

Evaluation of the Family Resolutions Pilot Project

Liz Trinder, Joanne Kellett,
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Research Report

No 720

*Evaluation of the Family Resolutions
Pilot Project*

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The views expressed in this report are the authors' and do not necessarily reflect those of the Department for Education and Skills.

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Contents

Executive summary	4
Part I: Context	
Chapter 1. Introduction	9
Chapter 2. The nature of the intervention	12
Chapter 3. Methodology	17
Part II: Outputs	
Chapter 4. Getting in: referrals to the pilot	26
Chapter 5. Getting on: completions and duration	33
Chapter 6. Making sense of the pattern of referral and throughput	39
Part III: Outcomes	
Chapter 7. The referred cases	50
Chapter 8. The group work stage	56
Chapter 9. The Parent planning stage	65
Chapter 10. Overall outcomes	70
Chapter 11. Making sense of outcomes	81
Chapter 12. Conclusions and recommendations	96
Bibliography	104
Appendices	107

Executive summary

- The Family Resolution Pilot Project ran between September 2004 and August 2005 in Brighton, Inner London and Sunderland.
- The Family Resolutions Project was designed as a pilot scheme to assist parties involved in court proceedings about contact after separation or divorce. The main aim of the pilot was to help parents to reach an agreement about contact arrangements, and more broadly, to try to improve parental relationships. Domestic violence cases were not eligible for referral. The pilot had to be a voluntary scheme as it was not possible, within existing law, for courts to make compulsory referrals to the project.
- The scheme incorporated three components: an initial risk assessment at court, parent education groups led by Relate and parent planning meetings with CAFCASS officers. Where appropriate, children could also be involved in the parent planning process.

Aim of the evaluation

- The aims of the study were to identify:
 1. What were the outputs and outcomes of the pilot?
 2. What, if anything, did the pilot add over and above existing interventions?
 3. What features of the pilot could, or should, be developed or generalised?

Methodology

- We gathered quantitative data about how many cases were referred and how cases progressed through the pilot.
- We asked parents about their experiences at each stage of the programme and, on average, a few months after the pilot.
- We also observed the referral process at court and interviewed judges, solicitors, CAFCASS officers, group workers and managers about their experiences of the pilot.

Outputs

- The number of referrals to the pilot was low, with only 62 referrals over the course of the year in the three areas.

- The gross referral rate, including all domestic violence cases, was 15%. The net referral rate, excluding ineligible domestic violence cases, rose to 20% of all applications.
- The analysis suggests that there was potentially scope to double the number of referrals if referral could have been mandatory. However, even with mandatory referrals the overall number would remain small as a significant number of cases would have been unsuitable for referral.
- Only half of the referred cases completed the programme. Nearly a third of referrals dropped out before the first session and a small number of cases dropped out at later stages. Nearly three-quarters of non-completed cases were due to parents not attending sessions.
- Most cases took longer to complete the programme than the target twelve weeks. Although the duration of the programme and delay was a significant issue for professionals, it appeared to be of concern to relatively few parents.
- There were a number of reasons why the pattern of referrals and completions appeared relatively modest. The selection of the three areas and the inclusion/exclusion criteria always meant that the turnover would be fairly low. Difficulties in multi-agency and multi-site working and a lack of effective local management probably had a negative impact on the efforts to generate and sustain referrals.

Outcomes

The Cases

- The parents referred to FRPP were not easy cases. Prior to the programme, the referred parents reported a wide range of contact problems and low levels of trust and communication. Non-resident fathers reported significantly lower levels of satisfaction with arrangements than resident mothers and higher levels of concern about reliability and commitment to contact than resident mothers. With those exceptions otherwise resident and non-resident parents were remarkably similar in their perceptions and concerns before starting the pilot.

The Group Work Stage

- The parent education or group work stage of the pilot was an innovative part of the scheme. Referred parents attended two group work sessions. The groups were mixed sex, with each half of the former couple attending different groups from each other.

The focus of the first session was on raising parental awareness of the needs of children following separation, particularly where parents were in conflict. In the second session the focus switched to helping parents to manage conflict and improve communication and collaboration.

- An important finding for the evaluation was that the groups were reported as supportive and helpful and most parents wanted more of them. Both resident and non-resident parents, or mothers and fathers, were equally positive about the groups. Only a very small number of parents were wholly negative about the groups. There was good evidence that the groups could lead to changes in attitudes and awareness for some, although not all, parents.

The Parent Planning Stage

- Parents were less positive about the parent planning process with CAF/CASS. But the majority still perceived the process as fair and focused on the children. A minority were negative, feeling pressured, unheard and unfairly treated.
- In many respects the parent planning process seemed little different from traditional in-court conciliation with limited use of parent plans and very few children involved in the process.

Overall Outcomes

- The overall effectiveness of the pilot was variable. On some issues it was hard to make a judgement. The agreement rate was very good for those cases that became embedded in the programme, but the difficulty in getting cases started and through the pilot meant that the overall agreement rate for all referred cases was low. The short follow up period made it difficult to assess agreement durability or effectiveness in closing cases.
- On other issues the pilot produced very similar results to in-court conciliation. The pilot resulted in more children having contact, but no more so than cases that were returned to court or conciliation cases. Parental satisfaction with the agreement or outcome was similar to that achieved in conciliation and was primarily determined by whether or not an outcome was reached. Only half of parents would recommend the pilot to others, again similar to conciliation.
- There was, however, one critical advantage with the pilot over and above existing interventions. Parents who had completed the pilot were significantly more likely to report that the parental relationship had improved than (a) parents who did not complete the pilot and (b) parents who had just attended in-court conciliation, i.e.

existing interventions. This is a very important finding given that the level and nature of parental conflict is one of the most important influences on how children adjust to separation or divorce. It is particularly important given that two recent studies of mediation and conciliation reported little impact on improving the parental relationship.

- Even so a third of parents who completed the pilot reported no change in relationships and the qualitative data suggested that the intervention was most effective with what were probably the easier cases. The pilot cannot, therefore, be seen as a magic bullet that is likely to work in all cases.
- The interviews with parents suggested that it was the mixed gender and experiential format of the parent education groups that seemed to make most impact.
- We also identified a number of factors relating to the group work stage and the overall cohesiveness of the programme that may have reduced the effectiveness of the pilot. These factors included the relevance and focus of the group work programme and the lack of continuity between the group work and parent planning stages.

Conclusions

The pilot was a mixed success, with some of the innovative elements, particularly the group work stage, showing real promise, although referrals and completions were clearly disappointing. The pilot has not produced a clear blue print for the future development of services, but it has provided a number of important pointers for future developments within the family justice system and beyond. In particular, the pilot has underlined the potential of interventions designed to help parents focus on the needs of children and to support effective coparenting. The report recommends that the family justice system should develop a range of parenting interventions, including basic parent education and therapeutic intervention as part of possible 'contact activities' and within the Private Law Programme. Demonstration projects should be established and evaluated to identify the most effective interventions.

PART 1 CONTEXTS

Chapter 1 Introduction

Although most separated parents make their own arrangements for their children, approximately 10% of parents turn to the courts to determine arrangements for contact (Blackwell & Dawe, 2003). Over the last few years there has been considerable criticism of how the family justice system has handled the minority of cases that do go to court. The result has been a number of reviews and sets of proposals, including the Children Act Sub-Committee report *Making Contact Work* in 2002 and the government green paper *Parental Separation: Children's Needs and Parents' Responsibilities* in 2004.

One result of this process was the Family Resolutions Pilot Project (FRPP), announced by the Government in March 2004 in its final response to the *Making Contact Work* report. The project was to combine a number of different elements for handling disputed contact cases: risk assessment, parent education, child involvement and a dispute resolution process (see Chapter 2 for more details).

The pilot was not new in offering a dispute management mechanism as the continued development of mediation and in-court conciliation has already been given some impetus as part of the green paper and Private Law programme (President of the Family Division, 2005). Where the pilot was innovative was in teaming dispute management with an educational intervention for parents. An extensive body of research has established that a key determinant of child wellbeing is the extent to which parents are able to collaborate or to manage conflict post-separation (see, e.g. Pryor & Rodgers, 2001; Whiteside & Becker, 2000). Educational and therapeutic programmes designed to help parents manage conflict are an important part of the family justice system response in many Western jurisdictions, but they have been very slow to develop in the UK (Hunt & Roberts, 2005). This is disappointing as it seems that providing a dispute resolution mechanism alone does not necessarily help parents to move on emotionally or to manage or contain their conflict. Two recent studies, of out of court mediation (Walker et al, 2004) and in-court conciliation (Trinder et al, 2006) have both reported that reaching an agreement about contact does not necessarily help parents to collaborate effectively. The pilot was therefore an important step forward as an exploration of this type of educational programme teamed with a modified form of in-court conciliation.

Unfortunately the Family Resolutions pilot has become caught up in some of the bitter controversies and conflicts that have characterized discussion of contact over the last few

years (see, for example, Maclean, 2004; Willbourne, 2004). The pilot developed from a bid to the Treasury from CAFCASS to develop a model of dispute resolution in the family courts. That bid was unsuccessful but the proposal was adopted and developed by DfES (working with DCA, CAFCASS and the Court Service). It was subsequently implemented as the Family Resolutions Pilot Project. Meanwhile, a pressure group led by a father's rights activist had also developed a separate plan¹ for a dispute resolution scheme. The group has continued to campaign for the adoption of their plan and to criticise the Family Resolutions pilot, receiving a sympathetic hearing in some quarters. Subsequently, the low number of referrals and completions (see Chapters 4-6), have led to a series of negative press reports about the pilot. This evaluation is designed to identify exactly what, in fact, the pilot did or did not achieve.

The aims of the study

Family Resolutions was set up as a pilot to test out an innovative approach or intervention. This study was commissioned to evaluate whether or not the approach had worked, and what, if anything, should be taken forward. The aims of the study were to identify:

1. What were the outputs and outcomes of the pilot?
2. What did the pilot add to existing interventions?
3. What features of the pilot could or should be developed or generalised?

The specific questions that the evaluation sought to address were:

1. What were the outputs of the FRPP in terms of referral, start up and completion rates?
2. What were the outcomes of the FRPP in terms of agreement rates, case closure and relitigation, extension of contact, improvement in contact problems, coparenting and satisfaction with arrangements?
3. What do parents think worked or did not work about the pilot overall and its individual elements?
4. What do professionals (e.g. judiciary, lawyers, CAFCASS and group workers) think worked or did not work about the the pilot overall and its individual elements?

¹ The alternative approach focused more on the quantity of contact with the use of parenting plans setting out minimum levels of contact. Parents would attend education programmes only if they could not reach agreement on the amount of contact. It is worth noting that the evidence that the quantity of contact helps child adjustment is ambiguous and weak compared to the evidence of the possible benefits for children of reducing parental conflict (Amato & Gilbreth, 1999; Pryor & Rodgers, 2001).

It was not possible to have a control group for the evaluation to tease out the outcomes directly attributable to the intervention. Instead we attempted to identify the 'value added' of the pilot, over and above existing dispute resolution mechanisms, by comparing the outcomes of the family resolutions pilot with our recent research on in-court conciliation (Trinder et al 2006). In the absence of a control group, this approach makes sense as the pilot in essence was a form of in-court conciliation with an additional educational component.

Structure of the report

This report is divided into three main sections.

In Part I we place the study in context. In this chapter we have outlined briefly the policy and research context that has prompted the pilot. In Chapter 2 we describe the pilot in more detail and in Chapter 3 we set out exactly how the evaluation was conducted. We then move in Part II to explore the outputs of the pilot. The number of referrals to the pilot and reason for non-referrals are explored in Chapter 4 and the number of completions and duration of involvement in Chapter 5. In Chapter 6 we attempt to make sense of the pattern of referrals and completion, weaving together data on referral and completions with professional perceptions.

Part III of the report examines the outcomes of the pilot. We begin by profiling the parents referred to the pilot, including a comparison of the Family Resolutions with conciliation parents (Chapter 7). We then explore parent and professional evaluations of the group work (Chapter 8) and parent planning stages (Chapter 9). Chapter 10 presents the key findings on the overall outcomes of the pilot, including agreement rates, contact, impact on contact problems and the parental relationship. In Chapter 11 we draw on interviews with parents and professionals to tease out what aspects of the pilot appeared to account for the outcomes of the pilot. Finally, in Chapter 12 we highlight the main lessons learnt from the pilot and make recommendations for the future development of policy and practice.

Chapter 2 The nature of the intervention

Introduction

The Family Resolution Pilot Project ran between September 2004 and August 2005 in three areas of the UK: Brighton, Inner London and Sunderland². There were a few procedural differences found between each area which will be highlighted in later chapters. However, in this chapter we outline the aims of the Family Resolutions Pilot Project and describe the key features and stages of the programme. Our sources are the original briefing documents, the programme materials and any written material from and interviews/discussions with the different agencies involved in designing and implementing the pilot.

Aims of the pilot

The Family Resolutions Project was designed as a non-mandatory scheme to assist parties who had applied to court regarding contact with their children following separation or divorce. The main aims of the pilot were to help parents to reach an agreement about arrangements for their children, thereby diverting parents away from adversarial court hearings and, perhaps, producing more lasting agreements that were in children's best interests and that might facilitate greater collaboration between parents.

The pilot was initially restricted to first-time contact applications as the pilot was an attempt to provide an early intervention, rather than address more entrenched cases. It was extended to repeat applications in early 2005 to boost the number of referrals.

Cases involving domestic violence or child protection issues were also excluded from the pilot. These cases were likely to require a more forensic approach from the court via, for example, a welfare report. Nor would it have been appropriate to include possible perpetrators within the mixed gender groups at the group work stage. Specialist programmes with appropriately trained and insured facilitators would have been necessary

² In Brighton the pilot was restricted to the County Court. In Sunderland the pilot encompassed Sunderland County Court, Sunderland Family Proceedings Court and Houghton Family Proceedings Court. The London site was the Inner London Family Proceedings Court at Wells Street.

to address cases involving harm. This was simply not possible within the context of a limited pilot programme.

The components of the pilot

The scheme incorporated four components (Figure 2.1): an initial risk assessment process, a group work or parent education stage, a parent planning stage and where appropriate, meetings with children to ascertain their wishes and feelings. Each component will be briefly described based primarily on the information given on the FRPP leaflet³.

Referral stage

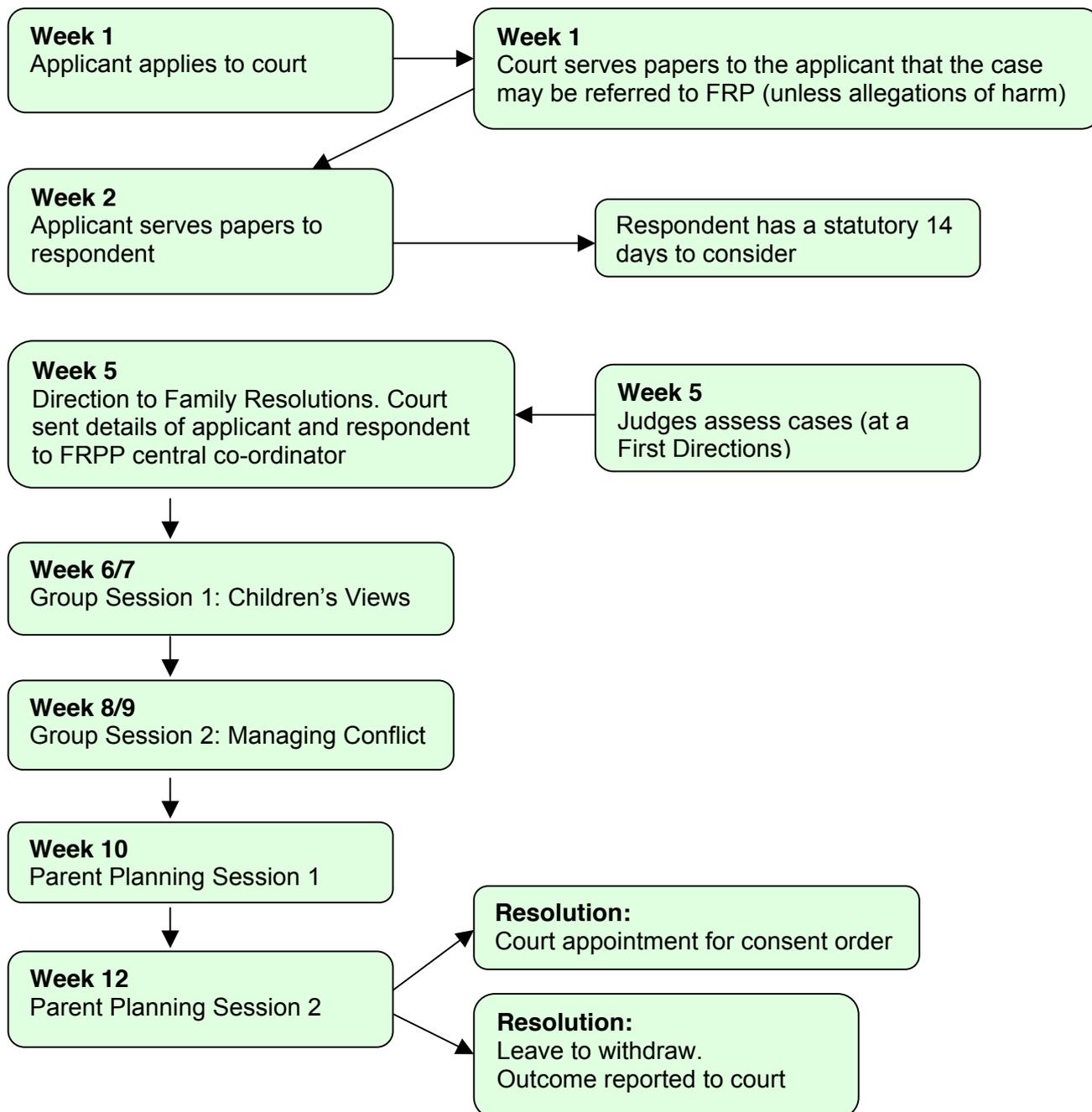
The pilot had to be a voluntary scheme. It was not possible, within existing law, for courts to make compulsory referrals of parents to the project. Instead applicants and respondents were sent a leaflet about the pilot prior to First Directions informing them that they might be eligible for referral to the pilot. Cases could then be referred to the pilot at First Directions if both parents consented to the referral and providing that there was no allegation of harm logged on the C1A application form⁴, or response, or raised at court. In London the risk assessment screening was initially done as a paper exercise by the court and cases referred without parties attending First Directions. This reverted back to a First Directions appointment following difficulties with a purely paper-based risk assessment procedure.

The task of explaining the pilot to parents and securing their consent was taken on in varying degrees by lawyers, judiciary and CAFCASS in the three different locations. When a case was referred it was the responsibility of HM Court Service (but CAFCASS in London) to send the details to the FRPP administrator based at Relate HQ in Rugby.

³ *Family Resolutions Pilot Project: Helping families reach agreement themselves about contact arrangements for their children* (2004) Department for Education and Skills

⁴ Or a prototype of the C1a prior to January 2005.

Figure 2.1. The Family Resolutions Pilot process (County Courts)



Groupwork stage

Following referral at court, the FRPP administrator wrote to parents individually inviting them to attend parent group sessions. Both parents attended two parent group sessions, but on both occasions attending a different group from their ex-partner. The original estimate was that between 8-12 participants would attend each group, including a mix of

male/female and resident/non-resident parents. The group sessions were run in each of the three areas by two facilitators (one male and one female) from Relate and the Parenting Education & Support Forum. The two groups were scheduled to run for two hours each, usually two weeks apart.

Parent group 1: children's views

The first of the two groups focused on raising parent's awareness of children's experiences of parental separation and parental conflict. Firstly, parents watched a specially commissioned 12-minute video, based on the views of children following divorce and separation, with the objective to understand the impact of ongoing parental conflict on the children. This was followed by a group discussion on the themes of the video. In pairs and groups parents discussed children's reactions to divorce and how best to support and listen to children at different stages of separation.

Parent group 2: co-parenting and managing conflict

In the second two hour session the focus was on using group work and discussion to develop parents' abilities to manage family conflict following separation, with particular emphasis on developing parental awareness of the child's perspective. The session involved a group/role play empathy exercise which aimed to enhance understanding of the ex-partner's perspective and their children's situation and feelings. The session also included a group exercise focussing on communication skills.

Following the two group sessions, handouts were distributed to parents which summarised the main issues from the groups as well as giving helpful contact numbers.

Parent planning sessions

Following the two group sessions, parents were then invited to attend two or three scheduled meetings with CAFCASS. The aim of these sessions, as described in the original pilot design, was to enable parents to work together in order to put together a workable, flexible set of arrangements for themselves and their children, with the aid of a parenting plan.

The parent planning sessions were run by two family court advisors (usually one male and one female). The meetings were held at CAFCASS offices rather than at court. The first meeting was preceded by separate risk assessment meeting where the CAFCASS officers

met each parent individually. The parties were then brought together in the same room for the parent planning meetings. Depending on the circumstances of the case CAFCASS met with the child(ren) to hear their views after the first session with the parents. These were then fed back into a final session with the parents.

If the parties reached agreement this was put before the court, as a summary report from CAFCASS and a consent order made or leave to withdraw the application. If no agreement were reached the case would be returned to court for directions.

Summary

The Family Resolutions Pilot Programme was a new dispute resolution scheme for handling contact cases that did not involve allegations of harm. It incorporated a new group work stage focusing on raising parental awareness of children's needs and teaching skills to manage conflicts and improve communication. The educational component was followed by joint parent planning sessions aiming to reach an agreement on arrangements.

Chapter 3 Methodology

Research design

The broad aim of the study was to examine the process, outputs and outcomes of the Family Resolutions Pilot Project, alongside the perceptions and experiences of the parents and professionals that had taken part in the pilot. The specific questions to be addressed were:

1. What were the outputs of the FRPP in terms of referral, start up and completion rates?
2. What were the outcomes of the FRPP in terms of agreement rates, case closure and relitigation, extension of contact, improvement in contact problems, coparenting and satisfaction with arrangements?
3. What do parents and professionals think worked or did not work about the pilot overall and the individual elements of the pilot?

