



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

**Report on Cases in the
Family Court
of Western Australia
2015/16 to 2019/20**

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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 11 November 2020. 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.

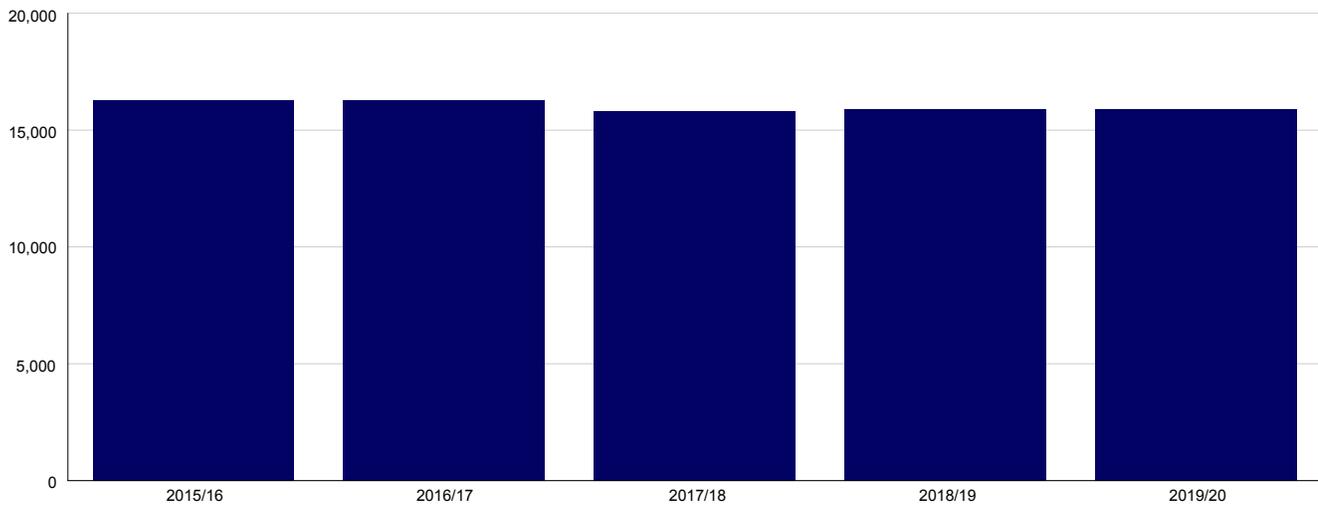
The Family Court of Western Australia is presided over by judges, magistrates and registrars. The court is vested with State and Federal jurisdiction in matters of family law and deals with divorce, property of a marriage or de facto relationship, parenting orders and other matters relating to children, 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



