

# Chapter 11

## Understanding Impact

*Janet Walker and Noel Timms*

Those who wish to be well-informed must first equip themselves with doubt.  
Doubt breeds questions, and questions beg answers.<sup>1</sup>

Over the course of the research, increasing attention had been paid to the impact and outcomes of information meetings. These have included those outcomes which the Lord Chancellor has indicated he hoped the information meetings would achieve, namely encouraging people to consider marriage counselling in order to save marriages and the increased use of mediation services.<sup>2</sup> We consider these outcomes in detail in the next two sections of the report. However, over the course of conducting over 5,000 telephone interviews, it became apparent that for some attendees the information meeting had little, if any, impact and did not influence them in any particular way. For others, the experience of having attended an information meeting had impacted on them in a variety of more subtle ways which the attendees themselves felt to be significant. Our interviews provide compelling qualitative accounts of the ways in which an information meeting can have a variety of effects upon individuals who experience it. In this chapter we aim to get closer to a broader understanding of what attendees were looking for when they went to an information meeting and the varying impacts of that experience.

### Assumptions and Expectations

The Family Law Act, which introduces compulsory information meetings, inescapably makes assumptions about:

- the extent and the effects of the ignorance of particular populations
- the contribution information plays in these populations, knowing how to execute the social practices of marital reconciliation, separation and divorce
- the contribution information plays in their knowing how to execute these practices correctly

Information may be described as

the explicit ingredient of knowledge, where what we know may be itemised. Information consists of facts, specific intellectual artefacts (often arranged in sets or bunches). It is impersonal (not a matter of opinion). Most of it is

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<sup>1</sup> Kerr, P., *A German Requiem*, Penguin (1992).

<sup>2</sup> The Lord Chancellor, Lord Irvine of Lairg, in answer to a Parliamentary Question, 17 June 1999.

accepted on authority, and it is to be found in dictionaries, manuals, textbooks and encyclopedias.<sup>3</sup>

Pieces of information are seen as supplying rule-like propositions related to knowledge in either of two different ways:

They may be items of information which must be known as a condition of being able to perform; or they may constitute the criterion by means of which a performance may be known to be incorrect, though here they are never the only means by which mistakes may be detected.<sup>4</sup>

Information on marriage counselling and other marriage support services illustrates the first connection; information relating to how the parties may acquire a better understanding of the ways in which children can be helped to cope with the breakdown of a marriage illustrates the second.

Our conceptual framework, outlined in Chapter 4, draws attention to three kinds of ignorance attendees may attempt to address through information meetings. If we consider these categories to represent states of mind rather than categories of people, we can define more closely the notion of tailoring information which has already emerged as a significant factor. We can also attempt to connect categories with distinct profiles in relation to:

- feelings about 'going public'
- the definition of the problem to be solved
- appreciation of an elaborated or a restricted meeting
- valuation of the meeting or the information
- appreciation of the symbolic or instrumental function of information meetings
- effects of information meetings on a sense of agency
- appreciation of troubles-telling or advice giving
- category of knowledge or advice sought

These profile elements have emerged from the research and help us to understand how people have responded to the experience of going to an information meeting and to the information provided. We have hypothesised that people went to an information meeting in one of three basic states of mind: not knowing what to do or where to turn; not knowing how to proceed in a process on which they have already embarked or are about to embark; and not knowing the answers to specific questions, usually concerning financial matters or children. The first group were looking for guidance and for some kind of explanation as to the paths they could take. The second group voiced their concerns in terms of, for example, what is best for their children, how to avoid the detrimental

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<sup>3</sup> Oakeshott, M., (1965) 'Learning and teaching', reprinted in T. Fuller (ed.), *The Voice of Liberal Learning*, Yale University Press (1989), p. 51.

<sup>4</sup> *ibid.*, p. 52.

consequences of their actions, or how to achieve a fair or civilised or legal outcome. The last group simply wanted particular issues to be settled.

## **Going Public**

It might be assumed that this element would produce no differential between attendees: all the attendees had, after all, volunteered to attend an information meeting. In the pilots there was no element of compulsion. Nevertheless, degrees of hesitation and nervousness were evident, particularly on the part of those who did not know what to do about the situation they were in (the first level of ignorance). Those people who had already consulted a solicitor, or had been to marriage counselling prior to attending an information meeting, had already placed their problem in the public domain. Those who had not taken that step may well have sought help from informal networks before going public, but have discovered that the help might be biased towards one or other of the parties and, therefore, have perceived it to be less helpful than it might have been had it been more objective:

You get support from friends, but then that's all biased with family and friends and stuff like that ... they tend to see things from your slant and not necessarily from both points of view. They can't ... stand back objectively and have a look at the situation, and they haven't got the facts. They don't know what's the best way forward for both of us. (F)

Going to the information meeting was itself a big step for some people:

It was quite a big step for me. I found it extremely upsetting at the time, which surprised me because I thought that I was getting to grips with things. I think that it was quite a big step for me, but I don't think I realised it until afterwards. (F)

I'm glad I took the opportunity to find out what was available and what steps I'd got ahead of me, although it frightened the life out of me at the time ... and for this to be completely free, no pressure for donations or anything, was really good. (F)

We know from other research that men are more reluctant to turn to a public agency than women, and it is no surprise that fewer men than women volunteered to go to an information meeting. Nor is it surprising that the motivation for attending was often different. We can see this particularly clearly when we examine the use of the meeting with the marriage counsellor and marriage counselling in the next section of the report.

