

Family Justice Reforms

An Initial Cohort Analysis



New Zealand Government

Executive Summary

In 2014, major changes were made to the Family Justice System. The Family Justice System reforms shifted the focus from court resolution of parenting disputes when parents separate to encouraging parents to reach agreement themselves where this is appropriate.

The reforms were intended to achieve a modern and accessible Family Justice System that:

- “is responsive to the needs of children and vulnerable people
- encourages individual responsibility, where appropriate
- is efficient and effective”¹

The main change of the reforms was a portfolio of services to resolve disputes that families could access without entering the court system, known as out-of-court services, which included Family Dispute Resolution (FDR), the Parenting Through Separation (PTS) programme and Family Legal Advice (FLAS). The Family Court, known as in-court services, was just one part of a wider Family Justice System.

This review tracks a cohort of people who entered the Family Justice System after the reforms and evaluates the efficiency and effectiveness of in- and out-of-court services by comparing pre-and post-reforms cohort outcomes; specifically, the:

- proportion of people on each pathway in the Family Justice System
- time taken for people to move through each pathway
- outcomes for people in each pathway.

Efficiency and effectiveness of the reforms

Evaluating the efficiency and effectiveness of the reforms created two challenges: how do you define efficient and effective, and then how do you measure them? We have framed our answer around the impact that the reforms have had on timeliness (efficiency) and outcomes (effectiveness).

We have concluded from our analysis that the out-of-court system improves timeliness for some people but prolongs the process for others. For people likely to reach a resolution at mediation, out-of-court is especially good at saving time in the Family Justice System. For

¹ CAB Min (12) 25/10. *Family Court Review: Proposals for Reform*

people who are unlikely to reach a resolution, or likely to go to court during this process to get a resolution, travelling through the out-of-court system does not accelerate or simplify their journey. For these people, the in-court only pathway alone is faster. Consequently, the targeting of out-of-court services to people who are likely only to need out-of-court services could improve outcomes.

Overall, people were less likely than pre-reforms to reach a lasting outcome before the June year following system entry. People on the in-court only pathway were less likely than pre-reforms to reach an enduring outcome. People who had contact with both the in- and out-of-court systems were less likely than pre-reforms to reach an enduring outcome. Only people who entered the Family Justice System out-of-court and remained out-of-court achieved a more timely, enduring outcome than pre-reforms.

Our analysis found that:

- 48% of people in the examined cohort only went to court, 32% only made contact with out-of-court services, and 20% made contact with both, as at June 2017
 - Of the people who used out-of-court services, those who only attended Parenting Through Separation (PTS) were most likely to stay out of court (81%)
 - Since the reforms, the fastest path through the system was remaining out-of-court (an average of 39 days) and the slowest path was the combination of in-court and out-of-court services (an average of 312 days)
 - It took less time to go through the court pre-reforms (an average of 150 days). This is largely due to the shorter, less complex cases no longer appearing in courts leaving only the more complex longer cases in court
 - Most completed mediations ended with some or all matters resolved (79%) However, even for those with all matters resolved (75%), one quarter also used court intervention
 - People who only required out-of-court assistance were most likely to remain out of the system for an extended period
 - People who made contact with both in-court and out-of-court services were least likely to reach a lasting outcome where they could stay out of the system
 - Out-of-court alone people were 14 times more likely to achieve a lasting outcome and in-court alone people were almost 5 times more likely to achieve a lasting outcome
 - People were more likely to achieve a lasting outcome within a reasonable timeframe in the pre-reforms system. However, the post-reforms out-of-court pathway was most likely to see a lasting outcome when compared with the pre-reforms system and other post-reforms pathways.
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Introduction

Purpose of this report

This report continues the evaluation of the 2014 reforms to the Family Justice System. There have been two previous evaluations of the reforms: a 2016 research report on the implementation of FDR and self-representation, and an August 2017 administrative review that assessed whether the intended outcomes of the reforms had been achieved.

The purpose of this analysis is to join administrative data to enable an assessment of the current Family Justice System, including both in-court and out-of-court information. We tracked an initial cohort of people as they proceeded through the Family Justice System following the reforms. The report describes the different pathways of this initial cohort, how long it takes to go through the Family Justice System depending on the pathway taken, and the effectiveness of each pathway on reaching an enduring outcome.

The previous administrative review found that the number of applications to the court and cases in the court have decreased since the reforms. It appeared that use of out-of-court services was likely to account for some of this decrease. However, without tracking people flow from out-of-court into the courts we have until now been unable to connect drops in court numbers directly to out-of-court services. This review aims to fill this gap.

2014 Reforms to the Family Justice System

In 2014, major reforms were made to the Family Justice System. These reforms aimed to give families the opportunity to resolve issues without using formal court proceedings that could exacerbate conflict, be adversarial and costly to families and taxpayers.

This report focuses on proceedings under the Care of Children Act (CoCA) which came into force on 1 July 2005 and the reforms that took effect on 31 March 2014. CoCA brought in significant new legislation dealing with the guardianship of children and resolution of disputes about care and contact arrangements for children.

The purpose of the Act was twofold:

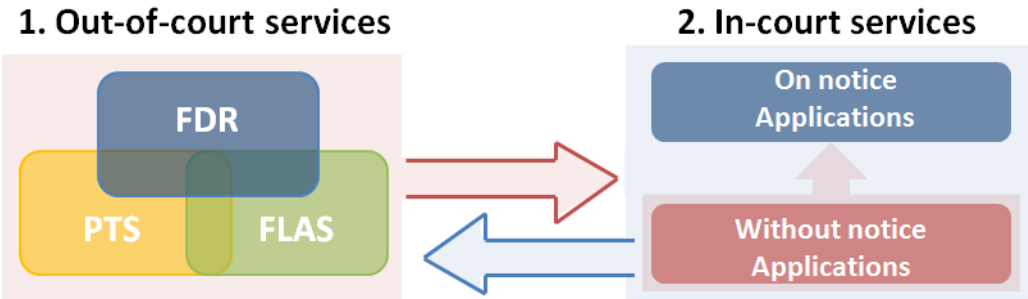
- i. to promote children's welfare and best interests and facilitate their development by helping to ensure that appropriate arrangements were in place for their guardianship and care;
- ii. to recognise certain rights of children.

The main change of the reforms involved the provision of services to resolve disputes that families could access without entering the court system. Family Dispute Resolution (FDR) was introduced and the Parenting Through Separation (PTS) programme was expanded. The reforms also made self-representation to the court mandatory in the early stages of most non-

urgent CoCA related applications to the court. Family Legal Advice (FLAS) was also introduced to provide legal information in parenting arrangements, and help filling in court entry forms if a case goes to court.

The reforms targeted CoCA applications, which made up approximately 40% of Family Court cases. Reform was necessary because the Family Court was too often used for resolving low level matters, had complex procedures, and was experiencing considerable growth in costs with no corresponding improvement in outcomes.

Figure 1: Simplified summary of the Family Justice System



As Figure 1 shows, out-of-court assistance can consist of a combination of different services. Applications to the Family Court are filed either on-notice or without-notice. Sometimes the without-notice applications are moved onto an on-notice track. There is also flow between the in-court and out-of-court services in the system.

Background

Changes to out-of-court processes

The reforms changed the way that the Family Justice System assists separating couples to reach agreement about care and contact arrangements for their children. The focus was shifted from court resolution of these disputes to encouraging parents to reach agreement themselves where appropriate.

The Family Justice System was structured to encourage people to reach agreements and to prevent disputes from occurring or escalating. It includes the following out-of-court components:

- information resources and tools to assist self-resolution
- Family Dispute Resolution (FDR) to enable people to reach agreement with the help of a mediator. FDR is a mediation service that gives participants extra help to reach agreement on the care of their children
- a free information programme, Parenting Through Separation (PTS), aimed at educating separating parents on minimising the effects of separation on their children
- a new Family Legal Advice Service (FLAS) to provide initial advice and information for people in dispute over arrangements involving care of their children.

The reforms aimed to enable the Family Court to focus its resources on serious and urgent cases that are not suitable for FDR. Simplified and streamlined processes (Simple, Standard and Without Notice case tracks) and more powers for judges to actively manage cases were intended to enable timely and proportionate resolution of CoCA disputes.

Family Dispute Resolution

Family Dispute Resolution (FDR) was introduced to enable parents to resolve disputes about the care of their children out-of-court where appropriate.

An impartial mediator runs the sessions, helps people identify issues and ensures everyone can put forward their point of view. Mediators help people focus on what is best for their children but do not force them to agree to anything or make a decision for them.

Participants can take part in one or more preparation for mediation sessions before FDR. For people who are feeling stressed or angry, this can help to manage those feelings so they can think more clearly about what arrangements are the best for their children.

If the people live in different towns, both mediation and preparation for mediation can be carried out remotely using Skype or similar programmes. Support people can also attend if everyone agrees.

Parenting Through Separation Courses

To support the out-of-court resolution of disputes, Parenting Through Separation (PTS) courses were expanded as part of the reforms. These free courses provide practical advice to help parents understand and manage the needs of their children following separation. They can also help grandparents and other family and whānau members who may be involved in caring for children. The courses take four hours and are held either in one session or in two sessions of two hours. Ex-partners attend different courses and can take a support person if the course facilitator agrees.

Prior to the reforms, PTS was not a mandatory part of the Family Justice System process and operated on a smaller scale. In 2009 it was evaluated to be effective in:

'...increasing parents' knowledge of issues around separation and by helping them to minimise the impact of separation on their children. It also indicates measurable improvements in several aspects of parents' reported behaviour and understanding, and in their children's distress and behaviour problems.' (Robertson & Pryor, 2009 p.102)

In addition, the 2009 research into PTS courses found that at follow-up three to six months after programme completion, there was a:

'...significant reduction in reported parental conflict. There were also significant increases in parents' satisfaction with childcare arrangements, in knowledge of issues related to separation and an increase in parents and children's adjustment in relation to separation.' (Robertson & Pryor, 2009 p.101)

Family Legal Advice Service

Family Legal Advice Service (FLAS) was made available for people who qualify to provide:

- information about legal responsibilities and options involved in parenting arrangements
- help filling in court entry forms if a case does end up going to court.

Government Support for Parents

Government financial support for people on low incomes is provided for FDR, including preparation for mediation. Eligibility is based on the number of a person's financial dependants and income over the past year (before tax, student loan repayments, KiwiSaver

contributions or ACC levies). People are eligible if they have qualified for family or civil legal aid in the past year.

