cases (refer to page 13 for further discussion of this trend).

The increased number of finalisations seen last year, following the introduction of a more comprehensive docket system (where all new initiating applications for final orders are allocated to a managing judicial officer), has been sustained. The more active case management being applied as a result of the docket system has been central to clearing backlogged matters and preventing new matters from becoming inactive. Had those matters become dormant, they would not have been included in these KPI finalisation statistics.

GRAPH 4 – KPI median weeks to finalisation V target



CASE STUDY 1

This child support matter was lodged in 2010 and took 201 weeks to reach trial. It involved multiple failures to attend, failures to lodge documents, and a 23 month break in proceedings. Ultimately the matter was discontinued on the first day of trial.

Overview: Following the lodgment of the final order application in June 2010, an interim injunction was made in July 2010 and the respondent given a month to file documents. Both parties failed to attend the hearing in August 2010, which was relisted to November 2010 on the applicant’s request. This hearing was adjourned to January 2011 as the respondent had failed to file documents. Both parties failed to attend their hearing in January 2011 and the hearing was adjourned to March 2011. At this hearing, the respondent still had not filed his documents and was given a month to file, otherwise the applicant would be at liberty to proceed on an undefended basis. At the hearing in May 2011 the documents had been filed but not served, causing a further adjournment to June 2011. The matter was adjourned generally at this hearing to allow the applicant to lodge an amended final order application, for the respondent to seek legal advice, and for the parties to attend an Alternative Dispute Resolution (ADR) conference outside of the court process.

23 months later, in May 2013, the applicant submitted an amended final order application noting that the respondent had failed to participate in the ADR. In August 2013 further interim orders were made and the matter adjourned to October 2013. The matter was then listed to trial commencing March 2014. After a change of legal representation, the applicant sought to delay the trial, noting that their new counsel recommended significant amendments to the application. The trial was adjourned to May 2014, and on the day of trial the matter was discontinued.

CASE STUDY 2

This parenting matter was lodged in 2011 and took 152 weeks to reach trial. It involved three parties (the mother, father and grandmother), an Independent Children's Lawyer (ICL) and drug related issues.

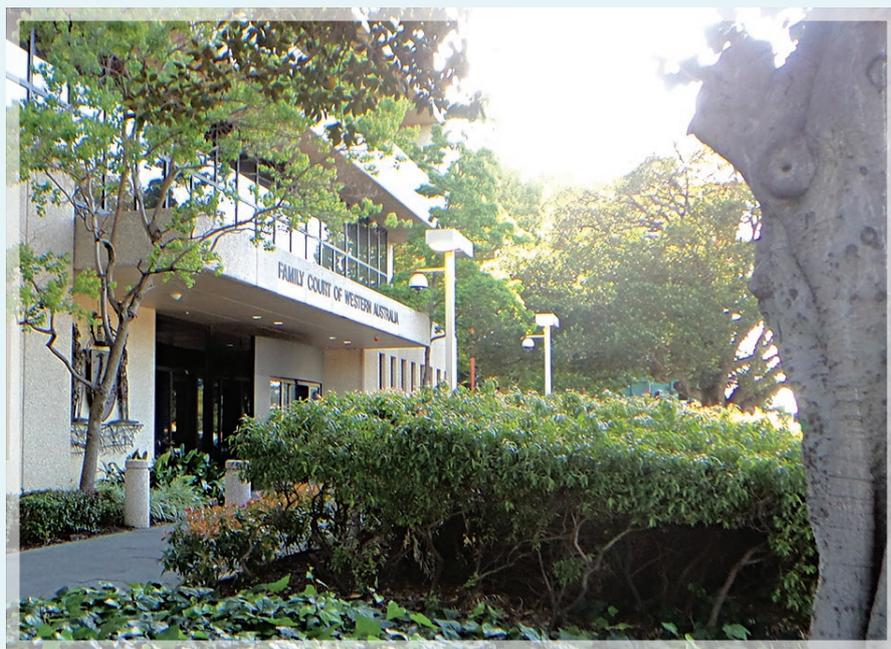
Overview: In March 2011 the applicant lodged a final order application seeking parenting orders. Later that month interim "spend time with" orders were made, the appointment of an ICL ordered, and the matter adjourned to May 2011. In May interim orders were made, including for drug testing as requested by the ICL, and the matter adjourned to June 2011 for a Case Assessment Conference (CAC). No agreement was reached at the CAC, and the matter adjourned to July 2011. Consent orders were made in July, including for a Single Expert report. Following the distribution of the Single Expert Report, a Child Dispute Conference (CDC) was held in September 2011, where the parties came to agreement regarding "spend time with" arrangements. Interim orders to this effect were made and the matter adjourned to July 2012.

