

## **Restorative Practice and Family Dispute Resolution**

### **About today**

What a wonderful day

Skill and experience sharing amongst practitioners in separation services and family law with a WA focus. A lot of us are practicing Family Dispute Resolution Practitioners.

My passion for Restorative Practice work brought me to this stage today

An effective tool to at times apply parallel to Family Dispute Resolution

### **Who am I?**

That may go a bit deep... Let's stick to this:

My name is Astrid, born in Amsterdam, The Netherlands

My life is focused on rearing my now 14yo daughter, growing as much food as I possibly can in my backyard and enjoying being in beautiful Broome

And then there is work, of course.

With much pleasure I work for Anglicare WA in a varied role: the official title is Senior FDRP Supervisor.

What that means is that I work with families around separation in all it's aspects (FDRP, Child Inclusive Practice, group facilitation, couples/parent/child work, clinical supervisor, coordinator, NW WAFLPN regional rep)

I do so as part of a great team of dedicated people. As I work 24 hours per week I never get bored :)

### **About Anglicare WA and in particularly the Kimberley FRC**

The Fitzroy Valley alone has about 180 outlying communities.

The prevalence of post colonisation trauma is high in the North West region and there are many other related and unrelated challenges.

Our service delivery has always been focused on accommodating client needs so we get to operate outside the box a bit. Hence my dabbling in RP...

### **FDR at Anglicare WA and Kimberley FRC**

In the Transformative Approach the goal is to seek empowerment and mutual recognition to increase responsiveness before resolution of immediate problems is sought.

The combination of both meets complex clients' needs, leading to better outcomes.

## Now onto Restorative Practice

Restorative Practice made simple

Modalities vary from very simple interventions to methods that require a script many pages long, such as bullying response conversations of 15 minutes to family conferences and restorative conferences that can take hours or days)

## How did I come across RP?

With the team at the time I was taught this tool by Terry O'Connell about 7 years ago  
I applied it the first day after the training and never looked back.

FYI The official training: 5 days with Terry O'Connell a facilitator's manual, a workbook, a handbook and literature suggestions

It was a joy to attend this training although at times confronting. It took us out of client service for a week and had a solid price tag.

We have 1 hour today and I think that will be enough.

## Why do I use Restorative Practice?

In my humble opinion this tool is gold

*It is simple - I believe less is more*

*It is empowering - anyone can use it, no dependence on the 'professional'*

*It is effective - well, most of the time*

A simple tool really that is based on a few questions, a safe space to talk, a facilitator to hold the space and willing-to-be-vulnerable participants.

## Bringing it together

How do I combine RP with FDR?

In FDR we tend to stay away from what has caused the rifts. When assessing suitability for FDR we assess parents capacity to leave past relationship issues behind and if they are capable of 'not fighting old battles'. *We have various ways to 'move parents forward' and to 'bring the focus to the child' however that does not allow for repair of the hurt.*

*And sometimes that is just what is needed.*

When parent(s) keep coming back to one point or issue you have your clue: this is unresolved conflict. Restorative Practice may just allow healing and resolve and create that necessary shift.

Thus Restorative Practice is about the parents' relationship and requires reflecting back.

Not a good fit when looking at the standard procedures.

Yet as said: we can act out of that box so what do I do? When I see a need, I invite parents to come in for a *'restorative session, very much separate to FDR that will be about you and what you need to address together'*. To address the issues that seem to block the FDR process and that are actually often not about the kids but about the relationship past. To not 'confuse' the FDR process and to maintain the child and solution focus of FDR it is important to separate one thing from the other.

### **When then?**

Restorative Practice may be useful when:

Parents keep coming back to one issue

If the dynamic tells you 'something' hasn't made it to the table in preparation of FDR

If all progress is one step forward to be followed by one step back

When we notice a standstill or internally sigh about the merry-go-round

When parents throw their hands in the air and say: 'It has always been like this, it will never change'

Parents that keep returning to FDR

### **How to?**

When parent(s) keep coming back to one point or issue you have your clue: this is unresolved conflict

Then we consider what the issue is and lay it on the table, gently, neutrally, clearly and compassionately

The parents will recognise it, they will know

The question to them will be: are you willing and ready to address this?