Communicating these Changes

When the reforms were rolled out a range of information about the reforms was made available via brochures and the Family Justice website.² Resources relating to caring for children following separation and workbooks on how to make parenting plans with an ex-partner were put online.³

Changes to in-court processes

New tracks and simplified processes and forms were also implemented in the Family Court.

The tracks were formalised to enable:

- streamlined and predictable court processes so that parties and their lawyers know what to expect and how to navigate the court system
- timely resolution of disputes
- a greater focus on the needs of the child
- parties and their lawyers to have a clear knowledge of what is expected of them during the proceedings.

Simple Track

Matters that do not require extensive judicial involvement are dealt with on the 'simple track'. For example, undefended proceedings or making a consent order which formalises a private agreement about child care arrangements.

Standard and Complex Tracks

Non-urgent defended proceedings are dealt with on the 'standard track'. A Family Court Judge can direct that a case on the standard track be classified as a complex case if

² For more information see <https://www.justice.govt.nz/family/>

³ For more information see <https://www.justice.govt.nz/family/care-of-children/resources/>

satisfied that a greater degree of judicial oversight is required; e.g., where there are allegations of sexual abuse or violence. This court track is termed 'complex standard'.

Simple and standards tracks relate to on-notice applications where other people involved have to be notified so that they can respond to the application before any orders are considered by the court.

Without Notice Track

Urgent matters are dealt with on the 'without notice' track. This track is used where there is risk of serious injury of a parent and/or child, undue hardship, or a child being taken out of New Zealand without a parent's permission if the matter is not treated urgently. Successful applicants on this track do not have to wait for others to be notified before a Judge makes an interim order.

New Role for Parents

People who take a parenting agreement to the Family Court for formal recognition, or who want a Judge to help them reach an agreement or make a decision for them, are required to:

- file their own documents with the Family Court
- meet with the Judge (if required) in the early stages of the court process where they represent themselves. Lawyers can be involved when the matter is referred for a substantive hearing or earlier if the Judge directs this
- have completed a PTS course within the last two years and an FDR mediation within the last year.

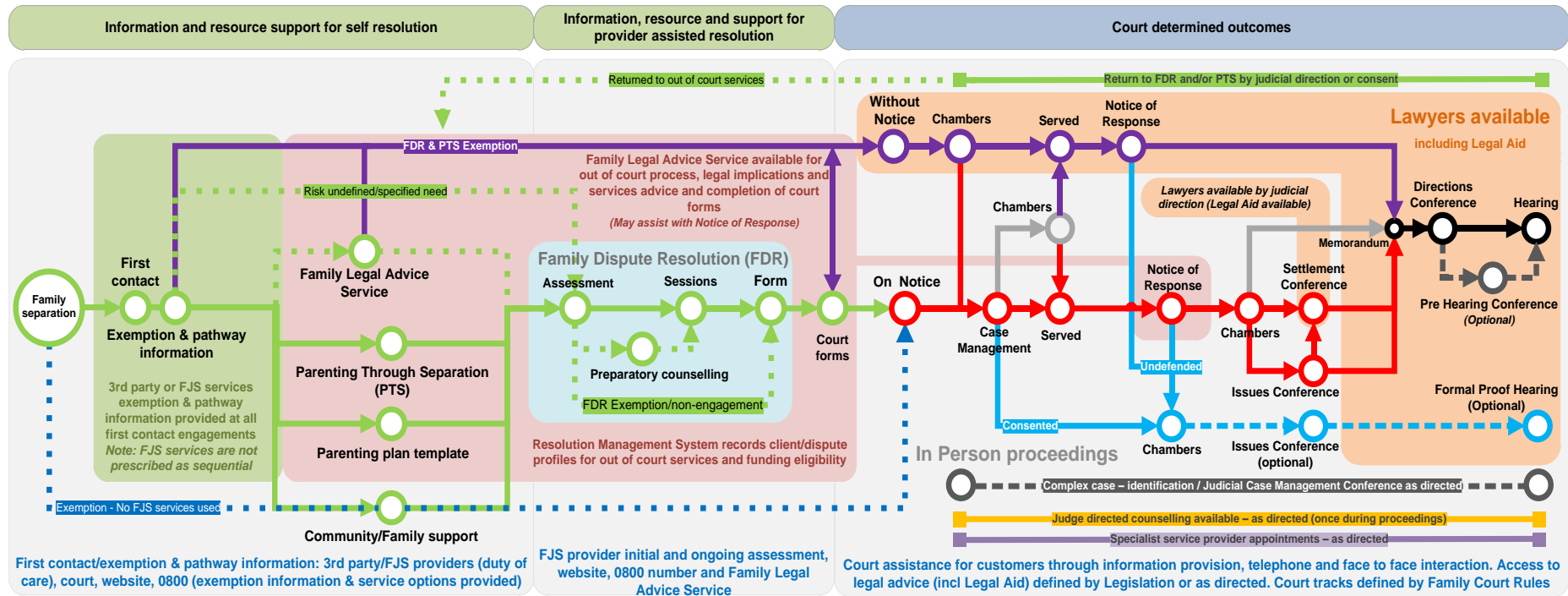
Without Notice applications are an exception⁴. For this type of application lawyers can be used to help file an application and represent a person in court.

Requiring people to represent themselves in parts of the Family Justice System was intended as a way to resolve straightforward matters promptly in a less adversarial manner thereby reducing stress of families and children. Mandatory self-representation is also a way to reduce expenditure on lawyers, ensuring the Family Justice System remains affordable for separating parents and striking a balance between the financial viability of the legal aid scheme and access to the Family Court.

⁴ The other exception is proceedings already active in court with legal representation.

Figure 2 shows an illustration of the different pathways through the Family Justice system, and the out-of-court and in-court services.

Figure 2: The Family Justice System following reforms



Methodology

Cohort selection

As discussed previously, reforms to the Family Justice System took effect on 31 March 2014. To allow for an initial unsettled period following these changes, the group analysed (or cohort)⁵ was limited to people whose first entry into the Family Justice System (either out-of-court or in-court) was during the year ending June 2015.

The cohort includes:

- people whose first entry to the Family Justice System was through any CoCA application to the court (excluding Hague convention) as either an applicant or a respondent, in the year ending June 2015
- anyone whose first entry to the Family Justice System was through contact with an out-of-court service in the year ending June 2015.


The cohort excludes people who had an earlier order (from a different case or previous application) linked to their CoCA application. Pragmatically, they were considered to have started their interaction with Family Justice System before July 2014.

Data matching

To track eligible people from out-of-court services into the court and vice versa, out-of-court records needed to be matched with in-court records. The matching involved linking information from two different source systems: the Resolution Management System (RMS) and the court's Case Management System (CMS). Data from the two systems were linked by probabilistic matching. This involves using common information from two systems such as names, aliases, dates of birth, addresses, emails and phone numbers to determine that a person in one system is likely to be the same person in the other system.

This method of data matching is not ideal. We are unable to state with confidence how accurately the match represents everyone who moved between the systems. Improvements have been made to court data capture processes recently that will make it easier to track

⁵ Individuals' journeys are tracked through the Family Justice system using this cohort. Normal reporting for PTS counts people; for FDR counts disputes; for court counts applications or cases. People were chosen as the lowest common denominator.



people through the Family Justice System by using unique identifiers that are shared across CMS and RMS.

All analyses, unless otherwise stated, relate to what has happened with the cohort from their initial entry in the system up until the end of June 2017. When “people” are discussed in the report, this relates to both applicants and respondents to the Family Court or other Family Justice services.

Pathways

Key Points

- 48% of people in the examined cohort only went to court, 32% only had contact with out-of-court services, and 20% had contact with both, by 30 June 2017
- The majority of people who used out-of-court services did not continue on to use the court (61%). Their issues may have been simpler to resolve and did not require court intervention
- The vast majority of people who had only been seen in-court, only had without-notice applications (69%)
- People who used both in-court and out-of-court services⁶ were most likely to have applied without notice and entered the system through the court
- Of the group of people who used out-of-court services, those who only required PTS were most likely to stay out of court (81%)
- Some people who went through out-of-court services did go on to court. One quarter of people who had fully resolved their issues at FDR still went on to court
- Two thirds of people who started out-of-court and accessed FLAS stayed out-of-court.

⁶ As discussed later, this out-of-court / in-court group is the most likely to take a long time to resolve, and least likely to reach a lasting outcome within a reasonable timeframe.

The Family Justice System is complex. There are many services in and out of court, and investigating every combination was not realistic. To examine the pathways in relation to key research questions surrounding the reforms we focused on three broad pathways:

1) Out-of-Court Only

People on this pathway have accessed Family Justice Services outside of the courts, namely any possible combination of PTS, FDR and/or FLAS, and have not entered the court system (i.e., only accessed services at point 1 in Figure 1).

2) In-Court Only

People on this pathway have entered the Family Justice System through the courts and have been dealt with entirely in the courts.

3) Out-of-court / In-Court

People on this pathway have accessed Family Justice Services outside of the court and have been to court for a CoCA matter (i.e., accessing services at point number 2 in Figure 1 and moving to point 1 and vice versa).

There are two sub-paths to the pathway:

- 1) Court entry: entering the system via court and subsequently having an out-of-court service
- 2) Out-of-court entry: entering the system via an out-of-court system and subsequently appearing in court.

The Three Pathways

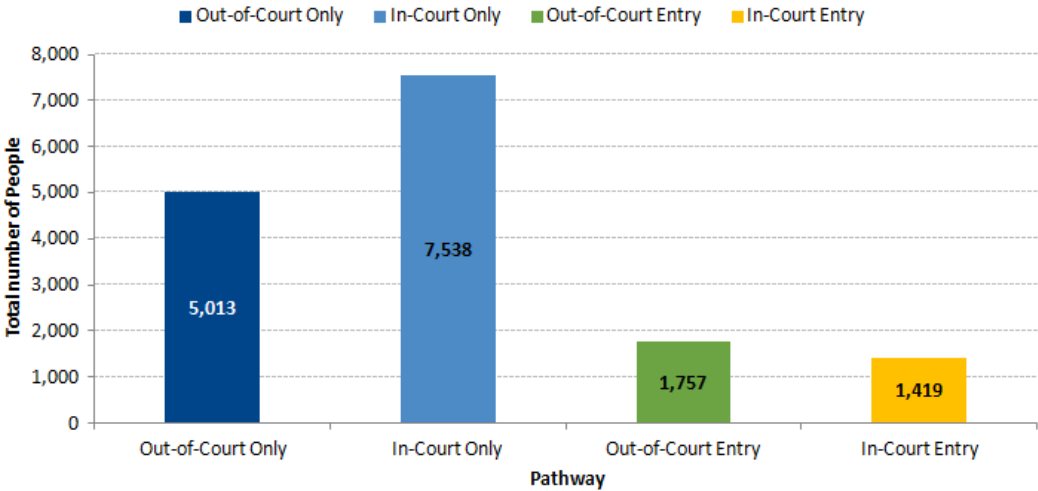
Table 1 shows the volume of people in the cohort across the three broad pathways. Almost half of the cohort stayed in-court (48%) followed by parties who have stayed in the out-of-court process only (32%).

