

Helping parents change

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Abstract

Separation can have a significant impact on the traditional role of parents, like being no longer: a couple, a full time mother or father, a husband or a wife, a family member of a nuclear or extended family or lack of recognition as a legal partner. Parents' sense of identity, self-image, and belonging may have changed due to feelings of rejection and exclusion. This article suggests some techniques to assist in creating change in the emotional communication patterns between the parents attending family dispute resolution.

*'Everyone who wants to work with couples needs to understand the depth and range of losses that the parties experience. For all our focus on the future, we need to acknowledge, whether with words, gestures, or silence, that we stand with them in their pain even as we are helping them move beyond it.'*¹⁹⁷

Parents' emotional triggers in FDR

For many separating or separated parents, considered suitable for family dispute resolution (**FDR**), and participating in a process of joint decision making additional triggers could surface as their underlying emotional reactions will influence their negotiation abilities. Parents, who want to make decisions about the future parenting of their children, need to be able to trust the process and the family dispute resolution practitioners' (**FDRPs**). The practitioner needs to have the ability to create a 'safe' and a 'hopeful' space for them to change from what is not working between them to a workable plan for managing their parenting and financial arrangements in the best interest of their children.

The process of separating can be seen as a fluctuating rollercoaster of emotions, because differences between the parents' reactions and ways of coming to terms with their separated lives is based on their faith, social and cultural backgrounds, gender, sexuality, age and family of origin experiences. Severe stress and despair can lead to mental health issues as the grief and loss stages are in no way linear and can continue for a lifetime. The unresolved issues between parents greatly influence the children's well-being and their emotional safety. Some parents can deeply clash with each other's unresolved feelings and try to hurt each other.¹⁹⁸ Others are used to fighting and arguing, or cultural norms permit them to strongly state their views before they can move onto re-establishing a way of interacting that is considered 'respectful'.

As the 'leaver' or the 'left' of the marriage or partnership,¹⁹⁹ the parent's role in previously joint decision making may now be significantly diminished as an unilateral decision to separate may have left one

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¹⁹⁷ Richard Barbieri, 'A Song of Loss for Divorce Mediators' (June 2014) <<http://www.mediate.com/articles/BarbieriR2.cfm>>.

¹⁹⁸ See Marshall B Rosenberg, *Non-Violent Communication: A Language of Life* (PuddleDancer Press, 2007) 44-46, with regard to likely feelings when needs are not being met and expression of feelings when needs are met.

¹⁹⁹ Linda Fisher and Mieke Brandon, *Mediating with Families* (3rd ed. Thomson Reuters, 2012) 80-83.

parent most likely relieved and another perhaps crushed. How each party sees an 'event' through their subjective perspectives differs and may result in a range of accusations, such as put downs, finger pointing, bad mouthing, and name calling.²⁰⁰

Other issues creating acrimony between parents are about their values and beliefs that have changed as a result of no longer being in partnership. In relationships, beliefs and values often become joint attitudes which guide the joint parental role; however, in the process of separating, each parent may retreat back to some of their family of origin and cultural values and beliefs with which they grew up. Scott states that *'When two parties differ significantly in their core values, their repetitive arguments about events rigidify into on-going themes that, in mediation, get expressed as positions.'*²⁰¹ Strong emotions can also erupt as a result of a sense of having being wronged, hurt, let down, misunderstood, mocked, or undermined, or believing that unfair or wrong assumptions are being made by the other parent, their family and friends.²⁰² These are often not only directly expressed, but also aired on social media, even during the process when parents are seen in private sessions (or in shuttle and telephone negotiations), creating additional angst.

One cannot change what one does not acknowledge

Practitioners, through active listening, help each parent to recognise that they feel what they feel and help them to gain insight into those emotional reactions that fuel their dispute and often stall them into moving forward, so they can choose to alter their behaviour to foster more collaboration. Changing from so called 'negative emotions', such as from feeling sad to the question: *'What would you like to feel instead? How can you achieve this?'* to focusing on positive emotions that leads to actions.²⁰³

Acknowledging emotions is helpful; however, dwelling on these feelings is usually not constructive.²⁰⁴ The skill of responding empathically requires practitioners to respond to the inner emotional world of each disputant.²⁰⁵ However, allowing parents to continue to vent may become inappropriate to maintain a psychologically safe atmosphere. *'Venting is a little like salt. It can be healthy or harmful depending on how it is managed and monitored. It is the mediator's responsibility to set the tone, mentor thoughtful reflection and facilitate productive discussions.'*²⁰⁶ There are many non-verbal reactions as well and practitioners must be able to become *'... aware of signs of increasing hyper-arousal and de-escalate the anxiety cascade before it has the chance to cycle out of control.'*²⁰⁷ By calming the emotional reactivity, some parents may be able to learn to stop, think, and mindfully act in the best interests of their children. Parents have a choice, continuing their arguments or to move forward with the assistance of the process and the practitioners interventions, to create a co-parenting relationship as far as this is possible. Practitioners can empathetically normalise the parents' concerns and frame that their concerns are typical

²⁰⁰ Rosenberg, above n 3, 37.