## **Problem Definition**

Lack of knowledge about what information meetings might be did not stop people having certain expectations about the experience, and formulating ideas about what they wanted to derive from it.<sup>5</sup> It was our contention that people's expectations and needs would undoubtedly influence their experience of the meeting and play a part in subsequent

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<sup>5</sup> We explored attendees' expectations in some depth in our First Interim Evaluation Report. See Stark, C., 'Meeting expectations', in J. Walker (ed.), *Information Meetings and Associated Provisions within the Family Law Act 1996: First Interim Evaluation Report*, Newcastle Centre for Family Studies (January 1998).

assessments of the meeting's usefulness and merits and, therefore, in what happened afterwards.

We have found that people went to information meetings with a wide variety of agendas: to get personal support at a time of crisis in their marriage; to check on legal rights; to avoid using other services such as solicitors; to save their marriage; to get information and advice about how to help their children; and to find out about services and processes so that they could take the next steps with more confidence. Others wanted answers to particular questions.

For some people, then, the problem was not at all clearly defined when they attended the information meeting:

At the time I needed someone to talk to and some advice as to what I could do to sort things out. My husband had left me. I was seven months' pregnant. I had a little boy who was four years old. So I was emotionally quite upset and very distressed. We'd been married for nearly eight years. All of a sudden your husband decides he wants a divorce – God, what do I do now? At first you just sit and cry, don't really talk to anybody, but bottle it up. (F)

Others came to information meetings with a clearer view of the problem to be solved:

There were a few points I was a bit hazy on. The procedure, where I went and what was the next step ... (F)

[I wanted to know] what my rights are: this was a fact-finding mission. (M)

I wanted to know some technicalities about how much my wife would get from me. How the court decides how much money goes to each partner. (M)

For some, getting information was a priority and a motivator for attendance, while others considered information as something that could be useful in the future. Some attendees were clearly on a deliberate information-gathering exercise; others may have realised only in retrospect that an information-based event had been useful following their actual experience of the meeting itself. For some attendees the meeting was part of a process of checking or collecting as much information as possible; they did not define a problem as such, but were merely taking advantage of an opportunity:

I just felt it was an opportunity to see if I'd overlooked anything. (F)

If I hadn't gone I would have wondered if there was anything I should have known. (F)

I've done all I can, I think, and I've tried to get as much information and to be aware of as many different aspects as possible. (F)

I'm the kind of person who likes as much information as possible. (M)

I wanted to check out that I had got all the info possible. (M)

From the above comments we can see that some people wanted to access all the information available in order to feel confident about what they were doing.

## Appreciating an Elaborated or a Restricted Meeting

Policy implementation envisaged the information in simple terms. The meeting, as structured in the pilots, was not a meeting of minds, but a neutral locus for the delivery of set pieces of information according to a script. The meetings were conceived as a series of scripted events, delivering a specific and carefully crafted range of information, albeit in a variety of models. Presenters of the information were instructed that they should not discuss individual circumstances. The standardised nature of the content and the delivery seemed more congenial to those whose state of mind left them unsure of what to do next and how to proceed amicably:

I felt I perhaps needed to talk to somebody to know I was on the right track, that I was doing things correctly. I've been very negative. I've just let him make the arrangements, contact the telephone people ... I let him sort out the bank, and it all went wrong ... He'd done part of the job, but had not done it all properly. I wanted someone to say to me, whatever you're doing, you're on the right track. (F)

Others questioned the simple, compendium approach either because it was too basic and general or because they believed that a more sympathetic approach would meet their needs:

The solicitor gives you more structured advice. You're in there for an hour talking about personal things and circumstances, but in the information meeting, it's a bit more ambiguous – they don't want to know about it. (M)

I expected to be able to leave having a better understanding of the questions I would ask a solicitor and how to find the strength to move forward. It was different, because she just read from the script and pointed out what was in the pack. (F)

I expected to go into much more depth about each area and discuss possible scenarios. (F)

The presenter was ... able to ... I don't know, possibly she'd been divorced herself ... but she seemed well able to understand your position, to put herself – not exactly put herself in your position, but she did seem to have an understanding of what was going through your head at the time ... she might just have been a counsellor who'd dealt with a lot of people in my situation. (F)

[I expected] someone asking me where I'm at and what I'm doing next. You gear yourself up, flood out what is happening to me and what I'm thinking of feeling ... I wanted to pour my heart out and I couldn't. (F)

As we have seen in Chapter 7, some presenters found the rigidity of the script unhelpful, and on occasions adapted their presentation to provide a more person-friendly excursion through the meeting. Others stuck rigidly to the script, displaying a mechanical, and somewhat even robotic, belief in sticking to the rules.

## Valuing the Meeting, the Information, or Both

Those attendees with a strong desire to assert their ability to escape from limbo-land may have appreciated being able to use the information pack in an individualised way, rather than having to attend a meeting that was inflexibly structured.

