

Research summary

Family dispute resolution (FDR) helps separating couples to resolve their post-separation arrangements outside of court. Relationships Australia (RA) pioneered FDR in the mid-1980s and continues to be one of Australia's largest providers of the service today.

Since 2006, separating parents have been legally required to try FDR before going to court. This aims to reduce conflict between separating parents. However, it's not uncommon for clients who are resistant to or 'ambivalent' about FDR to start the process solely as a way to get to court.

Our study examined the experiences and service outcomes for a group of our FDR clients. One of the key outcomes we measured was acrimony (meaning ill-will or hostility) which a separated person may feel towards their former partner.

In particular, we focused on clients who told us during intake that they intended to go to court.

What we did

In 2017-18, we surveyed separating parents who completed an FDR intake at RA for the first time in 2017. This included measuring acrimony between separating parents at the time of intake, 3 months after intake, and 12 months after intake.

At intake, we asked parents their reason(s) for wanting to attend FDR, with the option to choose 'Parenting agreement', 'Property settlement', 'Certificate to proceed to court' and/or 'Other'. At 3 and 12 months, we also asked about how many joint FDR sessions they'd attended, the status of their agreements or disputes, and how satisfied they were with the FDR process.

Parents were invited to complete the 3-month and 12-month surveys regardless of whether they had attended joint FDR after their initial intake.

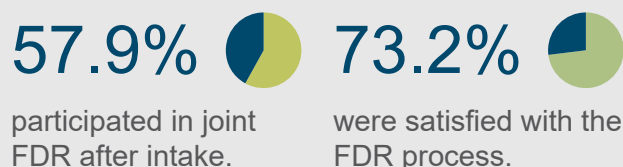
In 2023, we began a new analysis of this research, comparing clients' rates of participation and agreement and levels of satisfaction and acrimony.

We considered the experiences of all 704 parents in the sample, as well as a subgroup of 126 parents who had selected 'Certificate to proceed to court' as a reason for attending FDR. We categorised this subgroup as 'ambivalent' parents, consisting of those who intended or expected to go to court, regardless of whether they were open to negotiating in FDR.

Method

- Quantitative study over 12 months.
- 704 separating parents attending FDR intake appointments at RA in 2017.
- A subgroup of 126 'ambivalent' parents who wanted a certificate to attend court.

Outcomes for 'ambivalent' clients



Participating in FDR significantly reduced acrimony, regardless of whether parents reached agreement. In contrast, acrimony increased slightly over the year for those who didn't attend joint FDR.

Among parents who reached agreement, acrimony was further reduced.

Conclusion

Participating in FDR can help ambivalent clients to reduce acrimony, regardless of whether they reach agreement.

Published work

Heard, G., Lohan, A., Petch, J., Milic, J., & Bickerdike, A. (2024). Participation, agreement and reduced acrimony through family mediation: Benefits for the ambivalent client in a mandatory setting. *Conflict Resolution Quarterly*, 1–18. doi.org/10.1002/crq.21426

Research summary: The Impact of FDR at Relationships Australia (2023). rav.org.au/news/ra-fdr-impact-summary-23

Why we did it

It's important to assess whether the facilitative mediation model used in Australian FDR is effective.

For people who are required to attend, FDR can become a 'tick-box' exercise. Studies suggest that some clients wouldn't participate if they didn't have to, and don't intend to reach agreement in this setting.

However, little research is available about how clients' commitment or ambivalence to participating in mandatory FDR affects outcomes.

What we found

Amongst all 704 parents there were strong rates of participation, agreement, and satisfaction with FDR (see table 1). Those who reached agreement also experienced reduced acrimony.

Ambivalent parents who expected to go to court still gained benefits from participating in FDR. These included significantly reduced acrimony regardless of whether an agreement was reached, satisfaction with the process, and more than half reaching agreements (see figure 1).

Policy implications

Our finding that FDR participation among ambivalent clients still leads to agreements and reduces acrimony shows that FDR has value even for those with the lowest expectations of the process.

This lends support to Australian policies which require separating parents to attempt FDR before going to court.

Practice implications

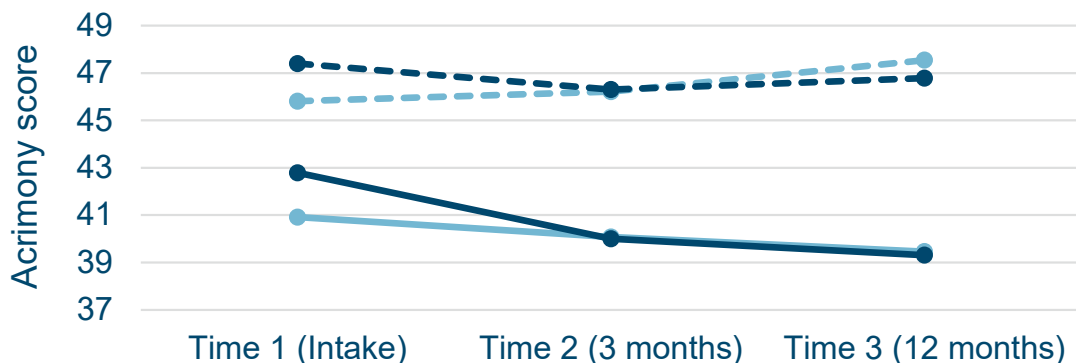
Additionally, we have identified that participating in FDR can help ambivalent clients to reduce acrimony, regardless of whether they reach agreement.

This finding suggests that FDR practitioners can play an important motivational role in encouraging and supporting ambivalent clients to participate in joint FDR sessions, even if they intend to go to court.

Table 1: Outcomes for all parents and ambivalent parents

	All parents (704)	Ambivalent parents (126)
Attended an intake and progressed to joint FDR	63.9%	57.9%
Reached full or partial agreement	66.4%	57.5%
Reduced acrimony?	Among those who attended FDR and reached agreement .	Among those who attended FDR, regardless of agreement .
Satisfaction with FDR process	69.1%	73.2%
Satisfaction with FDR outcomes	53.2%	56.3%

Figure 1: Acrimony score by time and group



- All parents who reached agreement in FDR
- -●- - All parents who did not reach agreement in FDR
- Ambivalent group who reached agreement in FDR
- -●- - Ambivalent group who did not reach agreement in FDR