



Government of **Western Australia**
Department of **Justice**

**Report on Cases in the
Family Court
of Western Australia
2012/13 to 2016/17**

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About this Report

The Department has committed to regularly publishing a wide range of statistics relating to the operation of its various business areas.

The purpose of this report is to provide information about the work carried out by the Family Court of Western Australia. A number of different statistics have been included that illustrate different aspects of the court process. Care must be taken in interpreting these statistics. It is NOT possible to compare one indicator with another as the methods of counting are not aligned.

Separate counting rules that best illustrate the work of the court are utilised for each statistic. Please read the counting rules on each page to help interpret the data.

This version of the report was produced on 04 October 2017. Any variances between figures in this report and other publications may be due to differences in the date the report was produced, and the Department's commitment to the continual maintenance and improvement of data capture and storage.

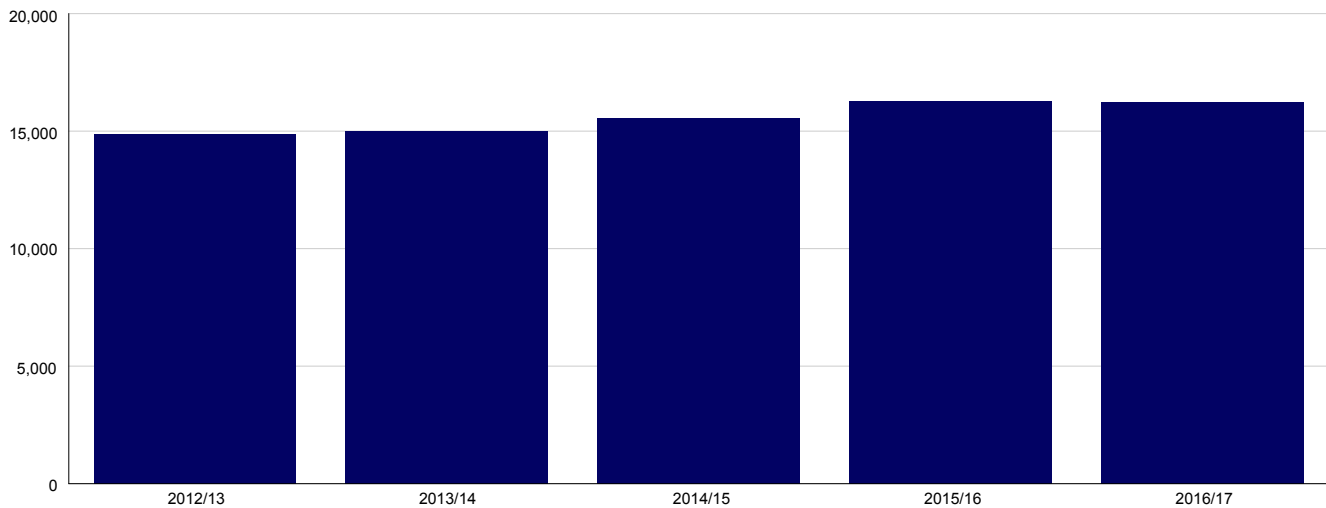
The Family Court of Western Australia is presided over by judges, magistrates and registrars. The court is vested with State and Federal jurisdiction in matters of family law and deals with divorce, property of a marriage or de facto relationship, parenting orders and other matters relating to children, maintenance, adoptions and surrogacy. The Department of the Attorney General in Western Australia provides administrative and logistical support for the operation of this court, as well as partial funding for the otherwise federally funded court. The Family Court of Australia and Federal Circuit Court of Australia have jurisdiction in all other states and territories.

Requests for additional data:

The Department regularly receives requests from media outlets for customised statistics. All requests for customised figures are considered on a case by case basis. The Department will generally supply such information only where the:

- information is stored in a way that it is easily retrievable; and
- amount of work required to compile and supply customised information is reasonable.