The evaluation was a multi-method, multi-informant study with data collected at three levels of analysis:

- Pilot level qualitative data (observations of the referral process, professional perceptions of the process) covering the whole year of the pilot.
- Case-level quantitative data (referral rates, case progress, agreement rates).
- Individual parent-level qualitative and quantitative⁵ data (pre-court characteristics, evaluation of the process, individual outcomes).

The pilot ran from September 2004 until August 2005. We collected case level data about referred cases for the whole period. However data about referral rates (case-level) and individual parent-level data is restricted to the evaluation data collection period. This data

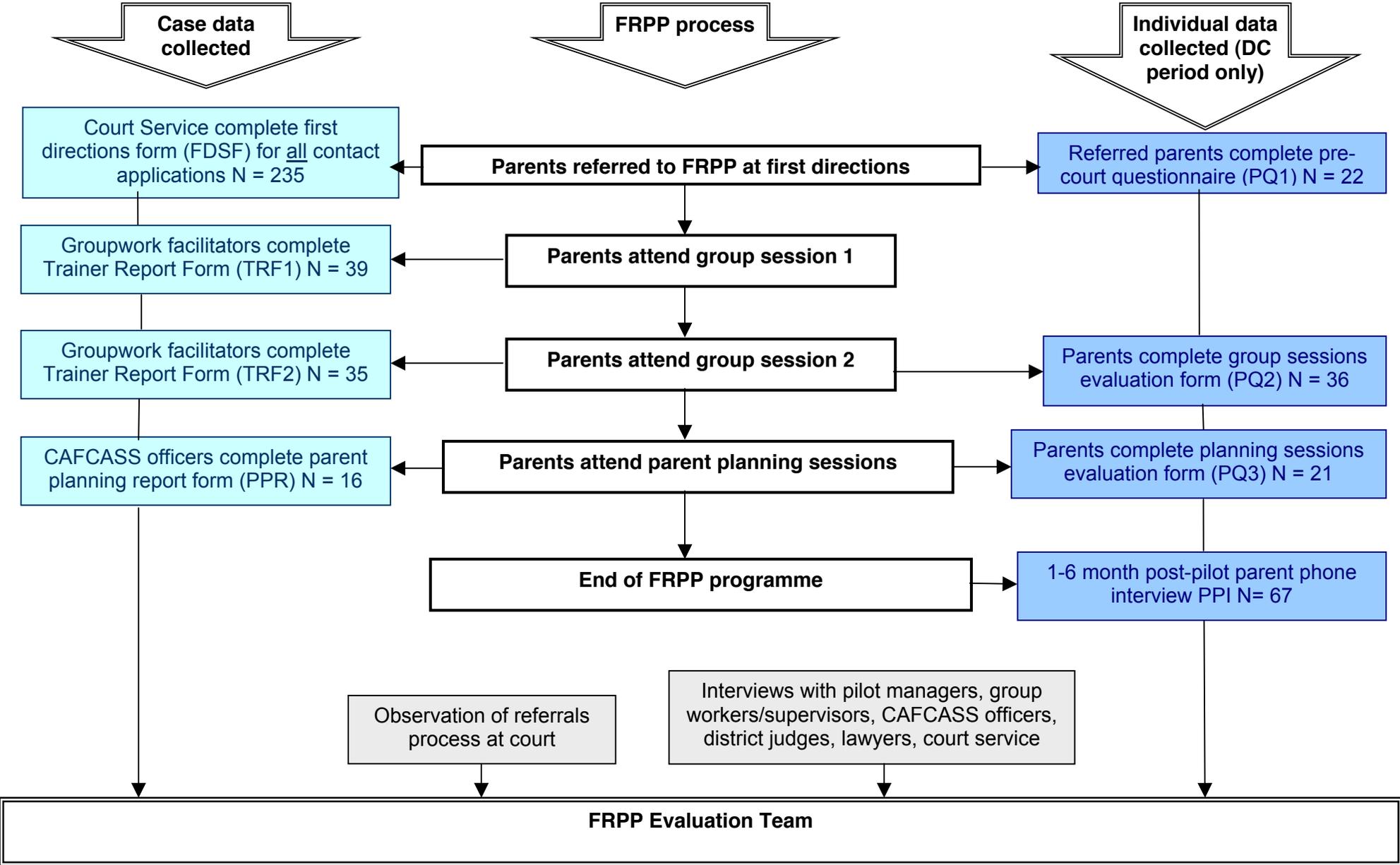
⁵ As the number of cases referred to the pilot was lower than originally anticipated, the evaluation design had to be altered in order to collect as much information as possible from the number of referred cases. Originally we planned to conduct a postal survey with a baseline pre-court cohort of 250 parents, plus exit questionnaires and a six-month follow-up to measure outcomes and durability of agreement. We also planned to observe a small number of group sessions per area. As the number of parents attending the sessions were low (between 1-3 per group) it was felt to be inappropriate for a researcher to sit in.

collection period ran from March 2005 to August 2005 with a month suspension in April 2005 due to the general election.

Table 3.1 summarises the main questions explored by the evaluation and indicates the data source. In addition, Figure 3.1 gives an overview of the pilot-, case- and parent-level data collection points and their relationship to the stages of the pilot. Further details of the sample and data collection methods, are provided below.

Table 3.1 Summary table of research questions and data source	
Research questions	Data source
Outputs: referral data <ul style="list-style-type: none"> ➤ Proportion of applications referred ➤ Why cases are not referred ➤ Number of referrals starting the process and completing each stage 	<ul style="list-style-type: none"> ➤ First Directions Summary Form (FDSF) ➤ FDSF/Interviews with DJs/lawyers ➤ Relate and CAFCASS records
Case characteristics <ul style="list-style-type: none"> ➤ What type of cases are referred? 	<ul style="list-style-type: none"> ➤ Parent pre-court questionnaire (PQ1)
Process data <ul style="list-style-type: none"> ➤ Nature of the referral process ➤ Parent ratings of group work sessions ➤ Parent ratings of parent planning ➤ Parent perceptions of the pilot overall ➤ Group worker ratings of groups ➤ CAFCASS ratings of parent planning ➤ Professional perceptions of the pilot 	<ul style="list-style-type: none"> ➤ Observations of referrals ➤ Parent group work questionnaire (PQ2) ➤ Parent planning evaluation form (PQ3) ➤ Post-pilot parent interviews (PPI) ➤ Trainer report forms (TRF1/TRF2) ➤ CAFCASS Parent Planning form (PPR) ➤ Qualitative interviews with professionals
Immediate Outcomes <ul style="list-style-type: none"> ➤ Agreement rate ➤ Parental satisfaction with agreements 	<ul style="list-style-type: none"> ➤ CAFCASS records ➤ Parent planning evaluation form (PQ3)
Short-term outcomes <ul style="list-style-type: none"> ➤ Relitigation, contact patterns, contact problems, coparenting 	<ul style="list-style-type: none"> ➤ Post-pilot parent interviews (PPI)

Figure 3.1 Individual and case data collected during the March-August data collection period (and sample sizes)



Sample sizes and representativeness

Case-level data

Referral data was collected by the court service manager in the three courts involved in the pilot. Each manager was asked to complete a summary form (FDSF) detailing all contact applications to court and whether or not the case was referred to the pilot. To minimise the impact on local workloads the compilation of referral data was confined to a specific evaluation data collection period in each court⁶. A total of 235 applications were logged during this period. We have a reasonable amount of confidence in this total, however any inaccuracy is likely to under rather than over-estimate the number of applications.

A key part of the evaluation was based on the recruitment of a parent sample. We sought to recruit a baseline sample of all cases entering the FRPP (PQ1), followed by a short questionnaire at the end of group session two (PQ2), the end of the parent planning session (PQ3) and then a few months later (PPI). However, as the referral rates to the pilot were low after a few months we decided to revise the plan by reducing the number of data collection points in order to maximise response rates at the critical group session and follow up stages. We therefore dropped the pre-court questionnaire (PQ1) sent to all referred parents prior to the first group work stage. As a result we have only a very limited picture of the characteristics of referred cases.

We continued, however, to collect parent views at the end of the group work stage via a questionnaire (PQ2) distributed and collected via the group facilitators and at the end of parent planning (PQ3). The response rate for the group work stage was very high although the overall sample size is small (Table 3.2).

The plan for the follow up interview also changed. Initially we intended to conduct a follow up interview with parents six months after baseline. This would have produced a tiny sample as the number of referred cases within the initial baseline period was small. Instead we made the decision to approach all parents for a post-pilot interview, including

⁶ The precise evaluation periods were as follows: London 15th March to 20th September 2005; Sunderland: 21st April to 25th August 2005 and Brighton 12th April to 23rd August 2005. We also had access to local summary statistics collected by local court service staff before the evaluation began although these appeared to under-count the overall number of applications.

those who had been referred prior to the evaluation period (from September 2004 – March 2005) and who had not provided any baseline data. These interviews were conducted by phone between one and six months after the end of involvement with the pilot. The response rate was fairly good given that the sample included parents who had had only minimal involvement with the pilot, i.e. had been referred but had not attended the programme.

Table 3.2 Parent data response rates			
Data collection point	Number achieved	Number eligible within the data collection period	Response rate
Pre-court questionnaire (PQ1)	22	38 (attending session 1)	57.8%
Parent groups questionnaire (PQ2)	36	43 (attending session 2)	83.7%
Parent planning questionnaire (PQ3)	21	37 (attending any parent planning meeting)	56.8%
Post-pilot phone interview	67	124 (all parents referred to the pilot)	54.0%

Overall we collected data at some stage from 82 parents, 66.1% of all referred parents (62.9% of resident parents and 69.4% of non-resident parents).

We also gathered cases level data from the professionals. At the end of both group sessions the Relate facilitators completed a questionnaire (Trainer Report Form) on the content and perceived effectiveness of the sessions⁷. Seventy four TRFs were completed, providing a total sample. In addition CAFCASS officers completed a questionnaire on the case outcome and perceived effectiveness of the parent planning stage sessions (PPR). Sixteen PPRs were received, representing a 57% response rate. No PPRs were received from the Brighton team.

Pilot-level data

We conducted eight observations of the referral process, three each in London and Brighton and two in Sunderland. We also conducted face-to-face and telephone qualitative interviews with key professionals involved in the pilot (Table 3.3). These interviews with district judges, lawyers, pilot managers/consultants, group session facilitators and supervisors and CAFCASS officers were designed to provide additional insights into the

⁷ Strictly speaking the TRFs are group-level rather than case-level data.

pilot design and implementation and to complement and contextualise parent perspectives.

Table 3.3 Numbers of interviews with professionals				
	Sunderland	Brighton	London	Total
District Judge/Legal Advisor	2	3	1	6
CAFCASS officers	4	3	3	10
Lawyers	5	3	5	13
HM Court Service Managers	1	1	2	4
Relate/PESF staff	5	5	5	15
Senior civil servants	-	-	-	3

Access and ethics

The evaluation team worked according to the British Psychological Society Ethical Principles for Conducting Research with Human Participants. Ethical approval for the evaluation was sought from the UEA School of Social Work and Psychosocial Science Ethics Committee before data collection began.

We aimed to collect data from all parents who had been referred to the pilot during our data collection period. A short leaflet explaining the research was included with the group session appointment letter sent to parents by Relate. The leaflet outlined the aims of the research, explained what would be involved, emphasised that participation was voluntary and would not affect the conduct, or outcome, of their case and that all responses would be kept anonymous. If parents did not opt out of the research then Relate and CAFCASS officers subsequently distributed and collected parent questionnaires on our behalf. Both PQ2 and PQ3 were returned directly to the research team via sealed tamper-proof envelopes. The evaluation team did not have access to names and addresses, only the court case code.

Once parents had completed the programme, the Relate administrator wrote to parents separately, with an opt-out slip, on our behalf inviting them to take part in a post-pilot telephone interview. If parents did not opt out of the study their contact details were only then passed on to the research team. The researcher conducted a telephone interview if there were still informed consent. Separate interviewers were used if both parents had agreed to participate. An incentive in the form of a £20 gift voucher was offered to all parents taking part in the post-pilot interviews.

We did not seek access to court records or attempt to interview the very few children directly involved in the pilot.

Analysis

Most referred parents were in resident mother/contact father arrangements (apart from one case with a resident father/contact mother and one case with a resident grandmother/contact mother). As a result for most analyses we divide the dataset by residential status rather than gender.

Outcomes were compared between two or more groups using analysis of variance and t tests for normally distributed variables, the corresponding non-parametric tests for non-normal variables and the chi-squared test of association for categorical variables.

Logistic regression was used to explore the possible effects of sets of variables on a binary dependent variable e.g. satisfied with agreement or not. Logistic regression allows the effect of a predictor (independent) variable on the cumulative probabilities of the dependent variable to be assessed whilst controlling for other independent variables.

Statistical significance: a non-technical explanation

We use statistical tests throughout the report to identify whether our findings are statistically significant. There are different types of statistical tests depending on the type of data that has been collected. However, all have the same purpose in trying to identify whether any difference in results has simply occurred by chance or random error. The result of the statistical test is given as a 'p' value (short for probability). By convention an outcome is considered as statistically significant if the p value is 0.05 or less, meaning that there is a 5% or one in twenty (or lower) probability that the result was caused by chance.

An example might make this clearer. In the table below we present resident and non-resident reports of contact problems pre-court. The second column of the table gives the percentage of all parents reporting the specific problem occurring pre-court. The 'n' simply refers to the sample size (number) for the particular group. The third and fourth columns list the separate percentages for the resident and non-resident samples. By 'eyeballing' the third and fourth columns we can see that there are differences between the two groups on each of the three items. However, only the final column giving the test result (the p value) tells us whether the difference is statistically significant.

There is indeed a statistically significant difference between the two groups on Item 1 as the p value is 0.000 which is a smaller number than our cut-off value of 0.05. The resident and non-resident percentages on Item 2 do look quite wide apart but the p value at 0.060 (or 6%) is (just) above our cut-off point of 0.050. Therefore there is no statistically significant difference between resident and non-resident parents on Item 2. Nor is there a significant difference on item 3 where the p value of 0.149 is also well above 0.050. When interpreting the tables, therefore, a p value between 0.000 and 0.05 is always statistically significant whilst a p value between 0.051 and 0.51 and above is not.

Contact problems ever occurring in the three months prior to the court application, by resident or non-resident parent (percentages)				
	Overall (n = 250)	Resident (n = 137)	Non-resident (n = 113)	p*
Item 1: Children upset, unsettled or difficult when coming or going	64.1	73.9	51.6	0.000
Item 2: Ex spoiling the children	37.2	42.2	30.8	0.060
Item 3: Children not wanting to go for contact or return home	56.7	60.3	52.2	0.149

*p value assuming all individuals independent (chi squared test).

Summary

In summary, we gathered quantitative data about how many cases were referred and how cases progressed through the pilot. We asked parents about their experiences at each stage of the programme and, on average, a few months after the pilot. We also observed the referral process at court and interviewed judges, solicitors, CAFCASS officers, group workers and managers about their experiences of the pilot.

PART II OUTPUTS

Chapter 4 Getting in: referrals to the pilot

Introduction

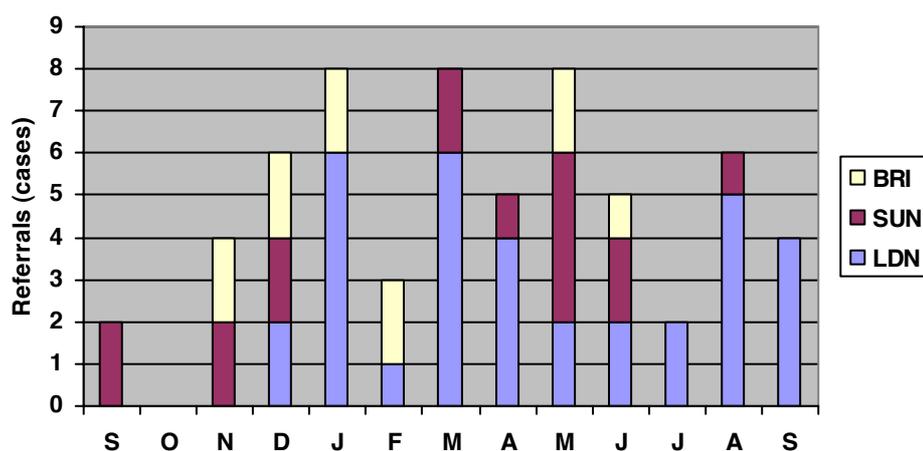
In this chapter we examine the pattern of referrals to the pilot. We start by looking at the number and rate of referrals. We then examine why cases were or were not referred, looking first at the stated reasons for non-referral and then comparing briefly the characteristics of referred and non-referred cases.

Number of referrals

There were 62 referrals from the start of the pilot in September 2004 to September 2005. The Inner London court accounted for 34 of these 62 referrals, with Sunderland referring 17 cases and Brighton referring 11 cases.

Sunderland started referring cases in September 2004 and produced a small number of referrals in most months up to the end of the pilot (Figure 4.1). Brighton started in November 2004 with a few but regular referrals, but made only three referrals after February 2005. London also started in November and consistently referred cases right through to the end of the pilot.

Fig. 4.1: Monthly referrals by area



The pilot was extended to incorporate repeat cases in February 2005, in order to increase the number of referrals. As Figure 4.1 indicates, the extension did not make a significant impact on the overall level of referrals.

The referral rate

The number of referrals to the pilot appears low and apparently lower than had been anticipated. We therefore sought to identify the proportion of cases referred to the pilot from the pool of all eligible cases (the referral rate) and to identify the reasons for non-referral. We tackled this question by collecting data on referral patterns during a six month period from spring 2005 to autumn 2005⁸.

There were 235 logged contact applications spread across the three areas during the data collection period. This pool of 235 cases included all first-time and repeat contact applications over the period, but excluded applications for residence, prohibited steps and specific issues. There were 35 referrals within this data collection period, giving a gross referral rate of 15% (Table 4.1). The gross referral rates were uniformly low across the three areas ($p = .165$), with a small amount of variation between the lowest rate of 7% in Brighton and 18% in London (Table 4.1).

Table 4.1 Referral of contact applications to the pilot by court area during the evaluation period only, percentages				
	London N = 136	Brighton N= 42	Sunderland N= 57	All cases N=235
Referred	18.4%	7.1%	12.3%	14.9%
Not referred	81.6%	92.9%	87.7%	85.1%
Total	100%	100%	100%	100%

Reasons for non-referral

However, the gross referral rate includes cases that were ineligible for referral, that is, cases involving domestic violence or child protection issues. To obtain a more accurate referral rate it is necessary to include the reasons for non-referral of cases.

⁸ The data was collected in the form of specially designed 'First Directions Summary Forms' completed by the local HM Court Service managers after each court day. See above Chapter 3.

In all 200 out of 235 contact applications (85%) were not referred to the pilot during the evaluation period. The reasons for non-referral were recorded by the local HM Court Service manager on behalf of the evaluation team. We should note that the data should be treated with some caution as the primary reason for non-referral was not always routinely recorded on the court file. Indeed in 28% of cases no reason was available or could be inferred from the record.

There appeared to be a wide range of reasons why cases were not referred. The most common reason provided was domestic violence, thereby rendering the case ineligible for referral. In total 23% of cases were excluded from the pilot on the basis of concerns about domestic violence (Table 4.2). A further 8% of cases were not referred because of child protection concerns, usually associated with ordering of a welfare report. The distinction between listing a case as ‘domestic violence’ or ‘child protection’ appeared to be inconsistent, however, and in many cases both issues were raised. The two risk factors combined, that is domestic violence and child protection, accounted for nearly a third (31%) of non-referrals. It is quite possible that the actual number of ‘risk’ non-referrals was higher than a third, as the proportion of risk non-referrals in Sunderland is very low compared to the two other areas whilst the proportion of ‘not recorded’ reasons is very high.

Table 4.2 Reason for non-referral of cases to the pilot by court area during the evaluation period only, percentages				
	London N = 111	Brighton N = 39	Sunderland N = 50	Total N = 200
Domestic violence	30.6	20.5	8.0	23.0
Child protection	9.0	5.1	8.0	8.0
Agreement reached	11.7	41.0	12.0	17.5
Non-attendance	13.5	12.8	4.0	11.0
Seeking transfer	4.5	7.7	-	4.0
Other reason ⁹	3.6	-	4.0	3.0
Lack of consent	6.3	2.6	6.0	5.5

⁹ The 10 cases in the ‘other’ category included three cases where paternity was disputed and a DNA test ordered, two cases where the application was withdrawn and then cases involving a parental reconciliation, adjournment to allow a party to obtain representation, a parent with a serious medical problem and a case where one party lived in a different area. The ‘other’ category also included one case recorded as ‘previous proceedings’ but which occurred after repeat applications were included in the pilot.

Reason not recorded	20.7	10.3	58.0	28.0
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Nonetheless adding together the 35 cases that were referred with the 62 cases ruled out on domestic violence/child protection grounds, then 97 out of 235 cases, or 41.3% of all applications, were either referred or were never eligible for referral to the pilot.

Alternatively, if we exclude the 62 cases that were ineligible on risk grounds that leaves an eligible pool of 173 cases within the data collection period, 35 of which were referred, giving a net referral rate of 20.2% or one in five of eligible cases.

Even excluding the domestic violence/child protection cases, there still remains a total of 138 cases or 58.7% of all applications that were potentially eligible but were not referred. However, although there does appear to have been some scope for increasing the number of referrals it is not clear that a very substantial proportion of the remaining cases could, or should, have been referred to the pilot. Just under a fifth of non-referrals were attributed to parties having already reached an agreement on the day (Table 4.2). This factor did vary considerably by area with the Brighton court's in-court conciliation process diverting 41% of its cases away from the pilot¹⁰. A further tenth of cases were not referred due to the non-attendance of one or both parties at court. Another 7% of non-referrals were attributed to applicants seeking to transfer proceedings or assorted 'other' apparently legitimate reasons for non-referral.

