

THE CONTACT ORDERS PROGRAM

A Summary of the Independent Evaluation of the Contact Orders Pilot

1. Introduction

The Contact Orders Program, which commenced as a pilot in 1999, has been found to help the most highly conflicted separated families manage their child contact arrangements and focus more on their children's needs. In particular, the Program assists those families having difficulty in the enforcement of child contact orders, usually where there have been breaches of those orders.

The Program has been evaluated by Sydney Children's Hospital. The evaluation ran from July 2000 to April 2002 and was based on information gained from the evaluators' visits to the sites and data collected. The aim of the evaluation was to determine the Program's success in helping separated or divorced families manage relationship difficulties so that contact arrangements are complied with and children can enjoy a relationship with the non-resident parent.

The evaluation recommended that the services be continued and expanded because of the positive benefits received by clients.

2. Good News: Client Benefits

Eighty-eight per cent of clients reported achieving a positive outcome from participating in the Program.¹ Practitioners reported an even higher rate of client benefit. This is the type of result many social programs would like to be able to report. They are especially pleasing for these parents, considering the difficulties they have had with contact arrangements for their children. It must be remembered that most of these clients have been to the Family Court or Federal Magistrates Service on numerous occasions without apparent resolution of their difficulties.

The Program helps these very conflicted non-compliant adults move towards a more co-operative stance about child contact with their former partners. Benefits include learning about the positives of parenting and communication skills. Even in a situation where the child contact outcome is not what a parent wants, the Program helps that parent move on to another stage in life where further litigation is less likely. Clients describe the Program as 'a lifeline' and as having 'saved our lives'.

Case studies reveal:

- the relief a child feels when he is finally asked about his own feelings five years into his family's extreme conflict;
- the sadness felt by a parent learning to deal with the situation where a child does not want to visit for a while because of the anger that always surrounds visits; and
- the relief for children when parents learn to keep 'their' issues to themselves.

¹ The positive outcomes obtained by 88% are 'some progress' to 'fully resolved'. The remaining 12% reported 'no progress'. The statistical sample is comprised of the clients of the Contact Orders Program who completed surveys. The sample sizes ranged from 403 to 643.

Clients report that

- they learnt communication techniques
- they understood more about how their children experience the situation
- they learnt skills to resolve disputes, and
- they felt less isolated.

3. How the Families Were Before Attending the Program

Before the Program, these parents had great difficulty talking to each other at all about their children. Seventy-nine per cent seldom or never discussed major decisions in their children's lives with the other parent.² This means that most parents were not discussing their children's schooling or medical issues, the child rearing problems they were encountering or their children's accomplishments. When parents were communicating, sixty-nine per cent reported an underlying atmosphere of hostility and anger.³ This made conversation stressful and tense in seventy-four per cent of cases.⁴ Of those parents required to pay child support, only fifty-four per cent were paying regularly.⁵

These are characteristically parents whose everyday decisions about their children are surrounded by conflict. These families have been to lawyers⁶ and courts about child contact problems, and often return when contact orders are breached. They have already experienced many interventions from a variety of sources, particularly courts, during their long-running family dispute. And they might consider some of these interventions to have been more of an intrusion than a help. To engage these clients in yet another 'program' or 'service' is a challenge in itself. This makes the positive outcome in 88% of cases all the more remarkable.

4. How the Pilots Began

4.1 Background

The Contact Orders Program was established as a pilot in response to a 1998 interim Family Law Council report to the Attorney-General about the enforcement of Family Court contact orders and injunctions. That report examined problems experienced by parents where ordered contact with children was being withheld or obstructed. It identified that, at that time, the system was not managing such problems quickly or efficiently. The first clients attended in 1999, and the Program is still operating. The Program has been targeting families with a contact order or application for a contact order, and those trying to initiate or manage child contact arrangements.

4.2 The Three Sites

Three pilot sites were chosen, on the basis of their overall strong history of service provision under the Family Relationships Services Program, and their proven ability

² Only 21% were sometimes, often or always able to discuss major matters about their children.

³ A further 13% reported anger and hostility sometimes in their communication with their ex-partner.

⁴ An additional 12% reported stressful and tense conversations occur sometimes with their ex-partner.

