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Modern families, modern family justice: supporting family relationships in fast changing socio-political-economic climates

Summary of the Report of the Consultation at St. George's House, Windsor,

12-13 February 2018

Janet Walker, David Marjoribanks and Gabriela Misca

Abstract

This summary relates to the consultation held at St. Georges' House, Windsor, England in February 2018. The attendees came from across Europe and from the USA, and they discussed a range of initiatives designed to address the challenges in modern family justice and the changes in the social, political and economic environments which are impacting on family life across the globe. While the challenges are very similar, the approach to resolving them varies from jurisdiction to jurisdiction. The attendees concluded that there is much we can learn from each other, and greater cooperation between family justice professionals across geographic boundaries would be highly beneficial.

Keywords: family justice consultation; interdisciplinary cooperation; voice of the child; relationship support; role of judges in family courts; parenting programs; modernization in family law; digitization

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This paper summarizes the key inputs and messages deriving from the consultation hosted by Relate and AFCC at St. George's House. This consultation sought to promote shared learning and co-operation within Europe and with the wider AFCC family. The following articles in this Special Issue develop the themes discussed at the consultation and summarise them here.

The consultation was framed in the context of changes in family life across Europe, which mirror extensive changes throughout the western world. A background paper was shared with the participants to set the scene for the discussions. This paper is extended in the next article of this issue (Marjoribanks and Walker). The paper drew attention to the following facts: partnerships and parenting practices in the twenty-first century are influenced by social, cultural and economic changes on a global scale; the challenge facing most countries in the West is how to facilitate conditions that will foster strong family relationships; an emphasis on strengthening adult couple relationships is increasingly evident in many European countries and elsewhere, including the USA, Australia and India; and children thrive best when they are brought up in families characterised by consistent care, which has important implications for practitioners and family justice processes.

During the consultation, the focus was on a number of key questions:

- What is the current state of family justice and relationship support policy and practice in Europe?
- What are different jurisdictions doing in family justice and relationship support to overcome the greatest challenges?
- How can innovative approaches in Europe be developed in different jurisdictions?
- How can the emerging themes be set in an international context and what needs to change?

Collaboration and cooperation among policymakers and practitioners at local, national and international levels should help to inform the kind of investment that needs to be made to support stable family life and embrace diversity. We noted that there is a difficult tension, however, between the state supporting families and interfering in family life. So, as people strive to balance traditional expectations of stable family life and new opportunities in a rapidly changing and economically insecure world, supporting families at greatest risk of poor outcomes has to be an important goal of family policy and family justice. If policy-makers and practitioners work closely together across international boundaries, the challenges inherent in supporting vulnerable families stand a greater chance of being addressed positively.

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The current state of family justice and relationship support policy and practice in Europe

In the first session, we heard from five speakers about policy and practice in their own jurisdictions.

Chris Sherwood, England. Chris emphasised the ways in which families are changing and urged that increased diversity in family living arrangements means that family support and family justice services must keep pace with these changes. Otherwise, they cease to have significance for those who need and use them. Of particular importance is the impact of increased digitalization and the growing use of a variety of social media in every aspect of daily life. Even very young children use digital devices and the majority of people gain their information about life events online. With the UK government taking a 'digital first' approach to services, it is necessary for all support services and for family justice procedures to be available online, so as to provide maximum choice for those accessing them. While face-to-face interventions will always be preferred by some people, there is increasing development of blended services tailored to individual needs.

Chris also spoke about the impact of economic austerity on families since the global recession impacted on all aspects of daily life. Debt problems undermine relationships by causing conflict, mistrust and relationship breakdown, and poor relationships can contribute to debt problems and affect how people manage their finances. Debt problems can be both a cause and consequence of relationship issues. People's relationships cannot be separated from the financial circumstances of the individuals within them; individuals' ability to manage money and deal with debt often cannot be separated from family and partner relationships around them. Each can affect the other. To address debt and financial capability, it is essential to also understand relationship dynamics and to ensure a more joined-up response to debt and relationship problems. Chris concluded that new services to support families and new approaches in family justice must take account of the importance of promoting greater social justice in modern-day societies.