At the July 2012 hearing, the parties did not agree to the continuation of these arrangements and the matter was referred to trial. At the Readiness hearing in October 2012, it was noted that the mother had disengaged from proceedings. However, the following month the grandmother was given leave to intervene. No further agreement was reached at a CDC in May 2013, and the matter was adjourned to a Readiness hearing in October 2013. The trial went ahead in February 2014.

OTHER WORK

In addition to the key performance areas of trials and non-trial finalisations, in other key areas of activity there were:

- 1,799 matters heard in the Child Related Proceedings List;
- 341 matters listed in Duty Judge Lists;
- 18 applications made for adoption and 32 ancillary applications under the *Adoption Act 1994 (WA)*. In total, 39 adoption related orders were made;
- 339 applications for Telecommunication Interception Warrants, including Stored Communication Warrants. All judges have volunteered to deal with these applications, the great majority of which need to be heard on an urgent basis and are sought after hours; and
- 68 judicial conferences conducted by judges and magistrates in lieu of readiness hearings as part of a strategy to increase the rate of pre-trial settlement and to improve preparedness for trial.



APPEALS

This year there were 26 appeals / applications for leave to appeal from the decisions of judges and Family Law Magistrates exercising federal jurisdiction. There were 24 pending at the commencement of the year.

Appeals from judges exercising non-federal jurisdiction and some appeals from Family Law Magistrates

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. Nine such appeals were filed during the year under review.

A total of 13 Full Court judgments were handed down; 7 appeals were dismissed, 6 were allowed and 12 were withdrawn or abandoned. As at 30 June 2014, the number of appeals outstanding was 25.

REGISTRARS' WORK

The registrars conduct procedural and divorce hearings, preside at conferences, and advise court staff and litigants on more complex matters of practice and procedure. They also deal with most of the applications for consent orders.

Divorce Applications

There were 5,122 applications for divorce during the year under review, representing a slight decrease from the preceding year.

In 65.5% of cases the application was dealt with in the absence of the parties.

Applications for Consent Orders

There were 2,505 applications for consent orders in 2013-14, a 4.4% increase from the previous year. 83.4% of these applications sought financial-only orders. De facto relationships accounted for 26.4% of these financial applications. 7.5% sought parenting-only orders, of which 55% were filed by parties to a marriage.

The remaining applications for consent orders sought both financial and parenting orders, or other order types, of which 84.6% were filed by parties to a marriage.

Conferences / Readiness Hearings

In the year under review the Court conducted:

- 1,116 readiness hearings;
- 119 procedural conferences; and
- 740 conciliation conferences.

REGIONAL CIRCUITS

The FCWA Family Law Magistrates provide support and advice to country magistrates and conduct regular circuits to the major regional centres. The judges circuit to the same centres as required, hearing defended matters. Bunbury continues to be by far the busiest regional circuit.

ACCESSIBILITY / SERVICE DELIVERY MEASURES

How clients prepare for and interact with the Court's processes influences how the Court chooses to deliver its services and direct its resources. The Court closely monitors these indicators to ensure it is adapting to meet the changing needs of its clients.

Self-representation

Consistent with prior years, the use of legal representation was higher in financial matters compared to parenting matters.

