

AUSTRALIAN DIVORCE TRANSITIONS PROJECT

Since two in five marriages will end in divorce, and divorce will affect one in five children during their dependent years, marriage and relationship breakdown where children are involved is a common occurrence. The central purpose of the Institute's *Australian Divorce Transitions Project* is to improve understanding of how divorce can be made a functional transition for families in Australia.

There are considerable risks associated with the reorganisation of the family unit throughout the divorce transition. These risks translate into social and economic costs, and personal suffering and ill-being of varying degrees, for both parents and children. Previous work suggests that there is great variation in the ways in which the divorce transition is effected and in the intensity and duration of economic hardship, social disorganisation and personal distress. From a systemic point of view, there is also a wide divergence in access to and use of services – for example, the Family Court, social security, legal and community services.

It is thus important to understand how interactions among individuals, families and resources may maximise the functioning of families with different characteristics throughout the divorce transition and, conversely, minimise damage and dysfunction.

The Australian Divorce Transitions Project was designed by the Australian Institute of Family Studies to build on its previous work in this area, including its studies of the consequences of marriage breakdown carried out in the 1980s.

The Project also reflects priorities and potential gaps in family law research identified by participants in a Joint Family Law Research Planning Seminar, convened by the Family Law Council and the late Dr Kathleen Funder of the Australian Institute of Family Studies in November 1995. Seminar participants came from a range of family law organisations including the Federal Attorney-General's Department, the

Family Court of Australia, the Family Court of Western Australia, the Law Council of Australia, National Legal Aid, the Australian Law Reform Commission, Family Services Council, Relationships Australia, and the National Alternative Dispute Resolution Advisory Council; academics from several Australian universities were also present.

One area thought to be in need of update was the economic and social consequences of divorce. A strong plea was made by seminar participants for a follow-up study to explore areas of change that might have occurred over the decade following the research previously conducted by the Australian Institute of Family Studies in its *Settling Up – Settling Down* series (McDonald (ed.) 1986; Funder, Harrison and Weston 1993), two landmark studies based on a sample of 1981 and 1983 divorces. The Australian Divorce Transitions Project grew out of this plea.

Aims

Three guiding principles were applied by the Institute in selecting the research issues to be addressed in this Project. First, precedence was given to securing national data on the divorce transition, in that population estimates are a fundamental plank in any agenda for family law reform or for the review services and support provisions.

A second and complementary principle was the importance of identifying particular groups among those divorcing so that the diversity in this population is recognised, allowing appropriate access to equity and justice and to services. The provision of detailed information about particular groups (perhaps relatively rare in the population) is also important in that some of these groups consume a large proportion of the service budget, so that careful study may assist in planning appropriate services and containing costs. In this category, for example, highly conflicted divorces make up less than 5 per cent of cases but consume enormous resources, and involve considerable suffering and personal ill-being for adults and children.

Older women and men from long-term marriages also warrant focused study directed to early detection of difficulties related to future financial security, assurance of access to services and the possible targeting of those services to particular needs.

Third, the Project was designed to enable trend analysis by comparing recent divorce transitions with those which took place in the early 1980s and described in the three books published by the Institute – *Settling Up* (McDonald 1986), *Settling Down* (Funder, Harrison and Weston 1993), and *Remaking Families* (Funder 1996).

Surveys

The Australian Divorce Transitions Project comprises three surveys – the ‘adult survey’, the ‘childrens survey’, and the ‘violence survey’.

The first and largest survey – the ‘adult survey’ – is a random national telephone survey of 650 divorced Australians, conducted by the Institute in late 1997. Two samples (stratified by gender and geographical location) were drawn from the population of Australian households with telephones. Households from Western Australia, however, were not sampled due to some differences in the law on child-related issues between this state and the rest of Australia.

The first sample in this survey consisted of 513 parents (284 women, 229 men) who were divorced under Australian law, were separated after January 1988, and who had a child under 18 years of age at the time of separation. The second sample comprised 137 older women and men from long-term marriages (77 women, 60 men). Respondents in this sample were divorced under Australian law, separated after January 1988, married for 15 or more years, and the age of the wife at separation was between 45–65 years. Although respondents’ status as a parent was not a specific criterion for inclusion in the long-term marriage sample, it is noteworthy that half the respondents in this sample had at least one child under the age of 18 years at the time of separation.

The survey content covers a broad range of issues including: post-separation parenting arrangements (residence, contact and child support); property division and spousal support; education, training and work history; income; housing; personal wellbeing; and relationships.

The second survey – the ‘childrens survey’ – is a telephone survey of 63 children (aged between 12 and 18 years at the time of interview) of the parents who were involved in the ‘adult survey’. The survey content covers: parenting arrangements (residence, contact and child support); family relationships; children’s adjustments; and educational and occupational aspirations and future plans.

The third survey – the ‘violence survey’ – is a follow-up telephone survey of 398 of the participants who were involved in the ‘adult survey’. This survey was commissioned by the Office of the Status of Women and focuses specifically on spousal violence. It covers a range of issues including: types of abuse; history of abuse; the nature of negotiations on property and children’s arrangements; legal process; and protection orders.

Because of this breadth of coverage by the Australian Divorce Transitions Project and associated surveys, the Project serves as an umbrella under which a number of subsidiary studies were undertaken. These studies seek to identify specific groups for whom the divorce transition is known to differ in ways that imply important questions of equity and justice, distribution of services, economic security, and wellbeing.

Some of the papers in this edition of *Family Matters* present findings from these subsidiary studies of property division, living standards following separation and divorce, child support, and family re-formation.

References

- Funder, K. (1996), *Remaking Families: Adaptation of Parents and Children to Divorce*, Australian Institute of Family Studies, Melbourne.
- Funder, K., Harrison, M. & Weston, R. (1993), *Settling Down: Pathways of Parents After Divorce*, Australian Institute of Family Studies, Melbourne.
- McDonald P. (ed.) (1986), *Settling Up: Property and Income Distribution on Divorce in Australia*, Australian Institute of Family Studies, and Prentice-Hall of Australia, Melbourne.

The Australian Divorce Transitions Project was conceptualised by the late **Dr Kathleen Funder**, who was a Principal Research Fellow at the Australian Institute of Family Studies. This overview is based on Dr Funder’s original proposal for the Project.