Brigitte Chin-A-Fat, Netherlands. Brigitte talked about how family justice processes and professionals in Holland are finding new ways to support families. Family mediation is regarded as important by the government, and since 2016, there has been an Ombudsman for children. Family lawyers have a coordinating role in supporting families via different routes and can represent both parents in court. Nevertheless, the one-family-one-lawyer model remains controversial in Holland, as it does in England. As in most countries, high-conflict families cause considerable concern and the Ministry of Justice in the Netherlands has invited innovative proposals to manage high-conflict divorce cases and promote a divorce process that does not damage families. A Divorce Counter is available at the court for everyone to seek help to develop their own pathway. This was considered to be a good innovation by

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consultation participants, and one which other jurisdictions might adopt. Legal aid is still available in the Netherlands and collaborative divorce approaches are encouraged.

Connie Capdevila Brophy, Spain. Connie explained that there are different approaches to family justice across Spain. As in England and Wales, the law is primarily adversarial. She noted that the judges hearing family cases are not specialist family judges, there is a lack of resources, and processes are slow. In many ways, the language used is dated, but there is an emphasis on co-parenting, the use of parenting plans, and both parents having parental responsibility after separation and divorce. Mediation is not mandatory, and some 10-15 per cent of cases consume 90 per cent of the court resources. There are new initiatives, however, including parenting coordination, which is a specialized intervention in which the parenting coordinator assesses conflict, family violence, family dynamics, and parenting. The coordinator then reports to the judge. The AFCC parenting coordination guidelines have been translated into Spanish and are being used in Spain. Connie cited this as an excellent example of international collaboration. She concluded that there is a considerable need for more specialisation in family law and preventative services.

Roisin O'Shea, Ireland. Roisin began by saying that forty years ago, the former Minister for Justice in Ireland, Alan Shatter, spoke of reforms urgently needed in family law proceedings to tackle congestion, delay, and expense. It has been 18 years since the Irish Law Reform Commission report spoke of a 'system struggling and barely managing to cope.' Historically, the family law system in Ireland had been overburdened and experienced long delays. English Common law was imposed on Ireland in the late twelfth century, and by 1800, Ireland was integrated into the United Kingdom by the Act of Union. In 1922, the Irish Free State was formed, but Ireland carried forward all previous laws enacted and continued with the intimidating and formal forum of a courtroom; all its pomp and ceremony, accompanied by the deliberately obtuse language of the law. In 2013, Murial Walls, Solicitor and then Chair of the Legal Aid Board, described what current users thought of the family courts. They are described as: 'unremittingly, crushingly awful; 'the system is chaotic/dysfunctional: like a form of torture'. Roisin described how the family courts in Ireland are characterized by overburdened lists, long delays, high legal costs and bewildered and stressed users. A striking feature of family law proceedings in Ireland is the invisibility of children. Most family law applications are brought by women, and there is clear evidence that outcomes for fathers are poor, particularly where men are not the primary carer of children. Courts appear to view fatherhood as a privilege to be granted rather than an inalienable right, and 'joint custody' carries the continuing presumption that young children should be primarily cared for by the mother.

Roisin stressed that in Ireland, as in other Western countries in recent decades, there has been a move away from marriage as the norm to a more diverse range of family types, with

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increasing numbers of informal relationships, shifting gender roles, international families and multi-cultural diversity. Despite these changes, the divorce rate remains low, although this could have more to do with the requirement to live apart for four years before a divorce application can be made. A referendum is planned for 2019 that may reduce the separation requirement to two years. Roisin went on to describe the development of family mediation in Ireland and the way in which the profession is being regulated. With raised awareness of the value of mediation, there is more emphasis on self-determination, shared parenting, hearing the voice of the child and the use of technology.

Teresa Williams, England. Teresa stressed that family justice and family relationships should be regarded as public health issues which should be addressed as such. She described how the Nuffield Foundation has highlighted the poor quality of administrative data available about what happens to families when relationships break down and parents separate. In order to improve services, it is essential to have a clear national picture of the needs of families. The Nuffield Foundation has established a Family Justice Observatory, with funding for the next five years, to improve the data collection and its usage in establishing robust research evidence. It will prioritise the issues where the Observatory can assist policy-makers and practitioners by ensuring greater clarity of the concerns and needs of families within the public and private family justice system and supporting the best possible decisions for children. Other jurisdictions will inevitably benefit from this initiative.

Discussion

The ensuing discussion among participants was framed around three questions:

1. Looking at current family support services and family justice processes in different jurisdictions, what are the similarities and differences?
2. Are there other significant trends in family life and policies and processes which were not noted by the presenters?
3. What are the main challenges in family life that need to be addressed by relationship support services and family justice processes, and to what extent are these challenges the same in different countries?

