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Hearing parties' voices in Coordinated Family Dispute Resolution (CFDR): An Australian pilot of a family mediation model designed for matters involving a history of domestic violence

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This paper discusses the Coordinated Family Dispute Resolution (family mediation) process piloted in Australia in 2010-12. This process was evaluated by the Australian Institute of Family Studies as being 'at the cutting edge of family law practice' because it involves the conscious application of mediation where there has been a history of family violence, in a clinically collaborative multidisciplinary and multi-agency setting. The Australian government's failure to invest resources in the ongoing funding of this model jeopardises the safety and efficacy of family dispute resolution practice in family violence contexts, and compromises the hearing of the voices of family violence victims and their children.

Keywords: family dispute resolution, mediation, family violence, domestic violence

Introduction

Family mediation is increasingly situated in Australia's family law system as the dispute resolution process of first resort for family law matters, and particularly for parenting disputes. There are many good reasons for this. Mediation can be a flexible, cost-effective, time-efficient, more humane and less adversarial way for families to resolve post-separation disputes (Field, 2006, Fisher and Brandon, 2012). Perhaps most importantly, family mediation is a process that can enable party self-determination, empowering the parties in dispute to have a voice in making their own decisions as to how the needs and interests of families can best be served after separation. This voice is not one that is often supported in dispute resolution fora other than mediation, such as more formal court processes, where the law dictates what is relevant.

This article describes and analyses a model of family dispute resolution developed and piloted in Australia for matters involving a history of domestic violence. The model was designed to support the empowerment of parties and the efficacy of mediation as a process that facilitates the hearing of parties' voices. First, the article explores the circumstances in which family mediation can be said to enable parties' voices to be heard, along with some of the ways in which family mediation has the potential, if not practised appropriately, or if practised in inappropriate circumstances, to silence and oppress participants. Next, the CFDR model is described and the ways in which it supports the hearing of parties' voices is analysed. Finally, the Australian Institute of Family Studies' formal evaluation of the CFDR

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pilot is discussed. The article concludes with recommendations for future family mediation practice in matters where there is a history of domestic violence.

What is family mediation?

Christopher Moore defines mediation as a dispute resolution process that is “an extension or elaboration of the negotiation process that involves the intervention of an acceptable third party who has limited (or no) authoritative decision-making power” (Moore 2003, p. 8). Since reforms were made to the Australian *Family Law Act, 1975* (Cth) (‘the Act’) in 2006, family mediation has generally been known as ‘family dispute resolution’ (FDR). The term ‘family dispute resolution’ is defined in section 10F of the Act as “a process (other than a judicial process): (a) in which a family dispute resolution practitioner helps people affected, or likely to be affected, by separation or divorce to resolve some or all of their disputes with each other; and (b) in which the practitioner is independent of all the parties involved in the process.” This definition emphasises FDR as a process that is ‘helping’ and non-adjudicative. Whilst a range of informal approaches to dispute resolution, including counselling or conciliation, can satisfy this broad definition, mediation is the key form of FDR currently being used in Australia under the legislation.

The 2006 family law reforms have ensured that the use of FDR is now emphasised in Australia. Parents engaged in post-separation parenting disputes are not permitted to file proceedings to have their matter determined by a Family Court until they evidence to the court that they have attended family dispute resolution, or are exempted from attendance (*Family Law Act, 1975* (Cth), s. 60(I)). In other words, court proceedings are considered a last resort, for use only when the parties cannot resolve matters for themselves through non-court processes.

Family mediation as a process that supports the hearing of the parties’ voices

Family mediation is a process that supports the hearing of the parties’ voices in a number of ways. For example, the mediator does not make a decision for the parties. Rather, the mediator’s role is focussed on implementing and facilitating the process and this empowers the parties to take control of the dispute and the terms of its resolution.. Further, the mediator supports the parties to work collaboratively and cooperatively (Moore, 2003) and to generate options and imaginative outcomes to their dispute that respond to and address the needs and interests of their particular family – outcomes that may not be possible if the matter were decided by a court. Finally, the process supports the hearing of the parties’ emotions, and acknowledges and respects their capacity and competence in making their own decisions (Field 2004).