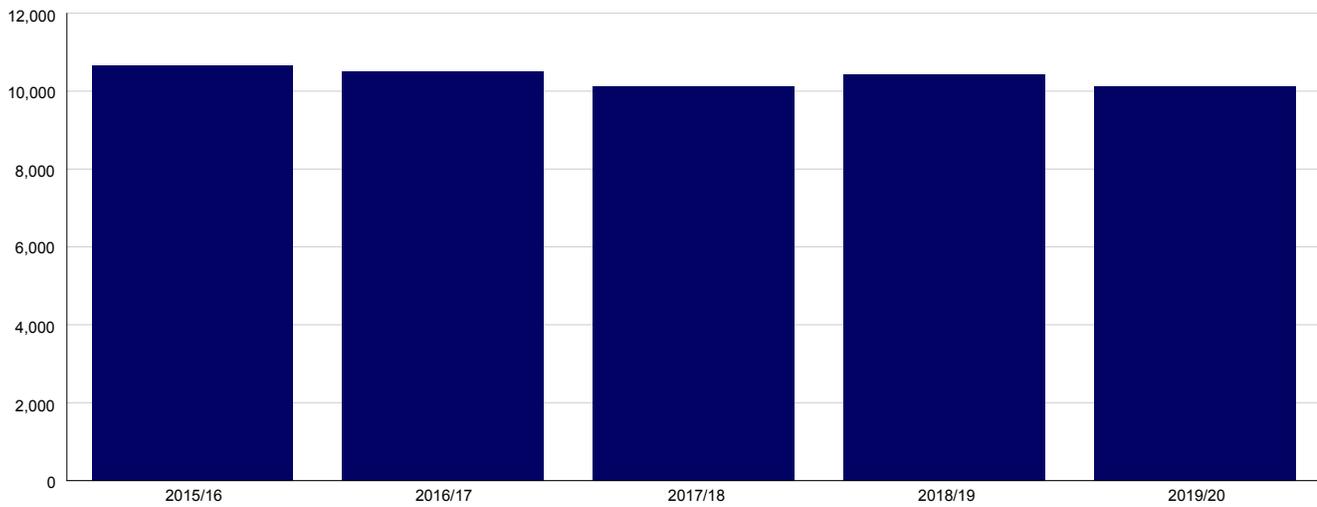
Applications Lodged

Application Type	2015/16	2016/17	2017/18	2018/19	2019/20	% Change 1 Year	% Change 5 Years
Final Order	3,121	2,975	2,907	3,044	2,803	-7.9%	-10.2%
Interim Order	5,167	5,242	5,121	5,217	4,989	-4.4%	-3.4%
Divorce	5,380	5,501	5,412	5,231	5,593	6.9%	4.0%
Consent Order	2,400	2,312	2,112	2,179	2,337	7.3%	-2.6%
Other	238	262	267	244	196	-19.7%	-17.6%
Total	16,306	16,292	15,819	15,915	15,918	0.0%	-2.4%

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



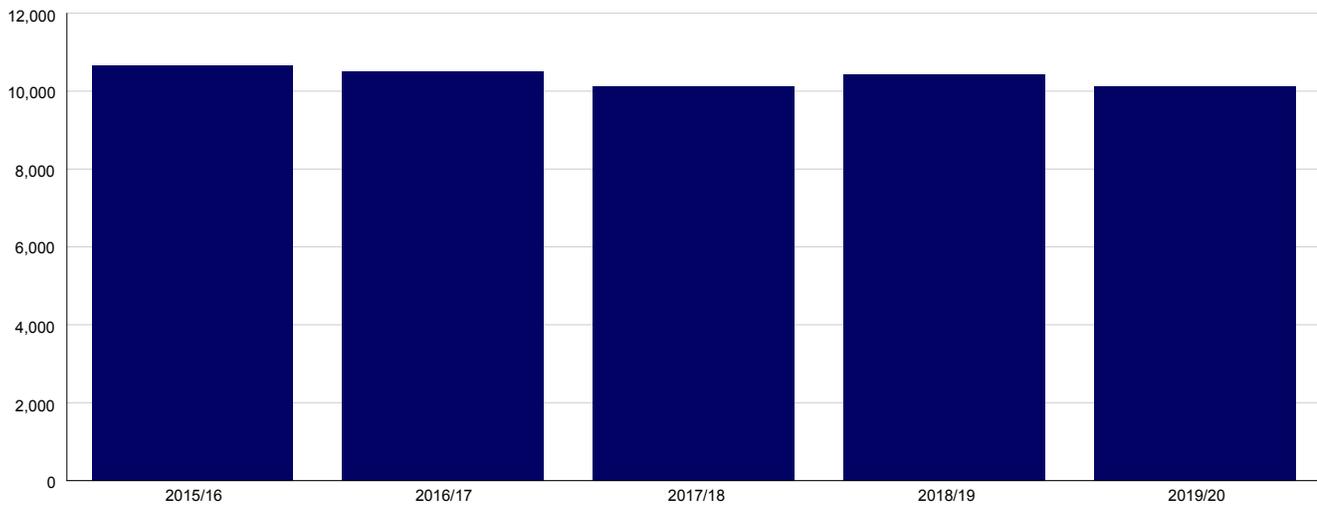
Orders for Applications Lodged

Orders Sought	2015/16	2016/17	2017/18	2018/19	2019/20	% Change 1 Year	% Change 5 Years
Parenting	1,893	1,808	1,733	1,851	1,717	-7.2%	-9.3%
Financial	1,013	975	979	1,025	926	-9.7%	-8.6%
Parenting and Financial	105	114	108	111	98	-11.7%	-6.7%
Other	109	77	84	55	56	1.8%	-48.6%
N/A	1	1	3	2	6	n/a	n/a
Total	3,121	2,975	2,907	3,044	2,803	-7.9%	-10.2%