It was universally agreed that the issues and concerns discussed by the presenters were familiar across Europe, but different jurisdictions had tackled them differently. Removing obstacles to family justice reform remained the biggest problem in many countries. Justifying expenditure from public funds is a challenge in respect of supporting families whose relationships have broken down. It was noted that there had been little mention of domestic abuse during the presentations, yet that is an issue in all countries, and one which is both sensitive and challenging to address with confidence. Most of the discussion centred on the current challenges. These could be summarised as follows:

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- Improving the rather weak evidence base for preventative interventions. Can we really be sure about what works in relationship support?
- Enabling more research, including robust longitudinal studies to grow the evidence base.
- Recognising the importance of user-centred design and user involvement.
- Recognising the importance of protecting those who are most vulnerable.
- Unpicking the traditional role of lawyers and unbundling legal services. Lawyers are often the gatekeepers to more innovative services such as mediation, a role which can limit the numbers of couples seeking mediation.
- Removing the stigma of seeking help for relationships, perhaps by establishing centres/hubs where a range of services is available in the community, such as the Australian Family Relationship Centres. Finding ways to put more emphasis on early intervention when relationships break down. Front-loading family justice services and maybe rewarding lawyers for keeping cases out of court.
- Understanding the needs of litigants-in-person and providing the most helpful processes. It is important to ask parents what help they need and how they would like family justice systems to change, encouraging user-centred design when developing new approaches.
- Moving away from tokenism in listening to children and young people and ensuring mechanisms are in place to fully engage with them when parents split up.
- Recognising the variations in conflict and finding a better definition of high-conflict families: it is a descriptor which is widely misunderstood and used to describe a wide variety of conflict.
- Using existing resources and services more creatively.
- Embracing technology to offer choice to parents and encourage self-determination.
- Raising awareness of mediation and other dispute resolution options to move away from systems that foster conflict and litigation.

The group wondered if the time had come to redefine the roles of the professionals involved in family justice. Do we need a new polymath professional who can combine legal skills with more therapeutic skills? Who should address the relationship issues as opposed to legal issues? Could this be managed via a relationship centre?

Participants agreed that because the concerns and challenges are the same throughout Europe, we need more cross-jurisdictional sharing of ideas and a greater willingness to learn from others and be more innovative. There was broad agreement that it would be helpful if there could be a common set of terms and new non-stigmatising language within family justice across Europe.

Innovative Practice in Europe

The second session focused on innovations in relationship support and family justice in Europe, which have been developed to address some of the challenges identified in the first session. Four speakers gave examples of innovative practice and participants were asked to

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consider the extent to which they might be replicated in their own jurisdiction. These innovations are discussed more fully in this Special issue.

Marianne Gabrielsson, Sweden. Marianne focused her presentation on the use of Co-operation Teams as a child-centred early intervention in separated families. There are no specialised family courts in Sweden. Family law social workers provide courts with evaluation reports and offer publicly-funded mediation. Shared legal responsibility for children by separated parents is strongly recommended and women's financial independence through paid work is promoted. To enhance this, high-quality child care is subsidised and gender-equal parental leave is promoted.

Marianne described a pilot project in five municipalities in Sweden, funded by the Ministry of Social Affairs from 2014 to 2017, involving Co-operation Teams working with high-conflict families. These families often have child protection issues; they often experience violence, mental health issues, substance abuse, and may have a neuro-psychiatric diagnosis. There was increased awareness that families and family members have a variety of needs and that a lack of collaboration creates difficulties and contradictory outcomes for the families. So, the pilot developed a new model whereby a Co-operation Team offers early, coordinated interdisciplinary support to the family. The team uses the Detection of Overall Risk Screen (DOORS) developed by Dr. Jennifer McIntosh and colleagues in Australia. The tool enables the determination of risk, allows for the planning and coordination of responses, promotes effective communication about risk, and stays alongside those at risk of harm and those at risk of harming.

