



**FEDERAL MAGISTRATES COURT OF AUSTRALIA**  
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29 June 2006

The Chair  
Joint Committee of Public Accounts and Audit  
Suite R1.108  
Parliament House  
CANBERRA ACT 2600

Dear Sir or Madam:

Report 404 by the Joint Committee of Public Accounts and Audits

I refer to Chapter 5 of Report 404 with relates to Audit Report no. 46, 2003-2004 – Client Service in the Family Court of Australia and the Federal Magistrates Court.

The Federal Magistrates Court (FMC) is to respond to Recommendations 13 and 14 of Report 404 which relate to the FMC's Primary Dispute Resolution (PDR) program.

The FMC's response is in the attached Executive Minute.

If I can be of further assistance to the Committee, please do not hesitate to contact me.

Yours sincerely,

John Mathieson  
Chief Executive Officer  
Federal Magistrates Court of Australia



## FEDERAL MAGISTRATES COURT OF AUSTRALIA

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### EXECUTIVE MINUTE

on

#### JOINT COMMITTEE OF PUBLIC ACCOUNTS AND AUDIT

AUDIT REPORT No. 46, 2003-2004

Client Service in the Family FMC of Australia and the Federal Magistrates FMC

#### General Comments

#### Response to the recommendations

##### Recommendation No. 13

The Committee recommends that the Federal Magistrates FMC:

- seeks to gain further performance information from Community Based Organisations, in order to assess their effectiveness in dispute resolution and their adherence to the government's Family Relationships Services guidelines;
- undertakes further evaluation of the settlement outcomes from outsourced Primary Dispute Resolution providers; and
- investigates client satisfaction with Primary Dispute Resolution services provided by Community Based Organisation to understand why rates or settlement are low and how they could be increased to reach targets set in Portfolio Budget Statements.

The Committee's recommendations are supported and the Federal Magistrates Court (FMC) proposes to undertake a further evaluation of outsourced Primary Dispute Resolution (PDR) services in the 2006-2007 financial to address the recommendations of the committee.

The FMC has contracts for the supply of PDR Services with the following agencies:

- Relationships Australia Victoria – services delivered at Croydon, Narre Warren, Sunshine, Preston, Eltham, Greensborough, Traralgon, Shepparton, Kew
- Lifeworks – services delivered at Melbourne
- GordonCare – services delivered at Highett
- Centacare Ballarat – services delivered at Ballarat, North Ballarat, Mildura, Hamilton, and Warrnambool

- Family Mediation Centre – services delivered at Moorabbin, Ringwood, Narre Warren,
- Centacare Melbourne – services delivered at East Melbourne, Footscray, Mitcham, Dandenong, Malvern, Geelong
- Mallee Family Care – services delivered at Swan Hill and Mildura
- Centacare Sandhurst – services delivered at Bendigo, Wodonga and Shepparton
- Unifam – services delivered at Parramatta, Newcastle, Campbelltown, Penrith, Gosford, and Sydney
- Centacare Wollongong – services delivered at Wollongong and Nowra
- Centacare Broken Bay – services delivered at Thornleigh, Gosford, Narrabeen, Waitara
- Centacare Newcastle – services delivered at Newcastle, Muswellbrook, Taree, and Hamilton
- Centacare Bathurst – services delivered at Bathurst
- Centacare Sydney – services delivered at Sydney, Bankstown, Fairfield, and Sutherland
- Centacare Forbes – services delivered at Forbes and Narromine
- Relationships Australia New South Wales – services delivered at Westmead, Wollongong, Bondi Junction, Lane Cove, and Hamilton
- Interrelate – services delivered at Coffs Harbour, Lismore, Dubbo, and Orange
- The Family Centre Community Projects Inc. – services delivered at Tweed Heads
- Centacare Brisbane – services delivered at Fortitude Valley, Gold Coast, Maroochydore
- Centacare Toowoomba – services delivered at Toowoomba
- Centacare Townsville – services delivered at Townsville, Bowen, Mt Isa, and Ingham
- Relationships Australia Queensland – services delivered at Windsor and Townville
- Centacare Rockhampton – services delivered at Rockhampton, Mackay, and Bundaberg
- Relationships Australia Canberra & Region – services delivered at Deakin
- Centacare Canberra – services delivered at Forrest