Table 1: Total number of people by Out-of-Court and In-Court Pathway

Pathway	Count of People	%
Out-of-Court Only	5,013	32%
In-Court Only	7,538	48%
Out-of-Court/ In-Court	3,176	20%
Total	15,727	100%

One fifth of the cohort moved between out-of-court and in-court services with 9% overall starting in-court (Figure 3).

Figure 3: Total number of people by Out-of-Court and In-Court Pathway



To investigate the use of the out-of-court system, the data were refined to include only those people who used or progressed in the system⁷, rather than those who just made contact. Of the 5,013 who made contact with the out-of-court system without going to court, 4,469 (89%) progressed through the system past initial contact. Of the 3,176 who made initial contact in the out-of-court / in-court group, 2,878 (91%) progressed past initial contact.

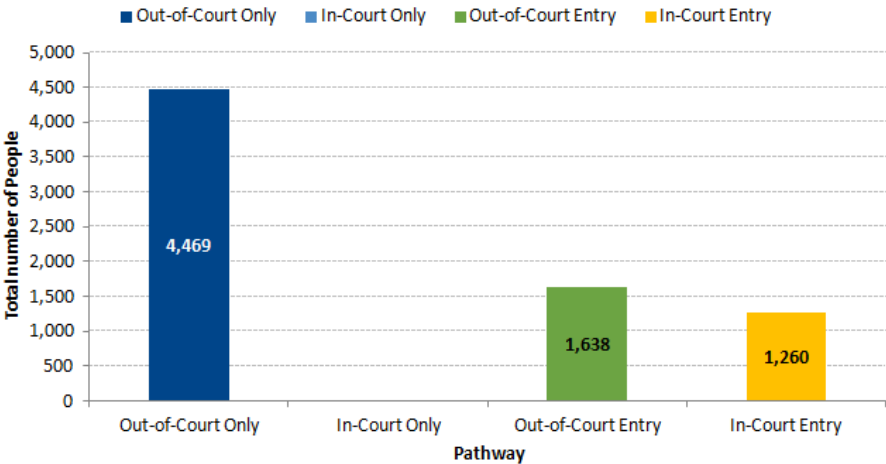
Table 2: Total number of people who have used at least one Out-of-Court service

Pathway	Count of People	%
Out-of-Court Only	4,469	60%
In-Court Only	0	0%
Out-of-Court/ In-Court	2,898	39%
Total	7,367	100%

The highest proportion of people who used an out-of-court service was from the out-of-court only (60%) path.

39% of people moved between in- and out-of-court services with 17% starting in-court and 22% starting out-of-court.

Figure 4: Total number of people who have used at least one Out-of-Court service



⁷ This includes people who either attended a PTS session, have a finalised status for FLAS assistance, or have completed an FDR mediation.

On Notice and Without Notice Applications

Applications to the Family Court are filed either on-notice or without-notice and people may be applicants or respondents. Without Notice applications can be filed with the help of a lawyer and without needing to meet the usual requirements of attending out-of-court services first. Analysis was carried out to see where these applications fit in the broad pathways.

Table 3 shows how applications were distributed across each pathway. Almost two thirds of people (64%) were involved in only without-notice applications compared to only on-notice applications (16%) and both filing methods (20%). The majority of people who had only been seen in-court only had without-notice applications (69%).

Table 3: Total number of people involved in court processes by Pathway and Filing Method

Pathway	Without Notice Only	On Notice Only	Both
Out-of-Court Only	0	0	0
In-Court Only	5,232	984	1,322
Out-of-Court/ In-Court	1,654	685	837
Total	6,886	1,669	2,159

Figure 5 shows the total number of people who either filed or responded to without-notice and on-notice applications to the Family Court by pathway. Figure 6 shows a further breakdown by filing method.

Figure 5: Total number of people involved with CoCA Applications

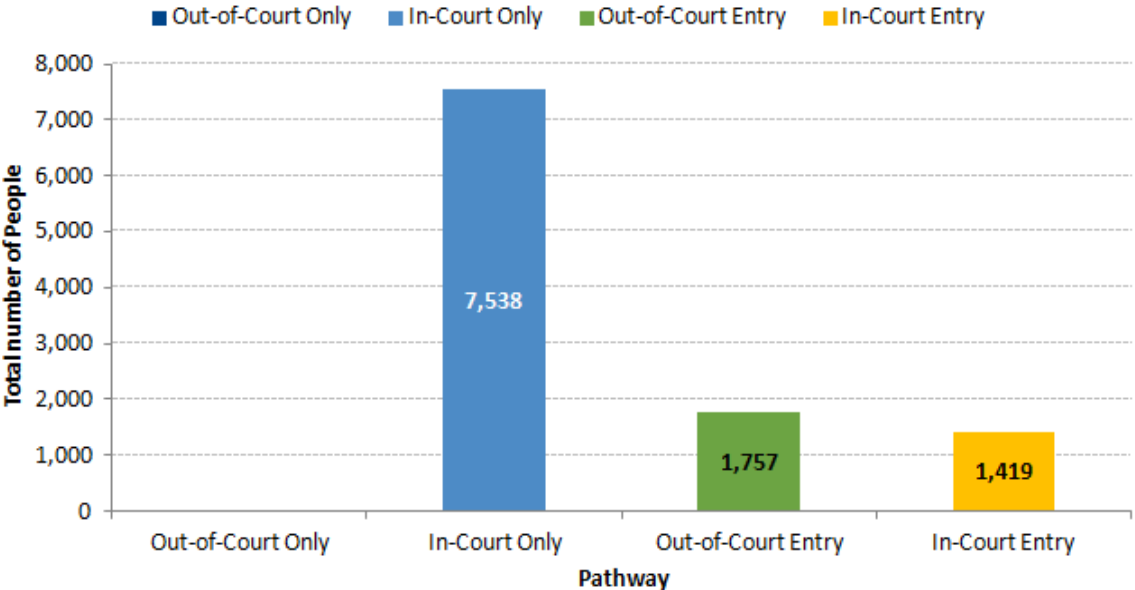
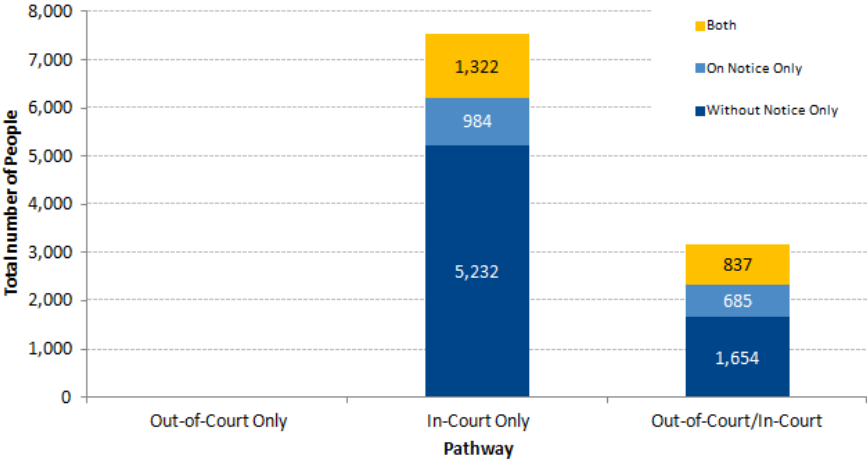


Figure 6: Total number of people by Filing Method



People who used an out-of-court service at least once and also filed or responded to an application to the Family Court were limited to the Out-of-Court / In Court pathway (Table 4). Of those that started in court, 60% were involved with only without-notice applications, 8% with on-notice applications and 32% with both. Figure 7 shows this breakdown by pathway, entry and filing method. Figure 8 shows the overall cohort breakdown.

Table 4: Total number of people who used at least one out-of-court service by Pathway and Filing Method

Pathway	Without Notice Only	On Notice Only	Both
Out-of-Court Only	0	0	0
In-Court Only	0	0	0
Out-of-Court/ In-Court	1,489	639	770
Total	1,489	639	770

Figure 7: Total number of people who used at least one Out-of-Court service by Pathway and Filing Method