In the *Evaluation of the 2006 Family Law Reforms* conducted by the Australian Institute of Family Studies it was concluded that “FDR appears to work well for many parents and their children” (AIFS 2009, p. 110). US research has indicated that women in particular, “in custody and divorce mediation have reported that mediation enabled them to have a voice and express their views, and they perceived that they had equal influence over the terms of the agreements” (Kelly 1995, p. 85, Kelly and Duryee 1992, Kelly, 1989). Herrnstein too affirms the potential for mediation to give women a voice (Herrnstein 1996, p. 240); and Lichtenstein comments on the capacity of the mediation process to support women by providing the opportunity for them “to speak for themselves” (Lichtenstein 2000, p. 21).

Concerns about the hearing of parties’ voices in family mediation

Whilst family mediation can be said to create opportunities for the parties' voices to be heard, the self-determination imperative of the mediation process can work against the hearing of the voices of vulnerable parties (Field 1996, 2004, 2006, 2010). This is because family mediation requires vulnerable parties, who have limited capacity, to negotiate on their own behalf. Many parties to post-separation disputes, and particularly parties where there is a history of domestic violence, for example, have a significantly reduced capacity to identify and articulate clearly their own needs and interests, to argue rationally for outcomes that can satisfy those interests (and those of the children), and to be creative in generating options to resolve the dispute (Field 2006).

Power imbalances between the parties are a common feature of post-separation disputes in Australia (Field 2004, 2006, 2010, McClelland 2010, Kaspiew *et al.* 2012). When mediation is practised where there is a power imbalance caused by domestic violence, the process itself can contribute to entrenching and exacerbating a party's vulnerability, and unjust outcomes can result (Grillo 1991, Bryan 1992). The voices of victims of domestic violence can be silenced in mediation because domestic violence is about power, control, domination, and fear (Field 2006). Perpetrators of domestic violence are coercive, intimidating, monitoring, and threatening in their behaviour towards their victim, and they continue this behaviour in the mediation setting (Bancroft *et al.* 2012). Further, the neutral setting of mediation, which attempts to establish a 'level playing field' between participants, can provide perpetrators with an opportunity to continue to exercise power and control over the victim (Field 2006). These issues mean that the key empowering benefits of mediation are potentially significantly undermined in relation to a victim's participation, and it is possible in mediation for the realities of the power differences between perpetrators and victims of domestic violence to be ignored.

Despite these issues, we know that victims of violence often participate in family mediation even though they can seek to be 'screened out' by a mediator as being unsuitable for participation, or they can seek a court order exempting them from participation, on the basis of the history of domestic violence (*Family Law Act, 1975 (Cth), s. 60(I)*). One reason for this is that many victims of family violence are reluctant to identify the violence at mediation screening or intake processes (Bancroft *et al.* 2012). This may be because they feel ashamed or embarrassed because of the stigma associated with family violence; they may not have yet identified the behaviour they are experiencing as violence; or they do not want to risk being screened out of mediation because they consider it a better or safer option for them than going to court or trying to negotiate with the perpetrator themselves (Field 2006). There are also a number of positive elements of mediation that appeal to victims of violence and encourage them to at least attempt it. For example, mediation is a relatively inexpensive, easily accessible, and user friendly process. Particularly when compared with the court processes which can be daunting, isolating and difficult, leading to highly unpredictable and uncertain outcomes. Further, some victims of family violence want to participate in mediation because they recognise its potential to provide them with a voice in their negotiations about parenting arrangements (Women's Legal Service 2010).

Victims of violence also continue to find themselves in family mediation processes because the identification of a history of domestic violence in a relationship, and determining when it is appropriate to screen a matter out of mediation, requires a level of professional expertise that not all those working in the family law system possess (Women's Legal Service 2010). Further, the heavy emphasis in the family law system on mediation can result in victims of violence having to participate, as even when a matter is screened out by a

mediator the court can make orders to send the matter back to attempt mediation (*Family Law Act, 1975* (Cth), s. 60(I) and (J)).