Only 11 cases or 5% of non-referrals were attributed directly to lack of consent or the unwillingness of one or both of the parties to attend the pilot. That just leaves 56 cases where the reason for non-referral was not recorded. Assuming that the total number of applications has not been grossly under-reported, even if referral had been mandatory, then our analysis suggests that only a further 67 cases might have been eligible and that is based on a very questionable assumption that none of the 'reason not recorded' cases included domestic violence¹¹. If we were to assume that some of the not recorded cases included domestic violence, a more reasonable estimate might be that a further 35 or so cases might have been picked up by mandatory referral during the data collection period. This would have doubled the number of referrals over the period to about 70. Thus

¹⁰ We consider whether or not these cases should have been offered access to the pilot in later chapters.

¹¹ This appears fairly unlikely for the Sunderland cases that made up the bulk of the not recorded cases.

although there might have been scope to increase, possibly even to double, the number of referrals, the overall numbers would have still been relatively small.

Referred and non-referred cases compared

A comparison of the characteristics of referred and non-referred cases gives some further insight into the referral process and the reasons for non-referral. The data is drawn again from the First Directions Summary Forms completed by HM Court Service for the evaluation team over a four to six month period.

We noted above that 11% of non-referrals were attributed to one or both parties not attending. Cases were indeed more likely to be referred where both parties were present at court compared to just one, or neither, parent attending ($p = .052$ ¹²). It is worth noting, however, that four cases were referred to the pilot during the evaluation period without both parties being present (Table 4.3).

Table 4.3 Referral to the pilot by party attendance at court, number and percentages			
	Referred N = 26	Not referred N = 142	Total N=168
Both applicant and respondent attended	22 84.6%	89 62.7%	111 66.1%
Only applicant attended	3 11.5%	29 20.4%	32 19%
Only respondent attended	0 0%	6 4.2%	6 3.6%
Neither party attended	1 3.8%	18 12.7%	19 11.3%

Cases were also more likely to be referred where there was no allegation of harm recorded on the application or response forms¹³. An allegation of harm on the C1a form was made on only one (3.7%) of the evaluation period referred cases. In contrast an allegation of harm was logged in 39.9% of non-referred cases ($p = .001$).

The referred cases were almost exclusively resident mother and non-resident father families. In all 26 of the 27 (96.3%) evaluation period referrals where we have information

¹² $P = .052$, computed for a 2x2 table of referral and both parents attending versus one or neither.

¹³ The C1a forms completed by applicant and respondent.

were 'standard' resident mother and non-resident father cases, with only one resident father and non-resident mother referral. The non-referred cases included proportionately more non-standard cases, with 14.1% resident father cases and 4.9% of cases involving extended family members. The difference was not statistically significant however¹⁴. Not surprisingly the great majority of cases in both referred and non-referred groups were applications from non-resident fathers, representing 88.9% and 76.8% of the total respectively (p =.248).

Two case factors appear to have no influence on the likelihood of referral. Legal representation made no difference to the likelihood of referral. For referred cases, 69.2% of applicants and 61.5% of respondents had a legal representative at court, not significantly different from non-referred cases at 75.4% and 45.3% respectively (p = .679 and .190). Nor was there a difference between referred and non-referred cases in terms of paired representation (Table 4.4).

Table 4.4 Referral to the pilot by legal representation, number and percentages			
	Referred N = 26	Not referred N = 137	Total N=163
Both parties represented	14 53.8%	57 41.6%	71 43.6%
One party represented	6 23.1%	50 36.5%	56 34.4%
Neither party represented	6 23.1%	30 21.9%	36 22.1%

There was also no apparent difference in referral rates between repeat and first-time applicants, although the proportion of repeat litigants was low overall. Only 15.5% of non-referred cases were repeat litigants. The pattern of prior litigation of the referred group was broadly similar with only three (11.1%) referred cases being repeat cases (p = .770).

Summary

The number of referrals to the pilot was low, with only 62 referrals over the course of the year in the three areas. The gross referral rate, including all domestic violence cases, was 15%. The net referral rate, excluding ineligible domestic violence cases, rose to 20% of all

¹⁴ P= .093, computed for a 2x2 table of referral and standard versus not standard cases.

applications. The analysis suggests that there was potentially scope to double the number of referrals if referral could have been mandatory. However, even with mandatory referrals the overall number would remain small as a significant number of cases would have been unsuitable for referral or would settle informally. The likelihood of referral within the pilot increased where both parents attended and there were no allegations of harm, but neither legal representation nor litigation history influenced the pattern of referral.

Chapter 5 Getting on: completions and duration

Introduction

We turn now to look at the progress through the pilot of the 62 referred cases. We explore the number of cases that completed the pilot, the numbers of parents who attended each stage, the reasons why some cases dropped out and how long it took cases to progress through each stage of the programme.

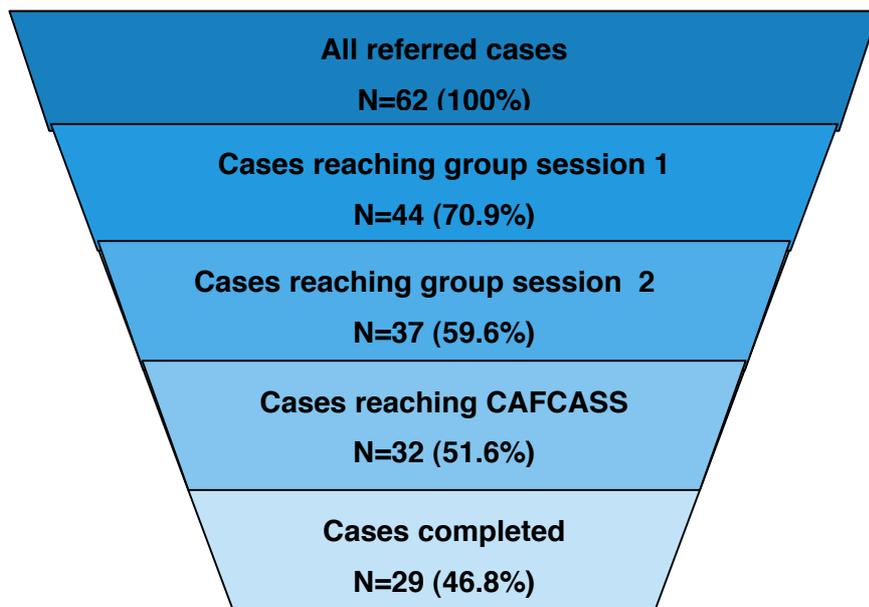
Progress through the pilot

Completion rate

Just under half (47%) of the 62 referred cases completed the pilot project. The completion rate ranged from 65% in Sunderland to 45% in Brighton and 38% in London.

There was a certain amount of attrition at all stages of the pilot (Figure 5.1) although the most drop outs occurred right at the start of the process with 18 of the 62 referrals (29%) never starting the programme, that is dropping out between referral and the first group. Seven more cases dropped out after the first group session, five after the second group session and three cases started but did not complete parent planning.

Figure 5.1 Stage reached by all FRP referred cases



Reasons for non-completion

There were three main reasons why 33 cases, or 53% of referrals, did not complete the pilot (Table 5.1). By far, the most common reason for parents dropping out of the pilot was parental reluctance/non-attendance at the sessions, accounting for nearly three-quarters of non-completed cases (Table 5.1).

Table 5.1 Reasons for non-completion of FRPP by area, numbers and percentages	
	All non-completers (n=33)
Non-attendance /reluctance	23 (69.7%)
Domestic violence/risk (referred back to court)	4 (12.1%)
Parents reached agreement alone	4 (12.1%)
Other	2 (6.1%)

In addition, four cases were referred back to court after domestic violence/risk issues were identified. Two of these four cases had not started the pilot, whilst the other two cases were identified at the group work and at the parent planning stage. A further four cases dropped out of the pilot after the parents reached an agreement alone. Three of these were agreed before the group work started and one after the first group session. The two 'other' cases were a dispute about child support that did not concern contact and a case referred right at the end of the pilot when no groups were available.

The qualitative data from the post-pilot parent interviews indicated that the broad non-attendance/reluctance category covered a range of issues. Some parents reported that they had a legitimate reason for not having attended. The official policy was that if one parent failed to attend the groups the other parent was told that the case would be returned to court. In fact the most common reason given by parents for not attending was that their ex-partner had not attended and they were informed that they would not need to attend:

"I never attended the pilot as my ex partner did not attend. I was phoned by Relate and told not to bother" Non-resident father

"I was asked not to attend as my ex-partner had not turned up" Resident mother

One other parent reported that they had never received any letters or information from Relate or CAFcASS and so had not attended any sessions.

Some parents, particularly resident parents, cited practical reasons why they could not attend the programme, largely focusing on problems with child care:

“I didn’t attend. The first time I did actually forget. I thought it was to be after. I did totally mix the days up. But the second time it was on an evening time and, as I say, I’ve already got X children, I was fully pregnant, and I just couldn’t attend them” Resident mother

“I think it’s quite hard for women, or the men if they’ve got a full-time family with them, especially at 7:30 at night, because if you’re working full-time as well you’re coming in from work, so you’ve got to come in from work, have to see to the kids, try and get them minded and then pop out again. And then you’re not coming back in until 9, 9:30 or what have you. So to be honest I think if it was through the day, or maybe just early evening time, then it might not be so bad. But because it’s so late in the evening when you’re trying to get the children to bed and things like that it can cause problems, especially for the people that’s actually got the families” Resident mother

A small number of parents reported not having attended or dropping out of the process because they felt the approach of the pilot was unhelpful in their situation. This could include a wish to get straight to a hearing:

“Time was the biggest reason for not taking part. I preferred to go through courts” Non-resident father

Alternatively, some parents felt that the programme was not applicable to both parents or was unlikely to work in their case:

“I felt the programme would not have helped as trying to work or resolve problems or communicate with my ex-partner would have been impossible” Non-resident father

“I don’t think it’s for the women, or, or the men who have the children, I think it’s actually the opposite partner who hasn’t got the children they’re just wanting access or whatever” Resident mother

Attendance at the group sessions

Overall 63% (n=78) of all 124 referred parents attended group session one and 57% (n=71) of all referred parents attended group session two. Table 5.2 shows that in just over half of all 62 cases referred to FRPP both parties attended the group sessions. Non-attendance was higher for the second group sessions, with 41.9% of cases not attending,

compared with 30.6% non-attendance at the first session. There were a small number of cases where one parent attended the group session.

	Group session 1 N=62 cases referred	Group session 2 N=62 cases referred
Both parties attended	35 (56.5%)	33 (53.2%)
Father attended only	5 (8.0%)	2 (3.2%)
Mother attended only	3 (4.8%)	1 (1.6%)
Neither party attended	19 (30.6%)	26 (41.9%)

Overall 34 groups (46.5%) ran with fewer numbers than expected. The dropout rate was higher for the first group session where 23 (58.9%) groups ran with fewer participants than expected compared with 11 (32.3%) for the second session.

Length of the programme

We turn now to the time it took cases to reach each stage of the pilot. The original target for the pilot was twelve weeks from receipt of application to the end of the programme. In practice the actual time it took cases to reach the end was significantly longer than the original target. On average it took 6.3 weeks from the referral date to reach the first group session, ranging from two to 19 weeks (Table 5.3). The time taken from referral to completion varied from 7 to 25 weeks, with an average of 13.5 weeks. It should be borne in mind, however, that the figures we have are based on the clock starting at the referral stage rather than, as originally intended, the date of receipt of the application. Generally cases take six weeks from application to first directions and referral. Even setting aside the additional six weeks from application to first directions, 40% of cases took more than twelve weeks from referral to completion.

Time in weeks	Referral date to group session 1	Referral to group session 2	Referral to starting parent planning	Referral to completion
N	45	40	16	19
Mean	6.3	9.2	10.9	13.5
SD	3.98	4.06	5.69	5.05

One of the main reasons why cases did take longer than planned was that the low numbers of referrals meant that parents often had to wait for a group to be formed.

There were widespread concerns amongst professionals about the length of time taken for parents to progress through all the different stages of the pilot. In particular, there were concerns that cases where the pilot did not work would then have to start the court process again resulting in extensive delay:

“You need so many people for the scheme to work properly and for it to work in the time that they envisaged. You need enough people going through to make up the groups and if there aren’t enough it’s delay and delay and delay and delay...and my concern now is that somebody could not have their last meeting for three or four months, and then say, ‘Oh no we still don’t agree’, and have to come back to us. And in that case we’ve just added a great big long delay.” Court Service

“What would concern me if you were referred to the pilot project, and however many weeks that took, and if it was ultimately unsuccessful, or if it failed in the middle, you’re then back to square one of having to come back to Court and start the whole process of CAFCASS and reports and Final Hearings again”. Lawyer

“It is my perception that it’s too drawn out, too drawn out”. District Judge

Surprisingly, not many of the parents shared the professional concerns about delay. There were some parents who had not agreed in parent planning or were unhappy with the result, who had felt that the pilot had just added in a delay:

“It certainly didn’t work for me, no. If you ask my opinion of it it’s probably just put another four months on my battle to get to the final hearing” Non-resident father

“I don’t know how to put it, but if there was a point that it wasn’t working there should be an early get-out clause.... Yeah, so rather than having to wait until the end and then the court case, you could sort of go straight to that quicker”. Non-resident father

“I think it’s resulted in a five month delaying process. I think it’s, because of the attitude of CAFCASS” Non-resident father

Otherwise the length of the pilot was not a main concern at all and much less prominent as an issue for parents than the timing of sessions (see below).

Summary

Only half of the referred cases completed the programme. Nearly a third of referrals dropped out before the first session and a small number of cases subsequently dropped out at later stages. The low number of referrals had a knock-on effect with most cases taking longer to complete the programme than the target twelve weeks. Although the duration of the programme and delay was a significant issue for professionals, it appeared to be of concern to relatively few parents.

Chapter 6 Making sense of the pattern of referrals and throughputs

Introduction

In the previous two chapters we examined the pattern of referrals to the pilot and charted the progress of cases through the programme. The key points emerging were that the number of referrals was low, that there was some, albeit limited, scope to increase referrals and that only half of referrals completed the programme, with a third of referrals not even starting the programme. In this chapter we draw on our observations of the referral process and interviews with professionals to explore why referrals to the pilot have been lower than expected and why more parents did not complete the programme.

We focus on three main issues:

- Site selection
- Inclusion criteria
- Ownership, management and inter-agency working

Site selection

One of the more obvious reasons for the low number of referrals was that two of the three areas selected were low volume courts with a low turnover of contact applications. The Inner London Magistrates court did have a reasonable, if not large, volume of applications, running two or three morning lists per week with two or three contact cases listed each time. But the Brighton court usually ran only one list per week, whilst Sunderland County Court ran only one list per fortnight¹⁵. Not surprisingly the London court accounted for more than half of all referrals.

Although precise figures are unavailable, there was also some evidence that the number of applications fell during the pilot. There was a suggestion that some solicitors might be advising clients to lodge applications elsewhere to avoid the pilot. However an analysis by the Department for Constitutional Affairs found no evidence of an increase in applications in neighbouring courts.

¹⁵ The local Family Proceedings Courts were also included in the pilots but had a similarly low turnover.

Nevertheless, even if the numbers of applications had been maintained it would have been unlikely that the usual level of activity in at least two, if not all three, areas would have been sufficient to produce sufficient referrals to run the group work stage of the pilot as planned. There is an argument that if an intervention is to work it should be capable of working in all areas. However, given the need to recruit, without compulsion, sufficient numbers to run large enough groups at frequent intervals there is perhaps a stronger case that only high volume courts should have been included in the pilot.

Inclusion and exclusion criteria

The selection of low volume courts meant that the pilot was fishing in a shallow pool, a problem compounded by the rules governing what cases could be referred. Only contact applications were eligible, with residence, specific issues and prohibited steps applications excluded. Similarly, only first-time applications were eligible, although this was later extended to repeat applications to increase the number of referrals.

The most important factor, however, was the exclusion from the pilot of domestic violence or child protection cases. The exclusion was based on a number of considerations: that these cases needed thorough investigation and a formal court process, that it would be inappropriate to include perpetrators in groups, hold joint parent planning meetings and that the general coparenting message might be inappropriate.

Ultimately about a third of cases were excluded from the pilot on risk grounds with the use of a forerunner or prototype of the new C1a gateway forms providing a clear and visible filter. Given the high incidence of allegations of harm in contested cases any subsequent programmes are also likely to find a substantial proportion of cases will not be suitable for consideration.

Owning and managing the pilot

Although the overall size of the pool meant that the overall numbers were always likely to be fairly modest our analysis did suggest there was some scope to increase, possibly to double the number of referrals. A number of implementation and management issues may have prevented the full exploitation of the small numbers that were available. These issues included difficulties in multi-agency working, the lack of local management

structures and local champions, resulting in difficulties with selling the pilot to parents, problems with case management and handling domestic violence cases.

The pilot was designed by a multi-agency Design Group, overseen by a high level multi-agency Steering Group. Once the project had started the pilot was overseen by a project manager within the Department for Education and Skills in London, with the expectation that day to day management would occur at local level. Responsibility for taking referrals, and arranging for parents to attend group work and CAFCASS sessions, was placed with the FRPP administrator employed by Relate and based in Rugby.

The nature of the pilot meant that for it to be a success it required the co-operation at local level of a number of professionals working in several agencies: the judiciary, HM Court Service, CAFCASS and lawyers within the family justice system and Relate and the Parenting & Education Forum within the voluntary sector. It was also vital to have effective liaison between the five key sites: DFES in London overseeing and funding the pilot, the Relate administrator in Rugby and the three local pilots.

Although the family justice professionals had a long history of working together at local court level, otherwise the pilot involved entirely new sets of professional relationships. There was no history of family justice system professionals working with DFES, no previous contact between the three court areas and no previous collaboration between the family justice professionals and Relate. There were, therefore, numerous challenges in establishing a shared sense of purpose or ownership and thus a cohesive project. As the project managers recognised, there were physical barriers to communication, different values and traditions and multiple responsibilities:

“There were tensions at national level with different players having views about the ability to deliver of others of the players. But there were those things played out at each local level as well. There were divided loyalties. Do we answer to our parent body or do we answer to [DFES] ... Forging a consensus between the voluntary sector, the judiciary, the professions and the executive is pretty tough ... and to do it in slightly different ways in three different places. It was challenging”

One of the difficulties was the lack of local management structures for the pilot. There were no local management committees. Indeed in none of the areas did all the relevant professional groups ever all meet together. Instead, the line of management and communication ran vertically between DFES in London (and/or Relate in Rugby) to individual professional groups at local level but seldom, if ever, horizontally between the Court Service, judiciary, lawyers, CAFCASS and Relate at local level. The result was that

the pilot appeared as a top-down initiative and one without a unified local team of professionals or a local champion.

The expectation appeared to have been that local judges would provide leadership at local level. Although two of the three areas had been selected apparently because of the enthusiasm of a local judge, in practice those judges were not involved in the day to day running of the pilot and could not really act as active local champions for the pilot.

The lack of local leadership or local structures meant that insufficient effort was made to inform and engage local practitioners or to generate a sense of a shared enterprise. There was a weekend training session for CAFCASS teams and group work facilitators but the training was conducted separately. A briefing session¹⁶ for local lawyers took place in each area, but there was a general perception that more could have been done and earlier:

“I don't think we did actually crack the solicitors adequately and I don't think we could have. I am convinced that was a role specifically for the judges in the area because they have a relationship and that's where we needed the local championship of the judges....all we could do really was explain the aims and objectives and the processes but we couldn't really get into the heart of why you were doing this because, we knew their confidence was with the judge” Manager

The result was that some practitioners had little or no awareness or understanding of the pilot and the lack of communication and a common sense of purpose left others with a backseat role or some feeling marginalised:

“Well the Judge's role is purely a role of making the appointments before the Court. I think it was limited because they would come in with the CAFCASS Officer, having seen the CAFCASS Officer, and the CAFCASS Officer would give me a decision straight away of whether they could come in to the scheme or not...and that didn't tend to change really..” District Judge

“I thought we were very much marginalised. We sort of just took a back seat really while [clients] went through the process unless the whole thing broke down half way in which case the client would come back to us and say it's not working”. Solicitor

“There were separate discussions going on obviously within Relate and again further discussions going on within DfES and I don't think any of them kind of married up. They were all separate. But at that top level, Relate and DfES were working in cahoots with one another, to the exclusion of CAFCASS”. Family Court Advisor

¹⁶ Two briefing sessions were run in London.

The difficulties in establishing effective multi-agency relationships at local and national level are understandable in many ways. The pilot was set up on a tight timescale, over long distances and with very new relationships between agencies with very different backgrounds and agendas. It must be recognised that given these constraints it was a considerable achievement to get the pilot running and getting referrals through the pilot. That said, the difficulties with inter-agency working and the lack of local leadership probably did have a limiting effect on the referral process and throughput. We will look in turn on the impact of selling the pilot, case management and domestic violence.

Selling the pilot

Judges did not have the power to direct parents to the pilot. Instead the pilot had to be sold to both parents. Both parents then had to give their consent to participate. The hope was that a clear message that the judge would expect parents to take part would be a sufficient selling point. In some cases this did happen:

*“Apparently from my solicitor if I didn’t do the Pilot Project then it would have looked really bad for me in Court. So frankly that’s why I did it if you want the truth”
Non-resident father*

“My Solicitor told me that I’d have to go to this Pilot Project. She said to me it was optional, but if I chose to go that it would look better in the eyes of the Court to know that I’m, erm, complying and also being, what’s the word, cooperative”. Non-resident father

But there were a number of problems with the process of selling the pilot and the hope that judicial expectations would be sufficient.

Responsibility for selling the pilot to parents was shared between a number of different professions. Information about the pilot was sent out by the court service in each area and solicitors were expected to have briefed their clients about the possibility of referral. In Sunderland and Brighton the main responsibility for ‘selling’ the pilot to parents rested with CAFCASS in pre-directions meetings with parents, although solicitors and district judges also played a role. In contrast, referrals at Wells Street were made by the legal advisor¹⁷ (rather than the district judge) and solicitors, although CAFCASS might become involved. The process for ‘selling’ the pilot to parents therefore rested on a number of different professionals, some of whom were more informed and enthusiastic about the pilot than others.