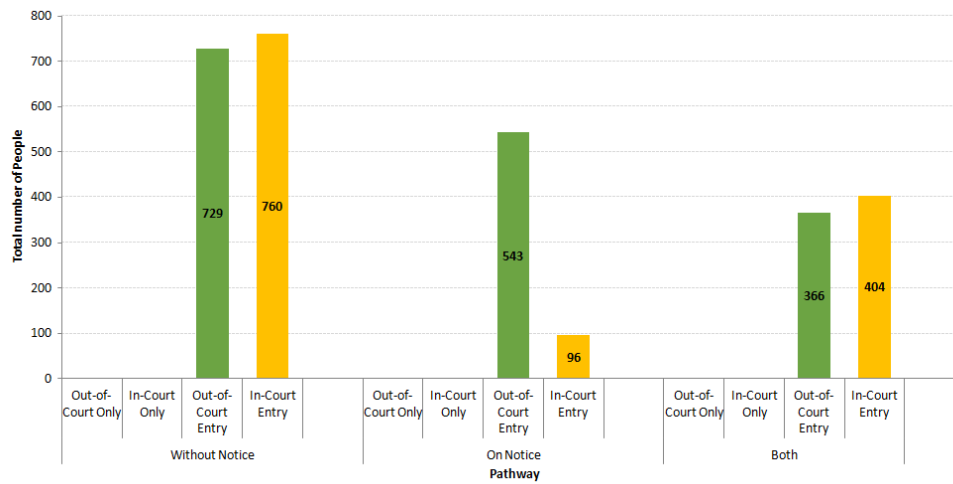
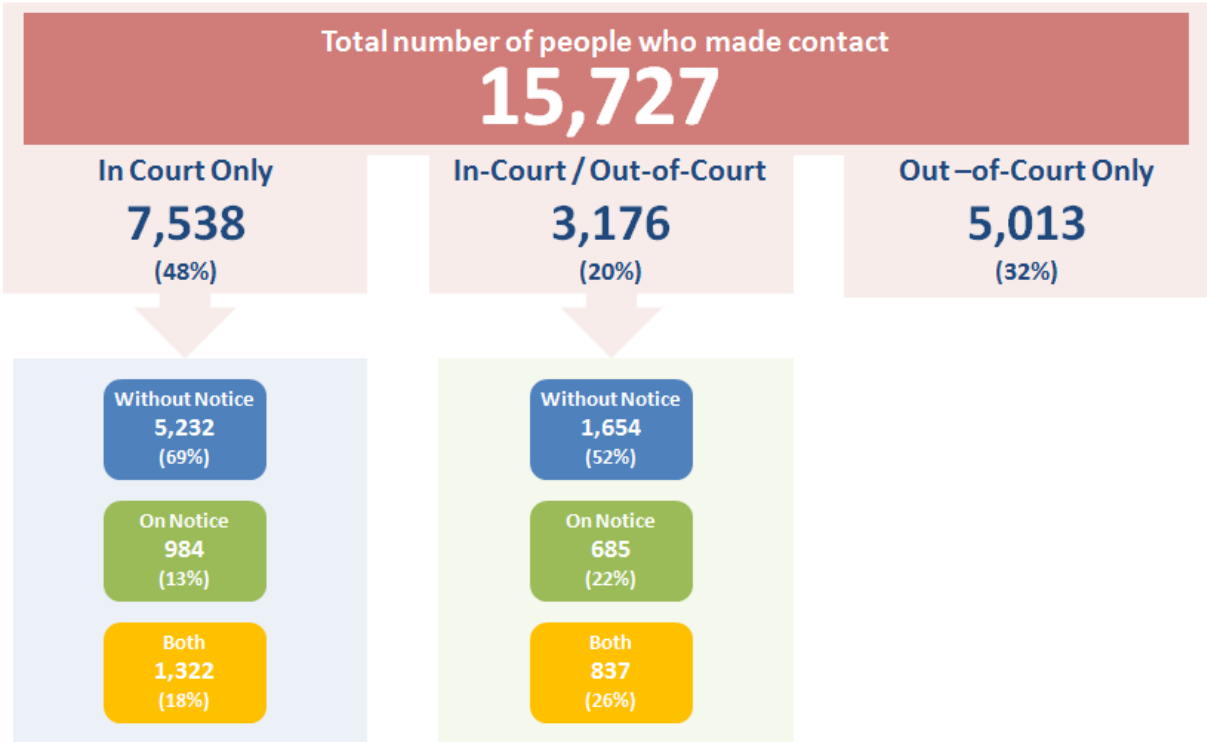


Figure 8: Breakdown of cohort by Pathway and Filing Method



Resolving disputes without court

To assess the success of resolving family applications and cases without court, we looked at those who started and stayed out-of-court, and compared them to people who started out-of-court and moved into court.

Table 5 shows the total number of people by pathway and out-of-court service used. For people who used an out-of-court service, those that remained out-of-court largely used PTS services only (1,932), followed by FLAS only (830) and FDR only (553). This suggests that PTS is effective for some people at helping make parenting arrangements without further assistance or court intervention. It is likely that these cases are either more straightforward, the parents in closer agreement, or both.

People who used both PTS and FLAS, or used all services, had the highest proportion of people going to court (both 43%, respectively).⁸

⁸ Does not specify whether a party had a particular service before moving into court. For example, if a person went to PTS, then into court, then had FDR, this person would be counted under ‘FDR and PTS’, ‘Out-of-Court to In-Court’.

Table 5: Total number of people by Pathway and Out of Court Service

Services	Out-Of-Court Only	Out-of-Court Only %	Out-of-Court to In-Court	Out-of-Court to In-Court %	Total
FDR Only	553	76%	172	24%	725
FLAS Only	830	74%	292	26%	1,122
PTS Only	1,932	81%	449	19%	2,381
FDR and FLAS	161	71%	67	29%	228
FDR and PTS	432	65%	236	35%	668
PTS and FLAS	345	57%	262	43%	607
All Services	216	57%	160	43%	376

Family Legal Advice Services

Two thirds of people who started out-of-court and accessed FLAS stayed out-of-court. It was somewhat unexpected that people who had used FLAS had such a small percentage going on to court. This is better understood when further broken down.

For people who received initial advice, 74% remained out-of-court and 26% moved into court. For people who received assistance with court entry forms, 53% of people remained out-of-court. This seems odd considering the forms were filled out to enter court. It may be that people want to demonstrate that they are serious about being prepared to go to court. It may be an indication that the data match is still lacking, despite expert opinion⁹ that there could be little further improvement.

Table 6: Total number of people by FLAS Type and Pathway

FLAS Type	Out-Of-Court Only	Out-of-Court Only %	Out-of-Court to In-Court	Out-of-Court to In-Court %	Total
Initial Advice	1,271	74%	450	26%	1,721
Court Entry Forms	17	53%	15	47%	32
Both	264	46%	316	54%	580

⁹ A SAS and Dataflux specialist was consulted to optimise data match.

Family Disputes Resolution

There are three main stages in the FDR process: assessment, preparation for mediation and mediation. People can also become exempt from FDR at any of these stages. For simplicity, we have focused on people who have been exempted and people who have completed mediations.

Table 7 shows the total number of people who were exempted as well as the total number of people with completed mediations by the resolution outcome of their mediation.

75% of people who resolved all matters remained out-of-court. However, 25% who resolved all matters subsequently went to court. This suggests that resolving all matters in FDR does not necessarily prevent people from going to court because they need to refine agreements or because agreements break down.

48% of people who resolved some matters started and remained out-of-court; 52% ended up having to go to court.

For people who resolved no matters, the split was also close with 57% starting and staying out-of-court, and 43% went to court.

58% of people who were exempt from FDR stayed out-of-court while 42% went to court, so being exempted from FDR does not necessarily mean that these people will try to resolve their matters in-court.

Table 7: Total number of people by FDR Outcome and Pathway¹⁰

FDR Outcome	Out-Of-Court Only	Out-of-Court Only %	Out-of-Court to In-Court	Out-of-Court to In-Court %	Total
Exempt	530	58%	383	42%	913
Mediation Completed – All matters resolved	1,031	75%	344	25%	1,375
Mediation Completed – Some matters resolved	144	48%	154	52%	298
Mediation Completed – No matters resolved	258	57%	193	43%	451

¹⁰ If a person completed multiple FDR mediations with different outcomes, they are counted once under each outcome so the volumes here do not match FDR volumes in Table 5. It is also possible for a person to complete mediation and later be exempted from FDR or vice versa.

Timeliness

Key points

- The out-of-court services improve timeliness for some people but prolong the process for others. For those likely to reach a resolution at mediation, it is especially good at saving time in the system
- For people who are unlikely to reach a resolution, or likely to go to court to get a resolution, travelling through the out-of-court pathway does not accelerate or simplify their journey. For these people, the in-court pathway alone is faster
- Since the reforms, the fastest pathway through the system is remaining out-of-court and the slowest path is using a mix of in-court and out-of-court services
- It took less time on average to go through the court pre-reforms. This is due, in a large part, to the shorter less complex cases no longer appearing in courts, leaving only the more complex longer cases in court.

Part of the intended effect of the 2014 Family Justice System reforms was that people could travel through the system faster. This section investigates timeliness and whether the reforms have had their intended effect.

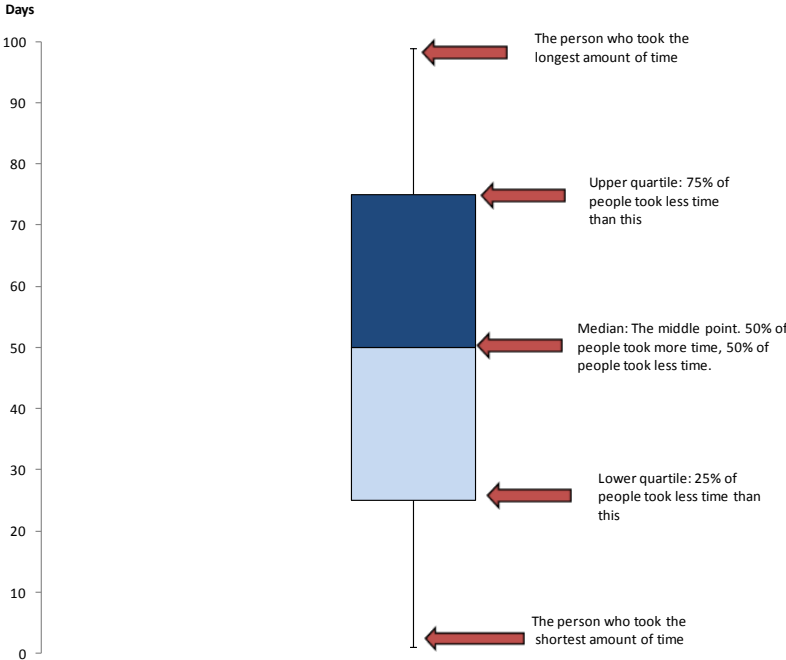
While timeliness is less important than a satisfactory outcome, it impacts the system, its resources and the people who travel through it. People going through separation, in addition to wanting a satisfactory outcome, also typically want the process to be completed promptly so that they can move on with their lives.

There is considerable variation in the time it takes families in different situations and levels of conflict to move through different pathways in the system. This variation results in outliers being quite common. For example, some people can travel through the Family Justice System within a month while others take years. This variability and the commonality of outliers suggest that a simple examination of means would be unfairly skewed by those people taking a far longer time than normal to travel through the system.

To examine the time it takes to move through the pathways and to represent the distribution of cases, we use a standard grouping technique, box and whisker plots, to present the distribution. Figure 9 shows how to interpret these charts¹¹.

¹¹ Box and whisker graphs display data based on quartiles. The lower quartile value has the bottom 25 percent of the data between it and the minimum. The median divides the range in the middle and has 50 percent of the data below it. The upper quartile value has the top 25 percent of the data between it and the maximum.

