

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Group: 2

Program: Other Agency

Question No. SBE14/027

Senator Wright asked the following question at the hearing on 20 November 2014:

Senator WRIGHT: I would like to ask some specific questions about the Family Court and the effect of cuts on services available in the Family Court. Last time we heard that it could take up to two years for matters to be resolved. Do you have up-to-date figures for the average length of time between lodgement and trial date?

Mr Foster: The average time from lodgement to first day of trial is currently 13.4 months. In 2012-13 it was 12.7 months. That is the average, but I think it is important to say about finalisation that 75 per cent of final orders are dealt with within 17.5 months from filing to finalisation, and that was 16.9 months in 2012-13. Not all matters go to trial, obviously. Some 63 per cent of final orders were finalised within 12 months of filing. In terms of the work of the Family Court, that is not a bad figure. Currently the Family Court's clearance rate is 101 per cent, which means that we are dealing with cases faster than they are coming in. There is still an enormous backlog to deal with, but that is a pretty positive statistic.

Senator WRIGHT: That was an average. I might ask you to take on notice those figures for the last four years. What proportion of people are waiting for more than a year for their matter to be concluded?

Mr Foster: I would have to take that on notice to give you an appropriate figure, but 75 per cent of cases are dealt with within 17 months; nearly 63 per cent within 12 months.

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

Time from filing to finalisation of Final Orders Applications (cases)

# Cases finalised	2010/11	2011/12	2012/13	2013/14
less than 12 months	2,411	2,169	1,924	1,816
12 - 24 months	826	644	682	644
more than 24 months	522	449	442	430
Total	3,759	3,262	3,048	2,890
<i>Age of oldest case finalised (months)</i>	208.8	234.5	173.8	152.6

% Cases finalised	2010/11	2011/12	2012/13	2013/14
less than 12 months	64%	66%	63%	63%
12 - 24 months	22%	20%	22%	22%
more than 24 months	14%	14%	15%	15%
Total	100%	100%	100%	100%