¹⁷ A semi-judicial role with power to make a consent order and to refer to the pilot.

In order for professionals to explain and recruit parents to the pilot, there needed to be a clear understanding of the aims of the pilot, who the programme was aimed at and what the process would involve. There was, however, limited written material about the aims of the pilot or written procedures or guidelines on how to manage the pilot locally:

“It wasn't specific and I don't think, we didn't have anything in writing about what the finished product would be or what the programme would actually prescriptively say. We didn't have that”. Family Court Advisor

The result was that the level of awareness of what the pilot was trying to achieve was very uneven. Solicitors had an important role in terms of briefing their clients and therefore were in a key position to shape their client's response to the pilot. Some solicitors had a very accurate grasp of the focus for the project and actively prepared their clients:

“The way I try to explain it to clients is that, ...the first requirement will be that you attend with other parents in your situation to see this video, which has been made with children explaining their experiences of parental conflict.... and then it forces them to address the fact that they do need to see it from the child's point of view. I think the use of the video is quite useful, because it may be that up until that point they've really only seen it from their own perspective, or they've seen it as a conflict between them and their former partner”. Solicitor

However, roughly equal numbers of solicitors appeared much less clear about what the pilot was trying to achieve and some assumed it was just another form of mediation:

“I presume it is a type of quasi-mediation meeting with this CAFCASS officer trying to discuss issues and trying to get contact going”.

“I did feel that the mediation service is there in any event. It's as if it's a duplication of mediation”.

Some CAFCASS officers also reported that it was difficult to sell a complicated and apparently lengthy procedure without having clear information to present to parents. The CAFCASS officers did not have key information to hand to give to parents such as when the groups would take place or exactly what the groups would involve:

“We had a real problem in terms of trying to persuade parents to participate if you don't know what they are going to be doing...a lot of parents were concerned about role playing, that kind of thing or ... parents had all sorts of concerns about what this might involve. And we couldn't actually sell it you know, because you don't know what you are selling. And we were trying to portray this as a very positive thing to be doing and it was quite difficult when you had no direct role in it”. Family Court Advisor

The result was that a number of parents were unclear about what the pilot would involve. This was a particular issue given that the design of the pilot was complex with multiple processes and multiple agencies. Not surprisingly some parents were unclear about the

details. There were examples of parents attending the groups expecting a 12 week course or attending with small children or with new partners.

The selling of the pilot to parents was probably also affected by the muted enthusiasm or even scepticism of some, though not all, professionals. Some judges and lawyers, in particular, seemed far from convinced that the relationship-based focus of the project was entirely relevant. Instead, they favoured a more traditional approach that simply focused on reaching an agreement rather than coparenting issues:

“If you’re left with the perception that it’s [FRP] not truly relevant, the parties quickly pick up on that... I wonder sometimes whether they think the court is not taking on its responsibility, because the court’s been asked to take this responsibility and suddenly the Judge is saying, I think you should go away and talk to somebody else.... They’re seeking orders. They’re not seeking enlightenment. Enlightenment comes when everything calms down at the end. ... Relate have got a lot of experience [but] some parties may find it a little bit too touchy feely....” District Judge

“I think most [solicitors] talk, no doubt most of them talk about the Resolution Pilot. Most of them, especially the better ones, will set out clearly the ifs and buts. But I’ve never noticed the local Lawyers coming in with a huge amount of enthusiasm for it.... Actually the CAF/CASS Officer said that people didn’t mind [the group work sessions]. But that was a concern on my part. I’m not how sure how appealing the whole thing seemed to me, but apparently the actual parents didn’t mind too much. District Judge

Equally some, but again not all, lawyers felt that the pilot channelled resources to the wrong area and instead thought that investment should go into more CAF/CASS officers to conduct in-court conciliation and produce immediate agreements:

“If you have more CAF/CASS Officers you wouldn’t need one of these schemes. One CAF/CASS Officer can do what you would take a full program to do and then you might not succeed with it. But one good CAF/CASS Officer can knock heads together and they do things that stick” Lawyer

We cannot determine how much, if any, the doubts about the focus on of the pilot had on referral or completions. However, where judges and lawyers were clearly supportive of the pilot there was a perception that this did assist with the recruitment process:

“Once you had a case go through and they had seen an agreement then they would be willing to try it again. So if you had solicitors who were positive about it you were more likely, I feel, to get service users who would give it a go because a solicitor would be selling it to them and actually by the end solicitors would often have explained it to service users before they got to court so it was a lot better.” Family Court Advisor

It seemed, however, that the pilot failed to become the default or standard operating procedure in each court for cases fitting the criteria. Rather than cases being assumed to

be pilot cases and having to opt out it seemed that the pilot had to be actively sold and parents to opt in. This contrasts with the way in which court-based dispute resolution schemes operate. These schemes operate on the basis of custom and practice where family justice professionals behave as if the processes were in fact compulsory and thus virtually all cases are handled in that fashion.

The failure of the pilot to become the default procedure was particularly evident in Brighton. Sunderland and Inner London had not had a particularly well-developed dispute resolution scheme prior to the introduction of the pilot. In Brighton, in contrast, there was an existing in-court conciliation scheme where all parents were asked to meet with a CAFCASS officer 30 minutes prior to their scheduled appointment to try to reach an agreement. This system remained in place as the default procedure throughout the pilot. It meant, however, that only a narrow band of cases were available for referral, that is those parents who had not agreed in conciliation but where a welfare report was not required. The established conciliation scheme in Brighton did have a clear knock on effect on the number of referrals with 41% of non-referrals in that court due to parents having already reached an agreement, compared to 17.5% overall. We consider this issue further in Chapter 12.

Case management

We noted earlier that only half of referrals completed the process and a third dropped out before starting. There were a number of reasons why cases did not complete. For some it may have been the length of the process or the lack of clarity about what was involved. In some cases we suspect that tighter case management might have helped get cases started and keep cases moving through the process.

One of the difficulties of the pilot was that different agencies and different individuals were responsible for different processes but there was no overall case manager with oversight of the process from referral to completion. There were some cases where the initial referral got lost with different professionals assuming that someone else had informed the Relate administrator about the referral:

“It went round and round in circles for about a month.... Well we thought, because on the day there was someone from CAFCASS at Court and we thought that she’d made the referral, but then we found out that she hadn’t, then we thought it was the Court’s job, but the Court said it wasn’t their job, so there was a lot of confusion”. Solicitor

There were also difficulties at the other end of the process. The liaison between the Relate administrator and group workers appeared to work smoothly but the information flow

between the Relate administrator and the three local CAFCASS teams was less certain. There were examples of cases that drifted or got lost in transit having not adhered to the original parent planning timetable. Without an overall case manager neither the Relate administrator nor CAFCASS picked up on the problem until late on.

Domestic violence

The third area where management and inter-agency issues proved difficult was in relation to the identification and assessment of domestic violence. Cases involving domestic violence were explicitly excluded from the pilot. But precisely how risk would be assessed, and by whom, proved a major challenge, particularly for the Inner London court. The majority of London cases included some allegation of harm at some point in the relationship. However the family justice system professionals and Relate had very different approaches to assessing risk. The courts adopted what to Relate appeared to be a very restrictive definition based on a (narrow) perception of current risk, whilst Relate adopted what appeared to the courts to be a 'purist' view of violence where all allegations were taken at face value:

"I think we got into quite a legal framework about definitions of domestic violence....so, so that would be a certain legal structure, um, measure, and that wouldn't be our context, our context would be if someone is telling us that they are afraid for their safety then that's domestic abuse, and immediately our focus would be about their safety" Relate Consultant

The differences in interpretation did prove to be a source of tension throughout the pilot. There was also some impact on throughput in London. At the beginning of the pilot the London referrals were done the basis of a paper sift of applications by the court. A number of unsuitable cases were subsequently referred leading to a switch to adopt a standard first directions appointment as in the other two courts.

Summary

"It's quite a difficult thing to sell to people unless you've got absolute confidence in it." Family Court Advisor

There were a number of reasons why the pattern of referrals and completions appeared relatively modest. The selection of the three areas and the inclusion/exclusion criteria always meant that the turnover would be fairly low. A key lesson from the evaluation, however, is that multi-agency and multi-site projects of this nature require considerable input in the early stages in building up local champions and developing the effective local

management that will carry the project forward. Not enough attention was given to this aspect of the pilot and this probably did have a negative impact on the efforts to generate and sustain referrals.

PART III THE OUTCOMES OF THE PILOT

Chapter 7 The referred cases

Introduction

We now turn to look at the impact the programme had on referred cases. We start this section of the report by presenting a brief description of the type of cases that were referred to the pilot. The chapter begins by describing the family circumstances of the parents, their litigation history and contact patterns, contact problems and co-parenting in the run-up to the court application. Where appropriate we draw comparisons between the characteristics of the Family Resolutions Pilot Project (FRPP) sample and the in-court conciliation (ICC) sample. We should point out, however, that the data in this chapter is based on a very small sample of 22 parents¹⁸ and therefore the results should be treated with some caution.

Demographics and socio-economic circumstances

The sample consisted of 11 resident mothers and 11 non-resident fathers. Three-quarters described themselves as white.

Adults who were referred to FRP were typically in their early-thirties, with an overall sample median age of 31 years. Family sizes were small overall, with only one child named on the application on average. The children were fairly young, with a median age of four years for both the oldest and youngest child of the family. Both the adults and children in the family resolutions pilot were significantly younger than the conciliation parents and children ($p = .001$ and $.002$ respectively). Just under half of the sample (45%) had been married to their former partner and had been separated for three years on average.

The sample overall was skewed towards the lower income range with 67% eligible for legal aid and only 57% in paid employment. Resident parents were significantly more likely to be eligible for legal aid than non-resident parents ($p = .031$) and under half were in

¹⁸ The pre-court questionnaire (PQ1) was sent to parents to complete and returned to the first group work session. The sample of 22 represents a 55% response rate. PQ1 was withdrawn part way through the evaluation as we were concerned that there were too many data collection points and we decided to prioritise outcome data.

paid employment. The economic profile of the family resolutions sample was similar to the conciliation sample.

Litigation history

Only three of the 22 parents (14%) had been involved in previous applications to court concerning the children. All three reported that a contact order had been made. The extent of prior court involvement is marginally less than for the conciliation study where a third of parents had been to court before ($p = .059$).

Contact and coparenting pre-court

Contact arrangements

At the time of the application, just under half (45%) of the FRP sample reported that contact was taking place, with most reporting that contact occurred weekly. Just under a third of parents (30%) reported that staying contact had been taking place. In contrast nearly 60% of conciliation parents had reported that contact had been occurring and more than half reported staying contact.

Satisfaction with arrangements pre-court

The level of satisfaction with arrangements for the children was highly gender specific. Nearly all resident parents were satisfied with residence arrangements and about half were satisfied with the quantity of contact (Table 7.1). In contrast, only just over a third of non-resident parents were satisfied with residence and a fifth were satisfied with the quality of contact ($p = .027$) and less than 10% with the quantity of contact ($p = .038$) or thought that the amount of contact was about right or too much ($p = .069$).

Table 7.1: Satisfaction with pre-court contact arrangements, by resident or non-resident parent (percentages)

	Overall	Resident	Non-resident	p^*
Residence (satisfied) (n = 11/11)	63.6	90.9	36.4	.027
Quality of contact (satisfied) (n = 10/10)	30.0	40.0	20.0	.626
Quantity of contact (satisfied) (n = 10/11)	28.6	50.0	9.1	.038
Quantity of contact (about right or too much) (n = 9/11)	25.0	44.4	9.1	.069

*p value assuming all individuals independent (chi squared test).

There were no differences between the conciliation and family resolutions samples on these issues.

Contact problems

We presented both resident and non-resident parents with a comprehensive checklist of possible contact problems, adapted from Wolchik et al (1996). The responses clearly indicate that parents were facing a wide range of difficulties relating to contact, ranging from lack of reliability to conflicts over money (Table 7.2).

Table 7.2: Contact problems ever occurring in the three months prior to the court application, by resident or non-resident parent (percentages)				
	Overall	Resident	Non-resident	<i>p</i> *
Ex not sticking to arrangements [†]	94.4	87.5	100	.250
Ex not committed enough to contact [†]	83.3	62.5	100	.034
Threat to stop (having) contact by ex [†]	66.7	37.5	90.0	.019
Children upset, unsettled or difficult when coming or going ^{††}	46.7	37.5	57.1	.447
Children not wanting to go for contact or return home [†]	43.8	37.5	50.0	.614
Ex not enough attention, supervision or discipline ^{†††}	63.2	77.8	50.0	.210
Ex too harsh in discipline or might physically harm children	31.6	33.3	30.0	.876
Ex tries to control your activities/what you do with children [†]	83.3	75.0	90.0	.396
Fear of violence makes it more difficult to sort out problems with ex ^{†††}	47.4	55.6	40.0	.798
Children see people you don't want them to see ^{†††}	42.1	55.6	30.0	.260
Conflicts over money make contact more difficult ^{†††}	36.8	22.2	50.0	.210

[†] n = 18 (8 resident, 10 non-resident)

^{††} n = 15 (8 resident, 7 non-resident)

^{†††} n = 19 (9 resident, 10 non-resident)

*p value assuming all individuals independent (chi squared test)

As might be expected, a significantly higher proportion of non-resident parents reported that their ex partner was unreliable and blocking or not committed to contact. However, it

is important to recognise that a large number of resident parents were also concerned about the non-resident parent's reliability and commitment to contact (Table 7.2).

There were widespread concerns also about issues that might affect children's wellbeing. About half of mothers and fathers reported that children found transitions difficult. A large proportion of parents also had concerns about their ex partner's parenting, with more than half reporting lax or inattentive parenting and a third with concerns about harsh or physically abusive parenting. Resident mothers and non-resident fathers were equally likely to report concerns.

Problems relating to parental conflict were also common. More than three quarters of parents reported that their ex-partner attempted to control or interfere with their relationship with the children. Just under a half of parents reported a fear of violence¹⁹ and more than a third reported interference by a third party and just over a third felt that money conflicts were having a detrimental impact on contact. Again both resident mothers and non-resident fathers were equally likely to report problems in these areas.

The extent and nature of the contact problems reported by the pilot sample were very similar to the conciliation sample.

Co-parenting, shared decision making and support

As might be anticipated from the extent of reported contact problems, the great majority of parents in the sample had experienced difficulties in establishing a positive or effective co-parental relationship with their former partner.

Few parents in the sample described the relationship with the other parent in positive terms. Just 14% of parents considered that the parental relationship was 'fair' or 'quite good' (Table 7.3), with more than three quarters rating the relationship as poor or non-existent. The level of shared decision-making, encompassing major decisions and children's problems, was also very low. Only about a fifth of parents reported *ever* sharing major decisions regarding their children with 29% reporting that they had ever discussed their children's problems. Both resident and non-resident parents were equally likely to describe the relationship negatively.

¹⁹ Three parents reported that an injunction had been in place at some stage.

Table 7.3: Quality of parental relationship and shared decision-making, by resident or non-resident parent (percentages)				
	Overall (n = 21)	Resident (n = 10)	Non-resident (n = 11)	p*
Parental relationship quality (fair or quite good)	13.6	18.2	9.1	.534
Major decisions shared (ever)	19.0	10.0	27.3	.652
Discuss children's problems (ever)	28.6	20.0	36.4	.730
Ex partner helped build your relationship with the children (ever)	33.3	20.0	45.5	.440
Ex partner was flexible (ever)	38.1	40.0	36.4	.864

*p value assuming all individuals independent (chi squared test).

We also explored two other dimensions of co-parenting – support of each other as parents and flexibility. Only a third of parents reported that the other parent had ever helped them build their relationship with the children (Table 7.3). There were no differences between the resident or non-resident parent samples ($p = .440$). A similar pattern emerged in relation to flexibility over contact schedules. Just over a third of parents reported that their ex partner had been flexible.

As with contact problems, there were no differences between the family resolutions and conciliation samples in all the indicators of coparenting.

Summary

The parents referred to FRP reported a wide range of contact problems and low levels of coparenting in the run up to the court application. Non-resident fathers reported significantly lower levels of satisfaction with arrangements than resident mothers and higher levels of concern about reliability and commitment to contact than resident mothers. With those exceptions otherwise resident and non-resident parents were remarkably similar in their perceptions and concerns.

The analysis has also highlighted very few differences between the family resolutions and the conciliation sample. The pilot parents and their children were significantly younger than the conciliation adults and children, but otherwise the two samples had similar socio-economic profiles and similar experiences of contact problems and coparenting. It is

legitimate therefore to make some comparison of the relative effectiveness of the two interventions.

Chapter 8 The group work stage

Introduction

In this chapter we explore parent and professional perceptions and experiences of the two group work sessions. The data comes from exit questionnaires completed by parents at the end of the second group session²⁰, the trainer report forms completed by the group facilitators at the end of each session and qualitative interviews with parents and group workers.

The format of the groups

Following referral parents were invited to attend a series of two group work sessions conducted jointly by facilitators from Relate and the Parenting Education Forum. The groups were designed to be mixed gender, but with each half of the former couple attending different groups from each other.

The broad aim of the group work stage of the pilot was to help parents to work together following separation in the best interests of their children. The focus of the first session was on raising parent's awareness of the needs of children. In this session parents watched and then discussed a video featuring children talking about their experiences of parental separation and the impact of parental conflict. In the second session the focus switched to helping parents to manage conflict and improve communication and collaboration.

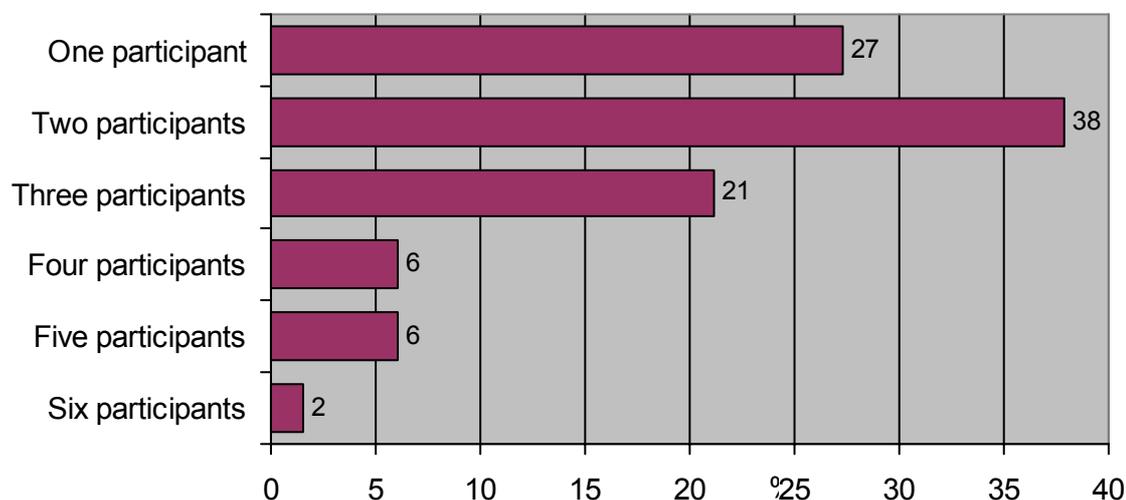
Initially the plan was that each group would have between eight and twelve participants. In practice, the modest number of referrals meant that the average group size was considerably smaller than had been planned. Of the 66 groups which ran across the three pilot areas²¹, there was an average of 2.4 parents attending the first group and 2.2 parents attending the second group. The number of parents attending the group sessions ranged

²⁰ These PQ2s were completed by 36 out of 43 parents attending group session two during the evaluation period. This is a small sample but a highly representative one with a 83.7% response rate.

²¹ London ran the most group sessions (29), followed by 24 sessions in Brighton and 13 sessions in Sunderland. Altogether 73 group sessions were planned and 66 (90.4%) of these actually ran.

from one to six. However over a quarter of 'groups' ran with just a single participant whilst over a third of groups had just two participants (Figure 8.1).

Figure 8.1 Percentage of groups by number of participants, n = 66 groups



Overall response to the groups

Parent perspectives

The great majority of parents were very positive about the groups, even though the groups were small. All parents completing the exit questionnaire at the end of session two agreed that there had been a good atmosphere in the group (Table 8.1). Almost all parents reported that they would recommend the course to others, that they had learnt more about the impact of separation on children and that the course would benefit their family.

Table 8.1 Parent feedback on group work sessions, percentages				
% agreeing/strongly agreeing with the statement**	All (n =36)	Resident mothers (n =17)	Non-resident fathers (n =19)	p*
There was a good atmosphere in the group	100	100	100	-
I would recommend this course to others	91.7	88.2	94.7	.920
I know more about how children are affected by a break up	91.7	88.2	94.7	.920
The course will help me and my children	91.4	88.2	94.4	.959
Sessions have made me look at my situation differently	86.1	88.2	84.2	1.000
I learnt something new (reverse coded)	80.6	82.4	78.9	1.000
Sessions will have a positive impact on the	77.1	70.6	83.3	.621

other adult				
I will be able to communicate better with the other adult	69.4	64.7	73.7	.825
Content was relevant to my situation (reverse coded)	63.9	52.9	73.7	.344

* p value assuming all individuals independent (chi squared test)

**Categories of 'Strongly Agree' and 'Agree' combined due to low numbers.

Although the overall experience was rated as very positive the responses do also indicate that slightly fewer parents were expecting significant changes in their personal situation. Whilst the majority of parents reported that the course had had an impact on their own thinking about the situation and that they had learnt something new, there was less conviction that this might translate into changed patterns of communication with the other parent. About a third of parents reported that the course material was not really relevant to their situation. Even so, the majority of parents responded positively to each of the impact statements. It is worth noting, however, that a very small minority of parents were entirely dissatisfied with the programme and provided negative responses to each statement.

Nonetheless, given the overall level of conflict identified in Chapter 7, the results do provide some evidence for the majority of a rethinking of attitudes, if not necessarily in behaviour. It is striking also that the groups were equally well received by both resident mothers and non-resident fathers, with no significant differences on any of the impact statements (Table 8.1).

Facilitator perspectives

The group work facilitators were also asked to comment on the quality of the groups in relation to levels of engagement, tension and difficulty of the group sessions (Table 8.2).