- Anglicare Resolve Northern Territory – services delivered at Darwin and Ludmilla
- Relationships Australia Northern Territory – services delivered at Darwin and Alice Springs
- Centacare Adelaide – services delivered at Adelaide and Salisbury
- Relationships Australia South Australia – services delivered at Adelaide, Elizabeth, and Berri
- Centacare Port Pirie – services delivered at Whyalla, Port Pirie, Port Augusta, and Port Lincoln
- Whyalla Counselling Service Inc. – services delivered at Whyalla
- Relationships Australia Tasmania – services delivered at Launceston, Hobart, and Devonport
- Centacare Tasmania – services delivered at Launceston, Hobart and Burnie
- Positive Solutions – services delivered at Hobart and Launceston
- Anglicare Tasmania – services delivered at Hobart, Launceston, Devonport and Burnie

To respond to the first of the committee's recommendations, the FMC has written to all agencies and requested the following information:

- Whether the agency collects information relating to effectiveness in dispute resolution;
- Whether the agency is prepared to provide that information to the FMC;
- Whether the agency adheres to the government's Family Relationships Services guidelines.

Responses were received from the following agencies:

- Centacare Tasmania
- Centacare Sydney
- Relationships Australia Canberra and Region
- Centacare Rockhampton
- Centacare Newcastle
- Positive Solutions
- Centacare Port Pirie
- Interrelate
- Centacare Sandhurst
- Lifeworks
- Centacare Toowoomba

- Centacare Forbes
- Centacare Brisbane

Of the agencies that responded, Positive Solutions advised that they had not received any referrals from the FMC so could not provide any information. Centacare Port Pirie, Centacare Forbes and Centacare Newcastle advised that they did not collect information about the effectiveness of Primary Dispute Resolution. All of the other agencies indicated that they collected information but the responses confirmed that all agencies collected different information at different stages in the dispute resolution process. The FMC has therefore decided to include an evaluation of the information collected by agencies in the further evaluation of the court's PDR program rather than try to collate the information itself.

Two of the biggest providers of dispute resolution services for the court did not respond to the FMC's request for information. The FMC will need to engage those agencies in the evaluation process to ensure that the program is properly evaluated.

All agencies, however, advised that they adhere to the government's Family Relationships Services Program guidelines.

The FMC has engaged Communication Partners (a consultancy based at the University of Queensland) who conducted the previous evaluation of the FMC's PDR Program to conduct a further evaluation of the program.

The evaluation will analyse

- the data collected by Community Based Organisations and their effectiveness in dispute resolution;
- settlement outcomes from outsourced PDR providers;
- client satisfaction with dispute resolution services provided by Community Based Organisations; and
- how to improve settlement rates in Community Based Organisations (CBOs) so that Portfolio Budget Statement targets can be met.

#### **Recommendation No. 14**

The Committee recommends that the Family FMC of Australia and the Federal Magistrates FMC:

- Report to the Committee by June 2006 on progress of both FMCs' evaluations of their outsourced PDR services and whether PBS targets have been met; and
- Provides the Committee with feedback in regards to both FMCs' developing relationship with the new Family Relationship Centres.

### **Progress by the FMC in Evaluation of PDR services**

The evaluation referred to in the response to Recommendation 13 will consider PDR outcomes as well as how settlement rates in CBOs can be improved so that Portfolio Budget Statement targets can be met.

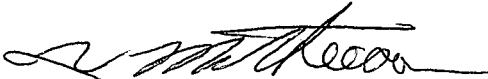
The FMC will provide to the Committee details of the results of the evaluation as soon as possible after it has been completed.

### **Relationships with Family Relationships Centres**

The Government has announced the implementation of 65 Family Relationships Centres. The first fifteen Centres have been announced and will commence operation on 3 July 2006. A further twenty-five Centres will open in 2007-08 with the remaining twenty-five opening in 2008-09.

Where the successful applicant for a contract to establish a Family Relationships Centre was a consortium, at least one member of that consortium has a contract with the FMC for the delivery of PDR services. In all but one case, where the successful applicant was a sole agency the FMC has a contract with that agency for the delivery of PDR services. The FMC's Dispute Resolution Coordinator has successful working relationships with all agencies that will be running Family Relationships Centres, including the agency that currently does not have a contract with the FMC.

Family Relationships Centres will be operational on 3 July 2006. The FMC's Dispute Resolution Coordinator has been in contact with a number of the successful applicants for the contracts. They have been employing staff and setting up premises to ensure that the Centres are open on 3 July 2006. Once staff have been employed, the FMC's Dispute Resolution Coordinator will engage with Centres to expand the FMC's external PDR Program to Family Relationships Centres.



John Mathieson  
Chief Executive Officer  
Federal Magistrates Court of Australia