



FAMILY LAW REFORM AND SEPARATING FAMILIES – A PRACTITIONER PERSPECTIVE

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One Family is Ireland's organisation for people parenting alone, sharing parenting and separating. We provide a range of specialist family support services many of which are specifically designed to decrease conflict in separated families.

We provide policy recommendations and analysis based on our practice on issues related to family law. We have undertaken research and pilots to innovate service responses to intractable family law issues including Child Contact Centres; Separating Well for Children; Parenting When Separated courses. We conducted Ireland's first National Survey on Shared Parenting and Infant Contact Guidelines.

We believe the shared goal for family justice reform should be the child-centred safe, speedy and sustainable resolution of family disputes by the family itself where possible, with state-subsidised supports to assist in this.

ONE FAMILY SERVICES FOR SEPARATED FAMILIES

For parents we offer 5 e-learning courses

- Positive Parenting for Changing Families
- Family Communications Separating Well for Children
- Family Communications Coping with Family Life and Teens
- Parenting Through Stressful Times
- The Skill of Clear and Direct Communication

For professionals we offer:

- Changing Families – Supporting Children's Needs when Parents Separate

About Us

The Separation Network

Development of the Separation Network

In 2020, a number of organisations working with children and or parents with the experience of family separation/divorce , came together to share opportunities for staff training and development. Their aim was to improve outcomes for children and their parents post separation by ensuring staff were supported, trained and working within best practice guidance in this area.

The lead agency for the Separation Network is currently Rainbows Ireland and One Family coordinates it.

<https://onefamily.ie/the-separation-network-about-us/>

Funded by Tusla and previously Training Links Programme.

THE PILLAR PROJECT

SERVICES OFFERED

The Pillar Project



For parents, children and young people include peer support, therapeutic services and parenting courses



Separating Well

For children

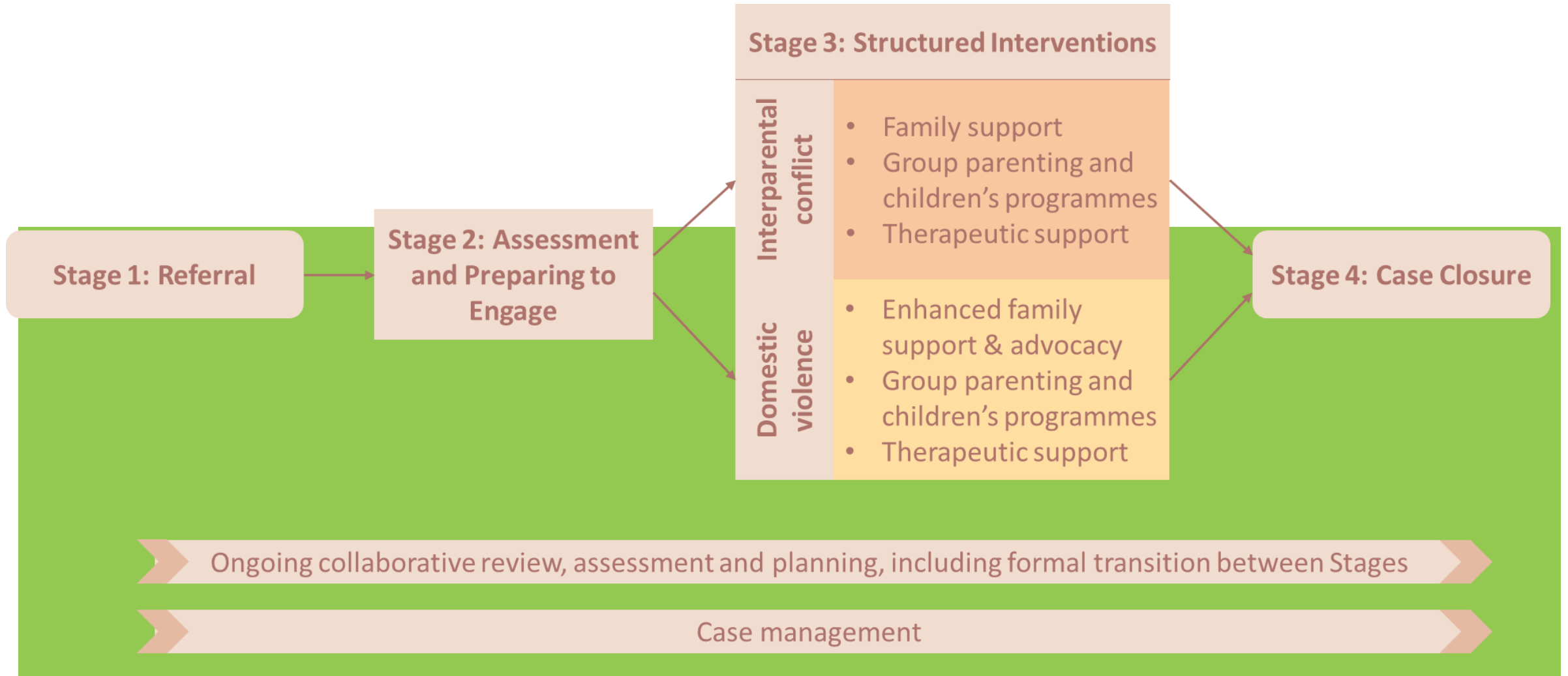
One Family's **Separating Well for Children** is a service focused on children's needs during the process of parental separation and in the time following separation. It aims to prevent children being negatively impacted by separation, and to support families where conflict and domestic violence is impacting on children's wellbeing.