The facilitators were also very positive about the groups, identifying fairly high levels of engagement, moderate levels of tension and fairly low levels of difficulty (Table 8.2).

Table 8.2 Facilitators feedback on group sessions, mean, median, SD				
		Overall (n =70)	Group 1 (n =37)	Group 2 (n =33)
How engaged was the group compared to other FRPP groups*	Mean	4.17	4.22	4.12
	Median	4.00	4.00	4.00
	SD	.742	.672	.820
Levels of tension and emotional intensity in the group**	Mean	2.89	2.95	2.82
	Median	3.00	3.00	3.00
	SD	1.136	1.079	1.211

Difficulty level of the group***	Mean	2.51	2.59	2.42
	Median	2.00	2.00	2.00
	SD	1.236	1.235	1.251

*Rating on a 1-5 scale of 1 = not at all engaged to 5 = very engaged

** Rating on a 1-5 scale of 1 = low to 5 = high

*** Rating on a 1-5 scale of 1 = not difficult to 5 = very difficult

Ratings of individual exercises

Both parents and group facilitators were asked to rate the usefulness of each group work exercise on a scale of 1 – 5 (where 1 = not at all useful to 5 very useful).

Consistent with the overall positive response to the programme, the individual exercises were rated highly by both parents and group work facilitators, with each exercise scoring at least a 3.6 average (Table 8.3). Again, resident and non-resident parents were equally positive about the individual exercises²². Similarly there was very little difference in the perceptions of parents and facilitators.

Table 8.3 Parent and facilitator ratings of the usefulness of individual group exercises, mean, median, SD			
Exercise		Parents N = 36	Facilitators N = 33
Information telephone calls exercise	Mean	4.00	4.24
	Median	4.50	4.00
	SD	1.255	.708
Listening skills exercise	Mean	3.97	3.67
	Median	4.00	4.00
	SD	1.062	.862
Empathy exercise	Mean	3.85	4.06
	Median	4.00	4.00
	SD	1.077	.788
Skills for being a co-parent	Mean	3.82	3.81
	Median	4.00	4.00
	SD	1.086	.821
Video/discussion	Mean	3.77	3.69
	Median	4.00	4.00
	SD	1.309	1.238
Children's reaction to divorce	Mean	3.61	3.63
	Median	4.00	4.00
	SD	1.256	.913

* Rating on a 1-5 scale of 1 = not at all useful to 5 = very useful

²² P ranged between .246 and .798 (Mann Whitney U test)

Specific impacts

Analysis of the qualitative responses²³ from parents gave additional insight into what parents may or may not have gained from the groups. We look in turn at the support function of the group, impact on attitudes and behaviour and acquisition of new skills or techniques.

Support function

Although it had not been identified as one of the aims of the group stage, many resident and non-resident parents found the groups a valuable source of support. Parents involved in contested contact proceedings typically report high levels of stress (Trinder et al, 2006). The chance to meet other parents in similar circumstances did seem to provide a much needed source of support for many parents. For some the understanding that 'you are not alone in this situation' was helpful in itself:

"It was nice in a way to know that I wasn't alone and that this isn't an unusual case. I mean I've got a lot of friends that go through it, but the video did point out that, you know, that's kind of what's happening. So it did make me feel a little less of a club of one." Non-resident father

"I just think the fact that you could sit and talk to people in the same situation. If we'd had more time to be able to do that it would have been I think more helpful, and maybe, you know, because it ended up only two of us, maybe a slightly bigger group". Resident mother

Only one parent, a resident mother, felt that the sessions were intrusive rather than supportive and had felt uncomfortable talking about her personal situation:

"I don't like discussing me private life in front of people, because I mean they're strangers to me...I would have preferred it just me and the person who does the groups, rather than just sitting sort of discussing it in front of people..."

In general though, it was far more common for parents to have wanted more time to talk about their personal circumstances. It should be recognised, however, that not all parents will find this comfortable or supportive, particularly if groups are bigger than in the pilot.

Changing attitudes and behaviour

The primary aim of the groups was to address parental attitudes and behaviour, including helping parents to focus on children's needs and to enhance parental collaboration.

²³ Derived from the open questions from the exit questionnaire and from the post-pilot parent interviews.

There was evidence that at least some parents started to think differently about their children's needs. The video material and discussion appeared to prompt parents to think again about how the conflict might be experienced by their children. The responses to the open questions on the exit questionnaire contained frequent references to seeing the situation from the child's perspective:

Video and discussion

- "Helped put children's perspective across" Resident mother
- "Very emotional to see the damage done to kids through the parents arguing. Very touching. Sad" Non-resident father
- "It made me think about my child's feelings" Non-resident father
- "Things we know and have talked about but the emotion got in the way of implementing it" Resident mother

Children's reaction to divorce exercise

- "Gives you an insight to how the kids are torn between the parents" Non-resident father
- "Makes me look at things in a new light what things could be affecting my child" Resident mother
- "I like it that it brought the children back into focus" Non-resident father
- "To do better than what I am doing now, so that my child could grow up loving me and dad" Resident mother

Most important thing parents got from the group sessions

- "On how to understand what my son is going through and how to understand about my ex-partner and his involvement with his son" Resident mother
- "Important thing is to see how a child sees/reacts to their parents arguments, when I get angry all I see is my own emotions and feelings, now see how my son must see and hear my arguments with his dad, I feel the sessions have made me aware of his feelings" Resident mother
- "It has helped me to know how to talk to my children" Resident mother
- "I have a better understanding of how children involved in break-ups feel" Non-resident father
- "Knowledge and a better understanding of what the ex partner would be feeling and reacting and how the children would feel and cope with the situation" Non-

Increasing awareness of children's needs is vital. It is less clear how many parents were able to change behaviour, where necessary. We were not able to measure actual changes in behaviour and had to rely on parental reports which may under or over-estimate actual change. One resident mother who was extremely positive about the groups did describe interacting differently with her ex-partner in order to shield her daughter from conflict:

"There's been a lot of shouting, you know, in the past and it was after, after the sessions when he'd landed on my doorstep threatening again. And I made sure I got her out of the way so she couldn't hear things. Where in the past she's been there, you know what I mean... I'm not saying daft little things like that, but things that you would never have thought of before, you know what I mean" Resident mother

Not all parents thought that they had learnt anything new about children's needs. Only one parent had, reportedly, felt criticised or undermined as a parent, despite the implicit assumption in the material that parents involved in contested proceedings might need to raise their awareness of children's needs and perspectives. More commonly, parents who did not report learning anything new thought that the material was not relevant to their situation or that the material was too basic:

"It was nothing what I didn't know anyway. It was all about what effect it had on children and that, with the parents arguing, dropping off and situations that they get in to and that. But it wasn't what I needed. Everybody knows that anyway don't they?" Non-resident father

"The first session I didn't find very helpful, because it was very much about when you argue in front of children how that affects the children and it was a lot of things that we didn't do anyway". Resident mother

The sessions also aimed to help parents understand the other parent's perspective and concerns as a means to reduce conflict and enhance collaboration. Again, there was evidence that the groups did increase some people's awareness of their ex-partner's point of view, even if they did not necessarily agree with it.

A number of parents indicated that it was the mix of men and women, or resident and non-resident parents in the group, that was particularly helpful to thinking about their ex-partner's perspective:

"It was male and female, which was good because you could hear the male perspective of it, not necessarily in exactly the same situation as you, because we were all a very mixed group, but I could hear how he might feel from, from someone else sitting beside me, and I listened to their kind of emotional side of it, which I hadn't ever really taken in to account. I had to be very protective and build a big bubble around me, you know. I've got to look after myself, I've got to look

after the kids, don't care what he does, don't care about how he feels. And that's how I kind of felt. And then I started to see it, although I didn't agree with it necessarily, but I started to see how he could be hurting. And I think he, you know, may have seen women in his group who had been left holding the babies and felt very protective and feisty. So he saw how I was feeling". Resident mother

"I found it quite informative. There was other dads there who were in a similar position to me. There was also like mothers there so, it was like, it was quite informative. I found it quite a bit of a learning curve for me, because I was listening to some of the points of views that are female, that mothers were making..." Non-resident father

There was considerably variation, however, in the extent to which parents did acknowledge their ex partner's perspective or concerns:

"The second session, I think the title of it was something like 'Discussing things with your partner without conflict' or something, is that it? And I didn't really think it was necessary for me. I was quite pleased in a way that knowing the ex-partner was going on it". Non-resident father

Tips and techniques

A number of parents also reported learning about and being able to implement a number of practical techniques to reduce or avoid conflict with their former partner. The 'information telephone call', a technique to restrict conversation specifically to the exchange of information was mentioned quite often as a practical tool that was used by parents. The use of specific techniques is not a solution to conflict but it did seem to help some parents feel more in control:

"The only thing I learned was the phone conversations, giving the father time to speak and don't say nothing until he's actually finished his conversation. And then I continue what I have to say. And, you know, there's things like exercises, breathing, breathing exercises where, you know, when you feel like you're getting kind of stressed on the phone while you're talking to the ex-partner to just count to ten, or different techniques to use while you're talking to your ex-partner to try and come to an agreement". Resident mother

Possible changes to the format

We identified above that the great majority of parents were positive about the groups, and that at least some gained tangible benefits in terms of support, greater awareness into the child's and ex partner's perspectives and possibly some practical techniques. We also asked parents on the exit questionnaire how they would like to change the groups. The two possible changes commanding most support were essentially to have more of the same, although more tailored to individual circumstances. Four fifths of parents would

have liked to have had more time for the sessions and to have had more individual advice (Table 8.4). Otherwise the great majority of parents endorsed the mixed gender format for the groups though opinion was more divided as to whether it would be helpful or not to attend with the former partner.

The responses also highlight some of the practical problems with running the groups. In some areas finding an accessible and user-friendly venue proved very difficult. Some venues were unsuitable. The timing of the sessions was even more problematic. All the groups ran on weekday evenings from 7.00 to 9.00. A third of non-resident parents and nearly three-quarters of resident parents found this difficult to manage. It was only on this issue that there was a divergence in the opinions of the groups. Otherwise resident and non-resident parents were consistent in the types of changes sought.

Table 8.4 What changes to the programme would help, percentages				
% stating change would help or really help	Overall (n =36)	Resident (n =17)	Non-resident (n =19)	p-value *
More individual advice	82.4	81.3	83.3	1.000
More time	79.4	87.5	72.2	.500
Sessions at a different time	51.4	70.6	33.3	.062
Attending with the other adult	37.1	29.4	44.4	.569
Different venue	33.3	41.2	26.3	.555
Single sex groups	20.0	18.8	21.1	1.000
Different facilitators	13.9	17.6	10.5	.893

** p value assuming all individuals independent (chi squared test)

Summary

The group work stage of the Family Resolutions pilot was innovative in providing an educational intervention as part of a dispute resolution scheme. On the whole the response of both resident and non-resident parents was remarkably positive. The groups were generally viewed as supportive, useful and informative and most parents wanted more of them. Only a very small number of parents were wholly negative about the groups. There was some evidence too that the groups could lead to changes in attitudes and awareness for some parents, although clearly not all. We explore the impact of the groups in greater detail in the following three chapters.

Chapter 9 The parent planning stage

Introduction

Overall, half of all referred cases reached the CAFCASS stage of the pilot. In this chapter we explore parent and professional perceptions and experiences of the parent planning sessions. Our data in this section comes firstly from parent planning exit questionnaires completed by 21 out of 37 parents attending parent planning sessions²⁴. We also draw on 21 parent planning forms completed by CAFCASS after the end of the final session by family court advisors²⁵. In addition we draw on qualitative interviews with parents and CAFCASS officers. We should caution that the sample size for the quantitative data is small and on most questions we have no data on parent planning in Brighton.

The format of parent planning meetings

Following attendance at the group work stage, the next step in the process was for parents to meet jointly with CAFCASS officers to try to negotiate an agreement. The parent planning meetings were designed as a more in-depth form of dispute resolution than is typically offered as part of court-based conciliation schemes. Conciliation meetings are usually one-off sessions, held on court premises on court days with restricted time and limited risk assessment (Table 9.1). In contrast, the expectation was that parent planning would take place in a more informal non-court environment, with more time available and led by a male-female CAFCASS pairing. The greater time available also facilitated a more thorough risk assessment and the possibility of involving children in the process. The expectation was also that parents would be able to work through the DFES parent planning booklet, addressing a range of coparenting issues beyond the timetable for contact.

Table 9.1 The Format of Parent Planning and Conciliation Compared

	Parent Planning meetings	In-Court Conciliation
Venue for meetings	Away from court, usually at	At court

²⁴ This gives an overall response rate of 57%. However the parent feedback is almost entirely from London with 19 questionnaires, with only two returned from Sunderland and none from Brighton.

²⁵ This is a response rate of 76.1% during the evaluation period. No forms were returned from Brighton.

	CAFCASS offices	
Timing of meetings	On a different day from first directions	At first directions hearing
Number of sessions	2 or 3 sessions	Usually 1 session
Length of session/s	1-2 hours per session	Up to 1 hour
Risk assessment	Individual meetings held with parents prior to parent planning meeting	Brief opportunity for parents to opt out of joint meeting
Number of family court advisors	Two FCAs – 1 male/1 female	One FCA
Parent planning booklets	Key focus for session	Not used
Child involvement	At second session, where appropriate	Not usually involved. Required to attend court in some areas

Number and length of parent planning sessions

Nearly all the parent planning sessions do appear to have been conducted jointly by two officers. But, according to the data submitted by CAFCASS officers on 20 cases, only 11 cases (55%) did in fact have more than one parent planning session. Multiple meetings seemed to be more common in Sunderland. However, overall the amount of parent planning time was higher than found in the in-court conciliation study. The average amount of parent planning time was 148 minutes, with a range from 75 to 240 minutes. In contrast the average amount of conciliation time was 47 minutes.

Despite the greater time available, there was limited use of parenting plans. The plans were reported to have been used in only six of the 20 cases overall, though they were used in all cases in Sunderland. Only one plan was reported to have been fully completed and three more were partially completed. The CAFCASS officers were asked to rate how helpful the plan had been for the work with the family. The overall rating was very low, although Sunderland officers were more positive about the plans²⁶. We discuss the (lack) of use of the parenting plans in greater detail in Chapter 11 below.

Very few children were involved in the parent planning process. Only three of all the 31 cases reaching the parent planning stage involved children, two of these were in London and one in Brighton. The children seen ranged from seven to twelve years. The low level of child involvement may be due in part to the high numbers of very young children amongst the referred sample, with an average age of 5.4 years. Even so, there were

²⁶ Only 11 officers completed this question. The mean score was 2.09, where 1 = not at all helpful to 5 = very helpful.

another six or seven cases with older children who were not involved in the process who might have been.

Experience of parent planning sessions

Parent perspectives

We have a small sample of parent evaluations of the parent planning process derived from the parent exit questionnaire (PQ3). The overall level of approval was lower than for the group work stage although this is to be expected given that parents were meeting face to face and negotiating. Around two-thirds of parents were positive about the content of the meeting, reporting that the meeting had focused on relevant issues and on the children's needs (Table 9.2). Almost all parents had felt that there had been enough time. The majority of parents also considered that the process was broadly a fair one, reporting that the CAFCASS officers were impartial, that they had felt heard and that they had not felt under pressure to reach an agreement.

On the negative side, under half of parents had felt comfortable or relaxed in the meeting and only a third reported that the meeting had helped them understand their ex-partner's point of view.

Table 9.2 Parent feedback on parent planning sessions, percentages				
% agreeing with the statement	All (n = 21)	Resident (n = 11)	Non-resident (n = 10)	p-value *
Content was relevant to sorting out the problem	76.2	72.7	80.0	1.000
It focused on the children's needs and welfare	66.7	63.6	70.0	1.000
The CAFCASS officer(s) was impartial/didn't take sides	66.7	63.6	70.0	1.000
I felt my concerns were clearly heard and respected	61.9	63.6	60.0	1.000
I felt fairly comfortable and relaxed	42.9	36.4	50.0	.850
It helped me understand my ex-partner's point of view	33.3	18.2	50.0	.280
I felt under pressure to reach an agreement	28.6	27.3	30.0	1.000
It was rushed, it should have taken more time	9.5	0	20.0	.415

* p value assuming all individuals independent (chi squared test)

Interestingly, both resident and non-resident parents seemed to have had a very similar experience of the parent planning meetings. A majority of both groups were broadly positive, with a small minority of each fairly negative about the process. The qualitative data gives some indication, however, of the range of responses to the meeting, with some parents feeling that the CAFCASS officers helped them to have their say whilst others felt that the officers were clearly biased, sometimes for them and sometimes against them:

“He [ex partner] basically kept on talking over the top of me and not allowing me to speak, so so they [CAFCASS] kind of kept on taking me aside and saying, you know, ‘what do you actually want to say?’ But they were also allowing him to say what he wanted to without contradicting him or saying, you know, that’s wrong”.
Resident mother

“It was two women and both women were very female. Biased, lets put it that way, ... they’d already seemed to have formulated an opinion and they just left me in a defensive position from the moment I sat down” Non-resident father

We are also able to make some comparison with the perceptions of parents who have been involved in the conciliation process. We undertook a series of logistic regressions comparing the evaluations of resident and non-resident parents from both conciliation and pilot samples to the elements of the process discussed above (Appx 9.1-9.8). With one exception, the responses of parents in the two studies were remarkably similar, with pilot parents feeling no more or less heard, comfortable, pressured, treated fairly etc than the conciliation parents, despite the greater time available. Given the small size of the pilot sample, we cannot place much weight on these findings. However, the general message is that parents had a broadly similar experience of both conciliation or parent planning. The sole difference, interestingly, is that pilot parents were significantly more likely than conciliation parents to report having understood their ex-partner’s perspective ($p = .021$).

Facilitator perspectives

We have very little quantitative information from family court advisors, none at all from the Brighton arm of the pilot. Only 13 cases were given ratings by FCAs in relation to perceived levels of productiveness, tension and difficulty and impact of the group work stage²⁷. About half of the sessions were reported to be productive. The London cases were reported as fairly low in emotional intensity and case difficulty and the impact of the group work sessions was seen as limited. The Sunderland officers rated the cases as more challenging and were also very much more positive about the impact of the group work sessions:

²⁷ Via the Parent Planning Record completed at the end of the parent planning process.

“It did have an affect on them so that by the time they got to the parenting planning session I felt that they were ready to see things differently. And I had a couple, the last one we did, where they didn’t go to the [Relate] groups because of child care, etc, and there wasn’t that change made, because there was just no shift at all in understanding of each other.” Family Court Advisor

Child involvement

We saw above that very few children were involved in the pilot despite the original expectations. There were very mixed views and opinions amongst parents about whether or not children should be involved in the process. On the one hand parents felt that they ought to have a voice and it might be useful to have someone independently assess what the child/ren want, but on the other hand there was a strong feeling that children should be protected from the court process and environment, and uncertainty over how old children should be before they were deemed old enough to cope with the process:

“I think it might have been quite interesting to see what she actually said to someone independently of her parents. Erm, because naturally I find, you know, she will tell her dad what he wants to hear and she’ll tell me what I want to hear. But it’s tricky because she was eight when all this was going on, and I think it’s too much to put on a child of that age.” Resident mother

Summary

The small numbers of parents attending parent planning and patchy data mean that we know less about the parent planning process than the group work stage. Parents were broadly positive about the parent planning process, generally portraying it as fair and focused on the children. A minority were negative, feeling pressured, unheard and unfairly treated. Some officers noted that the parenting groups had a positive impact on parental communication. In other respects the parent planning process seemed little different from conciliation, a point we return to in Chapter 11. Despite initial expectations, few children were involved in parent planning and there appeared to be a lack of clarity amongst practitioners, shared by parents, about the appropriate involvement of children within the process.

Chapter 10 Overall Outcomes

Introduction

We turn now to look at the overall outcomes of the group work and parent planning stages. In this chapter we examine:

- agreement rates and methods of reaching agreements or outcomes,
- the durability of agreements,
- case completion,
- parental satisfaction with agreements/outcomes,
- impact on contact and the coparental relationship and
- overall reactions to the pilot

Where appropriate we compare outcomes as reported by resident and non-resident parents, as well as between parents who did and did not complete the programme or who did or did not reach agreement in parent planning. Where possible we also draw comparisons between the outcomes of the family resolutions pilot and our earlier study of parents who had attended in-court conciliation (Trinder et al, 2006).

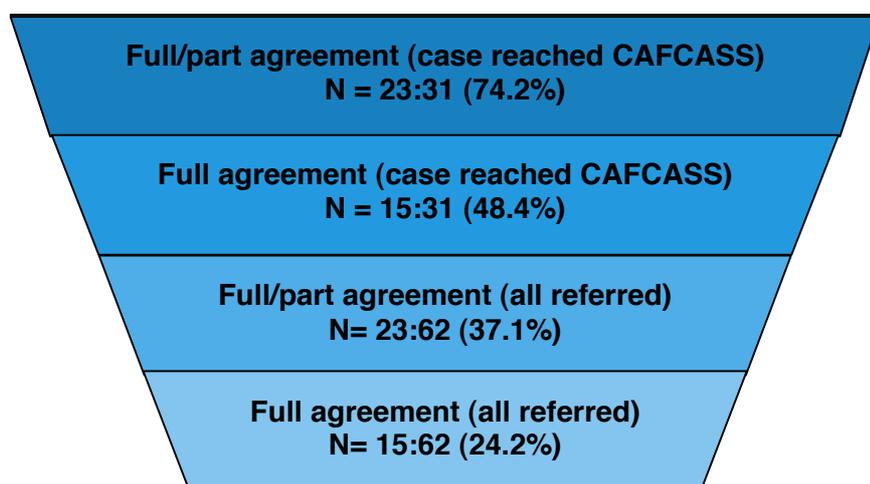
Agreement rate

One of the key objectives of the Pilot was to help parents to reach an agreement and avoid the need for a contested hearing. Over the course of the pilot 23 of the 62 referred cases reached some form of agreement in parent planning, including 15 full agreements (a final agreement covering all issues) and eight partial agreements (an interim agreement or an agreement addressing some but not all issues). In other words only a quarter of referred cases were able to reach a full agreement in parent planning, although more than a third managed to reach some form of agreement.

