

Dr Chris May
Family Action Centre
University of Newcastle
Callaghan NSW 2308

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Review of the Family Law Act 2018

A proposal to support fathers during the process of separation and divorce through regular text messaging to their smartphones.

Although fathers are not identified as a priority group in Review of the Family Law System Issues (IP 48) paper the review does provide opportunity to extend a successful project with new fathers into the arena of Family Law.

The qualitative analysis of interview data from SMS4dads and related projects has demonstrated that an information/support system, delivered by text to parents' smartphones during the transition to parenthood, can influence parents' thoughts and behaviours of new dads while also providing many fathers with an ongoing sense of support. These projects were initially funded through beyondblue with donations from the Movember foundation.

These projects were founded on accumulated evidence that text based intervention can lead to behavioural change (Zubin & Paterson, 2015). The SMS4dads projects combined text-based intervention with the principles of nudge (Thaler & Sunstein, 2008) to influence thinking, behaviour and perceptions of support during their transition to fatherhood.

Messages in SMS4dads are primarily focused on parents' relationships with their child, their partner and themselves. Messages were developed by large consultative groups that included academics, clinicians and parents (May & Fletcher, 2017). The messages often contain links to further information, short films and other online resources. Links connect participants to reputable, not for profit, sources of online information that are highly relevant to the subject matter of the text. A number of short films were also produced by the project team to provide information to parents when appropriate resources were not available. Another key feature of this intervention was the trial of an inbuilt moodtracker application that enables fathers to report on their mood and links them to online support if they indicate that they are not coping.

Evaluation of the SMS4dads feasibility trial demonstrated a high level of retention over an extended (>6 months for most fathers) intervention in which participants usually received greater than 100 messages.

The SMS4dads projects have demonstrated that it is both feasible and acceptable to provide fathers with information and support through text messages and linked information to their smartphones during a challenging time in family transition. The current proposal suggests that it would be reasonable to develop a pilot project to trial a similar intervention with fathers while they are transitioning through the formal processes associated with separation and divorce. Learnings from such a project could inform intervention for other at risk groups.

While the details of such an intervention would need to be clearly articulated it is conceivable that the following components could be readily developed and delivered, with reasonable support, as a higher degree research project under joint supervision through experts in law and family studies.

Key components could include.

- The development and pilot of a cost effective and highly scalable intervention providing information and support to fathers transitioning through the process of separation and divorce.
- Regular messages to fathers from the time that separation occurs, or divorce is applied for.
 - An initial pilot project could aim to develop, deliver and evaluate 12 weeks of messages.
- Messages could include the following information/perspectives
 - Child perspectives on important issues
 - Encouragement to maintain working relationships across the family
 - Encouragement to care for their well-being (including alcohol consumption)
 - Links to online information
- Limited tailoring
 - Matching messages to participant needs – eg alcohol use – based on initial assessment
- A qualitative analysis of paternal perceptions of acceptability.
- A quantitative analysis of feasibility and markers of acceptability such as retention.
- Development of resources, where/if required, to support messages.
 - For example fathers talking about how they managed their emotions and behaviours to successfully navigate the challenges of separation and divorce.
 - For an example see <https://vimeo.com/229939859>

This project would test the feasibility and acceptability of developing messages and providing information and support to fathers during marital breakdown. The project would leverage the expertise of a team of researchers who have successfully developed and tested a similar intervention for fathers – a hard to reach group – during their transition to parenthood. The project would also leverage the clinical and expert knowledge and skills of relevant collaborators. It is expected that learnings from this project could be extended to other groups looking for information and support at this time.

The proposal specifically addresses 9 areas of concern raised in the Issues Paper. These include.

1. 1. Access to information.
 - a. Fathers from SMS4dads have reported that they did access links (>50%) and that this helped them to identify reputable sources of online information and support.
2. 9. Accessibility
 - a. Access to links can be monitored and thereby provide quantitative evidence regarding use of provided information and the type/s of information that fathers access.
3. 11/12. Provision of Information to those not legally represented.
 - a. The messages could link fathers to reputable sources of online information to objectively inform self-representation.
4. 14. Best interests of the child/n.

- a. Messages would periodically remind fathers of the need to focus on their child's best interest while bringing children's voices into the fathers thinking through linked information and resources.
 - i. This would need to be developed in a manner that does not jeopardise the safety and wellbeing of children. However messages could be delivered in an imaginary child's voice if/when appropriate.
 - b. It is of note that fathers from SMS4dads have reported that they have developed a relationship with the service. This has been described by fathers as a 'mate tapping them on the shoulder' and 'keeping them on track'.
5. 20. Process
- a. Messages and linked information could provide fathers with short bits of key information, and links to further information, regarding process.
6. 22/26. Dispute resolution process
- a. Messages could periodically remind fathers of the benefits of resolution for their children, themselves and others while linking them to support and resources.
7. 27/28. Increased use of traditional and alternative forms of arbitration
- a. These would be a measureable outcomes.

In respect of the commission/s time the present submission has provided a brief overview of evidence and processes associated with the development and implementation of SMS4dads and outlined how these could potentially be applied in the current context.

The proposed concept would need to be fully developed in collaboration with a range of services, experienced in delivering information to fathers at this time, and experts familiar with the legal frameworks. It is important not to move too far down this track without genuine engagement with stakeholders. Such a venture could be developed as part of a collaborative higher degree research project which could effectively engage the resources of key faculties and experienced researchers in ensuring fidelity and delivery under the oversight of university ethics and administration.

Reference List

Fletcher, R. & May, C. (2016) SMS4dads https://www.beyondblue.org.au/docs/default-source/research-project-files/sms4dads-feasibility-study-final-report-november-2016.pdf?sfvrsn=b5d83cea_4

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Thaler R.H. & Sunstein C.R. (2008). *Nudge: Improving Decisions About Health, Wealth and Happiness*. Penguin, New York.

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