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



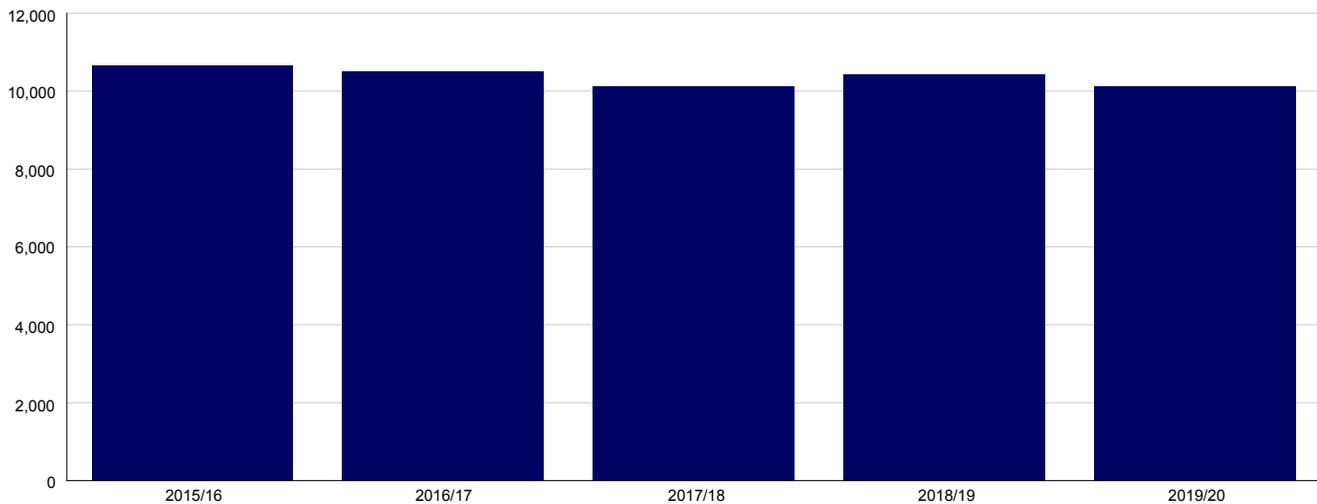
Orders for Applications Lodged

Orders Sought	2015/16	2016/17	2017/18	2018/19	2019/20	% Change 1 Year	% Change 5 Years
Parenting	2,708	2,623	2,556	2,655	2,611	-1.7%	-3.6%
Financial	1,163	1,108	1,150	1,217	1,116	-8.3%	-4.0%
Parenting and Financial	104	114	102	94	104	10.6%	0.0%
Other	1,190	1,394	1,309	1,249	1,154	-7.6%	-3.0%
N/A	2	3	4	2	4	n/a	n/a
Total	5,167	5,242	5,121	5,217	4,989	-4.4%	-3.4%