Hearing children's voices in family mediation

All Australian family mediation conducted pursuant to the Act must have a focus on the best interests of the child (the Act, Part VII). Increasingly also, models of child-inclusive FDR are being advocated (Relationships Australia 2006, McIntosh, Long and Wells 2009). Certainly, in family disputes where there are no issues of domestic violence, bringing the voice of the child into the mediation room through a child consultant may work very well. However, where there is a history of domestic violence, giving the child a voice in the mediation process in this way needs to be approached with care, and after a thorough analysis of the safety implications (Shea Hart 2009). An appropriately trained and qualified children's practitioner or consultant with expertise in working with children who are victims of domestic violence, or who have witnessed domestic violence, should inform such decisions. As Shea Hart has said: "It is not a simple straight-forward process to effectively facilitate the child's inclusion in cases where domestic violence is an issue" (2009, p. 12). If not handled well, involving children in FDR could result in unsafe outcomes by, for example: placing a child in a position where they are unable to talk honestly and openly for fear of later emotional repercussions or physical danger from the perpetrator who knows the interview has taken place; and/or placing the child under stress because the child's involvement *may* heighten the child's sense of responsibility to please their parents and/or protect themselves or other members of the family from the perpetrator (Shea Hart 2004, 2009).

When considering whether a child should be informally or formally interviewed as part of a family mediation process it is important to consider: whether it is safe for the child to participate; whether the child has expressed a clear wish to participate; and whether the child may be being pressured or coached to express a wish for a particular parenting arrangement (Shea Hart 2004, 2009). In addition, an assessment should be made of the child's age and developmental maturity, and whether they have the necessary levels of understanding to participate (Shea Hart 2004, 2009). Further, an assessment should also be made as to the capacity of the victim of violence to be protective and emotionally available to the child, and whether the child has access to other supportive advocates in both the short and long term. In order to inform these considerations it is vital to have a complete history of the domestic violence in the family and to know that the threat of violence is not current. An on-going assessment should take place in relation to the risk of violence to the child and any other party; and suitable support systems should be put in place for both the parents and the child (Shea Hart 2009).

Critically, in order to allow the voice of the child to be heard safely in mediation both the mediator and the child consultant must be highly skilled. The skill set of such consultants should include a knowledge of: domestic violence, and of children's lived experience of domestic violence; child development; childhood trauma; child coping strategies; patterns of attachment; risk and protective factors; and scripting of the child by either parent (Shea Hart 2009). Consultants who enable children's voices to be heard safely will also: conduct a risk analysis of the child spending time with the violent parent; have an ability to identify the child's perspectives on his or her own needs and interests; have an ability to analyse and understand the child's attitude and behaviour towards both parents; have an ability to identify any special needs of the child; and have an ability to be able to report back safely and appropriately (Shea Hart 2009).

Coordinated family dispute resolution (CFDR): A response to concerns about parties' voices in family mediation

In order to ensure that the voices of vulnerable parties can be heard in family mediation, and that safe, just and appropriate outcomes are supported by the process, specific steps and intentional strategies are necessary. A specialised model of mediation that includes measures to support the hearing of the parties' voices where there is a history of domestic violence was commissioned by the Australian Federal Attorney-General's Department in 2009 and piloted between 2010 and 2012 in five different locations around Australia. The model, known as Coordinated Family Dispute Resolution (CFDR), was conceptualised and written by Rachael Field of the Queensland University of Technology and Angela Lynch of Women's Legal Service, Brisbane, with input from others on staff at the Service. It is an innovative, distinct, new model of family mediation with theoretical, scholarly foundations (Women's Legal Service 2010) and was informed by a comprehensive consultation process with experts and stakeholders.

CFDR was designed to support the achievement of safe and sustainable post-separation parenting outcomes for children and their families, by addressing some of the issues of vulnerability, and lack of capacity, arising where a power imbalance exists between the parties as a result of a history of domestic violence. In particular, CFDR is a family mediation model that provides a multidisciplinary approach within a framework designed to support a focus on enabling the empowerment and self-determination principles of mediation (Women's Legal Service 2010). The model is comprised of four case-managed phases which are implemented in "a multi-agency, multidisciplinary setting (which) provide a safe, non-adversarial and child-sensitive means for parents to sort out their post-separation parenting disputes" (Kaspiew *et al.* 2012, ix).

The coordinated and multi-disciplinary nature of CFDR means that each professional participant is able to fulfil their unique professional function whilst ensuring that collaborative and cooperative professional decision-making is supported by the skills, experience and training of all professionals involved. The team of professionals required for the implementation of the model includes: mediators who specialise in the process and conduct of mediation; lawyers who provide each of the parents with independent legal advice, advocacy and representation; domestic violence workers who conduct specialist risk assessment, counselling and support, information and advocacy to victims of domestic violence; and men's workers who work with a gendered analysis of violence and follow recognised best practice standards for working with perpetrators of family violence and provide counselling and advice to perpetrators in the process (Women's Legal Service 2010). The model also envisages a specialist children's practitioner to be involved in matters where appropriate, along with other specialist workers, such as disability and migrant workers, depending on the needs of the family.