Applications Lodged



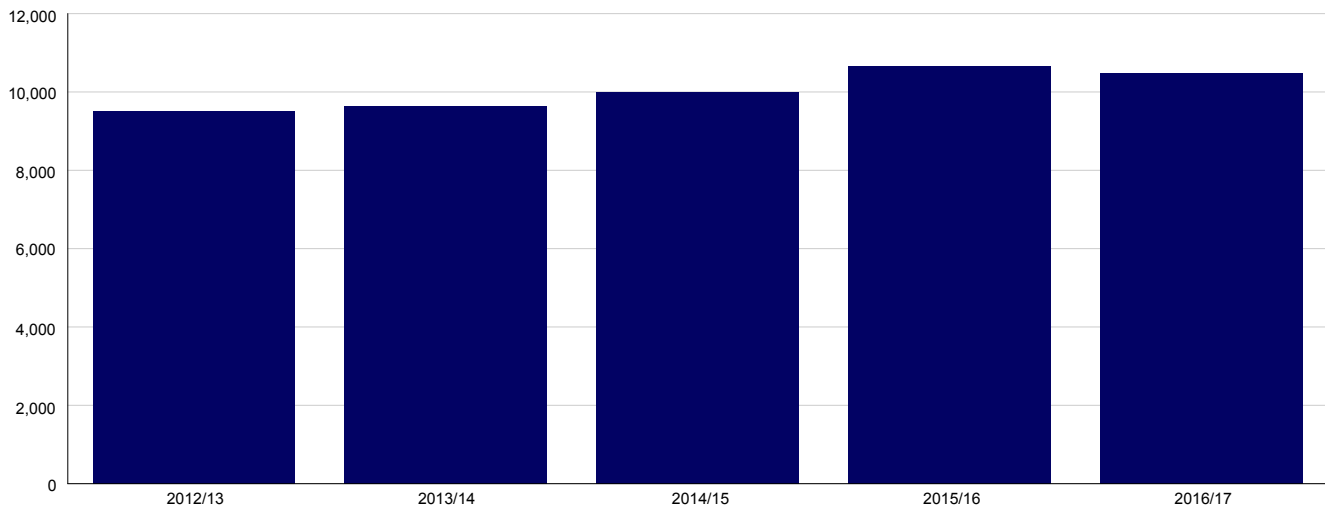
Applications Lodged

| Application Type | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 | % Change 1 Year | % Change 5 Years |
|------------------|---------------|---------------|---------------|---------------|---------------|-----------------|------------------|
| Final Order | 2,586 | 2,744 | 2,862 | 3,121 | 2,961 | -5.1% | 14.5% |
| Interim Order | 4,546 | 4,418 | 4,777 | 5,168 | 5,226 | 1.1% | 15.0% |
| Divorce | 5,127 | 5,122 | 5,297 | 5,380 | 5,499 | 2.2% | 7.3% |
| Consent Order | 2,398 | 2,505 | 2,385 | 2,399 | 2,309 | -3.8% | -3.7% |
| Other | 261 | 224 | 254 | 240 | 261 | 8.8% | 0.0% |
| Total | 14,918 | 15,013 | 15,575 | 16,308 | 16,256 | -0.3% | 9.0% |

Counting Rules:

- (a) These are the number of applications lodged in the Family Court of Western Australia, broken down by application type.
- (b) The unit of measure is the number of new applications registered in the Court during the reporting period.
- (c) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