We offer the separate session, mark clearly that it is NOT FDR but it may help

That really it is a bit like a couple counselling session for ex couples (eye roll of at least one parent usually)

To sort stuff out

To address the real pain

In a safe space

With me as a facilitator for a real conversation

The one prerequisite is that they must be willing to be vulnerable as it will likely hurt

Yet it may get them forward

It does not always work but usually it is good

If parents are willing to spend an hour on this (I do always suggest to not have other commitments after, to take care of self, to acknowledge that it will be wild ride that may need recovery, no big decision making on that day)

We go for it

### **What do we do**

We ask the right questions

In training we were given a card with 5-6 questions to us in RP. One set for the 'victim', one for the 'perpetrator'. Generally both parties are hurt one way or the other so I usually use the 'victim' questions

As said I like things simple to have condensed the questions down to these 3

**In the session...** I set both parents up facing each other

I start with asking the questions to both

Listen to their stories

Then I ask them to ask each other the very same questions

'What?' They will say, 'We have just heard it all! How is this going to make a difference?'

I ask to just humor me and do it.

I may write out the questions on an A4 and put it in front of them for reference.

Ask them not to interrupt each other. Not to respond to each other. Just ask and listen (really listen). Any of them can start. They can do all questions for one and then the other or take turns, it doesn't matter.

### **And then it starts.**

They will share new information: completely unknown, or just add a facet, a feeling, an experience and this will make the difference.

And here is where the power comes in.

Real understanding occurs.

A real conversation ensues.

And if you are lucky (and this has happened quite often actually) before you know it you see how they were as friends, partners. This is *the warm fuzzy bit* :) It is so lovely to observe that genuine interest and respect for each other. If it happens that is.

Most of the time the shift occurs and both parents will finish the conversation and then move on to arranging the parenting plan. No facilitator needed anymore really, I often feel I could leave the room but really I don't want to miss out on the good vibe so stay.

If they carry on with towards the whole PP I do stop them after a while to thank them for being vulnerable and willing to really talk.

They can come back to finish the FDR which is a breeze and generally done within the hour after and parents do not tend to return.

Hmm, what does that say one could wonder?

Feedback received later, lovely cards etc or seeing settled shared families at events around town tells me that things are right. These are most of the time the parents I can easily suggest to to meet for a coffee once month to really talk about the kids beyond the practical things. Sometimes they need a while for this but generally the effect is positive and lasting. I told you: GOLD :) That simple. If you dare and if the parents dare (and maybe your organisation).

*If you are game or creative you can create a Parents Intention in the Parenting Plan that mentions their progress made, as a gentle reminder as the repair established. I feel this helps if things go tough again and they re read the PP as it takes them back to the healing. (Narrative notes – not mentioned or discussed)*

### **When does it work really well and when not**

Restorative Practice seems super successful when the separation has been a while ago

Those parents that keep coming back, maybe once every year or two

*It has made me understand that a lot of parents actually don't get to break up properly*

There is an incident, a blow out, sides taken by friends and family members.

Right after the break up each parent deals with many practical issues, stress, financial pressure, moving house, kids needing more or different care, a new partner etc often leaving no room for understanding, repair or moving forward in regards to the relationship. Sometimes parents have not had a normal conversation for years. Thus the break up conflict continues in myriad other forms and shapes. RP can allow for that pause, to reflect and repair. Parents have to be willing and able to deal with the pain. There has to be a level of 'maturity' to separate this issue from others; to recognise 'this is about us and what has happened between us, we will need to sort it'.

When it does not work so well is when others in the background are too powerful in not wanting the change. However sometimes the need for repair is important enough for people to want to hold on to it and defy the system. I wouldn't try it when the power imbalance is just too large, one party is

abusive etc. You have to have a feel about mutual responsiveness to decide if this can be done or not. And you have to be clear that it does not always work. When it does though, often, it is gold.