Penny Mansfield, England. Penny talked about the important work her organisation has been doing in understanding the emotional readiness of those who are looking to benefit from supportive interventions, such as mediation. Clients' emotional state needs to be factored into information delivery about options, the availability of counselling or other therapeutic interventions to support emotionally vulnerable parties, and the importance of emotional readiness in family dispute resolution processes. People whose relationships have broken down, experience a range of emotions and often swing from one to another in a complex interplay. This can have serious impacts on parents and parenting. For example, parents may have reduced ability to identify, listen, respond, and empathise with children; their ability to 'take in' information, make decisions, access support may be compromised, and co-parenting arrangements may be jeopardized. Most people adjust over time, but for some couples, co-parenting conflict may persist. OnePlusOne has developed an online emotional readiness tool so that interventions can be appropriately tailored.

Rosanne Cubitt, Scotland. Rosanne described the range of interventions Relationships Scotland offers across the country. Relationships Scotland receives 40 percent of its funding from the Scottish Government, with whom it has a close relationship, and other funding from trusts, legal aid funding, and the Big Lottery. The services are overseen by one national office, enabling consistency of service provision. Unlike in England and Wales, legal aid is available for family actions, but there is no court welfare service and there are very few family therapists.

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Rosanne talked about four innovative services that Relationships Scotland is pioneering: the African Hairdressers Listening Project (MWAMBA), Parenting Apart, Family Support Workers, and the Safe and Sound project. The first of these involves hairdressers being trained in skilled listening about relationships. The training has been adapted for and sensitive to African cultures, with training taking five days to complete. The training has been shown to help hairdressers to feel less overwhelmed when clients talk about their personal problems, become more effective listeners, provide more support to their clients, and feel better equipped and supported themselves. Relationships Scotland has learned lessons as to the locations where listening can best take place, the cultural impact on communication styles, content sensitivities, and context differences.

Parenting Apart involves a group session and a one-to-one program for separating parents. It is funded by the Scottish Government and is therefore free to participants. The program is integrated with mediation provision and child contact centre support. The contents are tailored to specific circumstances and the timing is flexible. The program includes the provision of booklets, film, information on the website and interactive exercises and follow-up online skills sessions. Independently evaluation has shown consistently positive and encouraging outcomes.

Family support workers are based in child contact centres in order to offer intensive one-to-one support for families who need it. Each family is helped with an individual support plan, which is reviewed regularly. The support workers assist with establishing contact, overcoming barriers and the challenges parents are facing after separation. They can also signpost families to other services. The service is free for parents. The Safe and Sound Project is a joint project with Shelter Scotland and is targeted at families whose relationship has broken down and housing provision is unstable. The families are offered housing support and mediation, including emotional and practical support and skills development. This service is also free to families.

All these innovations are having a positive impact on separating families and are relatively straightforward to develop and implement with appropriate funding. They are all community-based and easy for parents to access. Relationships Scotland is currently developing a Family Dispute Resolution Pilot, child-inclusive mediation and family therapy and family counselling. They are also looking at specialist risk assessment innovations.

Joseph Salzgeber, Germany. Joseph described the way in which family courts work in Germany. Family courts were introduced in Germany in 1977, alongside no-fault divorce. The primary consideration is ensuring the best interests of the child, and in 1998, shared custody (Wechselmodell) was introduced. In 2017, equal shared care was put in place. In Germany, 95 percent of parents share legal custody of the child and both parents are expected to share in the upbringing of their child. There is no distinction made between rights and responsibilities. The family law process is procedurally defined, lawyers are always involved and there are very few litigants-in-person.

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A number of new interventions are primarily court-based: a Guardian ad Litem always considers the welfare of the child, a Contact Supervisor assists with contact arrangements but does not supervise the contact itself, and a Custody Evaluator is appointed and paid by the court. In 70 per cent of cases, the state pays all the legal costs. Inter-disciplinarity is a key feature of the legal process in Germany, so that counsellors, mediators, custody evaluators, contact supervisors, and lawyers work together to reach an agreement with the parents. The voice of the child is an integral part of the process and judges routinely talk to children aged three and over.

Discussion

Following the presentations, participants considered three questions.

1. Are these innovations and/or others being developed in other jurisdictions?
2. To what extent could the innovations described be replicated elsewhere or are they culturally and jurisdictional specific?
3. What other innovations should we consider?