I was very glad I received the information pack, but the meeting was an absolute disaster. It was not what I was expecting – the time limit was strictly adhered to, so there was no time for my concerns, and I was not able to make any comments about my own situation ... I thought, 'How can they do this to me when I'm very vulnerable and could do with some help?' ... I had the impression that they could not give a damn about what you are going through ... the big thing that came out of it was the information pack ... it allayed a lot of fears, made me realise that basically it was about moving a lot of paper around and that I shouldn't be intimidated by that fact. (F)

When you go along you don't know what to expect and I don't think you take things in. I think when you are emotionally unstable it's very difficult to glean information that's handed down to you. I think you are better to go away with some information [the pack] and you can take it in at your own pace. I think emotions just wreck your ability to take things in. (F)

Others found the exhaustive coverage of the information in the pack either of comfort or overwhelming. One woman described the pack as her lifeline:

The meeting has given me all the information I need to sort my life out. I feel more secure. I know the information is there and all I need to do is to get the relevant number and act on it. There is no need to sit here wondering what's going to happen because I know enough contacts in the pack to put me on the right track if I'm not sure. (F)

Another woman, by contrast, said she had read the first few leaflets, but soon got to the point where she could not take in any more information. For some, the information pack provided a framework with which to move forward:

The leaflets were great. It's given us a framework for our separation ... We knew very little before we went to the meeting ... (F)

As we have seen in the preceding chapters, however, the vast majority of attendees valued the information meeting itself. Some people liked it because it was neutral and anonymous. Others liked it because the presenters enabled (allowed?) them to talk with someone who was outside the situation:

I think it was just talking to somebody totally outside your own environment, somebody professional who actually knew something about what you were going through, and getting the interview pack and being able to read something concrete rather than having to run around about four people and think, 'Do I need to go here? – do I need to go there?' (F)

It was the discussion, dispassionately, with the presenter involved which enabled me to put everything in more order. (M)

It was nice to sit down with somebody independent and discuss things. She was a very, very helpful lady and gave us lots of encouragement. (M)

I think having a disinterested third party was the main thing, because at that point everyone is on sides and so it is quite useful just to have someone neutral. (F)

Others simply needed to feel supported:

You could say you could just grab a pack [the information pack], but in those circumstances when you don't feel you are getting any support, it's nice to be able to go and speak to a person – that was actually helpful. That's very important that there is someone there to guide you through it and respond when you are very mixed up and very distressed. (M)

I needed some support. Someone to tell me I could get through it on my own. The solicitors I had seen made me more worried, so I did need the meeting and it was very helpful ... (F)

Feeling supported was perhaps the culmination of a broad range of experiences. Many attendees felt positive, stronger, reinforced, or found the meeting affirming:

It was basically an affirming experience for me. (F)

I felt more focused and positive ... I'm not a very assertive person. I've been out of work so long – with having kids and your partner as well, you tend to lean on him. I feel very positive. Things are coming together. I think I'm moving on. (F)

It was often difficult for attendees to differentiate between their appreciation of the meeting and their appreciation of the information pack, however – hence the rationale for conducting the postal pack study. As we have seen in Chapter 10, the bundle of information leaflets on their own proved to be a useful but limited means of providing information. We suspect, overall, that they were appropriate for people who had decided that they were going to divorce but required more general information about the divorce process – people at the second level of ignorance. Those at the 'not knowing where to turn' stage may be even more confused without the guidance through the pack offered at the information meeting, while those wanting very specific answers to queries would be frustrated by the general content of the leaflets.

### **Appreciation of the Symbolic or Instrumental Function of the Information Meeting**

In developing our conceptual framework for the research and our analyses of data, we recognised that the information meeting could have both instrumental and symbolic significance. So, for example, one man who had used the meeting instrumentally told us:

I knew where I wanted to go ... It [the meeting] lets you explore every avenue ... and I wanted to cover every little – you know, everything ... I wanted to make sure that before we split up ... we covered everything to make sure that this is the right thing for us ... I left no stone unturned. (M)

This man wanted to know everything, but those people who wanted answers to specific questions were most likely to use the information meeting strategically and to feel disappointed that the meeting was not sufficiently instrumental in its approach.

Others valued attendance at an information meeting for what it symbolised. One woman, for example, appreciated that her going had brought home to her husband the seriousness of her concerns about the marriage. Other attendees described how attendance had enabled them to feel more in control simply because they had taken the step of doing something about their situation:

I felt I was doing something positive about my situation, taking charge and not just sitting back and letting it roll over me. (F)

At least I did something instead of sitting round the house not knowing what to do. (F)

We would suggest that the closer attendees were to the first level of ignorance, the more their attendance at the meeting was symbolic for them. Yet at the same time their attendance fulfilled important instrumental functions:

It was a step forward for me. I needed to know a lot of information. It's not something you've got to go light-hearted into. You've got to find out what you're entitled to and what you've got to do and all sorts of things. I'm glad I did go to the information meeting ... It covered most things – not everything – but most things you need to know to make a start. (M)

I think it helps you to know that you are not the only ones going through this. And it gives you some direction ... you are not there floundering, you know, wondering where to go next and what to do ... you are given numbers of people who can help – who you can talk to. (F)

[The meeting] seemed to be part of a process. There are a series of stages you can go through when you are humming and hawing and when you realise it's not going to work you go to the information meeting and each bit was a stage, but not too dramatic a stage, and at each point you can reconsider which way you are going to go. It is when you ring up the lawyers that you think 'That's it, I won't come back'. The information meeting is a way of making the thing real rather than thinking confusedly about it all. (F)

It started the ball rolling. I went within a matter of weeks of being separated and it showed me the way to go. (F)

Those veering towards the third level of ignorance were unlikely to see anything symbolic in their attendance.

### **A Sense of Agency**

Some people experienced the information meeting as contributing to their ability to act. The research has reminded us that marriage breakdown is usually a long, protracted process during which there may be periods of busy activity and periods when nothing much happens. The following extract from one of our research interviews illustrates how the information meeting could move the process along:

I did not want to be dictated to, I suppose. All along I knew I wanted a divorce and just needed someone to say 'Go ahead'.

This woman explained her feeling that the presenter's own confidence had given her the confidence to take action:

She was very confident when she spoke to me. She was kind as well. She knew what she was talking about, telling me things I already knew but was too distressed to start.