The raw agreement rate tells only part of the story, however. As we saw in Chapter 5 nearly a third of the 62 referrals did not even start the programme, let alone reach the parent planning stage. If we just include the thirty one cases that started the parent planning process the agreement rate rises to three-quarters of cases reaching some form

of agreement (Figure 10.1). This latter figure is comparable to the full/partial agreement rate achieved in in-court conciliation²⁸.

Figure 10.1 Full and full/part agreement rates for all referred cases and cases reaching the parent planning stage (numbers and percentages)



There was some variation in the extent and nature of the agreements achieved in each area. Sunderland produced eight full and one partial agreement out of eleven cases reaching parent planning. Brighton reached three full and one partial agreement from five cases, whilst London achieved four full and six partial agreements out of fifteen cases.

Other disposals

Six cases started parent planning but did not result in an agreement. Four of these cases reached a decision at court, whilst two cases were not resolved (Table 10.1). The 33 cases that did not complete the pilot were disposed of in a variety of ways, including informal agreements and court processes, the latter typically involving hearings rather than conciliation²⁹. Nearly half of the 'non-completers' had no immediate resolution.

²⁸ In the conciliation study 70% of parents reported reaching a full or partial agreement. Analysis restricted to the Essex and PRFD models (n = 170 parents) where all applications are automatically listed for conciliation. See Trinder et al (2006) for the full report.

²⁹ Only four of 27 parents interviewed at follow up who had returned to court had reached an agreement in a subsequent conciliation meeting.

Table 10.1 Source of agreements/outcomes at the end of the FRP process/current application, cases

	Completed pilot	Did not complete pilot	All Cases
Parent planning	23	0	23
Parents agreed alone	0	6	6
Court	4	9	13
No outcome/agreement reached	2	8	10
Unknown/no information available	0	10	10
Total	29	33	62

Agreement durability

We were able to get information about the durability of agreements for 45 cases³⁰. We should emphasise, however, that the short time scale for the evaluation meant that the ‘follow up’ period was brief, on average just 3.5 months since the end of the involvement in the pilot. This allowed little time to assess how arrangements would progress. However, at that stage 35 out of 38 contact arrangements had been implemented/remained intact. Three sets of arrangements had broken down, one set made in parent planning and the other two following court hearings. No new agreements or decisions had been reached in the intervening period for the remaining seven cases.

Case activity

The majority of cases were still live or active at the follow up stage, that is one or both parents had been consulting solicitors or the court process was ongoing. In total, 68.8% of 64 follow up parents reported that the case was active. Cases that had completed the pilot were just as likely to be still active as opposed to non-completers (69.2% vs 68%, $p = 1.0$). Similarly, even cases where a full or partial agreement had been reached in parent planning were still just as likely to be active as those that had not reached an agreement (75% vs 62.5%, $\chi^2 = .418$).

This is a significantly higher rate of case activity than for in-court conciliation cases (Trinder et al, 2006) where only 26.9% of cases were live at follow up ($p = .000$). The likelihood is that a substantial part of the difference can be attributed to the longer follow up period in the conciliation study (6-9 months compared to 3-4 months). Thus

³⁰ Based on follow up interviews with 61 parents.

agreements with a six week or six month review would still count as active in the pilot study whilst they typically would have had time to exit the system in the conciliation study.

Satisfaction with the agreement or situation

Parents were asked about their satisfaction with the agreement or situation at two points in time: immediately following parent planning (n= 21) and in the follow up interview (n = 64). The overall level of satisfaction was relatively modest at each stage at just under half the sample (Table 10.2).

Table 10.2 Satisfaction with the agreement/situation, percentages	
	%
Satisfied after parent planning session (n = 21)	47.6
Satisfied at 'follow up' (n = 64)	46.9
Satisfied after parent planning or follow up ³¹ (n = 69)	46.4

The bivariate analysis suggested that there was no difference in satisfaction at follow up between resident and non-resident parents ($p = .115$). Nor was there a difference in levels of satisfaction between those who had or had not completed the programme ($p = 1.000$), or between those who had or had not reached an agreement in parent planning ($p = .308$). Where there was a difference in satisfaction was between those who had reached an outcome at the end of the process, whether achieved by agreement or court ruling, and those who had no immediate resolution (53.4% against 9.1% satisfied, $p = .018$). Furthermore parents who had an agreement at follow up were still more satisfied than those who had no agreement (60.8% vs 0%, $p = .000$), and parents whose case was closed at follow up were more satisfied than parents whose case was active (90% satisfied versus 27.3%, $p=.000$).

We conducted a logistic regression to clarify the relationships between these variables and to identify which groups of parents were more likely to be satisfied at follow up. We explored the combinations of three variables that might influence parental satisfaction: parent status (resident/non-resident), completion of the pilot (yes/no) and case activity (closed/open). The results of the logistic regression indicated that, when controlling for the

³¹ The analysis is based on the response given at follow up in the two cases where we had a response at both stages and the responses differed.

other two variables, only continuing case activity was a significant predictor of satisfaction ($p = .000$, see Appendix 10.1). In other words, the parents who were dissatisfied at follow up were those whose cases were ongoing, whether or not they had completed the programme and regardless of parental status.

We were also able to draw some comparison with parental satisfaction following in-court conciliation. In the conciliation study the follow up satisfaction rate was 48%, very similar to the pilot. We conducted a second logistic regression with intervention and parent status as predictors. The analysis confirmed that neither parent status nor intervention was a significant predictor of satisfaction (Appendix 10.2). In other words, conciliation resident and non-resident parents and family resolutions resident and non-resident parents did not differ in their levels of satisfaction.

Interpreting these results is not straightforward. The broad message is that the least satisfied parents are those who have not achieved some form of settlement, although how that settlement is achieved appears less important than the settlement itself, at least in the short-term. What is less clear is whether the greater satisfaction amongst closed/settled cases reflects a genuinely positive outcome (particularly for children) or parental relief that the battle is over even if the outcome is not ideal. A third possibility is that greater satisfaction amongst closed cases is simply a selection effect where what were the easier cases settled earlier leaving the more difficult cases unresolved (and continuing to be most dissatisfied).

Parents satisfaction with the overall outcome of the case

Dissatisfaction

- I have limited contact with my child and have to go back to court to obtain access, each time I request to see my child my ex partner refuses. Animosity has got worse. Non-resident father
- It would have been nice to have been able to come to an agreement with the FRP. Resident mother
- There has been no solution to my situation. Non-resident father

Mixed feelings

- I am unsure about how this process will end. I want my son to be happy and see his father but I don't think he has proven that he has his best interests at heart. Resident mother
- I still have to a certain degree fears of irregular contact due to recent irregular access. Non-resident father
- I would have felt happier if an agreement would have been reached. Resident mother

Satisfaction

- I get to see my son more often than before and have formed a better relationship with

my son. Non-resident father

- Access has improved. Would still like more/better access to my daughter. Will go back to court at later date if doesn't improve unaided. Non-resident father
- Happy that no contact taking place. Resident mother
- I'm happy because I understand more about my situation and also understand that more contact is good for my son to see his dad. Resident mother

Face-to-face contact

Fewer than half of parents completing the pre-court questionnaire reported that face-to-face contact was taking place (see above Chapter 7). At follow up this had increased substantially to 77%. Interestingly, a similar rise³² in the numbers having direct contact was reported following in-court conciliation (Trinder et al 2006).

We attempted to tease out the factors that were associated with the exercise of contact at follow up. The results of a logistic regression indicated that simply completing the pilot, or reaching an agreement in parent planning, did not increase or decrease the chances of contact occurring at follow up. Rather the key determinant was having reached an agreement/outcome at the end of the process (Appendix 10.3), whether or not the outcome came via parent planning, informal agreement or a court order. Put simply, the court was just as likely to order contact to occur as parents were to agree it via family resolutions. More broadly, the message is that any form of court intervention, via conciliation or Family Resolutions or hearings is likely to result in higher rates of contact.

Coparental relationship and contact problems

One of the innovations of the pilot was that it sought to address some of the problems associated with contact and the coparental relationship. We noted in Chapter 7 above that parents had identified a wide range of contact problems prior to referral and that the coparental relationship was fraught.

³² In the conciliation study the increase was from a higher baseline of 59% to a higher follow up outcome at 87% reporting direct contact. If we adjust for the higher baseline there is no significant difference between the two studies ($p = .470$). In other words, it is baseline level of contact, not intervention, that determines post-intervention levels of contact.

At follow up, nearly four in ten parents reported that the parental relationship had improved since before the referral and nearly half of parents reported that contact problems had improved (Table 10.3). There was no difference between resident and non-resident perceptions of improvement. In contrast only 24% of parents in the conciliation study had reported an improvement in relationship quality and 33% an improvement in contact problems (Trinder et al, 2006).

Table 10.3 Contact and improvement in parental relationship and contact problems by resident and non-resident parent (percentages)				
	Resident parents	Non-resident parents	All parents	P =
Parental relationship improved, n = 31, 27	39.4	35.5	37.5	.949
Contact problems improved, n = 31, 29	42.4	48.4	45.3	.820

We conducted two separate analyses comparing the perceptions on both these issues of conciliation parents with parents who had completed the family resolutions pilot (Appendix 10.4, 10.5). The regressions do suggest that the pilot may be more effective in improving parental relationship quality, and possibly perception of contact problems, than conciliation. Parental status was not a significant predictor in either model, but family resolutions pilot parents were significantly more likely to report an improvement in relationship quality ($p = .006$) compared to parents who had had in-court conciliation. Improvement in contact problems amongst the family resolutions parents also came close to statistical significance ($p = .070$).

We conducted further analyses within the family resolutions sample (Appendix 10.6, 10.7). The results indicated, firstly, that parents with closed cases were significantly more likely to report improved relationship quality compared to cases that were still active ($p = .000$). Importantly too, parents who completed the pilot were significantly more likely to report improved relationship quality than parents who did not start or complete the pilot ($p = .040$).

Completion of the programme did not, however, predict improvement in contact problems. As with relationship quality, a significant predictor of improved contact problems was the case being closed at follow up ($p = .035$) and contact occurring ($p = .030$).

Overall impact

We were also interested in exploring how many of the cases completing the programme were successful on a range of measures. We constructed a measure of overall case success combining three variables: parent satisfaction with the current agreement and parental perception of improvement in both contact problems and relationship quality. As Table 10.4 indicates the impact of the programme was variable. A third of parents who completed the pilot reported no improvement in any of the three areas, a quarter reported some improvements, whilst two-fifths reported improvements in all three domains.

	Numbers	%
No change	11	34.4
Mixed change	8	25.0
Positive change	13	40.6
Total	32	100.0

The qualitative data also highlighted the variation in perceptions of change in both parents. Some parents had, of course, not considered that there was anything they did need to change in how they related to their child or former partner:

"I felt I didn't need it". Resident mother

In some cases the programme appeared not to have influenced either parent:

"I'm not saying that I'm correct or whatever, but I think I've always tried to consider or to be accommodating, but if other people are not listening to you it makes it difficult for you to comply as well.... I haven't seen any difference in him, in my own opinion, I don't get any sense of that." Resident mother

Alternatively some parents thought that they had themselves changed but that their ex-partner continued as before:

"I mean I did have a conversation with him on Friday and he said I've got one request and I listened to his request and I said "OK fair enough. Now I've got one request as well", and I was telling him what my request was and he was just arguing against it. And I was like this is my issue that when you're phoning me it's

³³ Overall case success is a composite of three variables: parent satisfaction with the current agreement, parental perception of improvement in contact problems and parental perception of improvement in relationship quality. Parents with positive scores on all three dimensions (scoring 3) are classified as positive change. Parents reporting negative scores on all dimensions (i.e. dissatisfied with arrangements and no improvement in contact problems or relationship quality) were scored as 0. Parents with a positive score on one or two variables were classified as mixed change.

got to be pleasant and civil and we only need to discuss what's relevant to the child and nothing else". Resident mother

There were a small number of cases where both parties appeared to have moved on significantly. The size of the sample is too small and we have too little information about pre-court characteristics, however we suspect that the greatest change occurred with cases that probably had lower levels of conflict before the pilot:

"We stay on track now. We've got to talk to each other nicely when we're around [child]. It has helped, I think it's helped him [ex-partner] understand more about how things are hard for me because he's got to understand that I've got [child] 24/7 So it's opened his eyes a little bit. ... Some parents might not get on with their ex as much as I get on with mine, because like we're still friends because when we went on them [Relate groups] we talked about it afterwards..... So like I'd phone him up and ask him how it [the group] was, and he'd phone me up and ask me how it was". Resident mother

In contrast, the pilot appeared to have little impact on what appeared to have been the highest conflict cases:

"I think there was one lass [in the Relate group] who got the lickings of the dog. All the rest of us was [fathers]. She didn't want to give her husband access, you know, and we gave her the lickings of the dog, because that's basically what she deserved, wasn't it? ... So I think if [my ex-partner] had been there, and there was lads there the same as me, she would have gotten the same wouldn't she? I mean I pointed out in court that I found it quite good like watching the videos, you know, and seeing it through a child's eye. And that should be made compulsory for that bitch to attend". Non-resident father

Overall reactions to the pilot

We measured parent's overall response to the pilot by asking if parents would recommend the pilot to others and if they thought that the pilot should be made compulsory. Only just over half of parents would definitely recommend the pilot (Table 10.5). There was no difference between resident and non-resident parents on this issue. Interestingly nor was there a difference on between people had completed the programme or not (50% vs 75%, $p = .155$), or whether parents had reached an agreement in parent planning or not (52.9% vs 62.5%, $p = .649$). The willingness to recommend was similar to parents attending conciliation ($p = .440$).

Table 10.4 Willingness to recommend and compulsory referral by resident and non-resident parent (percentages)				
	Resident parents	Non-resident parents	All	P =
Would definitely recommend FRPP	62.1	51.7	56.9	.596

(n = 29, 29)				
FRPP should be compulsory (n = 29, 32)	41.4	62.5	52.5	.164

It was a very similar picture with whether or not parents thought that referral to FRPP should be compulsory. Again, just over half of parents favoured compulsion, with no significant difference between resident and non-resident parents. Nor were parents who had completed the programme, or parents who had reached agreement in parent planning, any more likely to endorse compulsion than those who had not ($p = .974$ and 1.000 respectively).

The qualitative data from the post-pilot interviews give some indication of what parents did, or did not, value about the intervention or considered had, or had not, worked. The broad aims of the pilot were broadly supported by parents where the aims had indeed been met. Thus parents did comment positively where an agreement had been reached and where communication had been improved. One parent did point out that the additional group work component of the pilot did offer something new and valuable over and above the court process:

“I think it’s a good option because there’s not a lot of options available for parents. I mean especially in kind of teaching them, you know, how the children feel and everything and stuff like that, you know. I think it is good, because there isn’t anything else you can do really is there, you know? If you go to court the court can just suggest contact, but then you’re still going through the process I suppose, you know, so”.

One other aspect that we had not anticipated but was often mentioned was just how important it was to meet other parents in the same situation, again a need that does not seem to be addressed otherwise:

“I think more than anything what was useful about it was getting together with other people and hearing their stories. It sort of puts you in a place, if you know what I mean, you’re not floating around in limbo, because you’re hearing about other people’s difficulties and it puts into perspective your own situation”. Resident mother

In contrast, parents were very critical if the pilot was seen as not meeting its aims, if no agreement was reached and the pre-court situation had not improved or even deteriorated.

There were a number of other areas that provoked criticism or comment. Parents typically felt very frustrated if they had attended the groups but their ex-partner had not attended. The timing of the groups was also a significant issue with quite a few parents reporting

that getting to evening meetings was very difficult. Finally several parents were disappointed at the small size of the groups, some particularly so where they were the sole participants. Although some parents liked the individual attention, more commonly parents felt that they were missing out when numbers were very small.

Summary

The pilot met with variable success in reaching its objectives. On some issues it is hard to make a judgement. The agreement rate was very good for those cases that became embedded in the programme, but the difficulty in getting cases started and through the pilot meant that the overall agreement rate for all referred cases was low. Whether or not the agreements would turn out to be more durable or not than conciliation agreements is difficult to assess within the short timescale. Similarly it is hard to judge whether the lower rate of case closure in the pilot compared to conciliation is a cause for concern or is simply a product of the curtailed short follow up period.

On other issues the results suggest that the pilot is no more but no less effective than conciliation. The pilot delivered more children having contact, but no more so than cases that were returned to court or conciliation cases. Parental satisfaction with the agreement or outcome was similar to that achieved in conciliation and was primarily determined by whether or not an outcome was reached. Only half of parents would recommend the pilot to others, again similar to conciliation.

There are, however, some critical advantages with the pilot. Parents who had completed the pilot were significantly more likely to report that the parental relationship had improved than both parents who did not complete the pilot and conciliation parents. This is an important result given that conflict and collaboration are critical to child wellbeing (Chapter 1). Even so a third of parents who completed the programme reported no change in relationships and the qualitative data suggested that the intervention had worked best with what seemed to be the easier cases. Thus the pilot does appear to have addressed the critical parts that other interventions have not managed to reach but it is not a magic bullet for all. We explore this issue in more detail in the next chapter.

Chapter 11 Making sense of outcomes

Introduction

In the previous chapter we established that the impact of the pilot was broadly comparable to conciliation in many respects. There was one important difference in that the educational component of the pilot did appear to have a positive impact on the parental relationship. This is an important finding. Parental collaboration or managed conflict is a key determinant of child wellbeing, but previous research has found that standard approaches simply focusing on agreement make little impact on parental relationships. The pilot has provided some hints that an educational approach may well help to make contact really work for children, beyond courts just ordering that contact happens.

However, it is important to recognize that although these results are promising they are based on a small sample and are based on adult self-report rather than observable changes in behaviour. Nor do we know if these changes would, indeed, translate into improvements in adult or child wellbeing. There was also some evidence that the impact of the pilot was variable, with a suggestion that the greatest change was amongst the easier cases. In this chapter, therefore, we attempt to tease out what parts of the programme appeared to work and not work and how the programme might be developed and improved. It is important, after all, to remember that family resolutions, as a pilot project was established as a learning exercise.

We start by examining the group work stage, beginning with what it was about the groups that appeared to work and then consider what would need to be improved in future. In the second half of the chapter we look at how the different elements of the programme, the educational and negotiation stages, did, or did not, knit together.

The group work stage – mechanisms for change

The group work component represented a new method of intervention in disputed contact cases in England. We saw above in Chapter 9 that the great majority of parents valued the programme and that it did appear to have an impact in terms of improved relationship quality (Chapter 10).

The qualitative data from parents and facilitators was useful in terms of identifying what components of the programme seemed to work or what the mechanisms for change were.

Although the content and broad messages of the programme were clearly important, the format of the groups seemed critical to engaging and influencing parents. Three factors seemed particularly influential: the support role of the group, mixed gender groups and the use of interactive exercises. We will look at these three factors in turn.

Being involved in contested proceedings is highly stressful for parents (Buchanan et al, 2001; Trinder et al, 2006). Many of the parents who attended the groups had appeared to have felt isolated and unsupported. However, simply being part of a group of people who were in broadly similar circumstances did offer a key opportunity for people to talk about their experiences, get support and reduce feelings of isolation:

“You're not the only person with the same kind of problem and you learn from each other's experiences” Non-resident father

“It worked well as emotions of anger and hurt got acted out, vented and they supported each other” Trainer report form comment

There was a risk that entrenched positions could be reinforced by other members of the group. This appeared to have been reduced by the second factor, that is, the use of mixed gender groups. The inclusion of both resident and non-resident parents in the groups did enable some parents to hear about the concerns of opposite sex parents:

“Talking to another man helped to see what he [ex-partner] would be worried about as well, and he was quite open minded, quite like minded I suppose. He didn't have a massive chip on his shoulder. And at times they [facilitators] did have to say 'Right. Break's over. We need to get back to the course'” Resident mother

What appeared to be happening is that parents were able to start hearing or acknowledging their former partner's concerns for the first time because they were able to begin to hear them indirectly through listening to the concerns of opposite gender parents in the group.

The third key ingredient appeared to be the interactive nature of the groups, particularly the use of role play. Although some parents disliked the role play, for others it was key to helping them experience how other people might feel:

“I think one thing that did work was the sort of role playing that we did, you know, being the parent, the child, things like this. It gave the other person a perspective of how it feels to be, you know, the opposite, you know, the receiving person, like the mother being the father, and the father being the mother.” Non-resident father

“The second group I found a bit more helpful because it was talking about putting yourself in the other person's shoes and how they might feel”. Resident mother

The effectiveness of each of the three mechanisms – the support function, mixed gender perspectives and interactive exercises – did depend on having reasonable sized groups. The modest number of referrals to the pilot meant that the majority of ‘groups’ consisted of just one or two participants although the materials were designed for groups of eight or more. As a consequence the interactive element was often lost as group exercises had to be dropped and there was less opportunity for exchange of ideas, experience and support:

“It would be nice if you had actually four people in the group and people talked to each other about their problems, how they come through it. So you learn from other people, another father who is having the same problems, another mother having another problem, you know. We can learn from each other how I can better persuade my ex to have contact with my daughter. But I don’t know, I mean I was there by myself on the second session”. Non-resident father

On the other hand, the small size of the groups did mean that participants had a lot of individual attention. It is worth pointing out that the three key mechanisms are likely to be less relevant if group size crept up beyond eight participants or so.

The Groupwork stage: areas for development

Notwithstanding the achievements identified above, there were some aspects of the group work stage of the pilot, however, that could be developed or improved. These were the scope of the groups, the relevance of the material, the clarity of the message and programme integrity.

