

12 JUN 2018

Shannon Marshall
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Dear Shannon

Official Information Act 1982 request

Thank you for your Official Information Act 1982 (OIA) request of 4 March 2018 regarding the Family Court. Specifically, you requested:

Can you please advise how many days the longest recorded family court case in NZ has been? If you have a list of the top 8 cases and how many days they went for it would be much appreciated.

On 5 March 2018, the Ministry of Justice (Ministry) sought clarification of your request to establish the type of case you were interested in. Your request was then put on hold pending clarification. On 14 May 2018, you clarified that you were specifically interested in the length of cases relating to relationship property.

Please note that the Ministry does not report on the length of a Family Court case. This is because cases can be reopened at any time, such as when a new application is filed under the same legislation. However, we do report on the length of time it takes for an application to be disposed under the relevant legislation. Given your specific request, the relevant legislation is the Property Relationships Act 1976.

In response to your request, refer to Table 1 below.

Table 1: Age of oldest applications disposed of in the Family Court under the Property Relationships Act 1976, 2004 to 2018

Rank	Year of Disposal	Age in Days
1	2015	3,967
2	2014	3,308
3	2014	3,254
4	2012	3,122
5	2016	3,084
6	2014	3,015
7	2016	2,934
8	2016	2,884

- Disposed means the application has been finalised. However, an application may be disposed of more than once, e.g. if an appeal has been filed
- Note that disposals have been counted for applications filed from 1 January 2004 to 31 December 2018, and disposed of in the same time period. This is because the Ministry's Case Management System (CMS) was fully operational from 2004 onwards; all applications have been entered in CMS from this time.
- Age in calendar days is calculated as one more than the difference between the disposal and filing dates. This may include time between initial disposal and an appeal being granted.

The Ministry cannot comment on individual cases or applications, including those recorded in the data at Table 1. This is because information about individual applications in the court forms part of the court record, and the courts are specifically excluded from the Official Information Act under section 2(6)(a).

However, in order to give context to the information you request you may be interested to know that the age of proceedings could be attributed to several possible reasons. While not a conclusive list, these might include:

- Sale of relationship property;
- Disputes as to the commencement of the relationship;
- Out of court negotiations between the parties;
- Obtaining specialist reports such as those from forensic accountants;
- Disposal of interlocutory applications made under the Family Court Rules 2002, such as applications for discovery or production of documents.

If you require any clarification of the information contained in this response please contact Antony Paltridge, Team Leader, Media and External Relations, by calling (04) 918 8980; or emailing media@justice.govt.nz

If you are not satisfied with this response, you have the right to complain to the Ombudsman under section 28(3) of the OIA. You can contact the Office of the Ombudsman by writing to PO Box 10152, Wellington 6143; calling 0800 802 602; or emailing info@ombudsman.parliament.nz

I trust this information assists.

Yours sincerely



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Ref: 67003