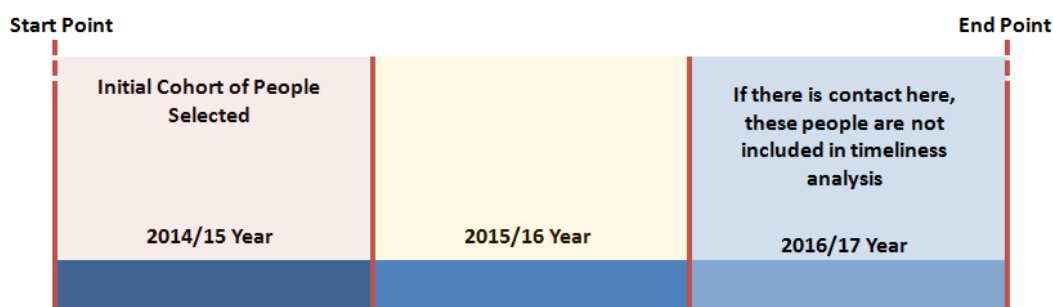
Figure 9: Interpreting box and whisker plots



There is also variability in how frequently people interact with the Family Justice System and what an end to the process looks like. This can make defining an exit for different people who have taken different pathways complicated. A person may exit the system at one point then return to it much later. There is also variability in how people engage with different services; e.g., some people may participate fully in the FDR process while others may contact the service but make no further contact.

To offset these factors, the following assumptions were made to ascertain that the people in our timeliness calculations had actually exited the Family Justice System. If the data showed that the people had progressed through a service, there was an exit point listed, and there had been no contact for one year or more, it was assumed a person had exited.¹²

¹² Due to these assumptions, the number of people in the timeliness analyses varies from the numbers used in other analyses within this report.



Out-of-Court

The three different out-of-court services are represented in Table 8. These services have different aims and processes resulting in the variability of how long each may take to complete. Both FLAS and PTS are aimed at informing and educating people. The purpose of FDR is to enable people to reach an agreement with the help of a mediator.

Table 8: Out-of-Court Timeliness Data¹³

	Count of People	Minimum (days)	Lower Quartile (days)	Median (days)	Upper Quartile (days)	Maximum (days)
Out of Court Only Total	4,005	1	1	8	59	714
FDR only	471	3	22	42	86	676
PTS only	1,855	1	1	1	8	554
FLAS only	803	1	1	1	1	533
FDR and PTS	313	2	55	117	269	661
FDR and FLAS	130	4	57	85.5	258	623
FLAS and PTS	274	1	30	82	203	714
All 3 Services	159	20	94	183	312	672
Days From Assessment To Mediation	1,016	2	20	33	52	385

The PTS and FLAS processes are usually completed promptly following an initial appointment. The majority of people complete both in 10 days or less (89% for PTS and 79% for FLAS). PTS and FLAS both have median values of 1 day to complete the process. For most people PTS will be a single session on the day of the initial appointment.

There is almost no visibility in the data to indicate when people first engage a provider to request PTS or FLAS assistance. While a first point of contact is recorded in FDR, for PTS and FLAS the first entry for a particular person is their initial appointment or course session.

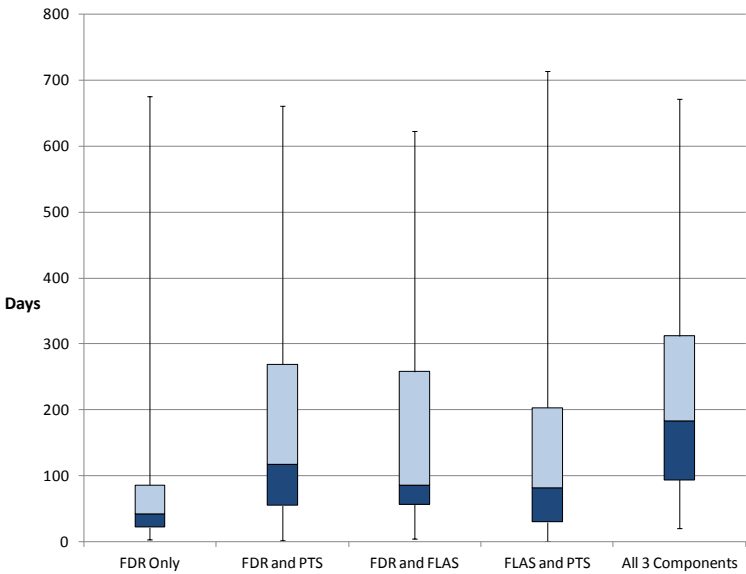
¹³ With the exception of 'From Assessment to Mediation' all figures represent the number of days between the first contact or entry into the system, and the last potential exit point.

The PTS and FLAS services are also much shorter than FDR where people must be assessed to determine whether they can proceed to mediation and a single person may have multiple mediations.

The FDR median is 42 days (Table 8). The 'Days from Assessment to Mediation' measures the days from the initial assessment in the FDR component to the first mediation and has a median of 33 days. This suggests that this period of the FDR process is why the FDR process takes longer to go through than the PTS only or FLAS only.

In addition to taking longer when used in isolation, FDR also has an effect when combined with other services (see Figure 10). A typical person travelling through both FLAS and PTS will spend roughly twice the amount of time in the Out-of-Court system as one who travels through FDR only (FDR's median is 42 days, FLAS and PTS together has a median of 82 days). However, when FDR and a different Out-of-Court component are both travelled through, there is an increase in the amount of time it takes to complete the process. The longest pathway is using all three services but even using FDR and PTS, or FDR and FLAS, takes a substantially longer time than using any one service in isolation.

Figure 10: Timeliness of Out of Court Services



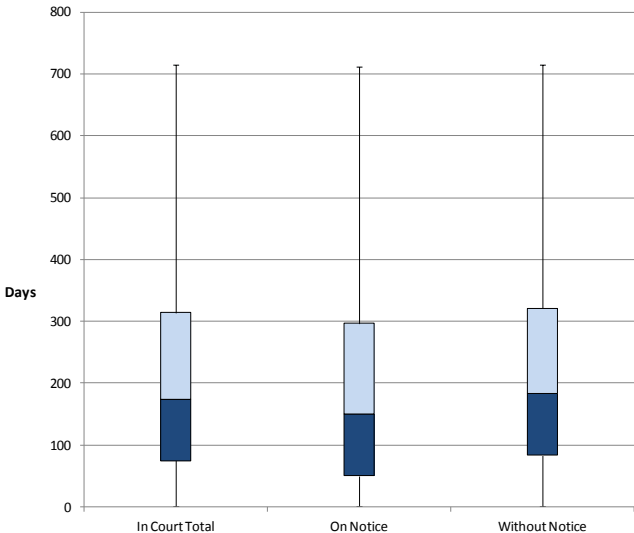
In-Court

Table 9: In-Court Timeliness Data

	Count of People	Minimum (days)	Lower Quartile (days)	Median (days)	Upper Quartile (days)	Maximum (days)
In Court	4,784	1	75	174	314	715
On Notice	1,458	1	50	150	297	711
Without Notice	3,966	1	83	184	321	715

While Without Notice applications allow people to be seen quickly at the beginning of the process, the time until completion is typically 34 days longer than for an On Notice application for our cohort (see Figure 11). This indicates that the type of filing method (either On Notice or Without Notice) has less of an impact on timeliness than the out-of-court service people use.

Figure 11: Timeliness of the In-Court System, comparing On Notice to Without Notice applications



In-Court and Out-of-Court Comparison

The PTS and FLAS services were excluded from the timeliness analysis comparing out-of-court and in court pathways. This is because we established that FDR is the out-of-court service which predominantly affects the timeliness of people’s journeys through the system and provides the most informative insights.

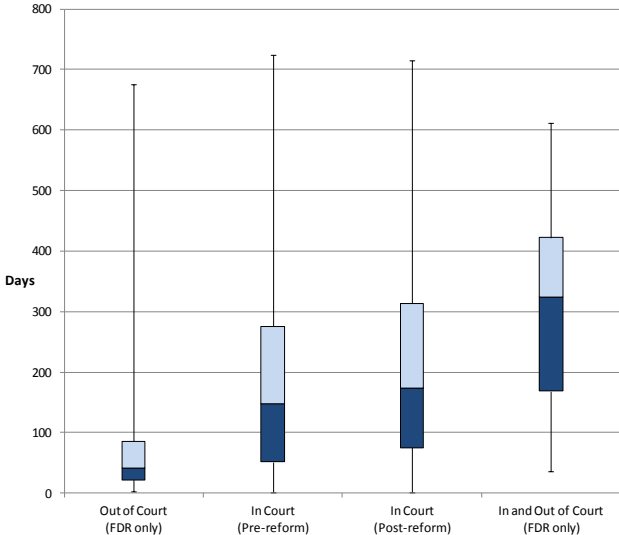
Table 10: In and Out of Court Timeliness Data

	Count of People	Minimum (days)	Lower Quartile (days)	Median (days)	Upper Quartile (days)	Maximum (days)
In & Out of Court Total	1,049	1	194	312	430	722
In & Out of Court: FDR	95	36	169	324	422	611
In & Out of Court: PTS	435	19	194	310	430	722
In & Out of Court: FLAS	235	1	156	265	384	676
In & Out of Court: FDR and PTS	86	57	250	382.5	490	674
In & Out of Court: FDR and FLAS	24	44	204.5	296.5	381	542
In & Out of Court: FLAS and PTS	123	19	201	330	431	688
In & Out of Court: All 3 Services	51	33	260	397	491	674

While FDR is the slowest of the three out-of-court services, the process is still typically faster than the in-court pathway. The pathway that takes the longest time to complete is where people have some combination of in-court and out-of-court services (see Figure 12). This

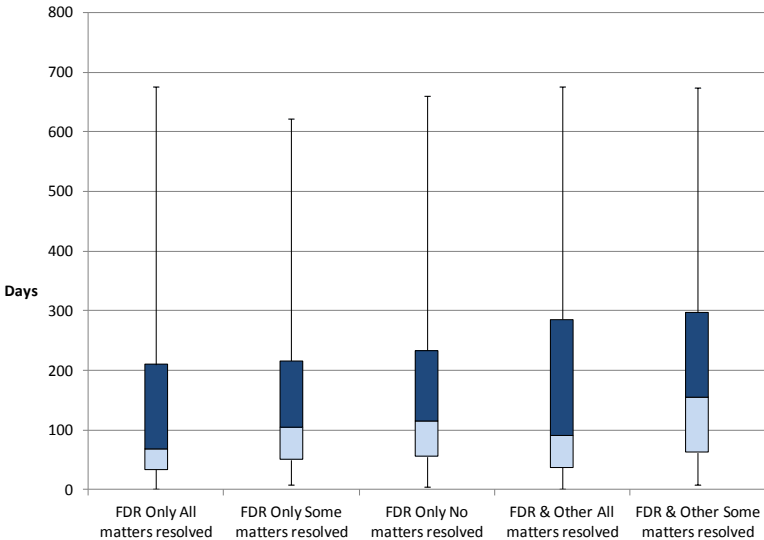
indicates that the out-of-court pathway is a viable and faster option for some people. It appears that in instances where the court will be involved, it is faster to avoid the out-of-court pathway and simply go to court. However, this is only an option where there are grounds for a without-notice application unless an exemption from PTS and/or FDR is granted by a registrar. The grounds for such an exemption are limited (see Appendix A for exemptions).