Others described this impact as follows:

It was an information gathering exercise and the more you know, the more you know where you can go if and when you need help and advice ... professional or whatever ... the better prepared you are ... when or if you decide to make a break. In a sense it's reassuring because you've taken that step. You've found out things. You've made a positive decision to investigate ... that's helpful when you are in a turmoil. (F)

I knew the ultimate decision was with me and if there was a right time to go, I would know when it was ... But I was confident that I would have all the information that I thought that I would need at least initially to get me going, anyway, and that gave me kind of peace of mind. (F experiencing domestic violence)

It gave me someone to talk to, to share issues with. It gave me the courage to actually tell my wife and then come to the conclusion that I did come to [to stay married]. I have absolutely no regrets – I would recommend anybody going. (M)

Others were able to move forward from rather stuck positions where divorce seemed inevitable, but both parties had been reluctant to take the final decisive steps, or else had been paralysed:

It gave me confidence to move forward. I didn't feel the meeting or the leaflets gave me the answers I wanted to hear because the answers were personal ones. It was just a generalisation of what happens, but at the end of the day I was given a kick up the backside to make up my mind as to whether I want to leave my husband and stay where I am for the rest of my life. You will be surprised how much confidence I got to go out and do my own thing because deep down I have got a strong character ... The initial confidence came from venturing out to see what all this separation might be about. (F)

I'm glad because it actually got a decision out of my husband to go somewhere for information and an actual 'Yes' to he wants a divorce as well ... (F)

When you have been told for so many years, 'You're not worth it' – it gave me strength ... just talking aloud that I can do this. I can build myself up. I can look ahead. This is a new life – go for it ... and there are places set up to help. The Presenter said, 'No one can make the decision for you' – she repeated that and said, 'If you decide this, then here is how to get help.' I came out of the information meeting after talking, convincing myself 'Yes, this is right'. The tools were on offer to help with what you decide. I wasn't going back like in 1988 [when she and her husband had previously split up], it was going forward and it was my decision and what was best. (F)

It was really just the best way of going about it to achieve the end ... and she [the presenter] did give us a list of contact numbers. (M)

## Appreciation of Troubles-telling and Advice Giving

One of the concerns solicitors frequently raise is that information provision and advice giving are inseparable, and that the more attendees are able to tell their troubles, the greater the risk of the presenter giving advice. As we noted in our Third Interim Evaluation Report,<sup>6</sup> the distinction between advice and information emerged as grey and murky, irrespective of the model of information meeting, and it has been a recurring issue in our examination of the different types of information meeting. The anxiety about steering clear of advice giving resulted in presenters being reluctant to answer any questions which had a personal slant. As we have seen in previous chapters, it was particularly problematic, unnecessary and frustrating for attendees, however, that the meeting failed to provide them with answers to personalised questions.

There is no doubt that people whose state of mind exhibited the third level of ignorance were looking for answers to specific questions, or for information that was more narrowly focused. By contrast, those demonstrating the first level of ignorance were more likely to want to tell their story to the information presenter. The model of information meeting had some impact on the extent to which attendees could do that: Models A and B were more conducive to troubles-telling than any of the more narrowly focused individual meetings (Models C and F). The group presentations and CD-ROM meetings created the type of environment where troubles-telling was clearly not a possibility. Presenters often had to control attendees who wanted to unburden themselves, and most did so sensitively. Studies of advice-giving and troubles-telling encounters within institutional settings highlight the need for a 'troubles teller' to be aligned with an appropriately constituted 'troubles recipient' from whom they properly receive and accept 'emotional reciprocity'.<sup>7</sup> Failure of the troubles recipient to behave in this way derails troubles-telling. The introductory section of the information meeting set the ground rules for nipping potential troubles-telling in the bud. Presenters were defined from the outset as people who were not appropriate troubles recipients. Skilled presenters acknowledged troubles and moved on, while conveying appropriate levels of empathy.

## Category of Knowledge or Advice Sought

Looking at the three levels of ignorance, it seems logical that, as the separation and divorce process progress, the attendee's interest will narrow (not least because initial concerns are likely to have been dealt with and can therefore be discounted). The questions attendees asked became more specific the further they were in the decision-making process. Although presenters in all of the models encountered questions which undoubtedly required specialist advice, many questions related to specialist areas, but were, in fact, of a largely procedural nature. For example:

Don't I need to be referred from a GP [to marriage counselling]?

Does the pack tell you about the differences between divorce and separation?

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<sup>6</sup> Lowerson, R., 'Individual information meetings observed', in J. Walker (ed.), *Information Meetings and Associated Provisions within the Family Law Act 1996: Third Interim Evaluation Report*, Newcastle Centre for Family Studies (January 1999).

<sup>7</sup> Jefferson, G. and Lee, J., 'The rejection of advice: managing the problematic convergence of a "troubles telling" and a "service encounter"', in P. Drew and J. Heritage (eds), *Talk at Work: Interaction in Institutional Settings*, Cambridge University Press (1992).

If I do that now [file for divorce under a two-years' separation fact], two years later my children will be over eighteen. Does that mean that no one is responsible for them?

If and when presenters did answer these kinds of questions, attendees often expressed gratitude for the helpful 'advice'. It is clear, then that attendees frequently perceived the giving of answers to personalised questions as some kind of advice giving, as in the following example:

I asked questions and she [the presenter] gave me advice she thought I needed ... The main thing was the children ... I did not know how I stood in the law. The other thing was the advice – is your marriage really over? Had I decided it was over? ... (F)

This attendee, like others, valued greatly the quality of talking and listening which characterised some information meetings. Her perception of the presenter as understanding arose from the fact that she listened, and then delivered the information in a way which was meaningful to the attendee.