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 Consent Order Applications



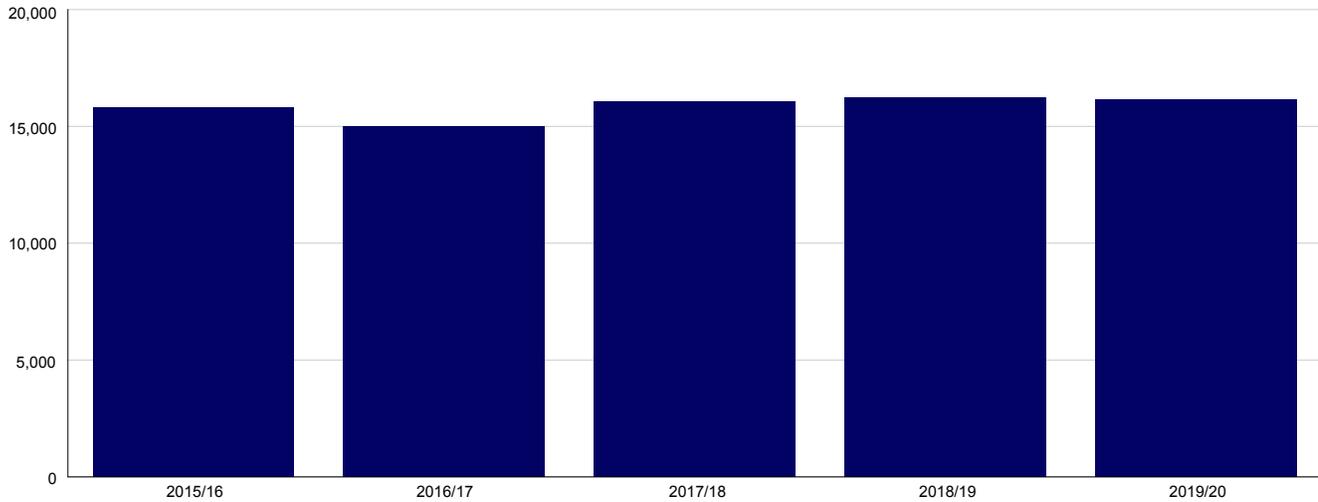
Orders for Applications Lodged

Orders Sought	2015/16	2016/17	2017/18	2018/19	2019/20	% Change 1 Year	% Change 5 Years
Parenting	165	203	170	155	158	1.9%	-4.2%
Financial	2,032	1,922	1,745	1,818	2,001	10.1%	-1.5%
Parenting and Financial	200	184	196	205	177	-13.7%	-11.5%
Other	2	1	1			n/a	n/a
N/A	1	2		1	1	n/a	n/a
Total	2,400	2,312	2,112	2,179	2,337	7.3%	-2.6%

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.