It is an integrated service providing direct interventions, support and case management for adults and children, with the aim of preventing escalating or entrenched conflict, and safeguarding concerns in the family, and ultimately promote children's wellbeing. Families self-refer or may be referred from Tusla or the courts.

The service is outlined in terms of responses to two core target groups:

1. Separation where conflict is challenging or may impact on shared parenting.
2. Separation where there is ongoing domestic violence and regular child contact with both parents.

SWP service model



SWP Core Components

SWP is comprised of assessment and a menu of direct intervention options:

Separating where conflict is an issue

Family support encompassing individual emotional and practical support and advice sessions for parents, multi-agency collaboration and advocacy, and case work.

Group parenting programme development of communication skills which support effective conflict resolution or management through negotiation and compromise; the needs of children within the family and through separation; the rights of children; developing an ability to share parenting effectively in the best interests of children post separation. Both parents engage.

Children's group programme focused on peer support, sharing experiences of separation and loss; understanding of their needs and emotions; developing coping strategies and internal understanding of family change.

Therapeutic support for adults and children to process the impact of the separation on the individual.

Separating where domestic violence is an issue

Family support encompassing individual emotional and practical support and advice sessions for parents. Multi-agency collaboration and advocacy, and case work to ensure safety and appropriate supports.

Group parenting programme provides a safe space to discuss the impact of domestic violence with peers, promote parenting skills development and capacity, safety planning, develop understanding of children's experience and support children's coping. One parent engages.

Children's group programme providing a safe space to talk, fun and respite, safety planning and develop understanding of domestic violence.

Therapeutic support for parents and children to process the impact of domestic violence and potential mental health effects.

Key messages: Domestic violence and interparental conflict

C E S

Domestic violence

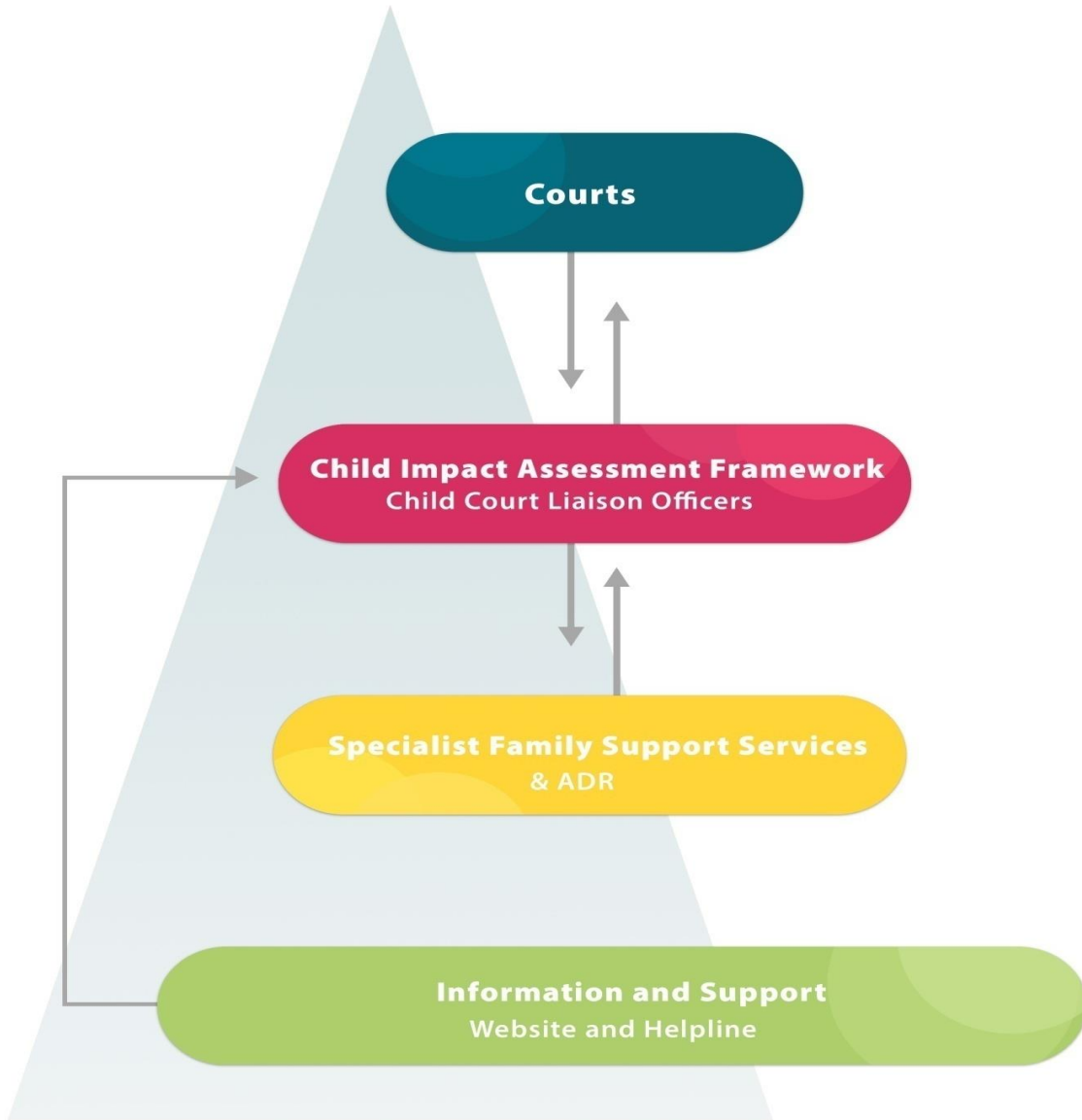
- A common, serious, and complex issue involving patterns of control maintained by a perpetrator in close adult relationships
- The risks of violence are often heightened through separation, and the presence of children provides perpetrators with opportunities to continue patterns of abuse.
- Children impacted by domestic violence often experience a range of child protection issues directly or indirectly related to the abuse. Domestic violence victims often experience reduced parenting capacity and the parent-child relationship.