Orders Sought on Final Order Applications



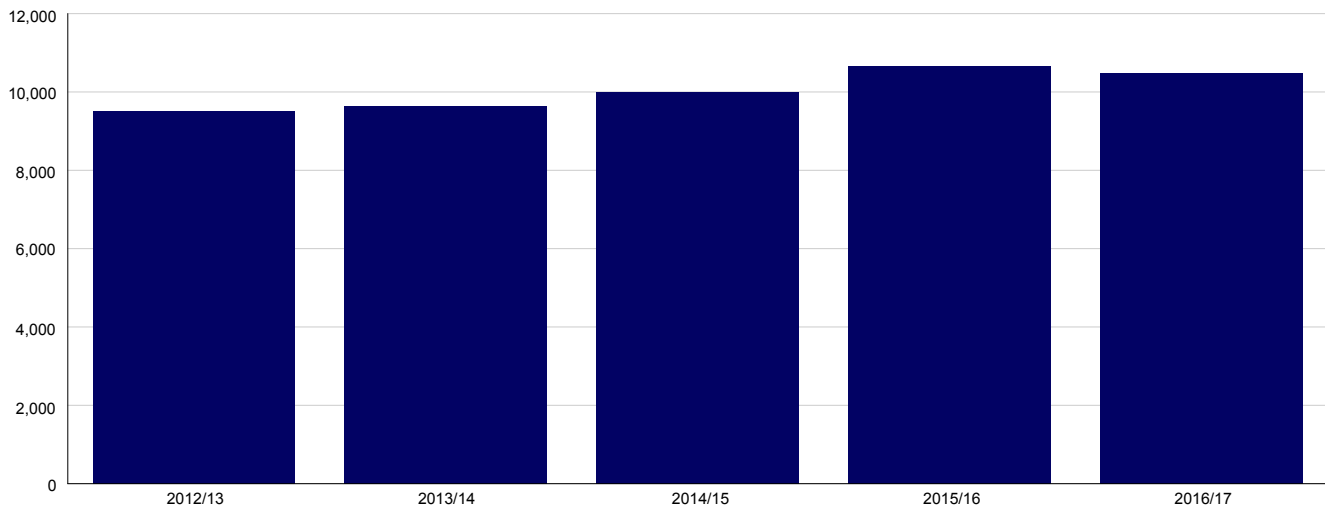
Orders for Applications Lodged

| Orders Sought | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 | % Change 1 Year | % Change 5 Years |
|-------------------------|--------------|--------------|--------------|--------------|--------------|-----------------|------------------|
| Parenting | 1,529 | 1,623 | 1,696 | 1,894 | 1,797 | -5.1% | 17.5% |
| Financial | 818 | 887 | 925 | 1,012 | 972 | -4.0% | 18.8% |
| Parenting and Financial | 101 | 107 | 100 | 105 | 114 | 8.6% | 12.9% |
| Other | 138 | 127 | 141 | 110 | 78 | -29.1% | -43.5% |
| Total | 2,586 | 2,744 | 2,862 | 3,121 | 2,961 | -5.1% | 14.5% |

Counting Rules:

- These are the number of applications lodged in the Family Court of Western Australia, broken down by orders sought.
- The unit of measure is the number of new applications registered in the Court during the reporting period.
- Definitions of the application types are provided in the appendix.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

Orders Sought on Interim Order Applications



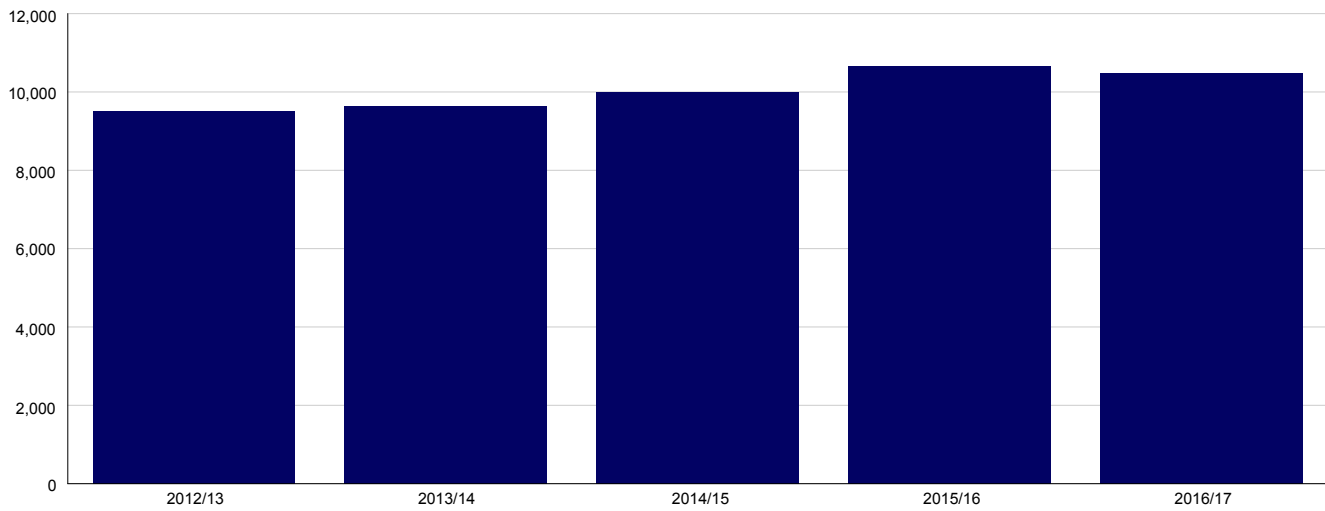
Orders for Applications Lodged

| Orders Sought | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 | % Change 1 Year | % Change 5 Years |
|-------------------------|--------------|--------------|--------------|--------------|--------------|-----------------|------------------|
| Parenting | 2,263 | 2,201 | 2,371 | 2,709 | 2,614 | -3.5% | 15.5% |
| Financial | 1,055 | 971 | 1,055 | 1,162 | 1,106 | -4.8% | 4.8% |
| Parenting and Financial | 105 | 104 | 89 | 104 | 113 | 8.7% | 7.6% |
| Other | 1,123 | 1,142 | 1,262 | 1,193 | 1,393 | 16.8% | 24.0% |
| Total | 4,546 | 4,418 | 4,777 | 5,168 | 5,226 | 1.1% | 15.0% |