Applications Finalised



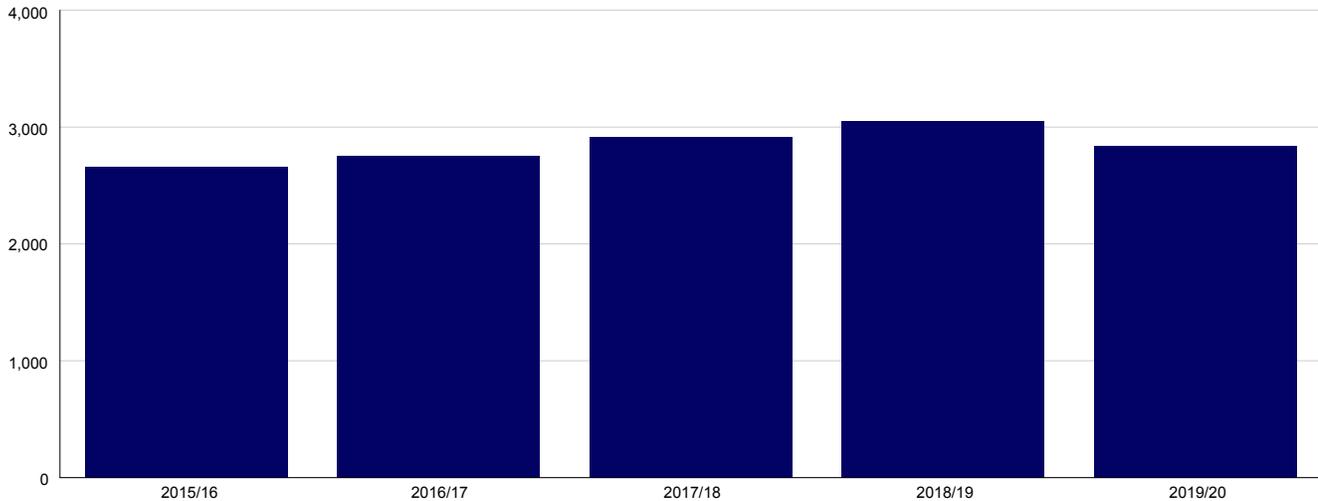
Applications Finalised

Application Types	2015/16	2016/17	2017/18	2018/19	2019/20	% Change 1 Year	% Change 5 Years
Final Order	2,663	2,759	2,921	3,056	2,846	-6.9%	6.9%
Interim Order	4,651	4,779	4,854	5,207	5,127	-1.5%	10.2%
Divorce	5,918	4,941	5,970	5,504	5,468	-0.7%	-7.6%
Consent Order	2,401	2,300	2,077	2,212	2,498	12.9%	4.0%
Other	212	260	256	276	242	-12.3%	14.2%
Total	15,845	15,039	16,078	16,255	16,181	-0.5%	2.1%

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



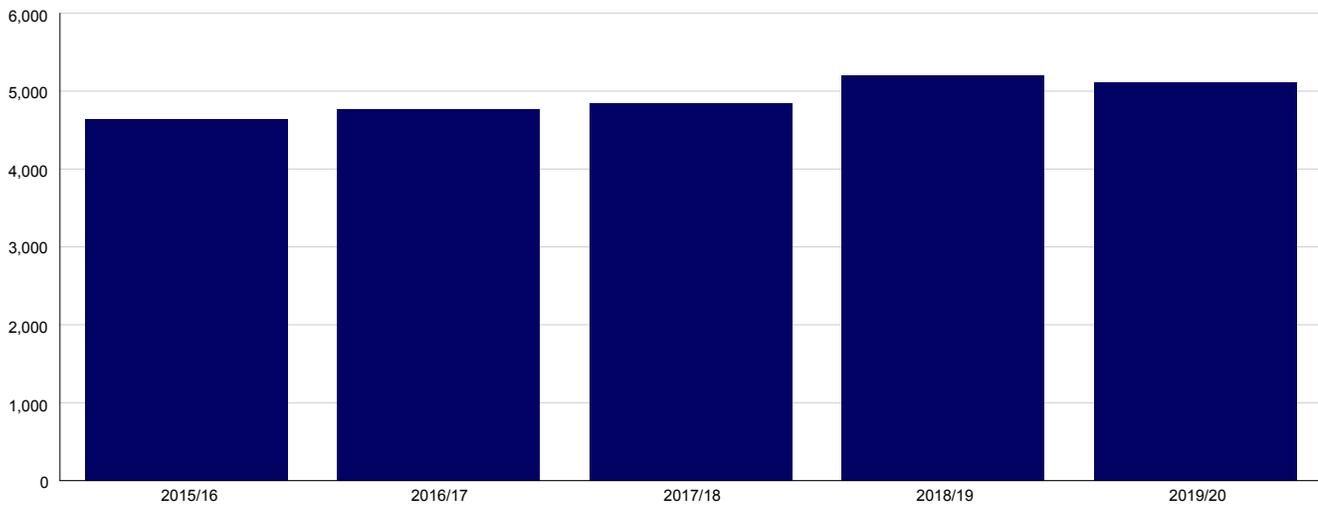
Applications Finalised

Orders Sought	2015/16	2016/17	2017/18	2018/19	2019/20	% Change 1 Year	% Change 5 Years
Parenting	1,510	1,584	1,698	1,792	1,587	-11.4%	5.1%
Financial	849	869	904	928	983	5.9%	15.8%
Parenting and Financial	183	218	238	269	221	-17.8%	20.8%
Other	114	85	75	67	54	-19.4%	-52.6%
N/A	7	3	6		1	n/a	n/a
Total	2,663	2,759	2,921	3,056	2,846	-6.9%	6.9%