²⁰¹ Michael Scott, 'Themes in Mediation' (2014) <<http://www.mediate.com/articles/Themes.cfm>>.

²⁰² See Mieke Brandon, 'Loss and Hope in Family Dispute Resolution' (2014) 25(3) *Australasian Dispute Resolution Journal* 172.

²⁰³ Fredrike Bannink, *Handbook of Solution-Focused Conflict Management* (Cambridge, 2010) 89-91.

²⁰⁴ See also Bill Eddy, 'Why Healing is Hard for High-Conflict People' (2014), <<http://www.highconflictinstitute.com/articles/parenting-a-divorce-articles>>.

²⁰⁵ See also Robert Benjamin, 'Negotiating Happiness: Managing People's Predictability Irrational 'Focusing Illusions' – Part 1' (November 2010), <<http://www.mediate.com/articles/BenjaminR55.cfm>>.

²⁰⁶ Caroline Petrilla, 'Just Venting' (2014) <<http://mediationoffice.org/mediationmusings/just-venting/>>.

²⁰⁷ Wayne F Regina, *Applying Family Systems Theory to Mediation* (University of America, 2011) 86-87.

struggles between parents at this stage of their separation. By normalising and neutralising that it is normal to be upset or angry about certain events or proposals made in mediation, parents can be put at ease and this may curb their hurtful interchange, because this also neutralises their interactions or the situation they are both facing.

Motivation for change

Helping parents change can occur through the use of motivational interviewing, which is described by Miller and Rollnick as '*a collaborative, goal-oriented style of communication with particular attention to the language of change. It is designed to strengthen personal motivation for and the commitment to a specific goal by eliciting and exploring the person's own reasons for change within and atmosphere of acceptance and compassion.*'²⁰⁸ It is a style of being with parents to foster motivation for change by integrating a range of specific practical skills.²⁰⁹

Emotions influence how we see and react to everyday events, and it affects motivation: 'How we feel influences the way we think, perceive events, remember, and make decisions.'²¹⁰

'Hopeful thought reflects the belief that one can find pathways to desired goals and become motivated to use those pathways'.²¹¹ When parents become inspired by their short and longer term goals their attitude changes towards restoring their belief that the future can be different and potentially their strained post separation relationship can be improved.²¹² For this purpose practitioners successfully use the children's birthdays, school carnivals, teacher pupil or prize nights, graduations, engagements, weddings and birth of grandchildren and any other cultural, traditional, religious or spiritual events.²¹³ Any motivation to think beyond the 'now' towards events both parents would want to partake in will create change in parents' perceptions and interests.

Questioning to create change

Scaling questions that focus on the parents' effective communication can be used in pre-mediation, for example, 'On a scale of 0-10, to what extent does the issue of not being able to make joint decisions controls you?' or 'What do you do when he/she seems to have the upper hand?'²¹⁴ In joint sessions, these include: 'If you were both to give a mark on a scale of 0-10, one being problematic and ten being efficient where would you see your communications?' 'How did you succeed to be at this mark?' 'Why is it not

²⁰⁸ William R Miller and Stephen Rollnick, *Motivational Interviewing* (3rd ed, The Guilford Press, New York, NY, 2013) 29.

²⁰⁹ Ibid 35.

²¹⁰ Cheryl Picard and Janet Siltanen, 'Exploring the Significance of Emotion for Mediation Practice' (2013) 31(1) *Conflict Resolution Quarterly* 31, 47.

²¹¹ Bannink, above n 8, 11.

²¹² Ibid 9-17, on Hope-Theory and positive emotions.

²¹³ Mieke Brandon and Beth Dababneh, 'Children's rights to culture in Australia: How FDR mediation can support these rights', (2016) 6 (2) *Family Law Review* 77, 85-92.

²¹⁴ Fredrike Bannink, *1001 Solution-Focused Questions* (WW Norton, 2nd ed, 2010) 110-111.

less?’ The focus is here on achievement rather than a ‘failure’, for example, how did the parents get to that mark and what does each need to do differently to better communicate in the future.²¹⁵

Scaling questions during the negotiation phases can establish what each party is fighting for. For example, practitioners can ask each: ‘On a scale of 10-0 (this time the numbers are reversed to see if the scale of importance is higher, because, of starting with 10) how important is this concern or issue to you?’ If an issue is a three for one and an eight for the other party, it may assist a party to give up something as something else may be much more important.²¹⁶

Paradoxical questions are sometimes helpful by asking if things could get worse or if things could be happier; Coaching questions provoke parents to think, feel or react differently about the issues, such as: ‘What if you did nothing?’ or ‘What would be your first step to change things?’ These questions encourage parents to change their perspectives and ambitions, motivating them to create a vision of how their situation could look like once the problems are resolved.²¹⁷