Counting Rules:

- (a) These are the number of applications lodged in the Family Court of Western Australia, broken down by orders sought.
- (b) The unit of measure is the number of new applications registered in the Court during the reporting period.
- (c) Definitions of the application types are provided in the appendix.
- (d) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

Orders Sought on Consent Order Applications



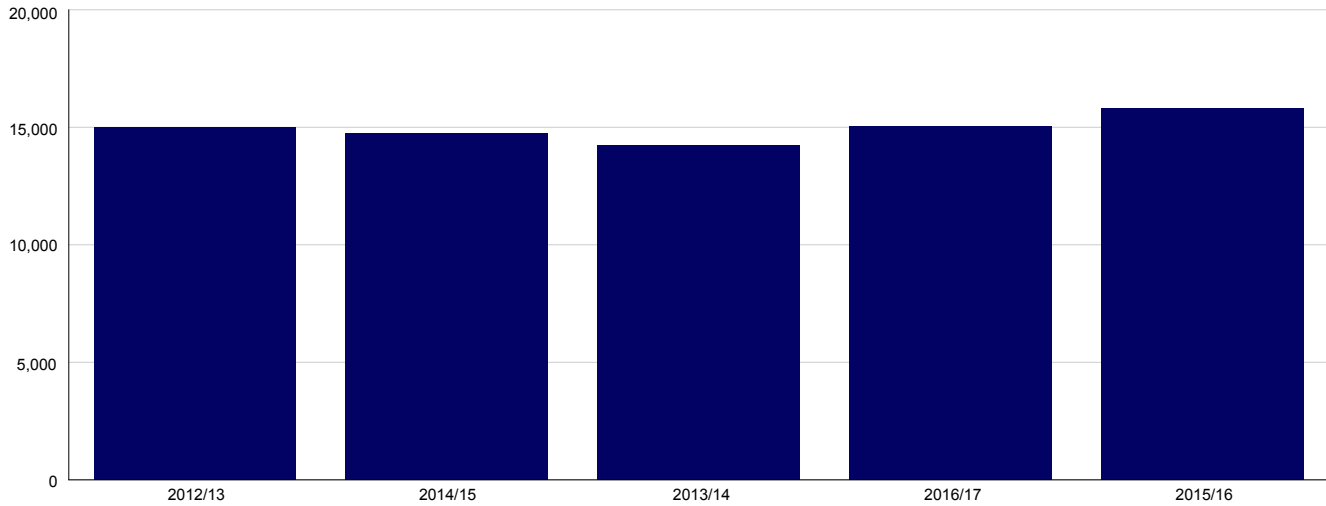
Orders for Applications Lodged

| Orders Sought | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 | % Change 1 Year | % Change 5 Years |
|-------------------------|--------------|--------------|--------------|--------------|--------------|-----------------|------------------|
| Parenting | 155 | 189 | 168 | 165 | 202 | 22.4% | 30.3% |
| Financial | 2,009 | 2,092 | 2,045 | 2,031 | 1,920 | -5.5% | -4.4% |
| Parenting and Financial | 232 | 223 | 169 | 200 | 184 | -8.0% | -20.7% |
| Other | 2 | 1 | 3 | 3 | 3 | n/a | n/a |
| Total | 2,398 | 2,505 | 2,385 | 2,399 | 2,309 | -3.8% | -3.7% |

Counting Rules:

- (a) These are the number of applications lodged in the Family Court of Western Australia, broken down by orders sought.
- (b) The unit of measure is the number of new applications registered in the Court during the reporting period.
- (c) Definitions of the application types are provided in the appendix.
- (d) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