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



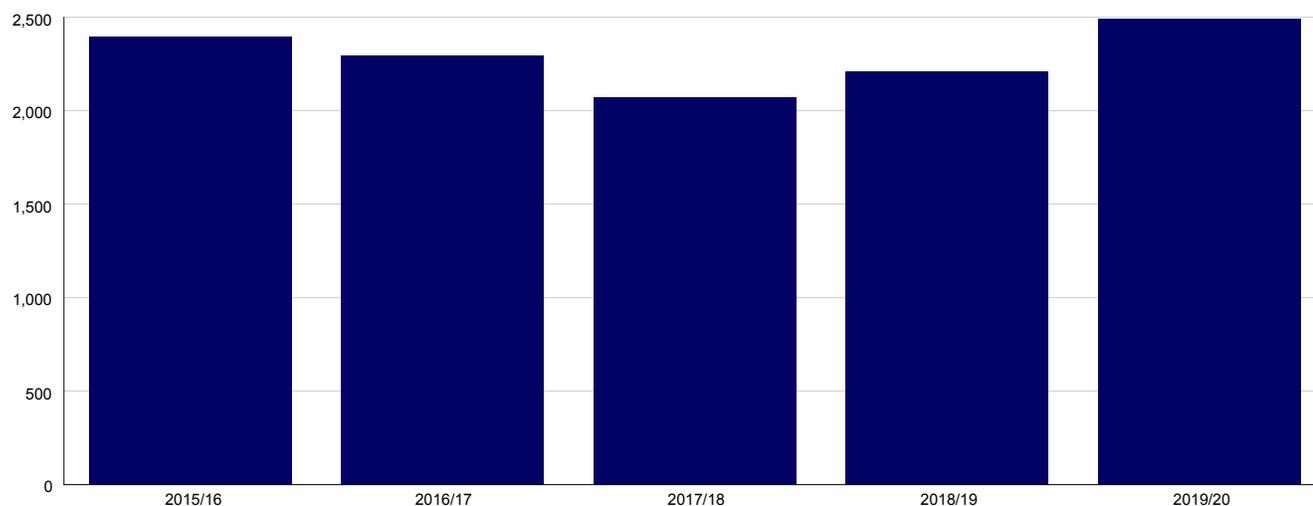
Applications Finalised

Orders Sought	2015/16	2016/17	2017/18	2018/19	2019/20	% Change 1 Year	% Change 5 Years
Parenting	2,313	2,316	2,399	2,614	2,571	-1.6%	11.2%
Financial	1,026	1,026	1,060	1,126	1,198	6.4%	16.8%
Parenting and Financial	147	146	166	166	174	4.8%	18.4%
Other	1,124	1,266	1,222	1,294	1,184	-8.5%	5.3%
N/A	41	25	7	7		n/a	n/a
Total	4,651	4,779	4,854	5,207	5,127	-1.5%	10.2%