### **The Place of the Information Meeting in Complex Lives**

One thing that our interviews with attendees have revealed is that the way in which policymakers have anticipated the impact of information meetings may have underestimated the existence of elements such as the state of mind of the attendee, the stage of problem definition, the level of ignorance with which individuals entered information meetings, fears about going public, and the desire to tell someone about personal troubles. All of these will invariably influence how the information meeting is valued and the subsequent actions which are taken. An overly-simple link has perhaps been made between information provision and outcomes such as the use of counselling and mediation services. Our evaluation has pointed to the continuous presence of many other factors which impinge on the lives of couples facing the possibility of getting a divorce.

Although attendees occasionally described the experience of an information meeting as having a massive impact on them or as being a watershed in their lives, for most the information meeting was simply a stopping-off point along the road to separation and divorce. Because separation and divorce were often a momentous experience, the messages given at information meetings had to be fitted into complex lives. What was particularly apparent from our interviews with attendees was that information meetings were converted to the use that individual participants cared to make of them. The perspective, then, needs to change from that of policymakers to that of a very wide range of people undergoing complex transitions, often of some years' duration. Even where people felt powerless, overwhelmed or confused, most either continued to retain a sense of control or else welcomed initiatives that allowed them to return to a sense of being in control of the direction of their lives.

Ninety per cent (N = 1,827) of follow-up telephone respondents told us that they were glad that they had gone to an information meeting. When asked why, 40 per cent said that the meeting had generally been helpful and that they had acquired new information at it. Twenty-seven per cent said that the meeting had had a positive effect on how they were feeling and had made them more confident, or had reassured them in some way. By contrast, the 10 per cent who were not glad they had gone to the meeting said they had

learned nothing new or had not had their questions answered. What is apparent is the lack, in absolute terms, of one shared major response to the meetings. The most frequent responses were that the meeting was generally informative and eye-opening and a helpful source of information about children, mediation and solicitors. It seems the information meeting was not a mechanism that was particularly effective in marshalling individuals along a particular pathway. Nevertheless, attendees were not concerned only with pathways, but with motivations, their feelings and thoughts, and the need for information that fulfilled a wide range of purposes. Our interviews revealed descriptions of individual lives and the interaction between the meeting and these circumstances.

Our categorisation of states of mind, or levels of ignorance, coupled with a better understanding of how people have presented themselves at information meetings and responded to the experience, has enabled us to develop a simple grid. An understanding of outcomes needs to take account of the elements we have delineated (Table 11.1).

Table 11.1 Levels of ignorance and presentation characteristics

	Not knowing where to turn	Not knowing how to proceed	Wanting specific issues resolved
Going public	Worried: going public may have undesirable consequences	Necessary in order to establish correct performance	Part of acceptance of social consequences of actions
Definition of problem to be solved	Experiencing vulnerability/confusion	Seeking the achievement of a perspective	Seeking solutions to current defined problems
Elaborated or restricted use	Wanting emotional support	Seeking sanction in the formation of a judgement	Wanting answers beyond basic ones
Meeting or information more valued	Personal qualities or experience valued. Meeting essential for understanding pack	Knowledge of presenter appreciated	Neither particularly highly valued
Symbolic or instrumental	Liberation from a negative self	Able to face future on sound grounds	In instrumental mode
Agency	Weak sense of agency: strong sense of pressure	Reasonably self-confident in use of perspective	Assured agents
Troubles-telling or advice-seeking	Wanting to tell story. Possibly weak informal support	Seeking guidance on their circumstances	Seeking specific information
Categories of advice	Advice as recognising the importance of the question to the person	Seeking those with specialist information about procedures	Have narrowed their own choices and need definite answers

## Valuing a Range of Outcomes

One of the key policy questions relates to the extent to which the provision of information makes a difference to attendees' lives. At the beginning of the study we set out a number of research objectives relevant to this question, including the following:

1. To determine the perceived relevance and usefulness of the information provided.
2. To determine what people do with the information in terms of the actions they subsequently take.
3. To determine whether the information received is sufficient to enable other services/processes to be accessed and used effectively.

We would contend that the information meetings did make an impact on most of the attendees, not only in terms of giving them very specific information on a range of topics but also in empowering them. We here refer briefly to five topics about which attendees said they had been given information which had made a difference to them.

### *Information about children*

The comments of attendees who said that information about children had made a difference to them were wide-ranging. Responses ranged from a generalised feeling that being reminded about the needs and welfare of children was helpful to an appreciation of specific pieces of information. For example:

The meeting made a difference because of giving me ... greater understanding of how to deal with children. (F)

It did give me some information about counselling services for parents and children, so it has made me aware of that and that is useful if ever I needed it ... (F)

### *Financial information*

This topic was one which featured regularly in attendees' accounts of the information they were looking for. We know that attendees who wished to get specific answers to specific financial questions pertaining to their own situation were unlikely to have been helped by the information meeting in its format during the pilots. However, for those seeking generalised first-stage information the information had been useful:

They highlighted that there is no hard and fast rule about how to split finances, but it rests on circumstances of individual cases ... (M)

Some attendees used the information provided by the meeting, although not individualised, to achieve a better outcome for themselves:

It enabled me to achieve a better settlement in my favour than otherwise. (M)

Overall, however, financial information was one of the least well-presented subjects.