Of the year's initiating applications for final orders, the applicant was self-represented at the time of filing in:

- 50% of matters seeking parenting-only orders, compared to 49.6% in 2012-13;
- 26.3% of matters seeking parenting and financial orders, compared to 20.7% in 2012-13; and
- 22.8% of matters seeking financial-only orders, compared to 32% in 2012-13.

Of divorce applications, 81.1% were filed by persons without legal representation, consistent with the previous year.

Applications by parties without legal representation accounted for 72.3% of all contravention / contempt applications.

Exemption Certificates

The legislation provides for parties to undertake a Family Dispute Resolution (FDR) process prior to commencing parenting proceedings. However, there are a number of grounds on which parties may be exempted from attending FDR. During 2013-14, 1,093 FDR Exemptions were lodged. With 963 of these lodged against an initiating application for final orders, about 55.5% were commenced on the basis that a ground for exemption was established; hence FDR was not attempted prior to filing.

E-Filing¹

E-Filing of applications for divorce was implemented through the Commonwealth Courts Portal (CCP) in March 2010. There has been a steady increase in the number of e-filed divorce applications, with a total of 1,652 having been filed electronically in the year under review, compared to 1,522 in the previous year.

In addition to divorce applications, 5,297 lodgments of documents were made via the Court's e-filing system compared to 4,563 in the previous year.

Counter Services

In addition to online lodgments, 58,865 clients visited the Court building to engage with its services. Of this number, 48,594 were served by the Court's staff on the registry counter, with the remainder seeking the assistance of Legal Aid WA or a Justice of the Peace.

¹ Amendments have been made to the 2012/13 e-filing figures to correct a calculation error.

COUNSELLING AND CONSULTANCY SERVICE

The Family Court Counselling and Consultancy Service (FCCCS) responds to families involved in Family Court proceedings where children are involved. As the demand rises due to increased parenting applications (5.4%), rigorous allocation processes give priority to children at greatest risk. Initial screening assessments occur as part of the Child-Related Proceedings (CRP) List, with a more detailed assessment of risk through Case Assessment Conferences (CAC). Case management is then supported via Child Dispute Conferences, Child Inclusive Conferences and Family Reports, assisting parents to negotiate sustainable child focussed arrangements and address issues affecting their parenting. The social science based recommendations that the service provides to judicial officers help to inform decision making and are a testament to the critical role that the family consultant plays in the joint management of the complex emotional, psychological and social issues before the Court.

Family consultants conduct a preliminary assessment of almost all parenting cases in Court via the CRP List. More than half of those cases are referred to a CAC for a comprehensive risk assessment. A small percentage of parenting matters not included in the CRP list are referred direct to the service by the judiciary.

In total, 941 CACs were conducted during the year, a reduction of 10.9% on the previous year. In the context of increasing parenting applications and a 7.5% reduction in available Family Consultant resources, wait times for a CAC increased throughout the year, peaking at 11 weeks for the month of June 2014. Strategies were developed in collaboration with the judiciary to manage this, and forward indicators suggest wait times may have peaked in June with an anticipated decline in the new financial year.

GRAPH 5 – Median Weeks from Listing to CAC



Relationships with the Court’s key stakeholders have been a specific focus throughout the year. Investment in these relationships is critical to the effective management of the Court’s parenting cases. This engagement informs our practice, staff training and development opportunities, and the development of more appropriate referral and feedback pathways for parties to access support services.

A new strategy is being piloted with one of the key family violence treatment agencies, who are trialling a more comprehensive assessment of suitable service referrals. It is anticipated that this will better inform both the Court and the sector about optimal referral arrangements.