Figure 12: Comparing the Timeliness of the In-Court and Out-of-Court Systems



This effect is even more pronounced when the outcomes of the FDR process are considered. Of the three outcomes for an FDR process, ‘All matters resolved’ takes the shortest period of time compared to ‘Some matters resolved’ and ‘No matters resolved’ (Figure 13). Potential causes for these time differences may be because the issues are less complex and easier to resolve for ‘All matters resolved’ mediations or because the people involved are able to have more amicable discussions.

Figure 13: Timeliness of the FDR Process, by resolution¹⁴



This theory is also supported by the transition from FDR to the in-court pathway. ‘All matters resolved’ has the lowest percentage of people moving to the In-Court system (25%) when compared to the other two FDR outcomes ‘Some matters resolved’ (52%) and ‘No matters resolved’ (43%). When people move from FDR to a different out-of-court service or to the in-court system, ‘All matters resolved’ is still the fastest outcome on average.

Table 11: FDR Outcomes Data

¹⁴ ‘FDR & Other No matters resolved’ has not been included in this graph due to the sample size being too small.

	Count of People	Minimum (days)	Lower Quartile (days)	Median (days)	Upper Quartile (days)	Maximum (days)
FDR Only All matters resolved	783	2	34	68	210	676
FDR Only Some matters resolved	209	9	51	105	216	623
FDR Only No matters resolved	114	5	56	114.5	234	661
FDR & Other All matters resolved	919	2	38	91	286	676
FDR & Other Some matters resolved	268	9	62.5	155	298	674

Outcomes

Key Points

- Most completed mediations end with some or all matters resolved (79%). However, even for those with all matters resolved (65%), one quarter end up requiring court intervention
- People who only require out-of-court assistance are most likely to progress to a point where they remain out of the system for an extended period, within a reasonable timeframe
- People who used both in-court and out-of-court services were least likely to reach a lasting outcome where they could stay out of the system. Out-of-court alone people were 14 times more likely to achieve a lasting outcome and in-court alone people were almost 5 times more likely to achieve this outcome
- People were more likely to achieve a lasting outcome within a reasonable timeframe in the pre-reforms system than the post-reforms system, both overall and when comparing courts pre- and post-reforms
- The out-of-court pathway in the post-reforms system is much more likely to see a lasting outcome achieved within a reasonable timeframe when compared to the pre-reforms system overall.

Because Family Court cases can be reopened at any time by a new application being filed, examining outcomes in the Family Justice System can be difficult. The only part of the Family Justice System that has a reasonably clear outcome measure is FDR. When a mediation is completed, there is a record of whether no, some, or all matters were resolved.

Mediation outcomes

Of the people in the year ending June 2015 cohort who completed mediations, the majority (79%) had some or all matters resolved.

Table 12: FDR outcomes for completed mediations

Matters Resolved	Number completed mediations	%
All matters resolved	1,375	65%
Some matters resolved	298	14%
No matters resolved	451	21%

However, as seen in the Pathways section, these FDR outcomes are not always lasting. People who resolve all matters can find themselves continuing on to court (Table 13)¹⁵ so even this “clear” outcome measure may not be as clear as it appears when examined in isolation.

Table 13: Matters resolved for 2014/15 cohort by percentage going on to court

Services	Out-Of-Court Only	Out-of-Court Only %	Out-of-Court to In-Court	Out-of-Court to In-Court %	Number of completed mediations
All matters resolved	1,031	75%	344	25%	1,375
Some matters resolved	144	48%	154	52%	298
No matters resolved	258	57%	193	43%	451

The remaining out-of-court services and the Family Court do not have clear outcomes in the way that FDR does. For example, one person may walk away from a court decision satisfied with the outcome, the other might walk away from the same decision dissatisfied. Is the outcome positive or negative? Depending on which person you ask you will get a different response.

To get an idea of outcomes across the different pathways through the system we had to take a different approach. Instead of looking at what the status is at the completion of an event, or what the decisions made in court were (many and varied), we can define a practical outcome as one where:

¹⁵ It was suggested that these people could have been going to court only to get a consenting order to “rubber stamp” agreements from mediation. We saw little to no evidence to suggest that was the case. Although a consenting order may be sought, there were usually other applications on the case.

- 1) the people involved do not need to come back to the system
- 2) it is attained within a reasonable timeframe.

Defining this as a positive outcome is based on an assumption that the reason people exit the system and don't come back is that they don't require further assistance. There could be other reasons including disengagement due to dissatisfaction, or disengaging due to the costs and effort involved, but we start with the assumption that if people are not trying to get back into the system, then they have an outcome that is having a maintained effect.

Definition of “enduring outcome” measure

To define an enduring outcome for our cohort we ask the following questions:

- Is there a logical exit point¹⁶ from the system before the following June end year (i.e., for the year ending June 2015 cohort, was the exit within the June 2015 and June 2016 years)?
- Has there been no further interaction with the system to date (i.e., 30 June 2017)?

If the answer to both of these questions is “Yes“ then we infer that there is an enduring outcome attained in a reasonable timeframe; if “No” to either then we do not consider there to have been an enduring outcome.

In general terms, anyone who exited the system before the end of the next year, and was not seen again in the data for a year or more following their exit, is considered a success. These people have had an enduring outcome which has lasted for a year or more.

This measure comes with the caveat that in general, a person cannot go back to court for two years after an order has been made. However, if parties both agree that they need changes, or a single party has good reason for a change or a cancellation, then parties can apply to the court within this two year timeframe. It is still considered a success to keep people from coming back to the system during this period, and it is still a positive outcome that they have not needed to come back within the two year period.

¹⁶A logical exit point is one where Ministry staff believe people may leave the system and not return.

Outcomes for different pathways

A logistic regression was carried out to examine the likelihood of an enduring outcome for people in post-reforms cohort for the different pathways through the Family Justice System¹⁷.

To identify an enduring outcome we used a similar cut-off method to the timeliness analysis. The initial cohort was selected from people entering the system for the first time in the year ending June 2015. If they had what was considered to be an exit point from the system by June 2016 and no contact following, they are considered to have reached an “enduring outcome” group in our analysis.



The model used tested how likely each of the different pathways were to have an enduring outcome (see Appendix B).

Both in-court and out-of-court pathways were significantly more likely to lead to an enduring outcome than the out-of-court / in-court pathway.

Odds ratio estimates showed that people on the in-court pathway were approximately 14.7 times more likely to get an enduring outcome in the timeframe than the out-of-court / in-court pathway.

People on the in-court pathway were approximately 3.1 times more likely to get an enduring outcome within the timeframe than out-of-court / in-court.

Out-of-court was approximately 4.7 times more likely to reach an enduring outcome within the timeframe than the in-court alone contact (see Appendix C for statistical tables).

¹⁷ A logistic regression tests the influence that independent variables have on the statistical likelihood of a dichotomous dependent variable of interest; e.g., whether the type of raft people use will affect whether they fall in the water. Type of raft (made of wood, plastic or tissue paper) would be a categorical independent variable and falling in the water would be a dichotomous variable of interest because there are only two possibilities (falling in the water or not falling in). For the analysis of the reforms, the path is the categorical independent variable, and whether or not there is an enduring outcome is the dependent dichotomous variable.

Before and after the 2014 reforms

To examine whether the likelihood of having an enduring outcome has changed since the reforms, we created a comparison cohort based on year ending June 2012 entries to the Family Court for CoCA (excluding Hague convention) matters. We then examined what proportion of this cohort had an enduring outcome compared to our year ending June 2015 cohort (see Figure 14 for cohort identification and analysis definition time periods). We also compared the proportion with enduring outcomes from the pre-reforms cohort against the three pathways of the new system (out-of-court only, in-court only, or out-of-court / in-court).

Prior to the reforms in 2014 there was no out-of-court process in the same way as there is today. For this reason all of the pathways are compared to the overall pre-reforms cohort outcomes (which are essentially all an in-court pathway, although different to the current in-court pathway).

Unlike the regression analysis, there is no statistical controlling for the time to cut-off in these analyses. We base our comparisons on an assumption that the entries to the system were spread comparably throughout the year ending June 2012 and year ending June 2015 cohorts.

Figure 14: Cohort identification and analysis timelines for pre-post analyses

		2011/12 financial year	2012/13 financial year	2013/14 financial year	2014/15 financial year	2015/16 financial year	2016/17 financial year
Pre - reforms cohort	Pre-reforms cohort identification (Entered court for CoCA matter for the first time in 2011/12 financial year)						
	Potential exit period to be considered attaining an enduring outcome, within a reasonable timeframe						
	Period following exit cut-off (the end of the financial year following first time entry to the system).						
Post - reforms cohort	Post-reform cohort identification (Entered court for CoCA matter or made contact with an out-of-court service for the first time in 2014/15)						
	Potential exit period to be considered attaining an enduring outcome, within a reasonable timeframe						
	Period following exit cut-off (the end of the financial year following first time entry to the system).						

*Note single red lines indicate cut-off points for exit to be considered within a reasonable timeframe to make a lasting outcome. Double red lines indicate when data ran up to for the analysis

To test whether the different proportions with an enduring outcome in the comparison cohort were statistically different to those in the new system, Chi squared tests were conducted. In the tables and figures below YES = an enduring outcome and NO= no enduring outcome.

Pre-reforms vs. post-reforms overall

The proportion of people who had a lasting outcome in the pre-reforms cohort was statistically different to the proportion in the post-reforms cohort. The proportion with an enduring outcome in the year ending June 2012 cohort was 70% compared to 66% of the year ending June 2015 cohort.