### *Mediation*

Mediation was probably the subject least well-known to attendees. Most people were pleased to have found out about it and have been able to consider its relevance to them. As Section 3 of the Report makes clear, however, few attendees accessed mediation services as a result:

The pack was really good because it gave you loads of contact numbers and it made you think about mediation. (F)

I know that it [mediation] wasn't for us, but I had to find out for myself ... so I was glad I went so that I could find out things for myself. (F)

### *Divorce*

The people who were most pleased to have learned more about the divorce process seemed to fall into two of the categories of ignorance – not knowing how to proceed, or wanting specific answers to specific questions. The comments of those who wanted to know how to proceed with a divorce once the decision had been made suggest that the information they had received had been useful and this, in turn, is why they described the information meeting as having made a difference to them:

It was an entrance into the process of divorce. (M)

It was very, very helpful. It settled a lot of things that was on my mind ... I didn't know how much things would cost, who was liable to pay for them, what you had to hand in to the courts when you file for petitions, etc. and it was all sort of there, more or less laid out as what you needed ... how much things were going to cost ... time periods ... it was pretty good and informative. (F)

### *Domestic violence*

The information about domestic violence, although difficult for some presenters to handle, was clearly important for some attendees:

I didn't realise that it was mental abuse or verbal abuse ... that that was actually violent. I just thought that violence had to be physical all the time. (F)

[The information pack] clarified where I could go and what I could do. (F)

This latter woman went on to describe how the meeting

turned my ideas around ... I mean, I was leaving. It had got to the stage where I had to walk out ... it just sort of swung everything around and made me deal with my problems rather than running away from them. (F)

We would suggest that this kind of information is relevant to attendees regardless of what state of mind they are in when they attend the information meeting.

### **Looking at Things Differently**

Although information meetings appear to have been designed with a limited set of policy aspirations in mind, many attendees described what was a richer experience, one which may be viewed as far greater than the sum of its parts. Attendees described changes in thinking, changes in ways of looking at things, and how meetings had assisted them in their thought processes:

I think it made me look at things differently. I feel it was a turning point. (F)

It crystallised things in my mind ... it removed the fear that I would be forced to see him [her former husband]. (F)

It confirmed things for me – confirmed my marriage was over. (F)

It did change my outlook towards my daughter. I did realise that I was probably being a bit dogmatic and it did make me think ... in fact, that was something that struck home very hard. (M)

It broadened my horizons really. I never thought it was going to be so complicated really. I thought it was just going to be sign a paper and it's over and done with. (M)

Taking time to reflect on the decision to divorce is an important objective of the FLA. Telephone interviews provided ample evidence that information meetings had provided space for people to stop and think. Stopping and thinking led to contrasting responses:

The information meeting made me stop and think 'Is this really what I want?' and it made me realise it wasn't just me that would be affected by divorce and it just gave me time to think, 'Hang on!' It made me think about my daughter – how she would be ... upset by divorce ... you tend to forget the relationship children have with their father. (F)

We have been separated for a while. It stopped me in my tracks and made me think, 'Where do I want to go from here?' It gave me strength that it was the right direction for all three of us – not just for myself, because I wanted out a long time ago. (F)

Attendees who did not know what to do or where to turn were looking for some kind of exploration of the plight in which they found themselves. Many found reassurance as a result:

It reinforced things to me in a positive way, that I was moving in the right direction, that I couldn't do any more, I was doing the optimum. (F)

It was helpful to me at the time, as far as information goes, and talking to someone, and being a bit ignorant really, and telling me all the things I needed to consider. At the time it was fairly useful in reassuring me as to what was going on, I think. (M)

It was reassuring. It was nice to have all that information at my fingertips. (F)

It reassured me I was on the right track for [my] child. More useful to have gone earlier. (M)

Other attendees described how the meeting had calmed some of their more acute emotional feelings and given them some peace of mind:

I was really angry at the time and I probably would have been divorced by now ... but I think the meeting and the pack helped calm me down. (F)

My perspective on divorce changed slightly. I thought it had a bad augur ... it's the most stressful experience you'll go through ... it takes the stress out of divorce. The solicitor couldn't tell you half of this ... (M)

It put my mind at ease. I thought I was going to lose everything. I was a bit of a mess believe it or not. I didn't realise I was entitled to joint custody before the meeting. (M)

It probably calmed me down a lot. I can't say it made me change direction. It probably reassured me that I wasn't wildcarding and [that] the information I had was valuable. (F)

Some attendees felt that the meeting had supported them and had helped them to realise that they were not on their own:

At the time it's like clutching at straws to think i) that you might be able to save your marriage and ii) I'm not the only person who is in this boat that is sinking – it is very emotionally driven going to the meeting. (M)

### **Gaining Confidence and Taking Action**

Attendees provided rich descriptions of the effect the meeting had upon their propensity to act, and we explore these in more depth in the following chapters. In seeking to understand outcomes, however, it is important to note that a range of different expressions were given to this realm of experience:

It opened up a lot of knowledge I didn't have and gave me confidence to discuss with a third person this part of my life which I have not faced up to before. It gave me confidence to actually approach other people and discuss it. I did think that I found it worthwhile on those two accounts. (M)

Although at the start it made me frightened, eventually, once I'd had time to absorb it all I think it gave me confidence. It made me feel I'm not the only one going through this. 'Other people have done it, so can I.' (F)

The evidence suggests that the meetings facilitated people to take control and to be assertive:

I think it's about giving you back some control really. People who go to solicitors, it's like they have control taken away. (F)

It was a way of taking back some control. It was doing something for me. I was getting information and I wasn't feeling quite so helpless. I keep dipping into the pack and reading things in there. It gave me something to hang on to. (F)

I felt more focused and positive ... it really made me more assertive with everything I'm dealing with and the fact that I was reassured that I was doing right [with the children] and you are always worried that the information you're giving is given in the right way and is saying the right things really. I felt very positive. Things are coming together. I think I'm moving on. (F)