Figure 1

Phase 1 of CFDR: First intake process for CFDR

In the first phase of CFDR, intake is conducted either by a CFDR mediator, who then refers the matter to the domestic violence and men's workers for specialist risk assessment; or by the domestic violence and men's workers only. This intake process includes: an assessment of the likely suitability of the matter for the CFDR process and a specialist risk assessment; information provision to the parties about CFDR, the participation levels required of them throughout the process, the role of the mediator, and the role of lawyers and

other advocates in the process. The perpetrators of violence in the relationship are required, as a minimum requirement for participation in the model, to acknowledge that a family member believe that family violence had impacted on the family. The intake process also attains the parties' agreement to participate and to share information across services participating in CFDR.

Phase 2 of the CFDR: Preparation for CFDR mediation

Phase 2 of the CFDR process focusses on preparing the parties for effective participation in CFDR mediation. Both parties are required to attend preparatory legal advice sessions, communication sessions (which are essentially counselling sessions), and a CFDR mediation preparation workshop. The clients' readiness for participation is discussed and confirmed at a case management meeting of the professional team, although the mediation practitioner has the ultimate legal responsibility for deciding on this.

Phase 3 of CFDR: Attendance at CFDR mediation

Phase 3 of the CFDR process involves the clients participating in CFDR mediation, which is based on the stepped structure of the standard facilitative mediation model (Moore, 2003). CFDR mediation is intended to be practised as a co-mediation model, where there is a gender balance in the mediators, and where a legal advocate is present for both the victim of violence and the perpetrator. Other support people or advocates may also be present if this is assessed as necessary to best address the needs and interests of the parties. A range of variations on this model are possible, depending on the assessed needs of the family. For example, a non-lawyer advocate (that is, a social worker, family violence specialist, counsellor, or psychologist) could be present for each party instead of a lawyer. Additional alternatives include shuttle, telephone or video models of mediation. Also, a single mediator model might be used where the mediator is very experienced and the circumstances of the history of violence make this an appropriate approach. In CFDR mediation a greater number of private sessions may be required than in standard models of family mediation, as private sessions are a critical support to ensuring the parties' voices are heard.

Phase 4 of CFDR: Post CFDR follow-Up

With the consent of the parties the conclusion of the mediation is followed by a formal process at 1-3 months, and again at 9-10 months. The follow-up is undertaken by the domestic violence and men's workers and includes ongoing specialist risk assessment to ensure the safety of the family continues to be prioritised. Follow-up involves: an assessment of how the mediated agreement is working in practice for the family; a safety assessment; a discussion of ongoing needs for referrals, particularly if safety concerns are identified; the gathering of feedback about the CFDR process; consideration of whether the matter needs to return to CFDR and a further CFDR mediation; and an assessment of whether it is necessary for the DV and/or men's service workers to continue to work with the parties independently of CFDR. It is anticipated that, outside of the CFDR process, the parties may remain in contact, and engaged, with their domestic violence or men's workers for some time after completion of the CFDR process, for ongoing support and counselling.

The key features of CFDR that support the hearing of parties' voices

The CFDR model of family dispute resolution is complex and resource intensive. This level of structure and support is necessary, however, if safe and just outcomes are to be made possible through mediation, and if the hearing of the parties' voices is to be genuinely achieved in this particular context. There are a number of special features of CFDR which are worth highlighting.

A coordinated response

The family law system in Australia is complex, involving a number of government and community agencies and a range of professionals. There is little information sharing or coordination between these agencies and professionals. This has been identified as a problem for the efficacy of the operation of the family law system generally (Rhodes *et al.* 2008). By contrast, CFDR practice is inspired and informed by Coordinated Community Responses (CCRs) to domestic violence that have been developed internationally, and particularly in the Duluth model (DAIP 2011, Gondolf 2007). CCRs provide clear processes and policies for multi-agency, multi-disciplinary responses to domestic violence and provide for victim safety, perpetrator accountability, and system responsibility.