Applications Finalised



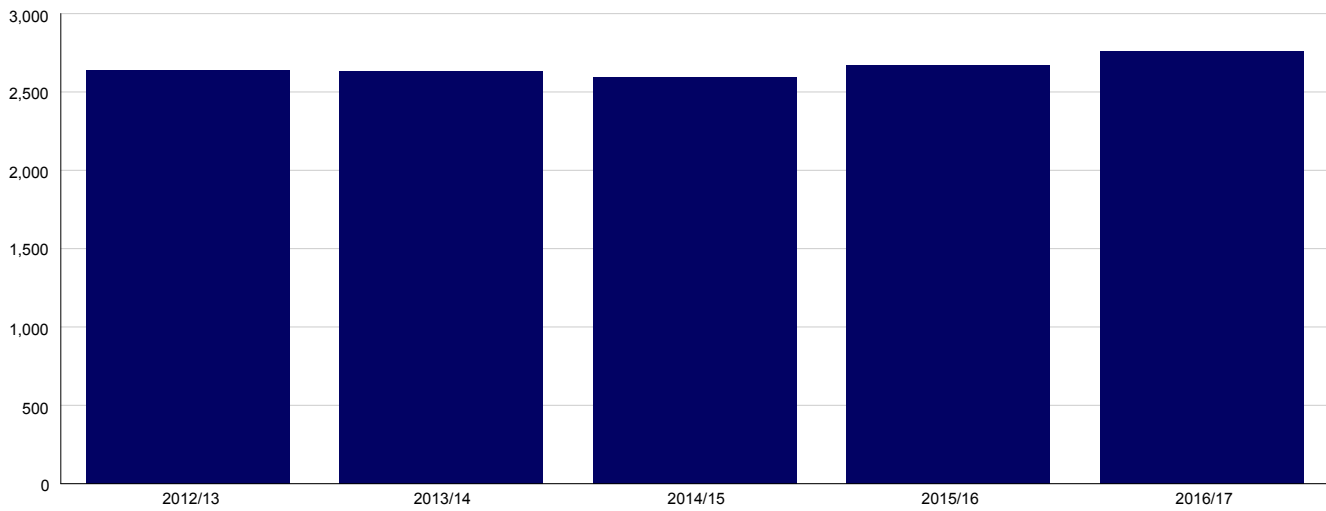
Applications Finalised

| Application Types | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 | % Change 1 Year | % Change 5 Years |
|-------------------|---------------|---------------|---------------|---------------|---------------|-----------------|------------------|
| Final Order | 2,642 | 2,634 | 2,601 | 2,673 | 2,766 | 3.5% | 4.7% |
| Interim Order | 4,399 | 4,304 | 4,270 | 4,659 | 4,766 | 2.3% | 8.3% |
| Divorce | 5,406 | 4,618 | 5,261 | 5,916 | 4,962 | -16.1% | -8.2% |
| Consent Order | 2,310 | 2,504 | 2,409 | 2,399 | 2,300 | -4.1% | -0.4% |
| Other | 280 | 225 | 230 | 212 | 268 | 26.4% | -4.3% |
| Total | 15,037 | 14,285 | 14,771 | 15,859 | 15,062 | -5.0% | 0.2% |

Counting Rules:

- (a) These are the number of applications finalised in the Family Court of Western Australia, broken down by application type.
- (b) The unit of measure is the number of applications finalised in the Court during the reporting period.
- (c) Only the initial finalisation of a case is counted here.
- (d) Applications finalised due to inactivity (no hearing or document lodged for twelve months) are included.
- (e) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