It gave me some control at a time when I was needing some control. I needed my own agenda. I needed some kind of hanger to put things on. (F)

I think I felt empowered by it. I felt, 'Yes, there is information there', and I also bought the books, which gave me a lot more detail ... so that is empowering. (F)

I like to assimilate as much information as possible. Knowledge is power really, isn't it? I don't mean that in a negative sense. (M)

Some people were empowered to manage their own divorces without external professional help:

[DIY divorce] ... was actually the best option. The information meeting gave me loads of information on who to see, where to go and what do, and I have managed to do it myself. (F)

It explained how you could do things very clearly, told me I could do it by myself and didn't need to see a solicitor, which has saved me a lot of money, and it was just nice to sit there and listen to someone telling you how to do things. (F)

I had no money to pay for the divorce myself ... yet I couldn't get legal aid. The only option was to do the divorce myself ... the meeting told me I could do this or that and gave me options to choose. I was really pleased. (M)

### **Complex Lives: Complex Experiences**

For the most part, outcomes are not easily measurable in terms of saving marriages or using specific services, but understanding impacts requires consideration of more subtle benefits which may well have contributed to some people being able to save their marriage or to manage the divorce process more amicably. The information meeting could provide these people with the opportunity to become more focused, more knowledgeable and more positive. Attendees described the strength they derived from the information meeting to move forward and to be confident that they were making the right decisions. Information could give people the courage to talk to their partner about their feelings and the confidence to take time to stop and think about whether the relationship might be revitalised.

The message, of course, is that people who are facing divorce find themselves in a variety of emotional and social states, and the discomfort associated with not knowing what to do or how to proceed can be very distressing. The imparting of information can be very reassuring and can provide the necessary impetus and confidence to take the next steps. In this connection one man told us:

I know it was a trial, and I'm sure it was costly, but I believe it should be kept on, and be available to people. It's a good first stage – it gives you a holistic view of what to expect. It made me better prepared. I wouldn't have done what I did do, at the time I did it, if I hadn't gone to the meeting.

We would suggest that these outcomes are positive. If we are to understand outcomes fully, we need to recognise the huge complexity of attendees' personal circumstances.

### **Timing and Content**

In our First Interim Evaluation Report<sup>8</sup> we pointed to a number of tensions within the design of the information meeting. The first relates to the difficulty of designing an information meeting which will be of relevance both to those in the very early stages of marriage breakdown and to those who have made a firm decision to divorce. The second highlights the distinction between information giving as the provision of ordered knowledge (the bare facts) and information giving as a service (the facts personally tailored to the specific circumstances of the attendee). This raises the question of whether the information should be general or specific, and of whether it is purely technical in nature or is designed to be practical. These tensions are encapsulated in considerations of timing and content. The models being tested at the time the First Interim Evaluation Report was written (Models A and B) were delivering general information covering the whole gamut of subjects as prescribed in Section 8, by means of tightly structured scripts in which there was little room for deviation or dialogue. Although the attendees were almost universally positive about the information received, and valued the experience, there was disappointment and frustration about the 'one size fits all' approach.

Our more in-depth analysis of the first five pilots confirmed the early findings, and in our Second Interim Evaluation Report we addressed some of the key questions in more detail. We concluded<sup>9</sup> that the extent to which information is recognised and absorbed depends to a large degree on each attendee's notion of the relevance of the information to them given the judgements they face, and that this in turn depends on their view about where they are in their relationship – be it in trouble, on the verge of breaking down, or well past the stage of no return. Whatever the stage, however, attendance at an information meeting is for many people undoubtedly both a symbolic and an instrumental step. When attendance is instrumental it is not surprising that people expect that an individual meeting with someone who is the custodian of a great deal of information (knowledge) will deliver a service tailored to their specific needs. In our view, a one-to-one meeting is always likely to be construed in this way by the majority of attendees.

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<sup>8</sup> Walker, J. and Timms, N., 'Looking ahead', in J. Walker (ed.), *Information Meetings and Associated Provisions within the Family Law Act 1996: First Interim Evaluation Report*, Newcastle Centre for Family Studies (January 1998).

<sup>9</sup> Walker, J., 'Drawing conclusions', in J. Walker (ed.), *Information Meetings and Associated Provisions within the Family Law Act 1996: Second Interim Evaluation Report: The First Five Pilots*, Newcastle Centre for Family Studies (September 1998).

During the first five pilots we hypothesised that group presentations might be less likely to raise the same expectations – after all, a lecture is by definition a structured presentation which takes little account of the individual personal situation of each person in the audience – but as Chapter 8 showed there were problems in making this a relevant experience for all-comers. We also thought that the CD-ROM might offer an element of personal tailoring if attendees could make choices about the information being delivered, but the CD-ROMs used did not offer sufficient flexibility, as we showed in Chapter 9. Models C and F were designed to offer individual meetings which involved an exploration of uncertainty/certainty about whether the marriage is over and focused specifically on marriage support. These meetings, too, contained an insufficient element of personalisation.

Unlike Model A, Models C and F consist of two meetings, one of which is accessed pre-proceedings, hence the marriage-saving focus, and the second of which, a group presentation, was accessed post-proceedings, hence the focus on divorce process and dispute resolution. These two models made an explicit attempt to address the twin objectives of saving marriages and promoting civilised divorce by making the reasonable assumption that attendees who had begun divorce proceedings would be less likely to be able to save their marriage and therefore more receptive to a focus on mediation and on the needs of children, whereas attendees who had not set divorce in motion might be more receptive to considerations of marriage support. Although few attendees in the pilots experienced both meetings, the findings suggest that timing and content were still problematic.