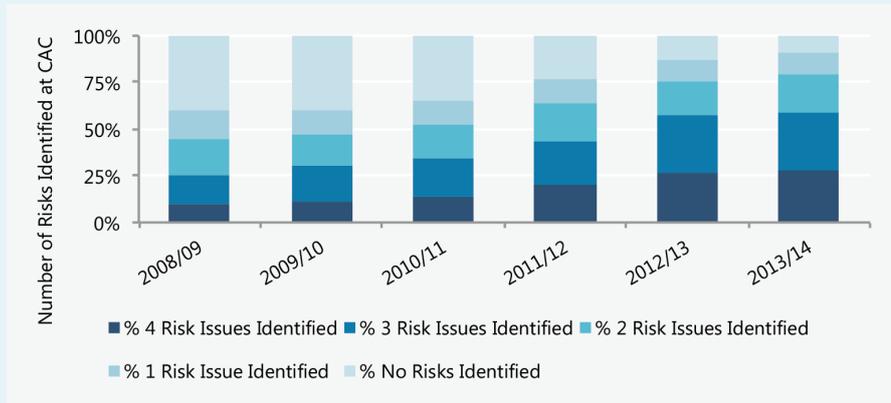
A key achievement to come from these relationships during the year was the finalisation of arrangements for the Pathways Information Kiosk, co-located in the Family Court. Kiosk officers facilitate the referral of families to Family Pathways Network member agencies. In addition to providing a valuable service to the public, the kiosk’s development process also gave the Court an opportunity to renew its engagement with service providers, leading to a greater awareness of Court process and family needs, and improvements to referral pathways.

Risks Identified

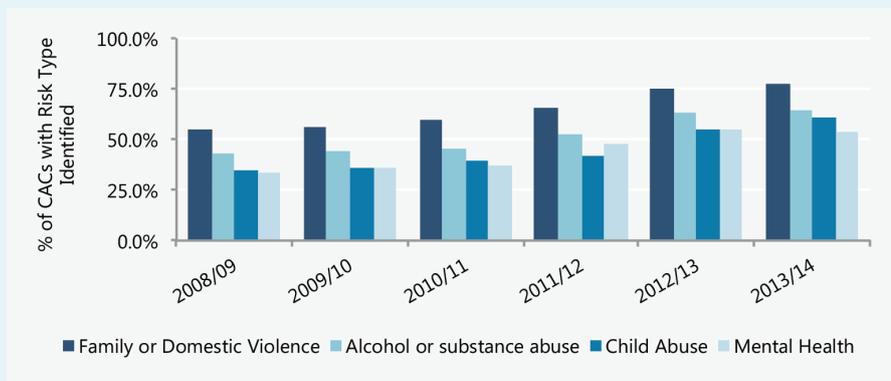
Applications for parenting orders often have high levels of complexity. In about 90% of cases assessed for risk at a CAC, there are combinations of mental health, drug and alcohol, family violence and child protection issues identified as potential risks to children. This continues to be an increasing trend.

Looking to the identification of specific risk types, family violence continues to be the most prevalent (identified in 77.3% of CACs), followed by substance abuse (64.8%), child abuse (60.9%) and mental health (54.2%). The management of these complexities also contributes to the increased wait times as previously discussed.

GRAPH 6 – Number of Risks Identified at CAC



GRAPH 7 – % of CACs with Risk Types Identified



Relationship with Child Protection and Family Support

The ongoing support of the Department of Child Protection and Family Support (DCPFS) as a key stakeholder is highly valued and greatly appreciated. The co-location of the DCPFS Child Protection Consultants in the Family Court continues to enable the sharing of information in highly complex cases. Over the past year, the processing of information has been streamlined to give the co-located worker increased opportunity for more direct input into the management of highly complex cases where DCPFS are engaged.