Figure 15: Enduring outcomes for pre-reforms 2011/12 cohort compared to post-reforms 2014/15 cohort

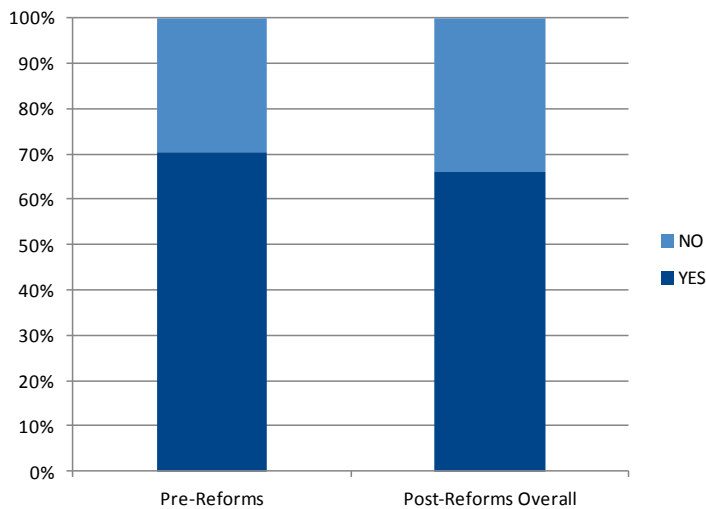


Table 14: Enduring outcomes for pre-reforms 2011/12 cohort compared to post-reforms 2014/15 cohort

Remained out of system for at least a year following exit	Pre-Reforms	Post-Reforms Overall
NO	5,382	5,338
YES	12,723	10,389
Total	18,105	15,727

Pre-reforms vs. in-court post-reforms

Where the only system contact was with the court, the proportion of people who had an enduring outcome in the pre-reforms cohort was statistically different to the proportion who had an enduring outcome in the post-reforms cohort. The proportion with an enduring outcome in the year ending June 2012 cohort was 70% compared to 63% of the year ending June 2015 cohort.

Figure 16: Enduring outcomes for pre-reforms 2011/12 cohort compared to those in the in-court only pathway from the post-reforms 2014/15 cohort

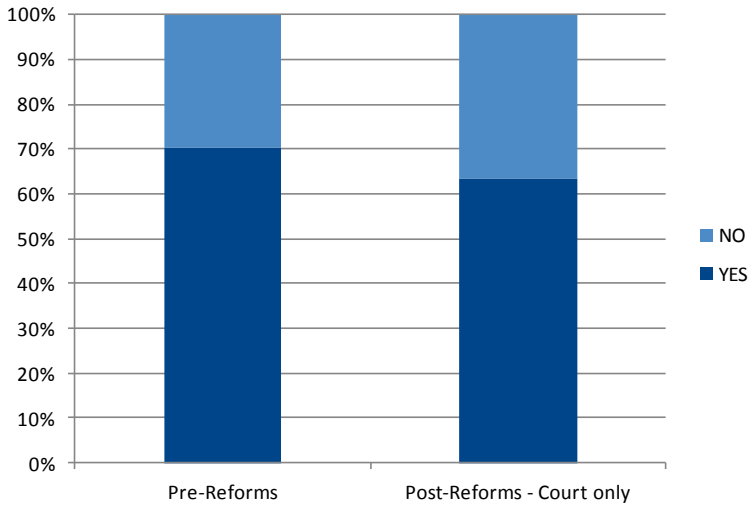


Table 15: Enduring outcomes for pre-reforms 2011/12 cohort compared to those in the in-court only pathway from the post-reforms 2014/15 cohort

Remained out of system for at least a year following exit	Pre-Reforms	Post-Reforms - Court only
NO	5,382	2,754
YES	12,723	4,784
Total	18,105	7,538

Pre-reforms vs. out-of-court / in court pathway post-reforms

For both in- and out-of-court, the proportion of people who reached our criteria for an enduring outcome in the pre-reforms cohort was significantly different to those from the post-reforms cohort. The proportion with an enduring outcome in the year ending June 2012 cohort was 70% compared to 36% of those in the year ending June 2015 cohort whose only contact with the system was through the court. As we know from the timeliness analysis, this pathway also takes the longest for people to reach an exit point, so there is a greater likelihood that more of these people are still progressing towards a conclusion.

Figure 14: Enduring outcomes for pre-reforms 2011/12 cohort compared to those in the out-of-court / in-court pathway from the post-reforms 2014/15 cohort

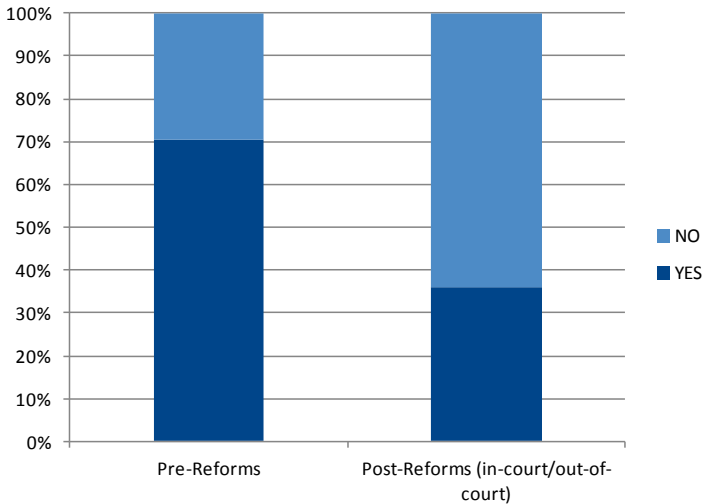


Table 16: Enduring outcomes for pre-reforms 2011/12 cohort compared to those in the out-of-court / in-court pathway from the post-reforms 2014/15 cohort

Remained out of system for at least a year following exit	Pre-Reforms	Post-Reforms (out-of-court / in-court)
NO	5,382	2,036
YES	12,723	1,140
Total	18,105	3,176

Pre-reforms vs. out-of-court post-reforms

The proportion of people who had an enduring outcome in the pre-reforms period was significantly lower than those whose only contact had been through the out-of-court alone in the post-reforms period. The proportion with an enduring outcome in the year ending June 2012 cohort was 70% compared to 89% of those in the year ending June 2015 cohort, whose only contact was with the out-of-court services.

This finding is in contrast to the general trend of the pre-reforms cohort having more likelihood of an enduring outcome than the post-reforms cohort. This could be due to the less acrimonious or complex matters that can be dealt with without court involvement, through FDR or through PTS.

Figure 18: Enduring outcomes for pre-reforms 2011/12 cohort compared to those in the out-of-court pathway from the post-reforms 2014/15 cohort

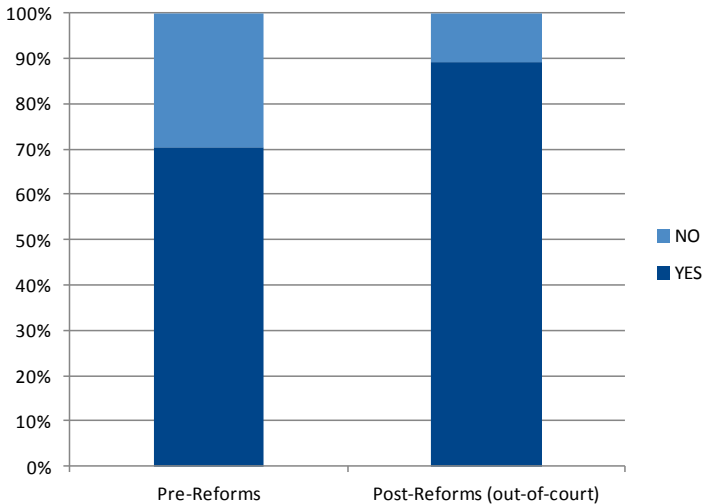


Table 17: Enduring outcomes for pre-reforms 2011/ 2012 cohort compared to those in the out-of-court pathway from the post-reforms 2014/15 cohort

Remained out of system for at least a year following exit	Pre-Reforms	Post-Reforms (out-of-court)
NO	5,382	548
YES	12,723	4,465
Total	18,105	5,013

Appendices

Appendix A: FDR and PTS Exemptions

FDR:

Section 46E of the Care of Children Act sets out the exemptions from FDR. These include applications:

- In response to another application for a parenting order or to resolve a guardianship dispute
- Without notice
- For a consent order
- Seeking the enforcement of an existing order
- Related to a child who is a the subject of care and protection proceedings
- Accompanied by an affidavit that provides evidence that:
 - o at least one of the parties is unable to participate effectively in FDR or
 - o at least one of the parties, or a child or one of the parties, has been subject to domestic violence by one of the other parties to the dispute

Family Dispute Resolution Act 2013

Section 12(1)

FDR provider may also decide that it is inappropriate to start or continue FDR; e.g., one of the parties has been subject to domestic violence.

PTS:

Section s47B Care of Children Act 2004

An applicant must make a statement in their application and provide written reasons in their affidavit that they are not required to undertake a parenting information programme because they are unable to participate effectively in a programme.

An example may be health reasons or they are in custody.

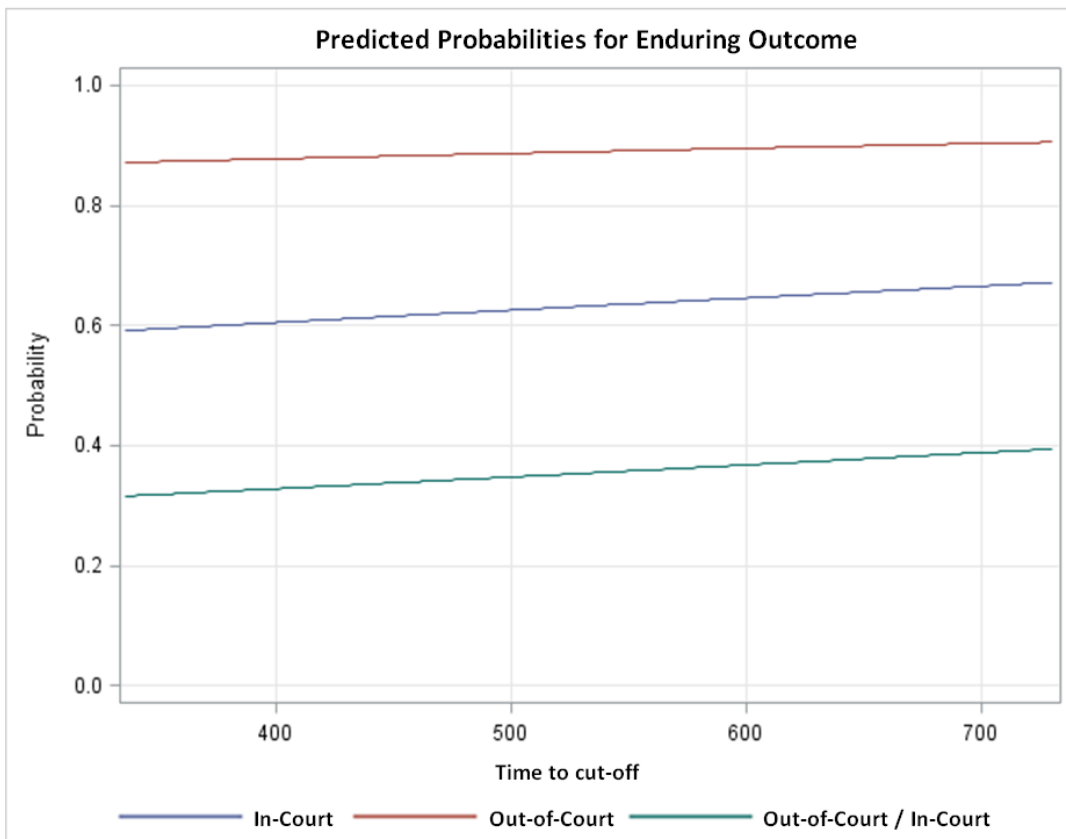
Appendix B: Model Used for Logistic Regression