Participants noted the variations in the provision of state-funded support and legal services around Europe. The outcomes desired from a range of approaches are broadly similar: the emphasis is on protecting children and enabling parents to continue to take parental responsibility for their children's upbringing and welfare. Taking an interdisciplinary approach, professionals work together to achieve these outcomes either out of court or within the court process. In Denmark, for example, psychologists work with families and with children. During the discussions, a number of dilemmas and questions emerged:

- How far should or could mediated agreements out of the court setting be legally-binding?
- Are lawyers needed in all cases and should they be involved only if legal advice is needed or when issues are in dispute?
- Can litigants be helped to help themselves? There was support for the provision of personal support units in the courts, perhaps staffed by law graduates.
- Could more be done to educate children about relationships and about family breakdown in schools?
- Should there be one point of entry or many points where advice and information can be given to families about family law matters?
- How can parents be helped to listen to the voices of children and put their best interests first? Do programs such as Parenting Apart in Scotland provide a good model for this?
- Can digital platforms increase diversity of interventions and how can we make more use of online support programs?

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- To what extent can peer support be helpful and are there ethical considerations that should be considered when non-family-law-professionals are taking a listening/signposting role?

There was a strong consensus that the judiciary are important leaders of change and many innovations are the result of determined and influential judicial personalities driving change agendas. If there is the will to make changes and offer new approaches, then opportunities will flourish. Australia provides a good example of innovation in family relationship support and family law when a more holistic view of ways to improve family relationships was developed and subsequently modified by the evaluation evidence. It was agreed that many of the innovations discussed in the consultation have the possibility of being adapted and tried in different jurisdictions.

Emerging Themes: What needs to change and how ideas can be taken forward?

The final two presentations at the consultation examined the role, benefits and concerns of digital technology in family justice, and opportunities for future international collaboration.

David Hodson, England. David reminded us that digitalization is increasing across family justice systems the world over. He cited 500 million tweets a day, 1 billion websites, 1.2 trillion Google searches every year, 2.5 million emails every second, 3.5 billion internet users in 2017, and 47 percent of the world population with internet access (81% in the developed world). Much of family law is focused on dispute resolution, and already, 60 million customer disputes are dealt with online via Ebay's dispute resolution scheme. Parties are generally happy with the process, which is perceived as being an effective way to reach settlements. Moreover, the procedures are intelligible and comprehensible to the user. So how can this kind of technology be used in the administration of justice, the resolution of family disputes, the practice of justice, and access to justice?

David cautioned that many families going before the family courts are poor and disadvantaged and do not have ready access to the internet. Nevertheless, family law is already being influenced by digital processes. There are several online divorce schemes and lawyers offering online services. Standardised court forms will enhance consistency and will result in higher quality ways to help litigants in person understand the processes. Lawyers will inevitably be doing different kinds of work and mediators are likely to find new ways of working, such as, via Skype and Zoom. Clients will have different expectations of the professionals that support them, and it is reasonable to ask whether justice has to be conducted in a courtroom or whether there are more efficient ways to administer access to justice. Only the most difficult cases may need to be heard in a traditional courtroom. Online dispute resolution programs will be the choice of clients, lawyers, and the judiciary. An example of the current use of digital technology is the International Family Law Arbitration

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Scheme, which uses electronic hearings, fact gathering via electronic forms, and decisions populated from the facts obtained. The process is open and transparent for parties.

David also noted the challenges. Will it be difficult to ensure discretionary, personalized, tailor-made justice via an electronic system? Does an electronic system detract from the solemnity and gravity associated with courtrooms and more traditional judicial processes? Will online processes be abused? Undoubtedly, digital technologies are advancing at an amazing rate and it's possible that the challenges can be overcome, especially as family dissolution becomes a more administrative process, but it is essential to be mindful of the importance of ensuring equal access to justice.

David reminded participants that in assessing the innovations discussed during the consultation, we need to accept that family support and family justice will have to change to keep pace with digitalization and the new opportunities it offers. Professionals will have to adapt to new ways of working with clients, and families will have a different and probably higher expectation of the services they are offered. At the same time, the emotional experiences and legal needs of families facing relationship breakdown will remain the same, as will the need for highly-experienced professionals and innovative services. Access to justice will continue to be of absolute importance.

Annette Burns and Peter Salem, USA. Peter indicated that there were a number of themes emerging from the presentations and discussions and it is possible to identify some overarching principles in respect to innovative practice that would have resonance across Europe and beyond. He listed these as being:

- Professional accountability
- Child agency and hearing children's voices
- Self-determination of families
- Protecting the vulnerable, and addressing power imbalances
- Prevention – and a public health approach
- Judicial leadership
- Evidence-informed approaches
- Promoting family well-being
- Collaborative system design and service user-involvement
- Interdisciplinarity

Peter argued that it would be possible to identify a more complete set of principles that could inform innovations in relationship support and family justice and thereby encourage a more coordinated approach across different jurisdictions, taking account of variations in family law processes between countries.