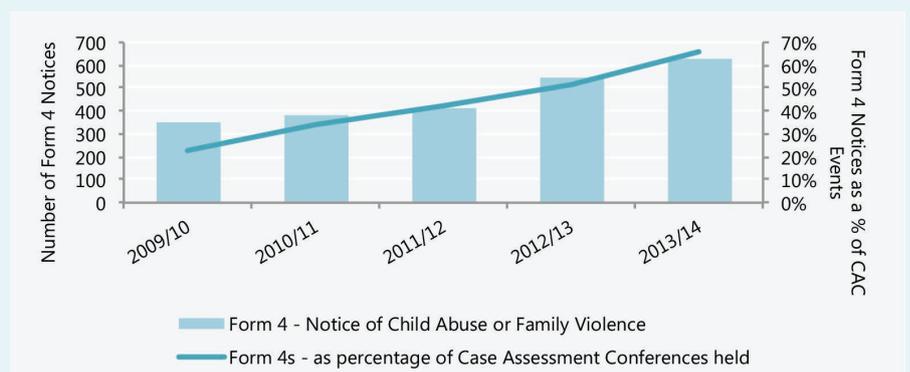
Over the past four years, this exchange of information between the Court and the DCPFS has grown significantly as client complexities increase. In addition to Form 4 referrals and the production of subpoenas, the collaborative arrangement now sees

more targeted requests for information at an early stage, and the inclusion of case workers or the co-located worker in complex cases.

The continued increase in Form 4 Notifications relating to child abuse or family violence referred to DCPFS (up 14.2% on the previous year) is the best indicator of an increasing information

exchange between the Court and DCPFS. To address this increase, the Court, in conjunction with DCPFS, Legal Aid and the legal profession, has worked to redraft and streamline the processing of the Form 4 Notice of Risk of Abuse or Family Violence. This initiative has enabled the FCCCS and DCPFS to manage the increase within existing resources.

GRAPH 8 – Notices of Child Abuse and % of CACs



OUR SERVICES

In 2013-14 the Court continued to adopt innovative approaches to the resolution of family law disputes.

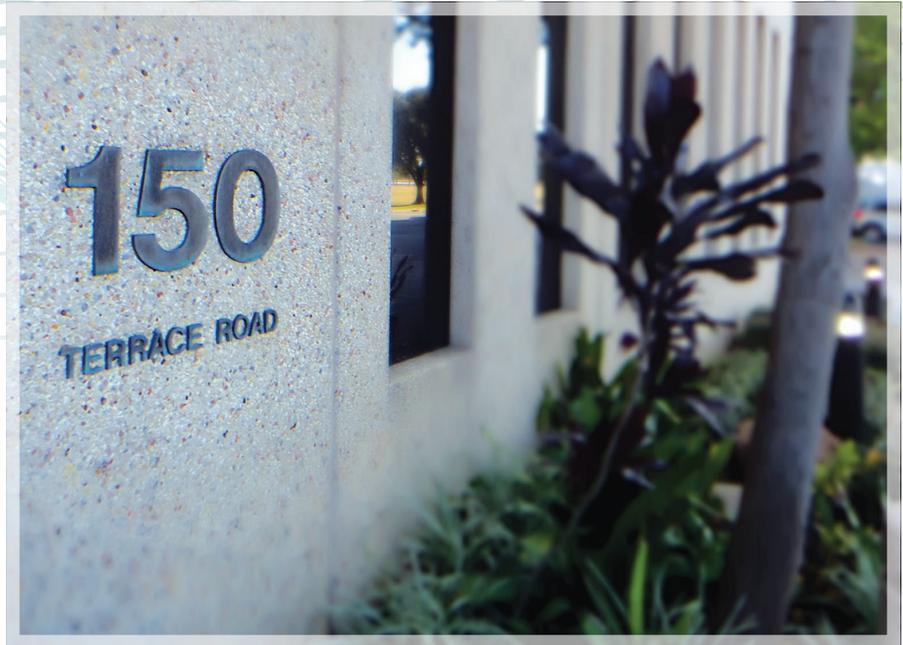
Information Sessions and Tours

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

Tours for departmental officers, law students and a range of community agencies have been maintained. In 2013-14 the Manager of Customer Services conducted 7 court inductions, 7 student tours, and 11 "Walk in Their Shoes" tours.

The Walk in Their Shoes tour in particular 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 a self-represented litigant must deal with. The tour is a joint initiative between the Court, Legal Aid WA and the WA Family Pathways Network, with the administration maintained by WA Family Pathways.

A survey of participants during the year confirmed the value of these tours, with 85% reporting a greatly increased knowledge of the Court, and 84% finding the tour extremely or highly relevant.