Interparental conflict

- Can involve many of the characteristics of domestic violence, including bitter disputes and fights, but the distinctive feature is that power is typically more balanced, with disputes initiated and maintained by both parents.
- Separation is a time of heightened conflict for many families
- Interparental conflict is most detrimental to children's wellbeing when it becomes entrenched, destructive, underpinned by dysfunctional interpersonal dynamics, and when children are drawn into disputes. Parenting capacity can be diminished by conflict.

Key messages: The impact of interparental conflict and domestic violence on children's adjustment to parental separation

- There is strong evidence that **conflict between parents can have a significant detrimental impact on children's long-term outcomes.** Services should be provided that support separated parents to prevent escalating or entrenched conflict, reduce its damaging impact on children, and support children's ability to cope.
- Provision of **interventions that support parents and children who are victim to domestic violence in cases of parental separation is essential, given the heightened risk of violence that comes with separation.** Services should be adequately resourced to support victims of violence and should hold the appropriate levels of expertise and experience to effectively work with families.
- **The needs of families experiencing domestic violence and interparental conflict differ.** Similar types of interventions are effective for both, though the content and focus must be tailored depending on whether domestic violence or interparental conflict are prevalent. Families experiencing domestic violence require a high level of support, with a focus on promoting safety.



Family Law Service Model

Specialist Family Support Services and Alternative Dispute Resolution (ADR):

Depending on the issues identified, family members may need some very specialist support services or more general supports. These could include:

- 1. Therapeutic Services**
- 2. Parenting Services**
- 3. Mediation/ADR**
- 4. Peer Support**
- 5. Domestic Abuse Services**
- 6. Other Specialist Services:** eg addiction issues; mental health issues; child abuse or welfare issues; alienating behaviours etc.

All of these services need to be accessible, professionally delivered, funded, regulated, confidential and trusted by courts.

Outcomes or agreements should be fed back to the CCLO and the courts as appropriate. This is to ensure progression on the Child Impact Assessment Framework.

ASSESSMENTS

Voice of the Child [Section 32 (i) (b)]

Child Welfare [Section 32 (i) (a) or Section 47]

Issues re:

- Cost and ownership
- Availability of assessors
- Regulations and lack of accountability
- Use by courts
- Purpose and outcomes

"To access many of the above services there is no option but to go privately. I could afford legal support and secured this (Section 47) report, had I not been in a position to do this, as many aren't, my child's life would have a very different outcome. Essential reports like this which affect a child should not be left to be funded privately." **Mother of three children**

What is needed:

- Research on what actually happens, effectiveness of reports, quality of reports etc.
- Consistent training of assessors with consistent approach to reports
- Management and regulation of assessors
- Funding
- Assessments as supportive interventions rather than weaponised in court

MISSED OPPORTUNITIES?

- Family Justice Strategy
- Family Courts Bill
- Hammond Lane
- Child Maintenance Review Group report

"I would love an agency that deals purely with separation."

Mother of two from the *National Survey on Shared Parenting 2017*

SHORT TERM OPPORTUNITIES TO LONG TERM VISION

- Universally accessible information
- Evidence-based guides for courts, lawyers and parents
- Resourcing out of court family support services
- Regulate and fund assessments
- Resource the Family Justice Strategy and Family Courts Bill

"I wanted to go down a collaborative route but my ex's solicitor advised him against it ... Court needs to be the very last option."

Mother of two children

- Who will be responsible for the creation of a child and family centred vision for the resolution of family law issues? Who is going to end the trauma? Whose interests are we sustaining? How can we move to evidence-based policy making and resourcing? Will the next iteration of the Family Justice Strategy achieve this?