Questions that elicit and evoke talking about change²¹⁸ explore how willing parents are to change their current situation for the betterment of their co-parenting relationship. The focus is on what is desirable in contrast to what is undesirable.²¹⁹

Miracle questions and questions of vision encourages parents to create a hypothetical image of how it could be for them or how an absence of fighting, for instance, might be feeling for each of them and their children.²²⁰

Parents are ideally validated for what they can do and how they intend to achieve this, so they feel complimented for their efforts. Even the apparently smallest effort may be a big step for some parents. Parents’ fear of missing out can prevent them from being able to negotiate, they may need to understand that: *‘If each parent has opportunity to nurture, educate, play, discipline, and know the child intimately, the exact amount of time will not matter in the long run to the child’s development.’*²²¹

Solution-focused questions, Bannink suggests inviting a dramatic angry person *‘to act the way they wish they felt by finding a calm way to express their feelings, or take steps to distract themselves’.*²²² While it may be useful to acknowledge the impact the problem has on one or both parents, solution focused

²¹⁵ Mieke Brandon, ‘Questioning our questions-expanding facilitative dispute resolution questioning techniques’ (2011) *The ADR Bulletin* 6, 134-135 <<http://epublications.bond.edu.au/adr/vol12/iss6/6>>.

²¹⁶ Ibid 135.

²¹⁷ Alain Cardon, ‘Coaching Questions and Powerful Questions’ (2008) <www.metasteme.eu(<http://www.metasteme.eu/>)>.

²¹⁸ See Linda C Sobell and Mark B Sobell, ‘Motivational interviewing strategies and techniques: rationales and example’ (2008) <<http://www.nova.edu/gsc/forms/mi-rationale-techniques.pdf>>.

²¹⁹ Bannink, above n 8, 90.

²²⁰ Brandon, above n 20, 134-135.

²²¹ Marsha Kline Pruett, ‘Parenting plans following separation/divorce: Developmental considerations’ (2011) <<http://www.child-encyclopedia.com/divorce-and-separation/according-experts/parenting-plans-following-separationdivorce-developmental>>. Robert E Emery, topic ed. In: Tremblay RE, Boivin M, Peters R De V, eds. *Encyclopedia on Early Childhood Development*. Montreal, Quebec: Centre of Excellence for Early Childhood Development and Strategic Knowledge Cluster on Early Child Development (2011) <<http://www.child-encyclopedia.com/sites/default/files/dossiers-complets/en/divorce-and-separation.pdf>>.

²²² Fredrike Bannink, ‘Venting Anger Feeds the Flame’ (2014) <<http://www.mediate.com/articles/BanninkF10.cfm>>..

questioning focuses on the goal of the emotion, is it a cry for help, how does it influence the negotiations, or can it be replaced by solution talk about parents preferred future?²²³

Parents can build on what worked for them before when they had happier times; as such the practitioner helps them to build on their strengths. With the focus on their best hopes or their intended goals for their roles as separated parents and how to co-parent also creates discussions regarding possible solutions. The outcomes may be 'best', 'better' or 'good enough'.²²⁴ Many parents look for practitioners who can act as their change agent so that they can be assisted to identify positive steps towards their desired hopes and the path towards their longing for workable outcomes on behalf of their children and themselves. From a solution-focused perspective, this hope is created by the parents' own visions drawn from their frames of reference.²²⁵ Solution-focused questions include: 'What needs to come out of this mediation?' 'What are your best hopes?' 'What would be different once the conflict is resolved?'²²⁶ Irobi confirms that 'Overall, sustaining hope in individuals after long drawn conflict will not be successful without a hope-mediator, armed with creative pathways, distinct goals and commitment to help disputant exit their conflict environment for a better life.'²²⁷

Conclusion

Despite the losses and for some rewarding gains, both parents must establish new roles with each other and in the lives of their children to remain emotionally engaged and available for their children, and to manage the changes resulting from separation or divorce.

The FDR process and the use of appropriate skills can encourage parents' to gain a new attitude towards their goals. Reframing past problems to future hopeful possibilities motivates parents to change. Through explorative conversations facilitated by competent facilitative practitioners, parents can re-organise their lives, be self-determined, make wise decisions for their future, and fulfil their parental responsibilities and obligations. With a new awareness of their goals it is more likely that their hopes inspire them to move on, cope better with their new status in society and learn to negotiate for the immediate and long term benefit of the wellbeing of the children.

'... the awake-ness that inspires disputants to change course in a dispute is Hope'.²²⁸

²²³ Bannink, above n 19, 68-75.

²²⁴ Bannink, above n 8, 38-44.

²²⁵ Ibid 38.

²²⁶ Ibid 43.

²²⁷ Emmy Irobi, 'Sustaining and Nurturing Hope in A Mediation Process' (2009), <<http://www.mediate.com/articles/irobiE2.cfm>>.

²²⁸ Ibid.