Website and Publications

The Court's website continues to be an effective means of providing information to litigants and legal practitioners, with website visits increasing by 25.1%. 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.

Commonwealth Courts Portal (CCP)

The Family Court of Australia, Federal Court of Australia, and the Federal Circuit Court, together with the FCWA have worked towards the development of 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.

Child-Minding Service

A free child-minding service is offered for clients attending court or who have appointments with the FCCCS. The service is well patronised with 1,324 children utilising the facilities 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 Legal Aid WA service saw 3,571 clients in 2013-14, a 12% decrease on the previous year. Referrals to the service are made by judicial officers, family consultants and registry staff.

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. 7,003 client visits were recorded for these services during the year.

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

Family Pathways Kiosk

Following planning throughout 2013-14, the Court was happy to announce of the commencement of a new joint initiative with the WA Family Pathways Network. Family Pathways, in collaboration with the Court and the FCCCS, has established a kiosk in the court precinct, staffed three days a week to coincide with the operation of the Child Related Proceedings lists. Kiosk staff assist in engaging parties with court identified services, aiming to ensure this occurs in a timely and efficient manner. These services include children's contact centres, parenting and family violence programs, family dispute resolution and family relationship centres.

Casetrack2

Over the year, pilot users drawn from the judiciary and court staff have dedicated time to testing the listings module of the Court's new case management system, Casetrack2. The pilot feedback has been extremely encouraging, and with the release of further modules to continue for a number of years, the Court is keen to see ongoing improvements achieved over the coming year.

Registry Upgrade

During the year, the court registry area underwent a major refit to address a range of occupational health and safety issues and deliver a more efficient use of available space. The refit concluded in June 2014, with a vastly improved environment achieved for court staff. The Court thanks all court users for their patience during the refit.

Accommodation Planning

A report analysing accommodation utilisation and workload trends concluded in 2013-14, providing forecasts on the Court's accommodation requirements. The report noted the immediate need for additional accommodation to ensure judicial officers are able to list matters when required without being limited by the availability of appropriate conference rooms or courtrooms. Consistent with this finding, the Court is exploring options to source additional temporary accommodation prior to a longer term solution being found.

Audio Visual Over Internet Protocol Pilot Program

The Court concluded its piloting of Audio Visual Over Internet Protocol, with parties now able to take part in proceedings from remote locations when approved by the presiding judicial officer. The Court will look for opportunities to expand the use of this service over the coming years.

Electronic Court List System

Plans are in place for the introduction of an Electronic Court List System during 2014-15. The system will provide clients with more accurate and easy-to-navigate court lists on noticeboards which are capable of being updated throughout the day.



Statistical note

It should be noted that 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, and 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.

APPENDIX 1

FAMILY COURT OF WESTERN AUSTRALIA COMMITTEES 2013-14

Board of Management
Case Management Committee
Casetrack and Statistics Committee
Continuing Professional Education Committee
Family Court Management Team
Indigenous Committee
Information Resources Committee
Occupational Health and Safety Committee
Post Callover Committee
Research Committee
Security Committee
Time to Trial Committee
Wellness 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
- Legal Aid WA
- Department of Corrective Services
- Family Violence Service
- Magistrates Court

FCWA / DCPFS / LAWA PROTOCOLS MEETING

Representatives from:

- FCWA & FCCCS
- Legal Aid WA
- DCPFS

FCWA REFERENCE GROUP

Representatives from:

