

## PART FIVE: HARMONIOUS SEPARATION

While prevention programs are extremely important, the fact remains that many couples will separate. Estimates provided by the Australian Institute of Family Studies indicate that, based on current figures, 34 per cent of first marriages and 38 per cent of subsequent marriages will end in divorce. In addition, approximately 18 per cent of all children will experience parental divorce by the time they reach adulthood.<sup>1</sup> It is in this area that the Family Court of Australia plays a major role.

Under the *Family Law Act 1975*, the Family Court of Australia has a number of responsibilities in relation to the provision of conciliation and mediation services.<sup>2</sup> These primary dispute resolution (PDR)<sup>3</sup> responsibilities have been further strengthened through significant amendments to the Family Law Act, which came into operation in mid-1996.<sup>4</sup>

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1 Family Court of Australia, *Submissions*, p. S984.

2 Section 43 of the *Family Law Act 1975* sets out the guiding principles for all interventions by the Family Court. Parts III and VI provide for counselling and mediation to assist parties to resolve their disputes and improve their relationship with each other and with their children.

3 Primary dispute resolution (PDR) services are combinations of counselling, conciliation and mediation services provided by the Family Court. The term ADR (alternative dispute resolution) is often used interchangeably with PDR.

4 These amendments emphasise the importance of PDR and introduce definitions of family and child counsellors and mediators.