Chapter 8

Marriage Counselling

The Attorney-General’s Department has described marriage counselling as ‘a process where a neutral third party, focussing on the emotional dynamics of relationships and the stability of marriage within a family unit, assists parties to deal with the stresses they encounter as they move into, live within, or move out of that family unit.’

Growth of marriage counselling services

Marriage counselling services were first established in Australia during the 1950s. Initially they consisted of trained volunteers working on a sessional basis for a variety of charitable community or church-based agencies.

In 1960, with the introduction of the Matrimonial Causes Act 1959, the Commonwealth Government undertook a commitment to the support of stable marriage and family life and to the legal regulation of marriage and divorce. As part of this commitment, the Family and Relationship Counselling sub-program (FRCSP) was established within the Attorney-General’s Department and funding was provided to 19 organisations, mostly either church affiliated, or branches of the Marriage Guidance Movement (now Relationships Australia). It was envisaged that the organisations would be non-profit making, committed to serving the community, and that they would raise a proportion of their funds directly from the community, either through fees or from other sources.

Over the ensuing period, the number of organisations funded by the FRCSP has increased to 41 and the counselling sessions they have provided have doubled in the last twenty years to over 200,000. In 1994–95, these funded organisations spent an estimated $23.7 million providing counselling, $14.8 million of which was provided by LAFS. The FRCSP is the oldest and most substantial of the sub-programs within the Family Relationships Services Program (FRSP) of Legal Aid and Family Services

2 This sub-program was formerly called the Marriage and Relationship Counselling Sub-Program and the Marriage Guidance Sub-Program. In this report the sub-program is referred to by its most recent name with the exception of any references to the ARTD report entitled Evaluation of the Marriage and Relationship Counselling Sub-Program.
3 ARTD Evaluation of the Marriage and Relationship Counselling Sub-Program 1996: 5.
4 ibid.
5 ibid. 7.
6 Formerly the Family Services Program.
(LAFS), although it is becoming a relatively smaller proportion, comprising 57 per cent of total funding under the FRSP in 1995–96.7

Other service providers

Apart from the 41 funded organisations, a range of related sources of marriage and relationship counselling has emerged. State funded health and mental health programs have offered a changing array of services. Private providers, both psychiatrists and medical doctors, and a growing number of counsellors and therapists in private practice are also offering marriage and relationship counselling.

The Family Court and marriage counselling

The *Family Law Act 1975* includes provisions which seek to encourage couples to achieve reconciliation. Section 14(5) of the Family Law Act provides:

> Where a court having jurisdiction under this Act is of the opinion that counselling may assist the parties to a marriage to improve their relationship to each other and to any child of the marriage, it may advise the parties to attend upon a marriage counsellor or an approved marriage counselling organisation and, if it thinks it is desirable to do so, adjourn any proceedings before it to enable the attendance.

While the Family Court does have this statutory responsibility to provide reconciliation and relationship counselling, Chief Justice Alastair Nicholson told the Committee that it has generally referred this work to community based agencies and concentrated its efforts and resources on conciliation counselling in the divorce process.8 In chapter nine, the Committee recommends that the Family Law Act be amended to remove this statutory obligation on the Court to provide reconciliation counselling.9 The Committee believes that the Act should more accurately reflect the current arrangements.

Reviews of marriage counselling in Australia

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8 Transcript, p. 165.
9 Joint Select Committee on Certain Family Law Issues, 1995 *Funding and administration of the Family Court of Australia*, also recommended that the Family Court’s statutory obligation to provide reconciliation counselling be repealed. Joint Select Committee on Certain Family Law Issues Canberra: AGPS: 1995 (Recommendation 7.50).
In the last ten years there have been several major surveys and evaluations of the federally funded marriage and relationship counselling services. The outcomes of these reviews are discussed below.