The value of a CCR is that the system becomes well informed of safety issues, and is able to respond in an informed and consistent way. This is because the multi-disciplinary professional team work together to achieve safety, share discipline expertise and experiences, and keep each other accountable in supportive ways. Inter-professional skills and understanding are transferred across the different professional disciplines. Each professional gains a knowledge and understanding of the other's role, framework and limitations. In this way, the system starts to work for one purpose. Whilst CFDR is not strictly a Coordinated Community Response in terms of how that concept is recognised internationally (DAIP, 2011; Gondolf 2007), it does incorporate aspects of a CCR into its practice, including holding perpetrators of violence accountable for their violence, adopting a gendered analysis of violence, and requiring all the specialist practitioners to work together as a cooperative, collaborative and non-hierarchical professional team.

A focus on specialist risk assessment

Specialist risk assessment is a critical element of CFDR. This is not limited to an assessment about the parties' suitability for participation in the process. Importantly, it also involves an assessment of the overall safety of participants, and in particular the safety of the victim of violence and the children. Risk assessment is ongoing throughout the parties' engagement with CFDR. Specialist risk assessments are only conducted by an appropriately qualified and experienced DV and men's worker with extensive experience and well developed skills in conducting risk assessments of this nature, including the ability to identify 'predominant aggressors' of family violence (ALRC 9.158-9.165). As a result, the safety of the participants, and particularly the victim of violence and children, is maintained as the highest priority.

CFDR mediation

A facilitative, problem-solving structure to the mediation process in CFDR is adopted for simplicity and clarity (Moore 2003), and because the goal of CFDR mediation is to help the parties resolve disputes about parenting, rather than have a transformative effect. This is because in the short time the parties are in the mediation process, it is not possible to significantly change or transform them. Transformative change (for example, perpetrators changing their violent behaviour) may be possible but this is recognised as a long-term process requiring development outside the mediation process, and with the assistance of specialist domestic violence and men's workers.

A critical component of the CFDR mediation model is the legal advocacy and support provided for the parties (Field 2004). The CFDR mediation team includes the mediator and lawyer and/or non-lawyer advocates who work together to facilitate the parties' discussions

in a non-adversarial way. A mediator practising CFDR is independent of the parties and has a duty to ensure that the process is fair and equitable to all participants, and in doing so they are not neutral to issues of safety for all participants, or the best interests of the child.

Special measures needed to respond to domestic violence in mediation

CFDR features a number of special measures to protect the safety of victims and children, to ensure that the parties' voices are heard, and to enable post-separation parenting agreements to uphold the best interests of the children. One such special measure is the implementation of the concept of 'predominant aggressor' which is a key consideration in determining issues of safety and risk and appropriate processes and interventions to be used (ALRC 2010). Determination of the predominant aggressor involves a consideration of the context and pattern of the violence, the history of the violence in the relationship, which person has been exerting power and control over the other, which person is fearful of the other and whether any violent behaviour on the part of the victim was in retaliation against the predominant aggressor or in self-defence.

Another special measure is the focus on perpetrator accountability. Individual perpetrator accountability acknowledges that it is an individual's choice to be violent and the perpetrator is required to accept responsibility for their actions. The practical effect of such an approach is that it does not allow the perpetrator to make excuses or blame other people or the victim for their own violent behaviour. An expectation that a perpetrator of family violence fully accepts responsibility for their behaviour is unrealistic (Bancroft *et al.* 2012). At a minimum in CFDR, a perpetrator is required to acknowledge that a family member believes that domestic violence is relevant to working out the future arrangements for the children. At a systemic level, it is important that perpetrator accountability remains a central objective of the process so that professionals and organisations involved in CFDR do not 'buy into' perpetrators' excuses for, or minimisation of, violence. This is important for system accountability, and to keep the issue of safety and risk at the heart of decision-making.

The involvement of children in CFDR mediation

The involvement of children in CFDR mediation is only undertaken after careful analysis of the safety implications of this approach, and a decision is made by the CFDR team of professionals at a case management meeting as to the level of a child's direct involvement in the mediation process. An appropriately trained and qualified 'children's practitioner' may be asked to join the meeting to assist with decision-making around the issue of the involvement of children. The child practitioner is required to have extensive clinical experience in working with children and domestic violence.