In the preceding four chapters we have presented the findings across all the models which were piloted, and have considered whether the later models of information successfully addressed the identified tensions. It is striking that those receiving information via a CD-ROM were less likely to find the meeting helpful and the information relevant. We conclude that receiving information from an individual has added value. Thus the Model C individual meeting is more highly valued than the Model F CD-ROM individual meeting, although they both focus on the marriage-saving objective.

There are, however, as we have seen, other problems with meetings which focused only on one aspect of the information. By the time many people attended the information meeting the focus on marriage had come too late. This was a common reaction from people whose relationships had deteriorated beyond repair. By the time the pending breakdown is acknowledged in some public way, it may already seem too late to reverse the situation. This is hardly surprising given that around half the attendees were already separated from their spouse and almost as many were certain that they wanted a divorce before going to the information meeting (over a third had already consulted a solicitor, and a quarter had already been to marriage counselling). The research indicates that for the vast majority of attendees the meeting made no difference to the probability of their getting divorced. There is also evidence that the information meeting tipped those who were uncertain about divorce into divorce mode. This may, of course, have been a positive outcome for those who had grappled with uncertainty and indecision and needed the courage to move forward. Stopping to think may well be the necessary prerequisite for taking the next decisive steps.

Many presenters across all the models attempted to avoid the ambiguity of legislative intention, by finding an appropriate focus for attendees and thereby injecting ‘relevance’ into the encounter. This became problematic, however, when presenters strayed into responsive mode but saw the choices open to attendees as being limited either to saving

the marriage or to getting a divorce. This conceptualisation fails to take account of uncertainty and the muddle people find themselves in when relationships are in the process of breakdown, and fails to acknowledge that there are more than two ways forward.

The differing levels of ignorance, or, in other words, the different agendas, needs and expectations of those attending information meetings, have considerable implications for the timing and content of the meetings. Since the beginning of the research programme we have contended that ensuring that appropriate information is available to people at the optimum time constitutes a particular challenge for policymakers. The preliminary findings from across all the models of information meeting confirm this belief. If any assessment is to be made about 'appropriateness' or 'optimum timing', the information presentation has in some way to be both sensitive and relevant to the individual attendee.

It is clear from our interviews with attendees that the information meeting may be the 'starting point', the first public realisation for those who simply do not know what to do next. As one attendee put it,

the meeting makes you aware of all the options available ... even if they're not relevant to you. I didn't know where I was going or what I was doing and that was a good starting point for me ... and it made me realise something I wanted to eliminate ... I didn't want to go into a divorce straightaway ... it does home in on what the realities are ... and all the different things which are available if you are in a certain situation. The meeting enabled me to say to my husband, 'Well, you can't actually go ahead and get a divorce: I've been to a meeting and this is what I have found out.' This sort of made him realise as well. (F)

Another woman described how the information had 'cleared the way forward' for her, although she had not taken any particular action on the basis of the information provided when we spoke to her several months later:

I haven't followed up any of the things. The meeting seemed to clear the way forward. It made me think a bit deeper with respect to the children and also finances ... It's so easy to see yourself in isolation, to see the two of you ... My husband sat up and thought more about what he was doing with his life. I had taken the initiative to go along and say I'm not happy with the situation. This brought him to his senses.

The information meeting gave some people 'permission' to take their time. One couple discovered:

We could take our time. We weren't having to rush into making any decisions one way or the other ... that is why we went, because we didn't know what to do next ... and the woman we spoke to says 'Well, you don't have to do anything if that's what you want to do ...'. We were living apart at the time and she says 'Well, if that's what you want, just carry on. You don't have to do anything officially.' We had thought you had to talk to a solicitor, but the lady explained that we didn't have to. We felt once you start with solicitors you get pulled down that road and we just wanted to take our time.

The experience of this couple, who went to a Model B individual meeting, contrasts starkly with the experiences of Model C individual meeting attendees, who seemed to be given one of two options: try to save the marriage and opt for marriage counselling, or

proceed to divorce. The evidence would suggest that the 'fork' in the Model C meeting needed to have more than two prongs if it was to provide a range of options and choices, including the 'do nothing' scenario. This latter option may be particularly important for those who are struggling to come to terms with the breakdown of their relationship and who are experiencing a plethora of emotions including profound grief: attendees at the first level of ignorance. If information meetings do not make allowance for the misery associated with divorce, they may merely reflect the legal provisions and fail to do justice to the opportunities inherent in the provision of information on an individual basis. One attendee explained to us that, in his view, the divorce professionals had failed to make any allowance for his feelings

that someone is to blame, or is hurt ... The judges aren't interested, it's just get on with the practicalities of divorce, the rudiments of divorce, the set procedures are set down ... I'm in grief, and there's very little support for that.

The Law Society commented that the Green Paper assumed that most people seeking information will be calm, literate, articulate and objective, when in reality they will be experiencing feelings of extreme hurt, anger and distress.<sup>10</sup> The vulnerability of some attendees is starkly illustrated in the following chapters, which are concerned with saving and supporting marriages and the meeting with a marriage counsellor.

Comparative analysis across all the models of information meeting has promoted greater clarity in the quest for the best possible approach to information provision. We are of the view that understanding the impact of the pilot information meetings needs to go far beyond simple statistical counts of the numbers using specific services or demonstrating specific actions.

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<sup>10</sup> *Fairness for Families: The Law Society's Blueprint for Resolving Disputes on Family Breakdown*, The Law Society (1994).