A 'time to cut-off' variable was included in the model to statistically control for the differing amounts of time people had available to re-enter the system prior to June 2016, where our year or more enduring outcome cut-off point ends.¹⁸

Using this model, we found that when controlling for the time in the system prior to our cut-off point, the out-of-court / in-court pathway was the least likely to reach an enduring outcome before the end of the next year. Figure 19 shows the relationship of the different pathways and time to our defined cut-off, to the probability of reaching an enduring outcome.. A probability of 1 would mean all people on that pathway reach an enduring outcome.

Figure 19 shows the clear differences in the pathways. For example, when time-to-cut-off was 400 days, the In-Court only pathway (blue) had around 0.6 predicted probability of having an enduring outcome whereas the Out-of-Court pathway (red) was over 0.8.

Figure 19: Predicted probability of achieving an enduring outcome by Pathway controlling for time to cut-off



¹⁸ There were some data quality issues, 2 people had negative time-to-cut-off values. These were removed from analyses as likely data entry errors.

Appendix C: Statistical Tests

Figure 20: Output from logistic regression

Logistic Regression Results									
The LOGISTIC Procedure									
Model Information									
Data Set	WORK.SORTTEMPTABLESORTED								
Response Variable	YEARPLUSEXT								
Number of Response Levels	2								
Model	binary logit								
Optimization Technique	Fisher's scoring								
Number of Observations Read	15725								
Number of Observations Used	15725								
Response Profile									
	Ordered								Total
	Value	YEARPLUSEXT							Frequency
	1	0							5336
	2	1							10389
Probability modeled is YEARPLUSEXT=1.									
Class Level Information									
Class	Value	Design Variables							
path	In-court Only	1							
	Out-of-court	0							
	mixed	0							
Model Convergence Status									
Convergence criterion (GCONV=1E-8) satisfied.									
Model Fit Statistics									
		Intercept Only	Intercept and Covariates						
Criterion			s						
AIC		20148.605	17482.283						
SC		20156.268	17512.935						
-2 Log L		20146.605	17474.283						
Testing Global Null Hypothesis: BETA=0									
Test		Chi-Square	DF	Pr > ChiSq					
Likelihood Ratio		2672.3223	3	<.0001					
Score		2515.7855	3	<.0001					
Wald		2115.6825	3	<.0001					
Type 3 Analysis of Effects									
		DF	Wald Chi-Square	Pr > ChiSq					
Effect									
path		2	2109.9265	<.0001					
time_to_cutoff		1	24.4534	<.0001					
Analysis of Maximum Likelihood Estimates									
Parameter		DF	Estimate	Standard Error	Wald Chi-Square	Pr > ChiSq			
Intercept		1	-1.0669	0.1054	102.4206	<.0001			
path	In-court Only	1	1.1437	0.0442	670.2621	<.0001			
path	Out-of-court	1	2.689	0.0586	2107.1035	<.0001			
time_to_cutoff		1	0.000874	0.000177	24.4534	<.0001			
Association of Predicted Probabilities and Observed Responses									
Percent Concordant	72.5	Somers' D		0.46					
Percent Discordant	26.4	Gamma		0.465					
Percent Tied	1.1	Tau-a		0.206					
Pairs	55435704	c		0.73					
Odds Ratio Estimates and Wald Confidence Intervals									
Label	Estimate	95% Confidence Limits							
path In-court Only vs Out-of-court	0.213	0.193 0.236							
path In-court Only vs mixed	3.138	2.878 3.422							
path Out-of-court vs mixed	14.716	13.12 16.507							
time_to_cutoff	1.001	1.001 1.001							
Contrast Test Results									
Contrast		DF	Wald Chi-Square	Pr > ChiSq					
Pairwise out-of-court vs Mixed		1	2107.1035	<.0001					
Pairwise In-court vs Mixed		1	670.2621	<.0001					
Pairwise out of court vs In-court		1	909.9698	<.0001					
Contrast Estimation and Testing Results by Row									
Contrast	Type	Row	Estimate	Standard Error	Alpha	Confidence Limits		Wald Chi-Square	Pr > ChiSq
Pairwise out-of-court vs Mixed	EXP	1	14.7164	0.8621	0.05	13.1202	16.5069	2107.1035	<.0001
Pairwise In-court vs Mixed	EXP	1	3.1382	0.1386	0.05	2.8779	3.422	670.2621	<.0001
Pairwise out of court vs In-court	EXP	1	4.6894	0.2402	0.05	4.2415	5.1847	909.9698	<.0001

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Figure 21: Pre-reforms system vs. post-reforms system Chi-Square testing output

Pre vs. post overall				
Results				
The FREQ Procedure				
Table of YEARPLUSEXIT by OLD_NEW				
YEARPLUSEXIT		OLD_NEW		Total
		POST	PRE	
NO	Frequency	5338	5382	10720
	Expected	4983.3	5736.7	
	Deviation	354.75	-354.7	
	Row Pct	49.79	50.21	
	Col Pct	33.94	29.73	
YES	Frequency	10389	12723	23112
	Expected	10744	12368	
	Deviation	-354.7	354.75	
	Row Pct	44.95	55.05	
	Col Pct	66.06	70.27	
Total	Frequency	15727	18105	33832
Statistics for Table of YEARPLUSEXIT by OLD_NEW				
Statistic	DF	Value	Prob	
Chi-Square	1	69.0784	<.0001	
Likelihood Ratio Chi-Square	1	69.0014	<.0001	
Continuity Adj. Chi-Square	1	68.8838	<.0001	
Mantel-Haenszel Chi-Square	1	69.0763	<.0001	
Phi Coefficient		0.0452		
Contingency Coefficient		0.0451		
Cramer's V		0.0452		

Figure 15: Pre-reforms system vs. post-reforms court-only Chi-Square testing output

All pre vs. courts post				
Results				
The FREQ Procedure				
Table of YEARPLUSEXIT by OLD_NEW				
YEARPLUSEXIT		OLD_NEW		Total
		POST	PRE	
NO	Frequency	2754	5382	8136
	Expected	2391.7	5744.3	
	Deviation	362.35	-362.3	
	Row Pct	33.85	66.15	
	Col Pct	36.53	29.73	
YES	Frequency	4784	12723	17507
	Expected	5146.3	12361	
	Deviation	-362.3	362.35	
	Row Pct	27.33	72.67	
	Col Pct	63.47	70.27	
Total	Frequency	7538	18105	25643
Statistics for Table of YEARPLUSEXIT by OLD_NEW				
Statistic	DF	Value	Prob	
Chi-Square	1	113.8879	<.0001	
Likelihood Ratio Chi-Square	1	112.323	<.0001	
Continuity Adj. Chi-Square	1	113.5738	<.0001	
Mantel-Haenszel Chi-Square	1	113.8835	<.0001	
Phi Coefficient		0.0666		
Contingency Coefficient		0.0665		
Cramer's V		0.0666		

Figure 23: Pre-reforms system vs. post-reforms out-of-court / in-court Chi-Square testing output

Pre vs. post mix					
Results					
The FREQ Procedure					
Table of YEARPLUSEXIT by OLD_NEW					
		OLD_NEW		Total	
		POST	PRE		
YEARPLUSEXIT	NO	Frequency	2036	5382	7418
		Expected	1107.1	6310.9	
		Deviation	928.93	-928.9	
		Row Pct	27.45	72.55	
		Col Pct	64.11	29.73	
		YEARPLUSEXIT	YES	Frequency	1140
Expected	2068.9			11794	
Deviation	-928.9			928.93	
Row Pct	8.22			91.78	
Col Pct	35.89			70.27	
Total	Frequency			3176	18105
Statistics for Table of YEARPLUSEXIT by OLD_NEW					
Statistic	DF	Value	Prob		
Chi-Square	1	1406.4312	<.0001		
Likelihood Ratio Chi-Square	1	1337.359	<.0001		
Continuity Adj. Chi-Square	1	1404.9176	<.0001		
Mantel-Haenszel Chi-Square	1	1406.3651	<.0001		
Phi Coefficient		0.2571			
Contingency Coefficient		0.249			
Cramer's V		0.2571			

Figure 24: Pre-reforms system vs. post-reforms out-of-court Chi-Square testing output

Pre vs post out of court					
Results					
The FREQ Procedure					
Table of YEARPLUSEXIT by OLD_NEW					
		OLD_NEW		Total	
		POST	PRE		
YEARPLUSEXIT					
	NO	Frequency	548	5382	5930
		Expected	1285.9	4644.1	
		Deviation	-737.9	737.89	
		Col Pct	10.93	29.73	
	YES	Frequency	4465	12723	17188
		Expected	3727.1	13461	
		Deviation	737.89	-737.9	
		Col Pct	89.07	70.27	
Total		Frequency	5013	18105	23118
Statistics for Table of YEARPLUSEXIT by OLD_NEW					
Statistic	DF	Value	Prob		
Chi-Square	1	727.1967	<.0001		
Likelihood Ratio Chi-Square	1	830.9498	<.0001		
Continuity Adj. Chi-Square	1	726.2115	<.0001		
Mantel-Haenszel Chi-Square	1	727.1652	<.0001		
Phi Coefficient		-0.1774			
Contingency Coefficient		0.1746			
Cramer's V		-0.1774			



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