Breadth and depth

The group work stage consisted of four hours input in two sessions of two hours each. Four fifths of parents would have liked to have had more time available. The group work facilitators also felt that there was insufficient time available to achieve and consolidate change given the level of conflict:

“It is hard to help people move from their stuck positions in two sessions.... Course too short to build trust and shift attitudes. Would like more time for parents to contribute their stories and more debrief time included” Trainer report form comment

Whilst two sessions was apparently enough to move some parents significantly, for others the time was insufficient, particularly in order to build trust before being able to challenge parents:

“When it’s such a short course it’s very challenging for parents to hear all that and it’s very difficult to be so direct in the first minute of the first session. And that’s partly why, apart from the fact that I think you can’t change behaviour in two sessions, that’s partly why I would like it longer. Because you have to build up a

relationship where the parents feel valued and validated in where they are at the moment, before you can challenge them with 'Well, hang on a minute, your focus is all wrong'. Which is basically what we are telling them. And so I, I felt, I found that very difficult to sort of, you know, not be quite so direct without losing them in the first minute of the session". Group work facilitator

Most facilitators would have liked to have had more sessions or longer sessions and the possibility of some form of follow up.

The lack of time available was also partly compounded by design problems. The programme designers had initially thought that four sessions would be available and therefore had to drastically reduce the material to fit two sessions. Over the course of the year the content was reduced further in response to facilitator feedback, however, even at the end the facilitators still considered that there was far too much material to cover in a meaningful way.

Facilitator 1: "There's just far too much in terms of aims, material, everything to fit in to a sort of one size fits all, four hour thing. And it's been cut down and it's got too much, too much in it still and it just, yeah..."

Facilitator 2: "Has the sort of everything but the kitchen sink feel to it".

Facilitator 1: "Yeah, it just sort of, yeah, was just too much. I think we got the feeling that for most people it was a positive experience, it was a useful experience, but it just feels it could be, it could be a lot better".

As a result the groupworkers were forced to rush through important material such as the video, eliminate or reduce discussion or drop sections of the course rather than handle them superficially. An exercise on listening skills, for example, appeared to have been dropped regularly on the grounds that the 15-20 minutes allotted was simply not enough time to do justice to the exercise.

Relevance and focus

Apart from time, the second major area where there may be room for development is the relevance of the material. A third of all parents had reported that the group material was not really relevant to them, including 53% of resident parents. Moreover, four fifths of parents would have liked the groups to have included more individual advice.

There were a number of ways in which the relevance of the groups could be limited. These were assumptions about family circumstances, assumptions about educational/linguistic abilities and tensions between parents and facilitators about the aims and purpose of the groups and the underlying philosophy.

Fitting family circumstances

Inevitably the parents who attended the groups differed widely in terms of their own and their children's ages, relationship histories (or lack of histories), culture, contact patterns (or lack of contact) and concerns. Some of the material was not relevant as it assumed a particular family form or life stage that did not always reflect experience within the group:

“Frequently parents separated years ago so material on stress/pain of break up is not as relevant as talking about the pain of being in continuing conflict over the children might be” Trainer report form comment

Several of the parents commented that the video depicting a single scenario close to separation was not relevant to their circumstances. Alternatively parents may find the messages too painful to take on board and might focus on different circumstances as a means to avoid hearing painful messages. Given that group members will always have different backgrounds it is important that future programmes focus on generic or universal experiences, such as children's experience of conflict rather than recent parental separation.

Educational/cultural assumptions

The facilitators also identified a mismatch between the middle-class wording of the course material and the largely working-class and ethnically-diverse background of the group participants. Facilitators had to translate some material and concepts having found some course participants had simply not understood or parents had learning difficulties:

“People with perhaps not really well educated or linguistic abilities have come to us saying I didn't understand a word of that and so they just sat there and had no idea whatsoever of what was going on. And so there's a whole sort of massive level of sort of brining things down to a kind of understanding”. Group work facilitator

Where interpreters were required, the pace of delivery was inevitably slowed down and parts of the already packed programme were lost. The accessibility of materials for a very diverse audience with different language abilities will need careful thinking through in future programmes.

Support and education

The third area where relevance was an issue concerned the overall purpose of the group. We identified above that one of the key benefits of the programme was that it provided a much needed form of support for parents, partly by enabling them to be able to tell their stories. There was a tension, however, between the parents' wishes to focus on their

individual situations (and desire for advice and/or endorsement) and the aim of the facilitators to shift attitudes and behaviour. Some facilitators managed to strike a balance:

“Helpful to do the warm up which gives a good idea of needs of the group without people getting bogged down in their stories” Trainer report form comment

But often the result was that the programme was either squeezed to allow more time for parents to offload or the facilitators lost control of the agenda:

“We lost focus as we were pulled into two people's 'ex from hell' problems at home, because of personalities of participants needing to talk about it” Trainer report form comment

Definition of the problem

The fourth ‘relevance’ issue concerned how the problem of contact was defined and therefore what remedies were required. Some parents felt that the content of the programme did not really apply to them. There were two ways in which this could occur. Firstly, some parents felt that the material was too basic and simplistic. At times this may have been an accurate perception, in other cases parents who felt the material was least relevant were those who may have needed it most:

“It was nothing what I really didn't know anyway....It was all about what effect it had on children and that, with the parents arguing, dropping off and situations that they get in to and that. But it wasn't what I needed. Everybody knows that anyway don't they?” Non-resident father

Secondly, the underlying approach of the groups was to emphasise how critical it was for both parents to focus on the needs of their children and that both parents were likely to be need to modify attitudes and behaviour towards the other. This approach was difficult for some parents where they felt that it was the responsibility only of the other parent to do things differently. Some fathers rejected the approach of the course because they perceived that the sole difficulty was the resident parent's obstructiveness, whilst some resident mothers resented having to attend because their perception was that the quality of parenting or commitment of the non-resident father was the only problem.

As a consequence some parents were perceived by the facilitators as cooperative whilst others were views as difficult. The cooperative clients were willing to engage, flexible, and wanting to ‘do the right thing’:

“Participant was fully engaged but already very aware of the issues.” Trainer report form comment

In contrast, difficult clients challenged the purpose of the group and threatened to disrupt the group process:

“There was one group member who was very negative all through so the introduction took longer One of the participants was hostile and did not feel he needed to attend.” Trainer report form comment

From the other side of the fence, the majority of parents seemed to accept the underlying messages from the group, whilst a minority felt that the group missed the point and did not address their issues:

“They should have more compassion to the plight of a single father and everything that goes with it. Also be less patronizing. The groups [missed out] that the mother has all the control.” Non-resident father

The groups did contain parents with varying degrees of conflict. One possibility is that future programmes are tailored more closely to the level of conflict. Our impression was that the fairly limited programme might not be sufficient to address the levels of conflict amongst the ‘difficult’ clients.

The core message and theoretical underpinning

The third major area to consider is the precise goals of the intervention. Previous reviews of parenting programmes have suggested that the most effective programmes are those with very clear and focused objectives and with one or two specific goals (for reviews see McIntosh & Deacon-Wood 2003; Hunt & Roberts, 2005). A clear theoretical underpinning is also critical, including a clearly specified change mechanism (Haine et al, 2003; Moran et al, 2004).

Although the Family Resolutions group work programme did indeed produce some very positive outcomes the aims were very broad and ambitious. This may be a reflection of a wider lack of specificity about the precise goals of the pilot. Nevertheless, without a clear unifying theory or single target, the goals of the programme were open to varying interpretations. The lack of consensus about the principal objectives is evident in the following goals volunteered by the programme developers and group facilitators:

Improving communication generally:

“To improve communication, and the focus was going to be on the child primarily and then secondary the relationship between the two people, and indeed the whole family. But I think communication was perhaps the main aim”.

Parental collaboration/insight into other’s perspective:

“I’d like to be able to encourage people to think and to appreciate the other parent’s perspective. On the whole I found people didn’t really feel that they had parenting issues, they had issues with the other one. They’re still too focussed on the parent-parent relationship to even begin to think there’s anything to address with their own parenting”.

Developing parent-child relationships/parenting skills:

“I don’t think I put much emphasis on thinking about the other parent and I don’t think it really matters in the realm of things, to appreciate the other parent at all. I think that’s a useful exercise, but when people are in conflict it’s a waste of time to be trying to appreciate the other parent, all you have to do is know that you need to not engage in conflict and be able to focus on getting the work done of parenting the child. But actually that is what we’re teaching them that they need to be all of those things actually now, each parent needs to be mother and father, both co-parents need to be mother and father to the child, the child has two homes that need to be complete. Every parent always has parenting issues. Maybe you left that bit out about listening to children, because I felt the listening bit was all about, you know, listening to children, making the listening time with our children and how important that was, and I actually think that got left out of the Pilot study in the same way, because I read it through, and actually I think my two co-Facilitators thought the listening was about listening to the other parent, and I kept saying, no it’s listening to the child...”

Increasing contact

“It could have been better if there had been specific points that we were trying to get across. I mean the two main points are, one is that conflict in front of children is very damaging, and the other is that contact between children and parents is very beneficial. And we know that was implicit in the whole thing, but it did seem to me that those weren’t stated clearly enough, and that if we’d had those as the clear aims that we were trying to get across, we could have then sort of done the material, adjusted the material according to what people needed. Maybe that is what they learnt, I don’t know, but I wouldn’t sort of feel confident, because there were lots of things about million dollar parents, and listening skills, and all of these things and I’m not sure how well they sort of fitted together to get those key messages across”.

Future programmes will need more clearly articulated and focused objectives, ideally trying to achieve change in just one specific area, driven by a clear theoretical understanding of what the change mechanism might be. Otherwise, the danger is that programmes consist simply of a series of exercises, all worthy in themselves but not all clearly moving in the same focused direction.

Programme integrity

One of the other areas to address is programme integrity or the ability to deliver a standard programme. There were a number of reasons why it was difficult to maintain programme integrity in the pilot, including testing out of material, having too much material, too few participants, parents arriving late, the use of interpreters and parents

wanting to discuss their own situations. There was also some indication that facilitators did not fully appreciate the importance of programme integrity and wanted to add their own ideas and perspectives, making changes to both delivery (running order, emphasis etc) but also the content and core messages:

“In the end we kind of all said ‘Right I don’t work this way’, and you said ‘I don’t work this way’ and [facilitator] said ‘I definitely don’t work with a script’. And we said ‘Well okay what we’ll do is we’ll keep to the program, but we’ll not use the script’”.

Facilitator 1: “There was, there were things that I felt should have been in which, which, you know, I tended to put in, like people didn’t realise, for example, that research shows that children are better off if they keep contact with both parents”.

Facilitator 2: “We ended up saying those things over and over again.... We used the script, and I thought that they were good, and just inserted a little bit more emphasis on just that point and there was a bit in the beginning of the second session that I probably altered a lot”.

Future programmes would require much greater consistency in both the delivery and content of programmes.

Moving forward

The effective North American parent education programmes have been developed, tested and refined over years by highly qualified mental health specialists with long experience of working with separated parents in conflict. In contrast the tight timescale for the Family Resolutions pilot meant that two voluntary organisations with experience of relationship counselling and parent education, but no experience of contested contact cases or the family courts had just three to four months to devise a programme and recruit and train the facilitators. It was recognised that the course materials had to be adapted over the course of the pilot as greater understanding of the client group emerged, but this was not an ideal start for working with a group with very complex needs:

“We had to sort of continuously amend the materials during the year, because we weren’t familiar at the beginning with exactly who the clients were... The clients in the end turned out to be different to the ones that we thought we would have and so if we’d have had time to do some analysis of the client base that they would normally see, then we might have done it a little bit differently. We had a particular client group in mind, children that were talking, looking primarily at the skills of looking at feelings and listening and the kind of bread and butter stuff of working with facilitating and so it was a complete shock really” Relate manager.

The tight time scale also meant that there was very limited training available for the facilitators. None of the facilitators had worked directly with conflicted contact cases before but there was only time for very limited training event over a single weekend before the pilot swung into action.

Although we have identified some problems with the group work phase these are both understandable in the context and are not insurmountable.

Programme continuity and coherence

As well as lessons in relation to the group work phase, there were also lessons to take away from the overall design and delivery of the programme. Although the pilot did deliver benefits these could potentially have been increased with greater emphasis on, or attention to, programme continuity and coherence. We identified in Chapter 6 above how the lack of effective multi-agency relationships may have impacted on referrals and throughput. The interviews with professionals and parents also suggested that there was limited continuity or overlap between the group work and parent planning stages of the pilot that may have reduced the effectiveness of the pilot.

To start with the planning of the content of the groups and CAFCASS sessions was done separately. The training for the CAFCASS officers and group work facilitators took place in the same location at the same time but was also conducted separately. There appeared to be very little subsequent contact between Relate and CAFCASS at either national or local level. In one area a group of facilitators did visit the court to observe the conciliation process. This was reported to be helpful in terms of giving a broader understanding of the court process and what parents had experienced. But this did not occur in the other two areas, there were no examples of CAFCASS officers observing the groups and very few CAFCASS officers had seen the material that the facilitators used with the parents.

The lack of contact or communication between Relate and CAFCASS seemed to stem from their early discussions at national level concerning the exchange of information between facilitators and family court advisors. Subsequently practitioners at local level had felt discouraged from contacting their local counterparts.

The lack of communication between Relate and CAFCASS had a number of consequences. Firstly, it limited the ability of facilitators to prepare parents for the group work stage. One of the most commonly asked questions that parents had was about the role of CAFCASS and what happened after the group work stage. Mid way through the pilot the Relate administrator did produce a brief handout for circulation summarising the format of the parent planning session. It is instructive that even the information for the

handout was not readily available within Relate. Even so, the facilitators (and therefore parents) were still somewhat hazy about what would be happening next:

I “Do you know what happens at a referral meeting, or...?”

F “Well I do know in terms of because I’ve read the handout, the new handout that we have. We’re told, you know, that they each meet separately and then they meet together and they try to. I think their focus is on trying to get people to reach agreement. They probably haven’t got time to do any building. They probably have to hear what people’s ideas are. I don’t know. I’m just guessing. It would be nice to know what actually has been happening generally”.

The lack of information went the other way too. CAFCASS also felt disappointed about the lack of contact and were not clear about what the group work sessions were covering:

“Well, I’ve not actually been on or seen any of the Relate sessions. [The parents] say that they are useful. Not quite sure in what way because we haven’t had the opportunity to sort of tease out what it is... It was sad that we didn’t meet properly with the Relate people. There seemed to be something sort of keeping us from being allowed to sort of have discussion with them, and has subsequently, which is sad”. CAFCASS

We noted in Chapter 6 that the lack of information about the groups meant that it made it hard to sell the pilot to parents at referral stage. But the lack of information about the content of the groups meant that CAFCASS were also not able to build upon and reinforce specific messages from the group work stage:

“So really [in parent planning] you were building. You were opening up lines of communication, finding ways for them to communicate with each other”.

Interviewer: “So in a sense it was building on what Relate were doing?”

“No. You couldn’t say ‘Do you remember in this session you did this?’ because we had no idea what they did or when...” CAFCASS

The lack of communication and sharing of information between agencies meant that in effect the pilot consisted of two linked but not two clearly joined up and strongly reinforcing stages. This point was not lost on either the facilitators or the family court advisors who were both frustrated at the lack of overlap:

*“I don’t really understand why they’re not here today [evaluation feedback day] for example. Why haven’t we been working more as a whole jigsaw? It’s almost like we’re doing two, well I don’t know what the analogy is, but it feels very separate”.
Group work facilitator*

“There are two almost entirely different parts to the thing. So whether there’s any need to, to have some introduction to people maybe at the end of their second group, to say ‘This is us, you know, you’ll be coming to see us in a week’s time and this is what we’ll be doing’. It might combine it a bit. And you could get feedback from the groups. And you could join it all up that way”. CAFCASS

The lack of continuity between the two elements of the programme was also due in part to the fairly traditional approach adopted by at least two of the three CAFCASS teams. The parent planning sessions were set up to offer a more in-depth service than can be offered in conciliation with more and longer sessions away from court. Crucially, also the expectation was that the parent planning meetings would aim to reach an agreement on the timetable for contact as in standard conciliation, but would also address, via the parenting plan, a wider range of coparenting issues or how parents were going to work together³⁴. But there was limited evidence that most of the CAFCASS practitioners did seek to achieve more than just agreeing dates and times for contact:

Int:” So how would you say, if at all, your approach in the Parent Planning sessions differed from what you were doing in conciliation in court?”

FCA:”It’s not a lot different, except that you’ve got more time in which to do it. So, and also you’re not in that court setting, and most people find the court setting quite threatening, and they’re stressed and nervous and concerned”.

Indeed two of the CAFCASS teams appeared to view the group work sessions as there, not as important in their own right, but to ‘soften up’ parents so that it would be easier to reach an agreement in parent planning:

“I don’t know what the effect of the group sessions has on facilitating agreement, you know, how that works and whether that comes, whether that comes into it. I don’t actually know whether one process, however useful or positive people find it, whether, how that actually affects the second part of the process, in terms of whether it helps the parties to come to some decision”.

“Yeah, yeah, so it’s sort of, it definitely, it softens them up, you know what I mean, softens them up ... obviously they’ve had a bit more time to think and, you know, they’ve had people listening to them, without it being a sort of court process, and Solicitors, and, you know, that winds people up a lot”.

As we saw in Chapter 9 the use of additional meetings was not the norm and very little use was made of the parenting plans in two of the CAFCASS teams.³⁵ There were two main reasons for this. First, there was a perception that the case examples used in the planner did not fit the reality of the cases:

“The case examples I felt were inappropriate cases. They were all very middle-class, the parents were working, completely unlike our sort of sample, and, they were all [legally] represented and they didn’t feel sort of very helpful examples in my view... you looked at them and you thought, well how does this relate to the

³⁴ The plan includes sections on coordinating rules, communicating, religious and cultural upbringing, school and hobbies, holidays, health, money and processes for reviewing arrangements.

³⁵ Ironically, the Parenting Plan was the one (presumed) element of the Parent Planning sessions that apparently informed the Relate materials “We had the Parenting Plan so we could base some things on what was in there” (Relate Manager).

sort of people we're going to be seeing and the sort of issues. Which is not to say perhaps in other cases we wouldn't use them. But it's sort of being pushed as the tool. But it's not the tool really. I think our experience is the tool" .

This argument would not apply, however, to the planner checklist which simply presents a list of questions for parents to consider, rather than prescribing an outcome.

The second reason concerned the length and scope of the parenting plan. Two of the CAFCASS teams did not appear to use the parent plan at all, on the grounds that it would take too long to complete. Instead the teams appeared to focus exclusively on negotiating how much contact would happen when:

"It [parenting plan] was rather long..... and I think by the time we'd actually got the parents to agree to what should happen, in the long-term I think that was enough, I think to go on and do grandparents it would have just been so longwinded, you know".

"You have to get the Diversity Forms done, you've got to get the Risk Forms done, your parents turn up late. You've only got an hour and a half. Actually the time's quite tight. So in a way we sort of had to go in with sort of immediate issues".

In the third team the parenting plan was used a guide in each case but not completed. Instead parents were encouraged to work on the plan outside of the sessions whilst a formal written agreement completed in the sessions focused on the contact timetable.

From a parent perspective, the group work and parent planning phases often felt disconnected. The group work stage had focused a lot on how parents might communicate more effectively, but with the ex-couples in separate groups and therefore not able to practise new approaches. Once parents reached CAFCASS the focus shifted immediately with parents required to immediately start negotiating together but with little, if any, reference to the issues raised in the group work sessions. This was a source of disappointment and surprise for some parents:

"They [CAFCASS] asked us, you know, how it [group work] was for us and, urm, what we got out of it. But other than that nothing really". Resident mother

"I was expecting much greater emphasis to be placed on the parenting side of it [in parent planning sessions]. Mention was made of the Parenting Plan, but in the end it was just one of a number of handouts given out at the Relate part and it was hardly referred to apart from that". Non-resident father

The agenda for parent planning was therefore restricted to negotiating over the details for the future plan for contact. In this respect the parent planning seemed little different from conciliation (see Trinder et al 2006). The avoidance of relationship issues might seem a little surprising for professionals with a social work background but it is consistent with the

very strong settlement-orientation of professionals working within the family justice system and the evidential attraction of case law rather than psychology for court welfare officers (Davis & Pearce, 1999).

One of the three CAFCASS teams did try to focus more on relationship issues and communication. Interestingly they were also the team that had been planning an education plus conciliation pilot before family resolutions. In practice, however, the attempts to build upon the Relate sessions were limited by low numbers of cases but also lack on information about the group work stage:

“Well we were trying to get people to focus on the future and get out of this stuck mode. Trying to relate back to their sessions with the groups, but seeing as we didn’t know what they did in the groups it was a bit difficult.” FCA

The other area where the parent planning sessions failed to build was in incorporating children within the process. We discuss this further in the next chapter.

Finally, in terms of programme cohesion there were also issues in relation to liaison between CAFCASS and solicitors. Lawyers are typically involved or on hand in in-court conciliation. They were not involved in parent planning. This did cause some difficulties with some lawyers reporting that they were not kept sufficiently informed of what was happening in the case. In a few cases the ‘agreement’ reached in parent planning was subsequently abandoned or was reworked or clarified after the parties had seen their lawyers. For the lawyers these changes were necessary because their client had been subjected to too much pressure or the CAFCASS officers did not have the experience to draft agreements in sufficient detail:

“We have always ended up negotiating the final wordings of orders and the final arrangements of orders – that’s not to say that some progress hasn’t been made at the sessions.” Solicitor

Some lawyers were therefore opposed to the continuation of the pilot and wanted to revert to in-court conciliation as it ensured that clients would get legal advice during the negotiation meeting:

“I felt that the initial conciliation appointment with the court is much better – there are lawyers present to iron out any difficulties between the parties and are there to take advice afterwards”. Solicitor

In contrast, the CAFCASS officers felt that the subsequent involvement with lawyers in reworking agreements was unhelpful and had gone back over old ground:

“One of the parties had been to their solicitor, and the solicitor had more or less unpicked it all...and so there was no longer agreement, but we managed to get

them to agree to go back over, we went back over the points and, urm, so that some agreement was reached, but it really felt like the Solicitor had unpicked it all...and we have no control over that" FCA

Summary

In this chapter we have drawn on the qualitative interviews with parents and professionals to examine what aspects of the pilot appeared to enhance or diminish the impact of the programme on parents. The innovative component of the pilot was the group work stage, with the mixed gender and experiential format of the groups appearing to be particularly helpful. We also identified a number of factors relating to the group work stage and the overall cohesiveness of the programme that may have reduced the effectiveness of the pilot in creating positive outcomes. These factors included the relevance and focus of the group work programme and the lack of continuity between the group work and parent planning stages. None of these problems would appear to be insurmountable.