Evaluation of the CFDR Model

The CFDR model was evaluated by the Australian Institute of Family Studies (Kaspiew *et al.* 2012). The evaluation used a mixed-method approach involving several data sets. These included: a study of 126 CFDR case files and 247 comparison group files drawn from services where CFDR were not offered; an online survey of professionals involved in the pilot; 37 interviews with involved professionals at the beginning of its implementation and 33 professional interviews conducted at the end of the pilot period; 29 interviews with parents who participated in the CFDR process; and discussions with location coordinators which explored the implementation and adaptation of the model in each of the 5 locations where it was piloted (Kaspiew *et al.* 2012, ix-x).

A number of the evaluation findings affirmed the efficacy of the design elements of the model in terms of facilitating the safe and effective practice of family mediation where there is a history of domestic violence (Kaspiew *et al.* 2012). First, it was found that adequate risk assessment for the parties' safety and well-being is critical in DV contexts. Parties whose capacity to engage in the process is diminished to the point that inappropriate and unsafe outcomes may result, do not belong in family mediation. Second, the evidence suggested that preparation for the parties' participation in FDR is key. For example, parties should receive legal advice and counselling, be coached in how the mediation process works and what their role is in it; and they should receive some instruction on how to negotiate effectively in mediation (for example, communication strategies, how to identify their key needs and interests and how to prioritise them, option generation, and how to identify their bottom line). Third, the evaluation showed that vulnerable parties have more chance of making their voice heard in mediation in the context of lawyer-assisted models, as long as those lawyers are trained in alternative dispute resolution theory and practice.

The evaluation report noted that: "each of these elements makes a contribution to assisting parties to participate effectively to varying extents in contexts where effective collaboration is occurring between the professionals" (Kaspiew *et al.* 2012, p. 136). Kaspiew and colleagues also commented that an important feature of the CFDR model is the intensive level of support provided to the parties: "This is a key means by which the process attempts to keep children and parties safe and ensure that power imbalances resulting from family violence do not impede parents' ability to participate effectively" (Kaspiew *et al.* 2012).

It was noted above that CFDR involves a range of professionals with defined roles and responsibilities, and requires these professionals to work together collaboratively to support the safe participation of parties. The evaluation noted that these complex professional relationships, and "the logistics of coordinating contact between clients and multiple professionals in several locations" (2012, x), were key issues for successful practice of the model. The report concluded that the "quality of the collaborative relationships between the professionals and agencies working in the CFDR Pilot is integral to determining whether or not it operates effectively. Establishing effective collaborations in the partnership is a significantly time- and resource-intensive exercise" (Kaspiew *et al.* 2012, p. 134).

The evaluation did find that, notwithstanding the positive aspects of the model's practice, even in CFDR, which has been purposely developed and designed to empower parties in matters where there is a history of domestic violence, "some parents experience considerable emotional difficulty, even trauma, in mediation" (Kaspiew *et al.* 2012, p. 138). On the basis of this, the report recommends that, given that we know that "many parents affected by a history of family violence use family mediation processes to a significant extent", the level of emotional difficulty and trauma experienced in "non-CFDR mediation processes, and the consequences of this, merit further examination" (Kaspiew *et al.* 2012, p. 138). This is an important recommendation for the practice of family mediation more generally if it is to be a process that truly empowers parties to achieve self-determination, and supports the voices of all parties in the process being genuinely heard.

Conclusion

Family mediation can provide important opportunities for the voices of the parties, and the children, in family law disputes to be heard. In particular contexts, such as where there is a history of domestic violence and the parties' capacity to negotiate effectively is diminished, the process needs to be practised with care, and with a focus on ensuring that the

participants' voices can be heard safely. The CFDR model represents a safe approach to family mediation for matters where there is a history of domestic violence that has had its design elements affirmed by a rigorous independent evaluation. As such, we feel confident that the model represents what is necessary (in terms of structure and support) to enable parties' voices to be heard in family mediation where there is a history of domestic violence. As a tested model grounded in theory and scholarship it should inform future developments and improvements to dispute resolution processes in the family law system.

Unfortunately, the model has not been rolled out across Australia due to political, resource and funding issues. As authors of the model, we believe that the Australian government's failure to invest resources in the ongoing funding of CFDR jeopardises the safety and efficacy of family dispute resolution practice in family violence contexts, and compromises the hearing of the voices of family violence victims and their children.

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