⁵ 12% were not required to pay child support. Of the 88% required to pay, 36% paid sometimes or never and 54% paid regularly.

⁶ 74% had sought legal advice in reaching their contact agreement. Of the sample who received legal advice, 62% went to private lawyers, 32% to legal aid and 3% to community legal centres.

as seamless service providers and effective networkers. The organisations were chosen also because of their differing profile of programs – two of them were connected with Children’s Contact Services, two provided inhouse mediation, one was in a city location with a large Family Court registry nearby, one was in a smaller location with a smaller Family Court registry nearby, and one was in WA with a different Family Court system altogether. The three sites are Relationships Australia in Hobart, Anglicare WA in Perth, and Unifam at Parramatta.

4.3 Clients

The clients are children whose parents have separated or divorced, families trying to initiate or manage child contact arrangements, and parents in breach of a contact order. The majority of referrals come from courts and legal practitioners.

4.4 Program Interventions

The Program uses a variety of child-focused interventions to respond more effectively and flexibly to families’ needs. These include

- group work
- education
- counselling
- mediation
- children’s contact services, and
- overall case management.

While drawing on these skills and interventions it should be emphasised that all were implemented in very different ways from those which the clients may have experienced previously. So while elements of ‘therapy’, ‘mediation’ or ‘group work’ were used, they were developed and implemented in new and creative ways to suit this particular client group.

5. Client Complexity

Clients present at the Program with a wide range of issues and complexities. The timing of providing the services is often affected by court and other processes that clients are involved in. The stage at which clients are most receptive to these services may differ between as well as within families. This receptiveness depends on a person’s psychological state regarding their separation from their ex-partner or parent. Other factors such as drug dependence, mental illness and cultural and linguistic diversity can also affect clients’ ability to access and respond to such services.

6. Elements of the Program

The elements of the Program have developed in a way that is not uniform across the sites, and there are differences in their make-up and sequence at each site. However, the focus is on resolving the dispute over child contact arrangements. The most powerful activity of all, in creating an impetus for change in the parents, is feeding information back to parents about what their own children have said their worries and feelings are, and about the effect the conflict is having on them. This introduces the children’s needs onto the agenda.

Clients say this mix of services is very different from anything else they have experienced. The range of services offered, and rigorous case management overall, make this an innovative program for its time.

7. Ongoing Support for Clients

7.1 Telephone Support

A high volume of telephone support is a feature of the Program. Clients may need this support before, during and after participating in the Program. It may serve to ease clients' anxiety, and reduce the likelihood of going back to court.

The telephone support required is resource intensive, not only in terms of the time it absorbs, but also in the cumulative burden placed on practitioners. Unifam has trained intake staff to undertake initial client referral to the Program, and to start the process of managing clients through the system. The intake workers contain clients' anxiety, and direct them to the right intervention at the right time. Crises can be addressed before they become entrenched by providing this telephone support. Practitioners see it as vital for the Program to be a source of ongoing support for clients. Clients need this to help them manage their changing situations and other crises as they arise. Some clients also need to be able to reach someone on the end of the phone after they have left the Program, if child contact again becomes a problem.

7.2 Summary of Program Components

Relationships Australia Tasmania – 'Parents in Contact' Program

7.2.1 Referral and Intake

Referrals to Relationships Australia's Parents in Contact Program come mainly from the Family Court, and from other Relationships Australia services and private legal practitioners. Clients of the Program are mainly Australian-born, low income families.

Relationships Australia provides a screening and assessment function for both Parents in Contact and for its Children's Contact Service.

7.2.2 Services Provided

Relationships Australia initially provided single, two-hour general education sessions. However, these were discontinued early on, as they were found not to be satisfactory in dealing with the complex issues the client group presented. A single, two-hour information seminar entitled *What About the Children* has replaced these. This seminar is a precursor to clients participating in the group process, and commences the process of helping parents to focus on their children.

Relationships Australia provides adult counselling sessions to the parents individually, or to the parents together. The number of sessions is determined on a case-by-case basis, and the sessions can take place before, during or after the group program.

Child counselling is provided to individual children within the Program – several sessions are provided if necessary. Information from this counselling can be used in counselling sessions with the parents, but only with the child’s consent.

