

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
FAMILY COURT OF AUSTRALIA

Question No. AE16/020

Senator Madigan asked the following question at the hearing on 9 February 2016:

Senator MADIGAN: How many children were involved in or affected by Family Court judgements in the 2010-15 period?

Mr Foster: I will have to take that on notice; I have no idea. I am not even sure that we can provide an answer easily. I am just imagining the complexities of trying to extract that data from our database; it might be extremely difficult. That period of time is a long period of time to find the number of children affected. And they are affected in a number of ways—there are interim orders, of which there are about 25,000 a year; there are applications for final orders, of which there are about 20,000; and there are other sorts of orders that impact upon children across the board. It is a very wide question. We deal with about 200,000 individuals in a year, excluding children, so it will be a very large number. I have no idea how we will find that number out, but we will do the best we can.

CHAIR: Senator Madigan, you obviously have a purpose for asking the question, but is there any way you could perhaps confine or narrow the thing? From what the CEO says, they are going to spend the rest of their days trying to work this out.

Mr Foster: There are 40,000 divorce orders as well as about 13,000 consent orders, so we are talking about huge numbers of applications.

CHAIR: Anyhow, it stands that it has been taken on notice, but I cannot imagine—

Mr Foster: I am not sure that we can actually answer the question, but we will take it on notice.

The answer to the honourable senator's question is as follows:

The Family Court of Australia and the Federal Circuit Court of Australia does not collect data on “how many children are involved in or affected by Family Court judgments”.

The majority of matters in family law are resolved by agreement between the parties and relatively few are determined by a judicial officer.

The Australian Institute of Family Studies (AIFS) is the Australian Government's key research body in the area of family wellbeing. AIFS conducts original research to increase understanding of Australian families and the issues that affect them.