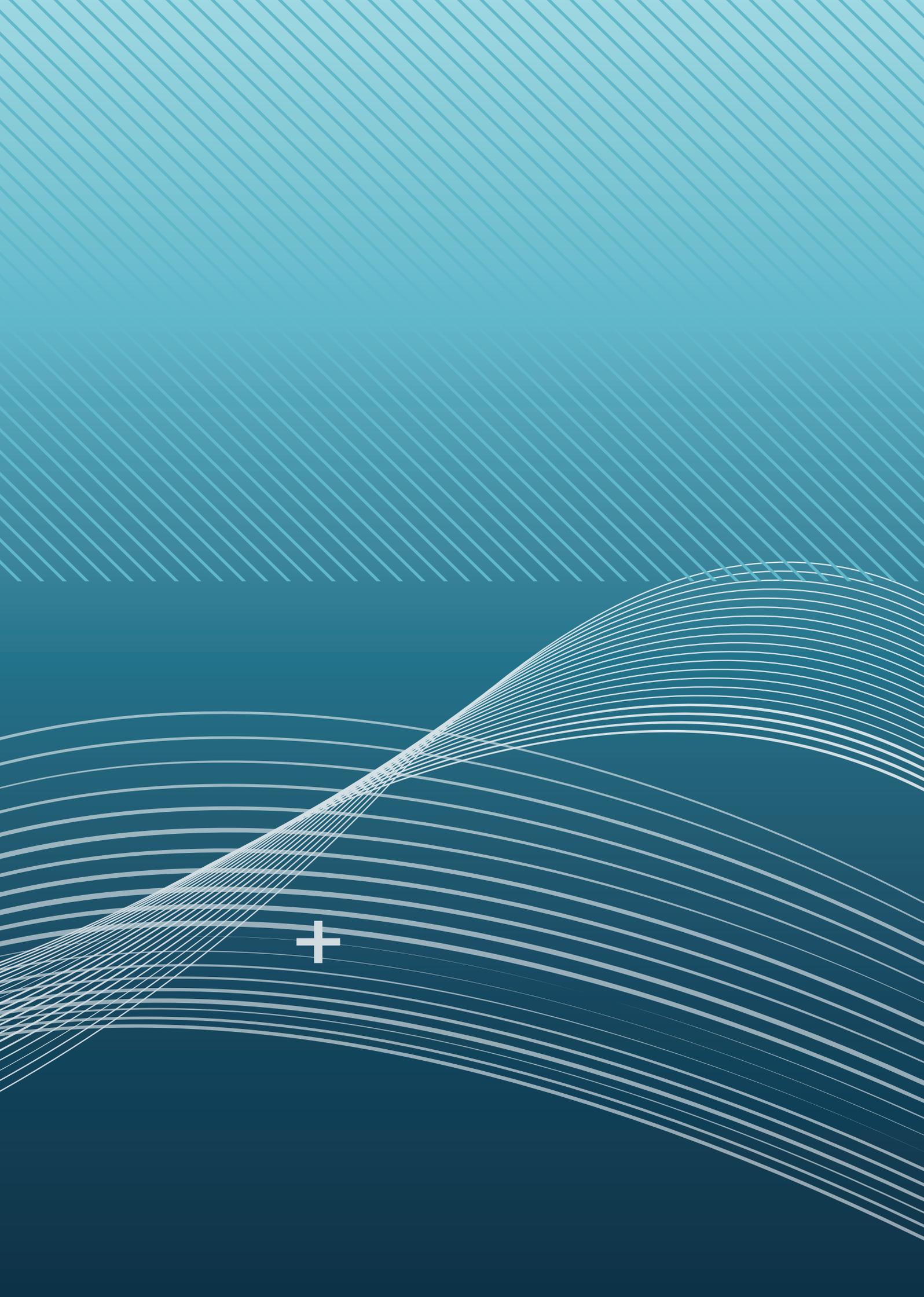
- FCWA & FCCCS
- Legal Aid WA
- DCPFS
- Family Law Practitioners' Association
- Child and Adolescent Health Service
- Relationships Australia
- Women's Council Domestic and Family Violence Centrecare
- Child Support Agency (Human Services)
- Anglicare
- Aboriginal Legal Service
- Women's Law Centre
- ARCS Adoption Research & Counselling Service

LEGAL AID WA FAMILY COURT SERVICES USER GROUP

Representatives from:

- FCWA & FCCCS
- Legal Aid WA
- DCPFS
- Legal Profession

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FAMILY COURT OF
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