The adult group program, *Coping with Contact Difficulties*, is one of the core components of Parents in Contact. This consists of six sessions co-facilitated by two staff, with a maximum of eight participants per group. The groups are made up of a mix of gender and resident/non-resident parent participants – former partners attend different groups.

A modified form of mediation, where the parties do not have to meet, is used for this client group.

7.2.3 Collaboration with Children’s Contact Service

Relationships Australia’s Children’s Contact Service is in close proximity to the location used for Parents in Contact, allowing for seamless integration between the two.

Unifam Parramatta – ‘Keeping Contact’ Program

7.2.4 Referral and Intake

Referrals to Keeping Contact are largely from the Family Court, Federal Magistrates Service and legal practitioners. Clients of the program are mainly Australian-born, low income families.

Unifam performs a clinical assessment before deciding whether to offer individual ‘consultation’ through Keeping Contact. (Note that Unifam uses the term ‘consultation’ rather than ‘counselling’ for this client group.) Keeping Contact also works closely with the Central West Children’s Contact Service.

7.2.5 Services Provided

Unifam provides a single, three-hour *Transitions* education session, conducted workshop-style by two facilitators. Attendance at this session is a pre-requisite to receiving any other one-to-one or group interventions.

Individual consultation for adults, all parties, is provided.

Individual child consultations are provided routinely in all cases. These occur with the aim of the needs of the child being brought into focus during consultations with the parents – this happens with the child’s consent. Substantial consideration is given to the most important of the child’s messages, and the most effective method of delivering the child’s messages to the parents.

Connect Kids is a 10-week, age-appropriate, activity-based program for children run by two facilitators, for a maximum of six participants per group. With a child’s consent, information can be fed back to parents from these groups.

Unifam provides *Dads4Kids* – an eight-week course for non-resident fathers aimed at assisting their relationship with their children.

A modified form of mediation is used for this client group.

7.2.6 Collaboration with Children's Contact Service

Keeping Contact has a close link with the Central West Children's Contact Service in Harris Park. The Contact Service refers clients to Keeping Contact, and receives supervision from Unifam.

Anglicare WA – 'Mums and Dads Forever' Program

7.2.7 Referral and Intake

Referrals to Mums and Dads Forever come mainly from the Family Court of WA. Clients are mainly Australian-born, low income families.

A clinical assessment is performed before a place is offered in the Program. Clients complete a comprehensive intake questionnaire about the history of their situation.

7.2.8 Services Provided

Anglicare initially offered a half-day information session. However, low attendance resulted in discontinuation of these sessions early on.

Individual counselling for adults is provided before, during or after the group program. Nominally this is limited to four sessions, but there may be more or fewer sessions provided depending on the individual case.

Individual child counselling is provided within the Program and several sessions are provided if necessary. Information from this counselling can be used in mediation sessions with the parents, but only with the child's consent.

Anglicare's adult group program is a core component of Mums and Dads Forever. This seven-session program is provided to a maximum of 12 participants. The participant group includes both genders, and may include resident and non-resident parents. Former partners attend separate groups. Photos of the clients' children are placed in the centre of the group each week, to help keep the focus on the children.

Anglicare's group program for children, *Rainbows*, is provided by the Program's promotion through schools.

Child-focused, therapeutic mediation is provided to clients on request. Anglicare prefers that both parents have finished the group program before mediation is attempted, but there have been exceptions to this. When mediation is used, it is in a modified form, so that ex-partners do not meet.

7.2.9 Collaboration with Children's Contact Service

There is a single co-ordinator for Anglicare's Children's Contact Services and its Mums and Dads Forever Program, allowing for seamless service delivery between the two.

7.3 Differences between Programs

The sites have differing orientation and influences on their service provision. Relationships Australia Tasmania has a systemic approach – a mixture of child-

focused practice with a cognitive behavioural bent; Unifam Parramatta, being a mediation and counselling agency, is influenced by couple and family therapy; and Anglicare WA draws on a number of different theoretical frameworks including family system theory.

Relationships Australia Tasmania's Program is carefully linked to the legal system in that it makes assessments and provides advice to the Court about child contact or parenting arrangements. Unifam Parramatta's and Anglicare WA's Programs are independent of the legal system – they adopt a more conventional therapeutic counsellor-client position in relation to confidentiality.