Final Order Applications Finalised



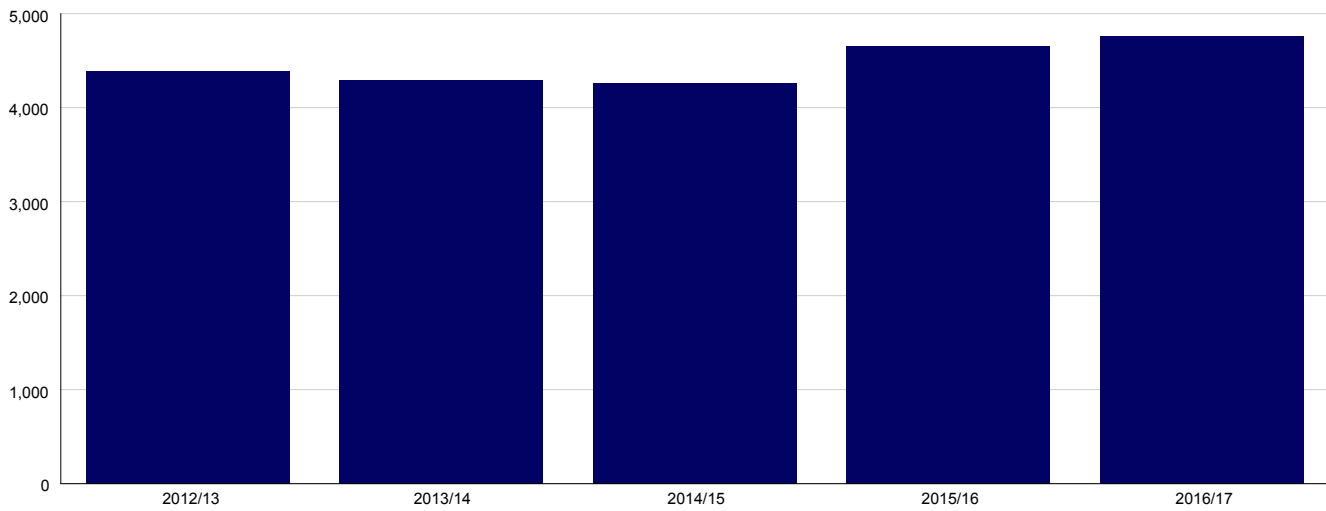
Applications Finalised

| Orders Sought | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 | % Change 1 Year | % Change 5 Years |
|-------------------------|--------------|--------------|--------------|--------------|--------------|-----------------|------------------|
| Parenting | 1,367 | 1,468 | 1,463 | 1,516 | 1,590 | 4.9% | 16.3% |
| Financial | 928 | 850 | 794 | 853 | 868 | 1.8% | -6.5% |
| Parenting and Financial | 211 | 185 | 209 | 185 | 221 | 19.5% | 4.7% |
| Other | 136 | 131 | 135 | 119 | 87 | -26.9% | -36.0% |
| Total | 2,642 | 2,634 | 2,601 | 2,673 | 2,766 | 3.5% | 4.7% |

Counting Rules:

- These are the number of orders sought for applications finalised in the Family Court of Western Australia, broken down by order type.
- The unit of measure is the number of applications finalised in the Court during the reporting period.
- Only the initial finalisation of a case is counted here.
- Applications finalised due to inactivity (no hearing or document lodged for twelve months) are included.
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Interim Order Applications Finalised



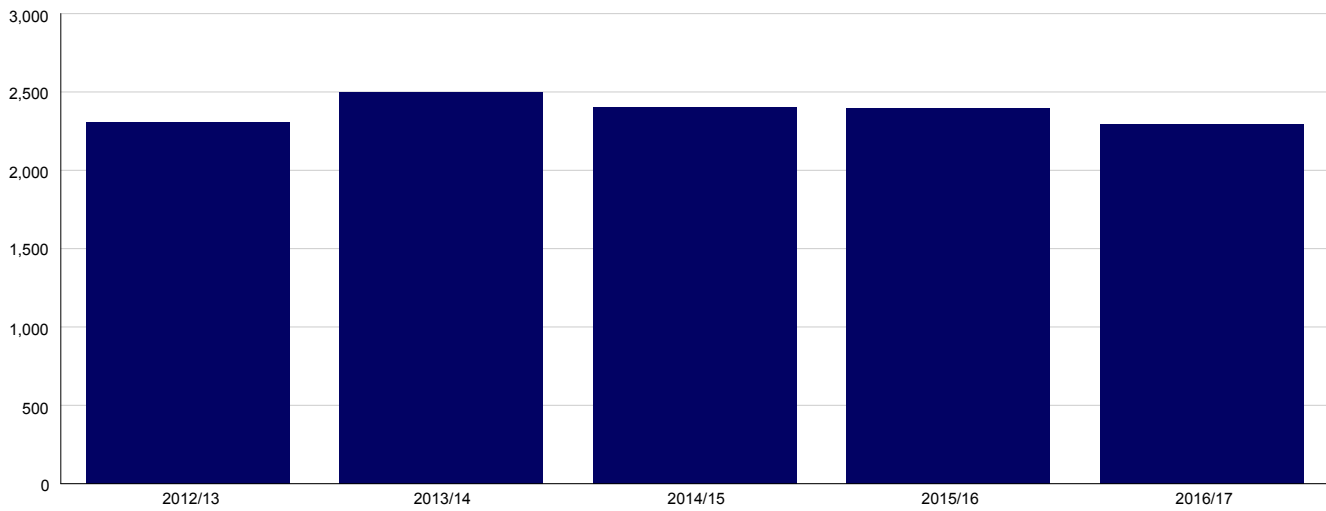
Applications Finalised

| Orders Sought | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 | % Change 1 Year | % Change 5 Years |
|-------------------------|--------------|--------------|--------------|--------------|--------------|-----------------|------------------|
| Parenting | 2,092 | 2,103 | 2,120 | 2,322 | 2,307 | -0.6% | 10.3% |
| Financial | 1,029 | 945 | 849 | 1,025 | 1,026 | 0.1% | -0.3% |
| Parenting and Financial | 117 | 126 | 126 | 150 | 146 | -2.7% | 24.8% |
| Other | 1,161 | 1,130 | 1,175 | 1,162 | 1,287 | 10.8% | 10.9% |
| Total | 4,399 | 4,304 | 4,270 | 4,659 | 4,766 | 2.3% | 8.3% |