Chapter 12 Conclusions and recommendations

Family Resolutions was set up as a pilot to test the efficacy of an approach to intervening in disputed contact cases. The pilot was a mixed success, with some of the innovative elements showing real promise, whilst other aspects of the programme did not work.

The elements or features of the pilot that did not work well, or did not turn out as expected, were:

- Referrals were low and apparently lower than had been expected. Start up and completion rates were also modest, with only half of referred cases completing the process. The inclusion of low volume courts, the filtering out of domestic violence cases, the voluntary nature of the project and limited local awareness, ownership and management accounted for the low referral and completion rate.
- The time taken to complete the project was longer than the scheduled twelve weeks from receipt of application. Some of the delay was due to the low referral rate, resulting in longer waits for the few groups to become available. Professionals and some parents thought that the programme was too long and too complicated.
- In many respects the CAFCASS parent planning sessions were little different from a standard in-court conciliation model, with limited use of parenting plans or involvement of children.
- Despite the additional input and cost, the outcomes of the pilot were similar in many respects to recent studies of in-court conciliation (Trinder et al, 2006). Pilot parents were no more satisfied with arrangements than conciliation parents, had similar rates of agreement and ended up with similar rates of contact. One area of concern was that pilot cases were more likely to be active at follow up than conciliation cases, although this probably simply reflected a shorter follow up period.
- The implementation and management of the programme could have been significantly improved. There was uneven awareness or endorsement of the aims and purpose of the pilot at local level, a lack of local management structures and limited coordination between agencies.

However, the pilot also produced some very positive results. Although only a small cohort started and completed the pilot, the outcomes of those who did get through to the end

were generally positive and in some respects significantly better than for existing interventions. In particular:

- The pilot identified significant levels of unmet need for support and information amongst parents involved in contested contact cases. Parents' reactions to the groups clearly highlighted that many had hitherto felt isolated and unsupported and did want more advice and information than was otherwise available.
- The parenting groups were rated highly. Most parents enjoyed the groups and found them supportive and informative and there was evidence that parents were taking on board some of the messages. Furthermore, the groups were equally well received by mothers and fathers and resident and non-resident parents.
- Parents who completed the pilot were significantly more likely to report that the parental relationship had improved than either those who did not complete the pilot or parents who had only had in-court conciliation. We should caution that the sample size is small, we have little information about pre-court relationships and we do not know whether this would translate into improved outcomes for children. Even so this finding is encouraging and does suggest that additional educational input does appear to have an impact over and above interventions that only focus on negotiating an agreement. It is worth reiterating that parental collaboration is a critical influence on child wellbeing (Chapter One).

Given these mixed results, the key question is working out how to move forward. One possibility would be to extend or repeat the pilot, but attempting to iron out some of the difficulties associated with the original pilot. An alternative, and possibly more attractive approach, is to recognise that the pilot has not produced a definitive blueprint for a national service. Rather the pilot has indicated what broad *types* of intervention are required to give the best possible chance of achieving contact that works for children - a risk assessment and risk management process, a negotiation process and an educational/therapeutic intervention³⁶. It would be necessary to further develop and test each of these components and also to trial and evaluate different methods of combining risk assessment, dispute resolution and parent education within a coherent programme. In addition, a strong case could be made for offering parent education as a freestanding intervention separate from, or prior to, the court process. Whichever route is taken, there are some key learning points from the pilot that should inform decision-making about future interventions. We discuss these below.

³⁶ Ideally any intervention should also include the possibility of child involvement but this element was not clearly tested within the pilot.

Developing interventions for parenting and coparenting

The key lesson from the pilot is that interventions that focus on shifting parental attitudes and behaviour are acceptable to and valued by parents, may well have a positive impact but will require further development. The results from the pilot are encouraging enough to suggest that this type of intervention should be explored further. But, the low numbers of parents involved in the pilot and the limitations of the group work phase discussed (see Chapter 11 above) are suggestive rather than conclusive. Much more work is needed to develop, pilot and test programmes to maximise their relevance and effectiveness before they could become candidates for universal implementation.

We need to be realistic, however, about the possible impact of parent education, particularly very brief programmes such as the group work element in the Family Resolutions pilot. Firstly, even the best educational programmes are relatively modest in their impact. Secondly, more specialised programmes are required to deal with higher conflict families (see McIntosh et al, 2003 and Hunt, 2005 for a review). There was some indication of this with the Family Resolutions pilot where the impact of the groups appeared to be greater with, or perhaps restricted to, the lower conflict cases. The basic parent education programme offered as part of the pilot, even if further refined and extended, is unlikely, therefore, to make a significant impact on all, perhaps even most, contested cases.

Elsewhere specialised programmes have been developed for high conflict cases. Some of these offer a more intensive educational component but others adopt a more therapeutic orientation³⁷. In the latter type, the focus is much less on imparting generic information and teaching new skills and instead aims to shift thinking and behaviour by raising parents' awareness of the impact of the dispute on their own child(ren). In this approach, children meet with a child consultant to identify how the child is experiencing the separation and dispute. This is subsequently fed back to the parents in a way that aims to help parents to focus on the needs of their child without seeking to undermine the parents. As well as helping parents to move on through individualised feedback and advice, they also offer opportunities for children to be heard and to get support. There is some evidence that

³⁷ Examples of the therapeutic approach are the therapeutic-mediation approach (Johnston & Campbell, 1988) and the Children's Cases Project currently being trialed in Sydney and Parramatta.

these types of therapeutic interventions can be effective³⁸, but they are more costly and do require skilled and experienced child consultants.

One route forward would be to commission a group of experts to review established international programmes³⁹ for high and lower conflict contested cases. Two or three examples of each could then be selected, with appropriate UK adaptations, and then trialed head to head.

Referrals and throughput

Perhaps the most difficult issue to resolve is how to fit together the necessary elements of an intervention, whilst offering a swift process and ensuring sufficient numbers to sustain a programme. There are a number of outstanding questions that any future programme would need to address:

- How could numbers be increased to create a sustainable and cost-effective programme?
- Could parents be referred at an earlier point (and if so, who would make the referral and how would domestic violence cases be filtered out)?
- Should referral be compulsory?
- Should the target group be broadened or narrowed, e.g. to include cases agreeing at first directions?
- How could throughput be increased and speeded up?
- Could alternative pathways through a programme be developed (e.g. freestanding basic parent education, education plus negotiation, therapeutic intervention plus negotiation)? If so, how could cases be assessed and directed along the appropriate pathway?
- Who should be responsible for resourcing, delivering and managing the programme?

³⁸ See Johnston & Campbell, 1988. The results of the Children's Cases Project should be available in mid 2006.

³⁹ Programmes in the US and Canada have been developed over the last decade, typically by child psychologists. The best ones focus on a very specific objective, are theoretically informed and have a clearly specified mechanism for change. See Hunt (2005) and McIntosh et al (2003).

The pilot does not offer any clear answers to these questions but some pointers to the future do emerge. It was reasonably clear that a programme that would take a minimum of 12 weeks with many steps and a wide range of agencies was perceived by professionals, and at least some parents, as too complicated and too long-winded, particularly in comparison with a rapid outcome via conciliation. More thought needs to be given to how the critical elements of the programme could be put together in a clear and concise way. This could mean an intake meeting with CAFCASS within two weeks of receipt of application, currently achieved in Newcastle's dispute resolution scheme. This could form the basis of a case management process with an early assessment prior to first directions leading to speeded up access to dispute resolution and parenting interventions. The parenting intervention itself could run parallel to dispute resolution or could alternatively be offered after dispute resolution as a way of bedding in agreements. A strong case could also be made that a basic parent education group could be offered to all parents who have attended in-court conciliation. This may well improve the implementation of agreements as well as providing a larger pool of parents to make up groups. Similarly, some parents in the evaluation argued that they should have been offered an educational programme much earlier in the process. Again it would be worth exploring the possibility of enabling solicitors to refer parents to parenting groups whether or not an application is made.

If the Children and Adoption Bill were to become law it would be possible to order parents to attend a family resolutions-type programme as a 'contact activity'. Clearly this could be helpful in some cases and indeed mandatory attendance is common in North America, even for non-contested cases (see Hunt, 2005). The parents in our study had mixed opinions on the matter. Only half supported mandatory referral to the Family Resolutions pilot. Some parents were very critical of the lack of compulsion where they had attended but their ex-partner had not. Equally some parents still felt that they had gained from attending the groups even if their ex-partner had not turned up. In practice, however, programmes that acquire strong inter-professional support and become the standard local operating procedure may be almost as effective as compulsory schemes.

The case for further piloting

Developing effective interventions to make contact work for children cannot be done overnight. The launch of the Private Law Programme has led to a sudden burst of activity with a wide range of schemes springing up in response to local priorities and resources. These schemes have some significant advantages over the Family Resolutions Pilot in that they have developed and grown organically from the bottom-up, rather than designed

from the centre and rolled out. But the schemes are not necessarily based on strong research evidence of what works and they tend to focus on dispute resolution rather than also including an educational or therapeutic component. This is not surprising in that the UK has been slow to develop these types of services and lags behind the US, Canada, Australia and Germany.

One of the positive aspects of the Family Resolutions pilot is that it has provided some evidence that, even with an imperfect programme, parents do value more input and it can make a difference. The pilot has not succeeded in terms of identifying a magic bullet but has underlined that models that go beyond negotiation are needed and can work. However there is still a considerable amount of work to do in identifying the most effective methods of helping parents to reach agreement and to make contact work for children. There is also considerable work to be done in identifying how these necessary components – risk assessment, educational/therapeutic intervention, dispute resolution – can be put together in the most effective and manageable way. The next step should be to set up a small number of demonstration projects that develop and test programmes for both standard and high conflict cases. The demonstration projects must be well-planned and well-resourced and rigorously evaluated. As other jurisdictions have found, the identification of the most effective interventions does require a lengthy process of development and testing.

Introducing change within the family justice system

We identified above, particularly in Chapters 6 & 11, that ownership and management of the pilot was difficult. Although professionals at national and local level were each committed to achieving positive outcomes for children, there was limited inter-professional communication or understanding of each other's roles and motivations, leading to mutual distrust, frustration and feelings of powerlessness and marginalization. The irony, of course, is that the difficulties in the inter-agency and inter-professional relationships mirrored the conflict and mistrust between the parents.

Some of the difficulties are understandable given that the pilot required a wide range of professionals to work together, sometimes for the first time, within a short timeframe, with limited information or guidance from the centre and where there was some element of competition between agencies and professionals. The pilot did survive but these issues did appear to have an impact on referrals, completions and overall outcomes.

Any future development will need to give much greater attention to these development and implementation issues. There is existing research on how to introduce change within the family justice system. Arbuthnot (2002), for example, writing within a US context, emphasises how important it is to have a strong sense of local ownership (including selection of goals, design, materials and providers) amongst people involved in implementation. He also notes that it is essential to have consensus about the need for and purpose of the innovation, clarity about responsibilities, effective public awareness-raising and proactive local champions motivating participants and monitoring progress.

There are some good homegrown examples of the effective introduction of new approaches that might also be worth studying. One example is the dispute resolution scheme developed in Newcastle County Court⁴⁰ in response to the introduction of the Private Law Programme (DCA, 2004). The Newcastle scheme is designed for all cases and offers parents an individual meeting with CAFCASS within two weeks of application with a one page summary report produced for First Directions. The scheme was developed locally by the judiciary, in partnership with other professionals and has very strong support from and highly effective working relationships between the judiciary, CAFCASS, HM Court Service and lawyers. The successful development and implementation of the scheme, and others around the country, is consistent with research on how to introduce change successfully within the family courts. However, it is worth noting that the scheme does not attempt the more difficult task of involving agencies and professionals outside of the family justice system world.

Recommendations

1. The family justice system should develop a range of parenting interventions including basic parent education and higher conflict education/therapeutic interventions to work alongside processes for dispute resolution and child involvement.
2. A small number of demonstration projects addressing both high and lower conflict cases should be set up and tested. A number of different approaches should be tested head-to-head to identify the most effective. Ideally at least two different approaches to lower conflict and at least two different approaches to high conflict cases should be evaluated. In addition, or alternatively, two or three case management systems might

⁴⁰ There are a number of other new schemes that have been developed recently at local level, including the Extended Dispute Resolution scheme in Norwich Combined Court.

be tested, each of which would have established pathways for lower and high conflict cases.

3. The identification of programmes and programme sites will be critical to the success of the process. It is vital that the selection of the content of programmes should follow a thorough review of the best international and national evidence of what works. Areas should only be selected if there is a core multi-professional group, including the local judiciary, who are actively seeking to develop new interventions and would be interested in testing, with local modification, approaches that have been identified as effective elsewhere. The local core group would be responsible for the development and delivery of the programme but with ongoing support and consultation from outside experts. A substantial development period should be built into the design.
4. It will be critical that the demonstration projects are rigorously evaluated, including an economic assessment.

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Appendix

Appendix 9.1 Logistic regression of the likelihood of In-Court Conciliation and Family Resolutions parents reporting that the content of parent planning sessions was relevant to sorting out the problem

Candidate independent variables:

- Intervention type (in court conciliation or FRPP)
- Resident or non-resident parent

	Coef.	Std. Err.	Wald	Df	Sig.	Exp(B)	[95% Conf.	Interval]
Conciliation	-.172	.536	.103	1	.748	.842	.295	2.406
Resident parent	.506	.281	3.253	1	.071	1.659	.957	2.877

Number of observations = 264 (243 conciliation and 21 FRP parents)

Appendix 9.2 Logistic regression of the likelihood of In-Court Conciliation and Family Resolutions parents reporting that the parent planning session(s) focused on the children's needs and welfare

Candidate independent variables:

- Intervention type (in court conciliation or FRPP)
- Resident or non-resident parent

	Coef.	Std. Err.	Wald	Df	Sig.	Exp(B)	[95% Conf.	Interval]
Conciliation	-.221	.483	.209	1	.648	.802	.311	2.067
Resident parent	-.303	.260	1.363	1	.243	.738	.444	1.229

Number of observations = 259 (238 conciliation and 21 FRP parents)

Appendix 9.3 Logistic regression of the likelihood of In-Court Conciliation and Family Resolutions parents reporting that the CAFCASS officer(s) was/were impartial

Candidate independent variables:

- Intervention type (in court conciliation or FRPP)
- Resident or non-resident parent

	Coef.	Std. Err.	Wald	Df	Sig.	Exp(B)	[95% Conf.]	Interval]
Conciliation	.282	.487	.335	1	.563	1.326	.510	3.446
Resident parent	.110	.290	.144	1	.705	1.116	.632	1.971

Number of observations = 241 (220 conciliation and 21 FRP parents)

Appendix 9.4 Logistic regression of the likelihood of In-Court Conciliation and Family Resolutions parents reporting that their concerns were clearly heard and respected in the parent planning session(s)

Candidate independent variables:

- Intervention type (in court conciliation or FRPP)
- Resident or non-resident parent

	Coef.	Std. Err.	Wald	Df	Sig.	Exp(B)	[95% Conf.]	Interval]
Conciliation	-.599	.468	1.639	1	.200	.549	.219	1.375
Resident parent	-.118	.251	.221	1	.639	.889	.543	1.455

Number of observations = 259 (238 conciliation and 21 FRP parents)

Appendix 9.5 Logistic regression of the likelihood of In-Court Conciliation and Family Resolutions parents reporting having felt fairly comfortable and relaxed in the parent planning session(s)

Candidate independent variables:

- Intervention type (in court conciliation or FRPP)
- Resident or non-resident parent

	Coef.	Std. Err.	Wald	Df	Sig.	Exp(B)	[95% Conf.]	Interval]
Conciliation	-.576	.470	1.504	1	.220	.562	.224	1.411
Resident parent	-.678	.274	6.112	1	.013	.508	.297	.869

Number of observations = 259 (238 conciliation and 21 FRP parents)

Appendix 9.6 Logistic regression of the likelihood of In-Court Conciliation and Family Resolutions parents reporting that the parent planning session(s) helped them understand their ex-partner's point of view

Candidate independent variables:

- Intervention type (in court conciliation or FRPP)
- Resident or non-resident parent

	Coef.	Std. Err.	Wald	Df	Sig.	Exp(B)	[95% Conf.	Interval]
Conciliation	-1.161	.502	5.356	1	.021	.313	.117	.837
Resident parent	-.334	.352	.898	1	.343	.716	.359	1.429

Number of observations = 259 (238 conciliation and 21 FRP parents)

Appendix 9.7 Logistic regression of the likelihood of In-Court Conciliation and Family Resolutions parents reporting feeling under pressure to reach an agreement in the parent planning session(s)

Candidate independent variables:

- Intervention type (in court conciliation or FRPP)
- Resident or non-resident parent

	Coef.	Std. Err.	Wald	Df	Sig.	Exp(B)	[95% Conf.	Interval]
Conciliation	.173	.505	.118	1	.731	1.189	.442	3.202
Resident parent	.452	.274	2.712	1	.100	1.571	.918	2.691

Number of observations = 257 (236 conciliation and 21 FRP parents)

Appendix 9.8 Logistic regression of the likelihood of In-Court Conciliation and Family Resolutions parents reporting that the parent planning session(s) felt rushed and should have taken more time

Candidate independent variables:

- Intervention type (in court conciliation or FRPP)
- Resident or non-resident parent

	Coef.	Std. Err.	Wald	Df	Sig.	Exp(B)	[95% Conf.]	Interval]
Conciliation	1.102	.759	2.110	1	.146	3.012	.680	13.328
Resident parent	-.025	.300	.007	1	.934	.975	.542	1.756

Number of observations = 258 (237 conciliation and 21 FRP parents)

Appendix 10.1. Logistic regression of the likelihood of Family Resolutions parents being satisfied with the agreement or situation at follow up

Candidate independent variables:

- Resident or non-resident parent
- Completion of FRPP programme
- Case closed or active at follow up

	Coef.	Std. Err.	Wald	Df	Sig.	Exp(B)	[95% Conf.]	Interval]
Did not complete FRP	.197	.662	.089	1	.766	1.218	.333	4.462
Case active at follow up	-3.367	.868	15.043	1	.000	.034	.006	.189
Resident parent	1.261	.674	3.500	1	.061	3.528	.942	13.215

Number of observations = 64

Appendix 10.2 Logistic regression of the likelihood of In-Court Conciliation and Family Resolutions parents being satisfied with the agreement or situation at follow up

Candidate independent variables:

- Intervention type (in court conciliation or FRPP)
- Resident or non-resident parent

	Coef.	Std. Err.	Wald	Df	Sig.	Exp(B)	[95% Conf.]	Interval]
Conciliation	.122	.339	.129	1	.719	1.129	.581	2.194
Resident parent	.142	.272	.271	1	.603	1.152	.676	1.963

Number of observations = 219 (175 conciliation and 44 parents who had completed FRP)

Appendix 10.3 Logistic regression of the likelihood of Family Resolutions parents reporting direct contact was occurring at follow up (all cases)

Candidate independent variables:

- Resident or non-resident parent
- Completion of programme
- Agreement in parent planning
- Agreement at end of process

	Coef.	Std. Err.	Wald	Df	Sig.	Exp(B)	[95% Conf.]	Interval]
Did not complete FRP	.546	1.166	.220	1	.639	1.727	.176	16.962
No agreement at baseline	-3.123	1.022	9.335	1	.002	.044	.006	.326
Did not agree in parent planning	-.559	1.254	.198	1	.656	.572	.049	6.687

Number of observations = 64

Appendix 10.4 Logistic regression of the likelihood of In-Court Conciliation and Family Resolutions parents reporting that the parental relationship had improved at follow up

Candidate independent variables:

- Intervention type (in court conciliation or FRPP)
- Resident or non-resident parent

	Coef.	Std. Err.	Wald	Df	Sig.	Exp(B)	[95% Conf.	Interval]
Conciliation	-1.003	.367	7.459	1	.006	.367	.178	.753
Resident parent	.221	.314	.498	1	.480	1.248	.675	2.307

Number of observations = 214 (175 conciliation and 39 parents who had completed FRP)

Appendix 10.5 Logistic regression of the likelihood of In-Court Conciliation and Family Resolutions parents reporting that overall contact problems had improved at follow up

Candidate independent variables:

- Intervention type (in court conciliation or FRPP)
- Resident or non-resident parent

	Coef.	Std. Err.	Wald	Df	Sig.	Exp(B)	[95% Conf.	Interval]
Conciliation	-.653	.360	3.284	1	.070	.520	.257	1.055
Resident parent	-.419	.289	2.109	1	.146	.657	.373	1.158

Number of observations = 214 (175 conciliation and 39 parents who had completed FRP)

Appendix 10.6 Logistic regression of the likelihood of Family Resolutions parents reporting that the parental relationship had improved at follow up

Candidate independent variables:

- Resident or non-resident parent
- Completion of FRPP programme
- Case closed or active at follow up

	Coef.	Std. Err.	Wald	Df	Sig.	Exp(B)	[95% Conf.]	Interval]
Resident parent	.046	.633	.005	1	.942	1.047	.303	3.617
Did not complete FRP	-1.515	.738	4.213	1	.040	.220	.052	.934
Case active at follow up	-2.768	.728	14.447	1	.000	.063	.015	.262

Number of observations = 64

Appendix 10.7 Logistic regression of the likelihood of Family Resolutions parents reporting that overall contact problems had improved at follow up

Candidate independent variables:

- Resident or non-resident parent
- Completion of FRPP programme
- Case closed or active at follow up

	Coef.	Std. Err.	Wald	Df	Sig.	Exp(B)	[95% Conf.]	Interval]
Resident parent	-.381	.590	.416	1	.519	.683	.215	2.173
Did not complete FRP	-.367	.608	.364	1	.546	.693	.211	2.282
Case active at follow up	-1.374	.650	4.465	1	.035	.253	.071	.905
No contact at follow up	-2.388	1.104	4.682	1	.030	.092	.011	.798

Number of observations = 64

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