Unifam Parramatta has trained its intake staff to undertake both the intake and screening process for potential clients, and to provide some telephone support when necessary. The other two Programs' intake staff perform reception and intake duties only.

Unlike the other two organisations, Relationships Australia Tasmania does not provide a group program for children through Parents in Contact because of the difficulty in gathering enough children of the same developmental stage for the groups. Anglicare WA differs from the other two Program providers in not insisting that both parents attend its adult group program. Unifam Parramatta's group sessions are secondary to the consultation process focussed on individual families – the group process is a more central element of the other two Programs.

8. The Evolving Program

The Programs were evolving at each site during their pilot phase, and have continued to explore different ways of meeting client needs since the completion of the evaluation. A workshop was held at the end of 2001 to gather more current information about what each Program was doing. Changes that had occurred since the evaluation included revision of intake documentation, changes to the content of group programs, changes to the ways administrative staff assist clients, changes to ways of engaging non-resident fathers in the Program, and changes to the Program model used for less entrenched clients.

The Program is still evolving. It should be remembered that this mix of services, and the overall case management of the services, are unique for this client group. In Australia there is no precedent for a program like this, assisting separated families with a long history of conflict and court interventions.

The evaluation noted that it was useful for the Program organisations to provide feedback to the referrer about a family's progress. However, the Program providers themselves are cautious on this point. Confidentiality is a critical issue for these clients. They are acutely sensitive to the possibility of any disclosure being used against them, and service providers tread a very fine line between compromising clients' confidentiality, providing clients with the most comfortable environment to really participate and get the most out of the Program, and serving the child's best interests. Service providers ensure that they make it very clear to clients from the start where the limits of the Program's confidentiality lie.

Decisions around providing reports or feedback to referrers are made on the basis of what is in the child's best interests. Reporting and providing feedback is done differently by the three sites. One organisation provides information about attendance or non-attendance only, while another provides a therapeutic letter to the referrer. The letter mentions each parent's strengths and difficulties and what the organisation considers would be a good solution - the parents also receive a copy of the letter. Information provided to a child's separate legal representative may differ from what is provided to clients' solicitors – the child's best interest is always the determining factor. All Program providers are aware of their responsibilities under s.67Z of the *Family Law Act 1975* regarding notification of suspected child abuse or ill-treatment.

9. Key Learnings

The pilot stage at the three sites produced some valuable learnings, which are outlined below.

9.1 Establishment

A lengthy period may be needed by the Program providers to promote the Program and gain the confidence of referral bodies. Client intake at the Program improved once relationships with referral bodies were established.

9.2 Impact on Service Providers

This high conflict client group imposes a heavy burden on organisation practitioners and on the organisations themselves. Staff burn-out has been managed by the practitioners involved moving to a mixed caseload, and by having more de-briefings, specialist clinical supervision and meetings between staff. Organisations also need to consider changes such as rotating reception and telephone duties, debriefing these staff, and training organisation staff in issues like security awareness.

9.3 Program Components

Feedback to parents from children is often the most powerful element of this Program. For parents who are pre-occupied by the conflict with their ex-partner, hearing what their own children feel and say about the effect of the conflict on them can be the impetus they need to change their attitudes and behaviours.

Mixed-gender adult group sessions can be a significant component of the Program. The group sessions focus on the child and on the outcomes for the child. They provide a valuable grounding for parents to really hear the feedback their children give. The mixture of men and women and resident and non-resident parents allows participants to learn from their peers, and to hear the views of other group members who may be in a similar position to their ex-partner.

Group sessions for children, in the form of activity-based sessions set at children's developmental levels, can help a child feel less isolated in a potentially isolating situation. The best results are produced for both the adult's and children's groups when a male and female co-facilitate, and when the facilitators are skilled in group dynamics. This also allows for modelling of positive male-female relationships.

10. Conclusion

The Contact Orders Program has been able to shift many of the most highly conflicted families from entrenched adversarial positions, by bringing their own children's needs and voices back into view.

The evaluation recommends that the Program be continued at its current sites and strategically expanded, because of the positive benefits reported by clients and workers.