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



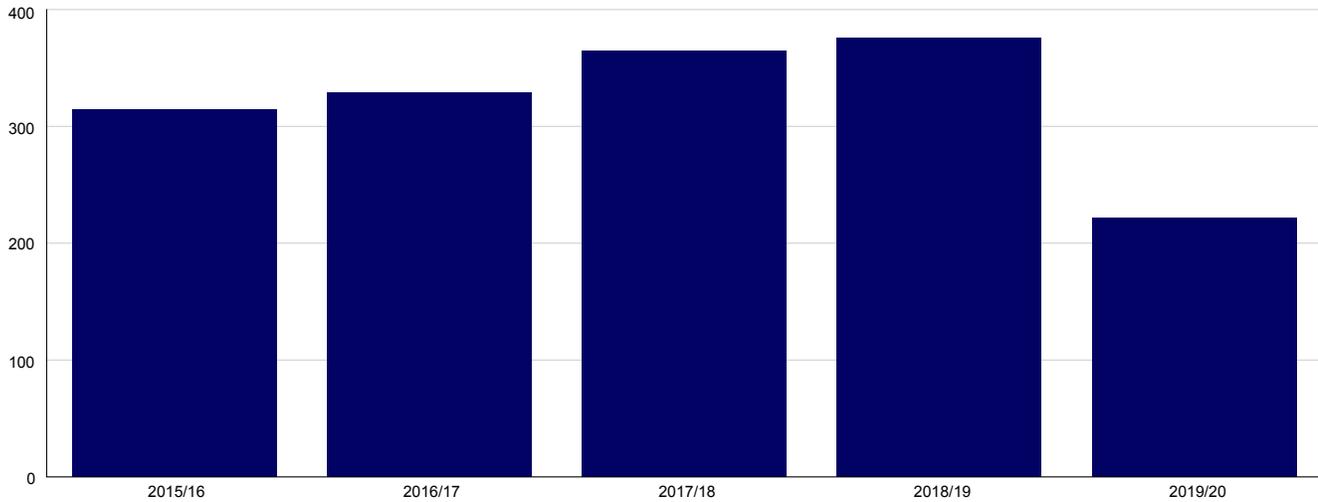
Applications Finalised

Orders Sought	2015/16	2016/17	2017/18	2018/19	2019/20	% Change 1 Year	% Change 5 Years
Parenting	164	193	182	148	183	23.6%	11.6%
Financial	2,028	1,917	1,720	1,840	2,119	15.2%	4.5%
Parenting and Financial	202	183	171	223	196	-12.1%	-3.0%
Other	2	1	1			n/a	n/a
N/A	5	6	3	1		n/a	n/a
Total	2,401	2,300	2,077	2,212	2,498	12.9%	4.0%

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.

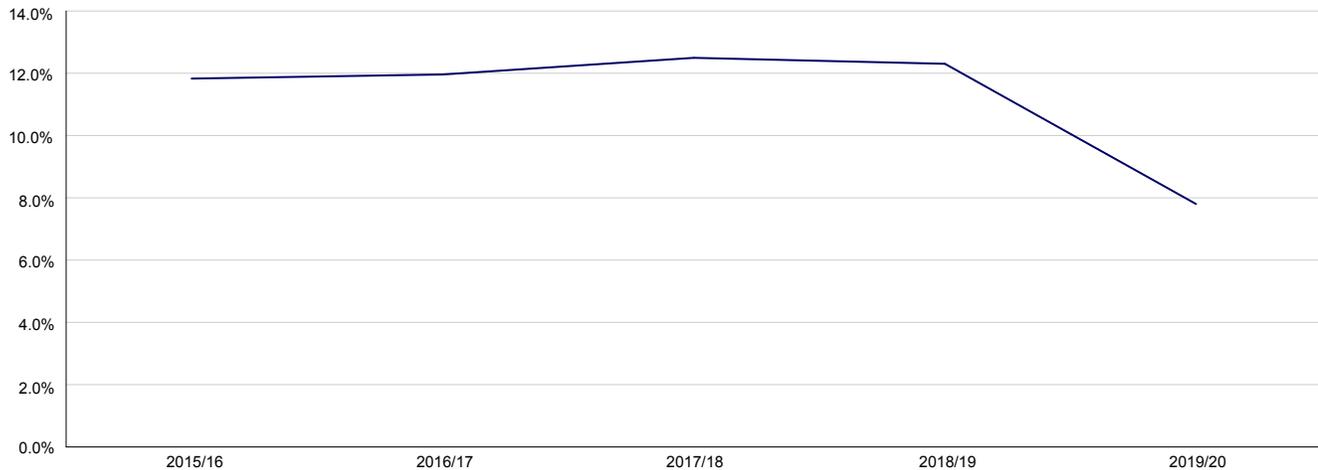
Final Order Finalisations by Trial



Trial Finalisations

Trial Status	2015/16	2016/17	2017/18	2018/19	2019/20	% Change 1 Year	% Change 5 Years
Finalised by Trial	315	330	365	376	222	-41.0%	-29.5%
Finalised Without Trial	2,348	2,429	2,556	2,680	2,624	-2.1%	11.8%
Total	2,663	2,759	2,921	3,056	2,846	-6.9%	6.9%
Per cent finalised by trial	11.8%	12.0%	12.5%	12.3%	7.8%	-36.6%	-34.1%

% 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.