Counting Rules:

- (a) These are the number of orders sought for applications finalised in the Family Court of Western Australia, broken down by order type.
- (b) The unit of measure is the number of applications finalised in the Court during the reporting period.
- (c) Only the initial finalisation of a case is counted here.
- (d) Applications finalised due to inactivity (no hearing or document lodged for twelve months) are included.
- (e) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

Consent Order Applications Finalised



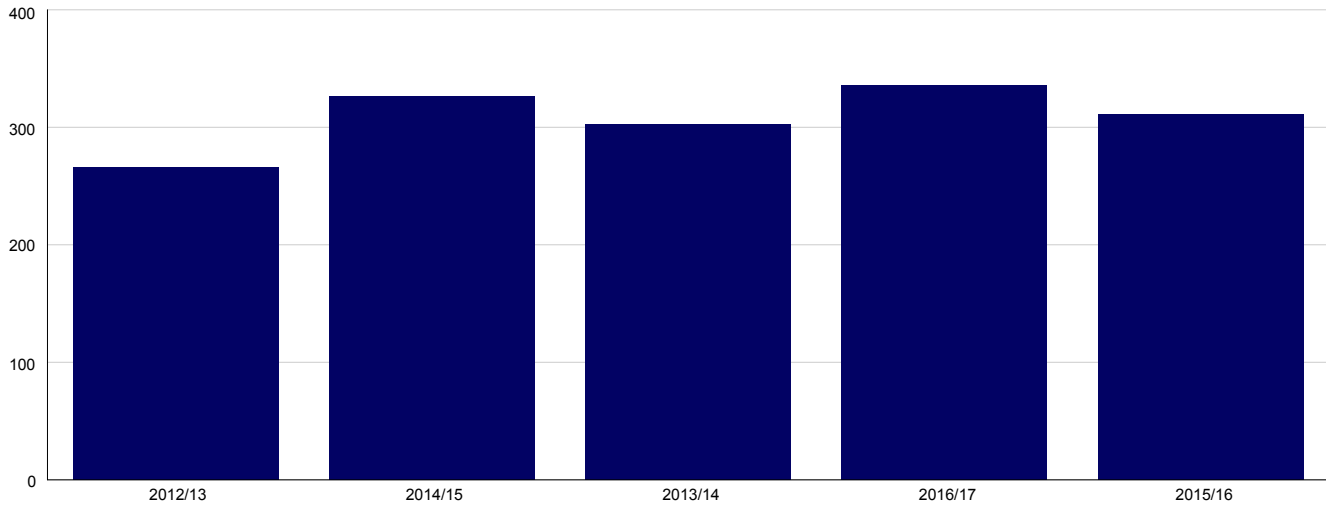
Applications Finalised

| Orders Sought | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 | % Change 1 Year | % Change 5 Years |
|-------------------------|--------------|--------------|--------------|--------------|--------------|-----------------|------------------|
| Parenting | 162 | 169 | 181 | 160 | 195 | 21.9% | 20.4% |
| Financial | 1,938 | 2,099 | 2,046 | 2,027 | 1,917 | -5.4% | -1.1% |
| Parenting and Financial | 208 | 231 | 176 | 205 | 183 | -10.7% | -12.0% |
| Other | 2 | 5 | 6 | 7 | 5 | n/a | n/a |
| Total | 2,310 | 2,504 | 2,409 | 2,399 | 2,300 | -4.1% | -0.4% |

Counting Rules:

- These are the number of orders sought for applications finalised in the Family Court of Western Australia, broken down by order type.
- The unit of measure is the number of applications finalised in the Court during the reporting period.
- Only the initial finalisation of a case is counted here.
- Applications finalised due to inactivity (no hearing or document lodged for twelve months) are included.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