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Annette spoke about the value of taking a bottom-up approach to innovation. This would embrace the views of service users and remind us to be cautious about wanting 'to rescue' people. If the overall goal is to facilitate a better, healthier family life, then we can start by placing information in the right places and offering wrap-around options. She emphasised the importance of checking each new idea against a common set of principles.

Discussion

Participants were asked to consider the last two presentations by thinking through:

1. The learning from the consultation
2. The innovations we should we be encouraging
3. The opportunities for collaboration between different professionals and different countries.

The key learning from the consultation was identified as being the similarity in respect of the challenges facing relationship support and family justice providers across Europe. Nevertheless, ways of addressing the challenges vary considerably. There was widespread recognition of increased digitalization and a strong sense that one size does not fit all, and that choice and tailored responses are important ingredients. While technology offers many exciting new ways of working, we are looking for ways of enhancing the well-being of human beings at very sensitive and distressing times of family change. Part of the task is to help people make and sustain healthy, committed relationships, so increasing emotional literacy is a key ingredient. There was a clear consensus that developing and agreeing to a clear set of principles to be shared across boundaries would be very worthwhile. Innovations should be service-user-informed, accessible and proportionate and this will almost certainly indicate the need for a blended approach. Digitalisation is unlikely to be able to do everything, but joining-up interventions and working in a blended way should be more efficient and give greater choice. It is essential not to forget the centrality of diversity and to ensure inclusion.

Participants recognised that the consultation had provided increased opportunities for cross-country collaboration and establishing new professional partnerships. It had begun to create a community in Europe for sharing best practice, reviewing the use of language, setting standards and practice guidelines, and networking. There was enthusiasm for interdisciplinary training, international meetings to share ideas and good practice, and further opportunities to learn from each other.

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Reflections

Janet Walker, England. Prior to the closing discussion, Janet was asked to provide some reflections on the consultation. She reminded participants that the ambition of St. Georges' House is to effect change for the better by nurturing wisdom through dialogue. This consultation had focused on sensitive issues which are of extreme importance in all jurisdictions, as family life changes, family support, and family justice try to keep pace with a global economy which is both exciting and challenging. The art of consultation is to nurture wisdom through openness, respect and frank discussion. Over the previous twenty-four hours, those values characterised the consultation as participants from different European countries and the two guests from the United States worked together and shared their ideas. Much of the discussion had focused on family justice innovation and less time had been given to thinking about interventions to support family relationships at all stages of life. But, as we had been reminded in the opening session, family justice is about more than legal processes and should be examined through the wider lens of social justice. We all acknowledged that our commitment to innovation and change is driven by the desire to increase family well-being and ensure that children experience the best possible, loving family relationships in which to thrive. When relationships break down, interventions that can minimize the negative consequences and support families to deal with the changes they must make are to be promoted. Working with families requires us to work together with other professionals. Together, we have a lot of valuable tools at our disposal and a great deal of experience and knowledge to share.

Many of the innovations we had talked about had been funded by governments. It is clear that states have a duty to support families, particularly those that are especially vulnerable. The level of state support is very variable, however, but all governments can play an important role by:

- Supporting parents to support their children
- Providing high quality reliable information
- Ensuring access to a range of support and advice services
- Ensuring equal access to justice irrespective of class, creed, ethnicity, and ability to pay
- Ensuring that children have a voice

Many of the innovations described during the consultation had a therapeutic goal, but it seems that some governments find it difficult to fund such services. How far should they get involved in issues that are primarily personal and which have a moral component? The expectation that parents should sort out their personal difficulties by themselves can sometimes prevent states from taking an active role in the development of innovatory services. Yet without support, many families and children become even more vulnerable and

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may need more support from the state in the longer term. Unresolved conflict and hostility may result in increasing demands on mental health services, for example. If we view relationship issues as a public health matter, then governments might be more willing to assist.

During the consultation, there had been frequent reference to the role of champions, change agents, and professionals that can take a leadership role and influence change and promote innovation. But rather than always look to others to perform this role, Jan suggested that we should look to ourselves. We can all act as change agents by working collaboratively, sharing our wisdom and supporting each other. The hope was that everyone would leave Windsor Castle feeling refreshed, optimistic, thoughtful and empowered to make a difference. We should also feel that we belong to a community of like-minded people sharing a passion for social justice. The AFCC can help us to foster that passion in the months and years to come.