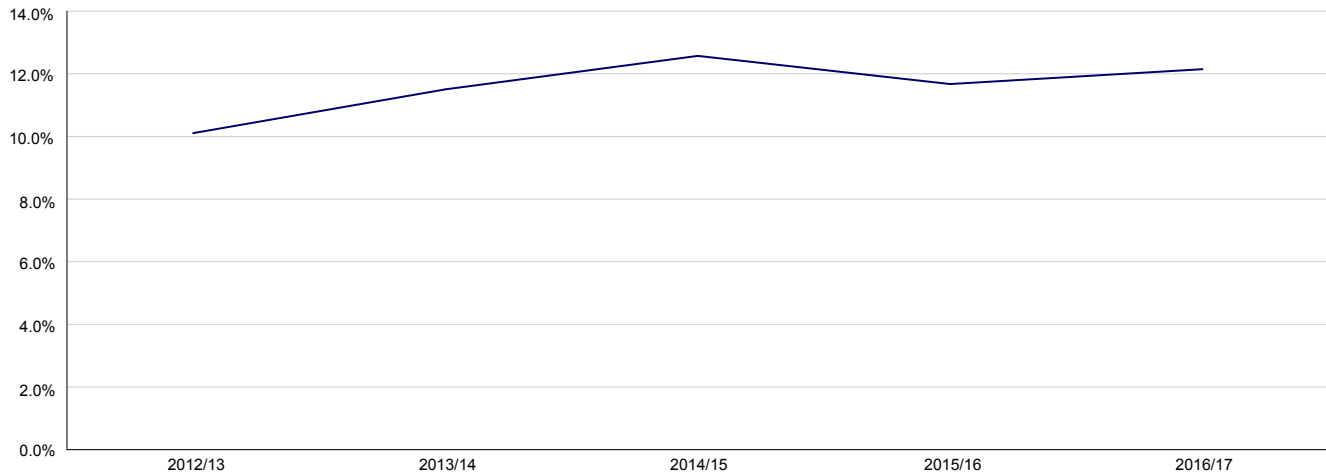
Final Order Finalisations by Trial



Trial Finalisations

| Trial Status | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 | % Change 1 Year | % Change 5 Years |
|-----------------------------|--------------|--------------|--------------|--------------|--------------|-----------------|------------------|
| Finalised Without Trial | 2,375 | 2,331 | 2,274 | 2,361 | 2,430 | 2.9% | 2.3% |
| Finalised by Trial | 267 | 303 | 327 | 312 | 336 | 7.7% | 25.8% |
| Total | 2,642 | 2,634 | 2,601 | 2,673 | 2,766 | 3.5% | 4.7% |
| Per cent finalised by trial | 10.1% | 11.5% | 12.6% | 11.7% | 12.1% | 4.1% | 20.2% |

% Finalisations by Trial



Counting Rules:

- These are the number of final order applications which were finalised in the Family Court of Western Australia, broken down by whether a trial proceeded or not for the application.
- Where parties to a Family Court matter are not able to resolve their case and the Court deems it ready, the case will progress to a trial where a judicial officer will take into account all relevant evidence before the court to resolve the case.
- Applications finalised due to inactivity (no hearing or document lodged for twelve months) are included.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

Appendix One--Definitions

The following are definitions of application types and order types that are used within the Family Court of Western Australia.

Application Types

Matters lodged within the Family Court are classified by application type. The following definitions specify the differences between the application types used.

Consent Order

An application where the parties agree on appropriate arrangements but want their agreement to become an order of the Court. Consent Orders have the same legal effect as an order made after a Court hearing.

Divorce

An application seeking to end a marriage by Court order.

Final Order

The primary application starting a proceeding with the Court where the parties do not agree on appropriate arrangements.

Orders Sought

Within each application type, matters lodged within the Family Court are also classified by orders sought. The following definitions specify the differences between the types of orders sought.

Parenting and Financial

These are where both parenting and financial orders are sought within the one application. A parenting order is one that deals with parental responsibility for a child including the person or persons a child is to live with, spend time with or communicate with, and a financial order is one that deals with financial issues such as property settlement, maintenance, child support or financial enforcement.

Parenting

A parenting order is one that deals with parental responsibility for a child including the person or persons a child is to live with, spend time with or communicate with. An application originally lodged seeking only Parenting orders may have additional orders sought added at a later stage in the proceeding.

Interim Order

A procedural, ancillary, incidental application, or one which is subsidiary to a final order application.

Other

Application types such as appeal, contravention, contempt or Hague Convention.

Financial

A financial order is one that deals with financial issues such as property settlement, maintenance, child support or financial enforcement. An application originally lodged seeking only Financial orders may have additional orders sought added at a later stage in the proceeding.

Other

Other non-parenting, non-financial orders sought.