Post-Consultation Reflections of the Participants

Shortly after the consultation had taken place, a brief survey was sent to participants to garner their reflections. The feedback received was overwhelmingly positive, and there is little doubt that participants enjoyed the space and opportunity to think about a range of issues and to share ideas from different countries. There was a strong feeling that another 24 hours would have been useful, as there is so much to learn from other jurisdictions. Participants appreciated the safe space in which to share ideas and the mix of formal presentations and informal discussion was welcomed. Several commented that St. Georges' House offers a unique opportunity to work with colleagues in a residential setting. Topics mentioned for future meetings and exchanges included the following:

- The ethics of mandatory mediation
- How the voice of the child is being respected in different jurisdictions
- Access to justice in family matters
- The role of law in family conflicts
- Self-represented litigants
- The role of welfare reports in family justice matters
- Family support centres in the community or in the courts
- Mental and public health issues in family support and family justice
- More in-depth understanding of high conflict families

The consultation had encouraged international collaboration and this was regarded by participants as very important. The discussions had stimulated ideas and were described as thought-provoking. Comments were made that more international liaison and cooperation

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can only be beneficial for families. In response to a question about what the main opportunities are going forward, one participant replied 'networking, networking, networking'. Hopefully, AFCC can encourage an ongoing dialogue on a range of issues. A number of suggestions for discussion emerged from the survey, including

- Looking at ways to simplify judicial procedures
- Finding a new approach to help families that need assistance, rather than continuing to try and fix broken systems
- Encouraging policy-makers to recognize the value of promoting family well-being
Creating more possibilities for families to reduce conflict and reach settlement
- Developing more specialized services
- Regulating mediation practice
- Ensuring clarity in European family law when the UK leaves the European Union

There was a universal request for further events of this kind and participants urged a return to St Georges' House as soon as possible for another consultation

Author Biographies

Emeritus Professor Janet Walker OBE FAcSS, FRSA

Janet is Emeritus Professor of Family Policy at Newcastle University, England. She studied social sciences and trained and practised as a probation officer, family therapist and family mediator. Between 1985 and 2005, she directed over 50 studies of marriage, divorce, domestic violence, mediation, family law reform, and parenting. Janet has been an expert consultant on family mediation at the Council of Europe, a member of the Ministry of Justice Mediation Task Force, and Co-Chair of the Government's Voice of the Child Dispute Resolution Advisory Group. She is appointed by the Ministry of Justice as a Lay Adviser to the multi-agency public protection arrangements relating to serious offenders and sex offenders in the community. She is currently working with Andrew Selous MP who has been commissioned by the Secretary of State for Defence in the UK to undertake an independent

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review of the support needs of military families in the UK. Janet is Vice Chair of the Board of Relate and Chair of the International Committee of AFCC, leading AFCC developments in Europe.

Dr David Marjoribanks

David was the Policy and Research Manager at Relate at the time of the consultation at St George's House. He led a number of research projects on family relationships, including a major study on relationships and debt, and authored numerous reports, including two commissioned by the British Government. Prior to joining Relate, he was a policy researcher for a family at the Centre for Social Justice think tank in London. He has a BA in Politics and an MA in Political Philosophy (University of York, England) and a Ph.D. in Philosophy (University of Kent, England). David is currently Policy Manager for the Single Financial Guidance Body in the UK.

Dr Gabriela Misca (PhD, CPsychol, CSci, AFBPsS, FHEA)

Gabriela is a Chartered Psychologist and Associate Fellow of the British Psychological Society, who brings a multidisciplinary perspective to her work, having studied, researched and taught in the field of child and family psychology and its interface with social policy and practice. She is a faculty member at the University of Worcester, UK, and her scholarship embraces interdisciplinary approaches to advance insights into the interplay between parenting in complex and/or adverse family circumstances and children's developmental adjustment. A recent recipient of a Fulbright Scholar Award in the USA, her current research focusses on issues related to military and veteran families and their children, their support needs in coping with the demands of military life transitions, and the visible and nonvisible combat injuries of

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the serving family member. She presented and published widely on these topics, and her recent books “Psychology and social work” (Wiley, 2017) and “Child and Adolescent Psychology for social work and allied professions” (Springer, 2018) make compelling arguments for research-informed practice in supporting families.