McNair opinion poll on marriage counselling

A national poll conducted by AGB McNair in September 1995 and commissioned by LAFS, indicated that marriage counselling has become an established part of the Australian social landscape. The poll found that almost all Australians are aware of marriage counselling services, three quarters of adults see marriage and relationship counselling as helpful and two out of three people are willing to use marriage counselling.10

Marriage counselling census

In 1993, LAFS conducted a census of the marriage counselling organisations funded by the Commonwealth Government to provide information concerning the profile of clients attending services and the outcomes of the services. In summary the census showed that:

- more women than men used counselling (55 per cent of all clients);
- most clients were aged between 25-44 years (70 per cent);
- most clients were living with a partner on either a married or a defacto basis (58 per cent);
- most clients had dependent children (62 per cent);
- the primary language spoken at home is English (with only 2.4 per cent non-English speaking);
- very few Aboriginals or Torres Strait Islanders access the service (0.6 per cent of total clients); and
- the most common goals that clients wanted to achieve through their counselling sessions were to remain together or to improve the relationship (47 per cent). Eighteen per cent approached the service to decide about separation or divorce; 11 per cent to cope with separation or divorce; and seven per cent to get back together.11

Australian Institute of Family Studies evaluation

In addition to the 1993 census, two evaluations of the federally funded marriage counselling services have also been undertaken in recent years. The Australian Institute of Family Studies (AIFS) completed an evaluation in 1989, the principal purpose of which was to assess the effectiveness of counselling processes in assisting couples and individuals in resolving relationship problems. It undertook this by

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10 Family Services Council, Submissions, p. S759.
using a two-stage longitudinal study consisting of a pre-counselling survey followed after eight months by a post-counselling survey. In particular, the survey found:

- As the result of counselling, of those who were in an intact relationship, 81 per cent of women and 78 per cent of men remained together. Of those who were initially separated a higher proportion of women (30 per cent) than men (11 per cent) had reconciled. One quarter of women and 30 per cent of men stated they were more optimistic about their relationship continuing since counselling. Where separation did occur, in over half the cases it was women who initiated the action.

- In improvement in problem areas, personal life and quality of relationship, over 75 per cent of women and 83 per cent of men in intact relationships thought the problems they came to counselling about had changed for the better.

- The helpfulness and benefits of counselling most frequently mentioned were acquiring skills in communication and handling conflict, gaining insight into oneself, one’s partner and the dynamics of the relationship, and, for women, obtaining emotional support.\(^1\)

**ARTD Management and Research Consultants’ Evaluation of the Marriage and Relationship Counselling Sub-Program**

A subsequent evaluation of the FRCSP, completed in September 1996 by ARTD Management and Research Consultants, examined the cost and effectiveness of services according to financial and client service measures. The report concluded that at a fundamental level, the primary objectives of the sub-program have been achieved through the creation over the years of a substantial body of marriage and relationship counselling services. These services are now a well established part of the social infrastructure in Australia and employ around 700 counsellors, and provide over 200,000 counselling sessions for more than 100,000 clients each year.\(^2\)

However, at a more specific level, the ARTD evaluation indicates that there are access and equity difficulties with the current services and an apparent wide variation in the cost and efficiency of the various funded service providers.

Significantly, the evaluation found that on a population basis, only an estimated 34 per cent of the potential need for marriage and relationship counselling was met through the FRCSP. The extent to which other need was being met by unfunded agencies and individual counsellors was unable to be determined from the evaluation.

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\(^2\) ARTD Evaluation of the Marriage and Relationship Counselling Sub-Program 1996: x.
The Committee has been able to gauge some sense of this need from evidence to the inquiry. Some service providers have indicated that there are often long waiting periods for their counselling services. For example, a survey conducted by Centacare of its agencies in Queensland, New South Wales and Victoria, for the purpose of this inquiry, indicated that there are extensive waiting lists for counselling services in many organisations. Waiting times for counselling vary from 2-3 weeks in Cairns and Toowoomba to 8–10 weeks in Wyong and Melbourne. Many agencies report average waiting times of 4–6 week (Gosford, Narrabeen, Melbourne, Wagga Wagga) and 6–8 weeks (Wollongong).14

Similarly a group of major service providers in Victoria, in their joint submission, suggested that there are often times in all centres when their organisations are unable to meet the strong and continuing demand for relationship counselling. They also pointed out that there are areas of Victoria where there is either no specialist service or only a tiny and unsupported service.15

The Committee notes that this failure to satisfy demand for counselling services as evidenced by long waiting lists, is in contrast to other services such as marriage education where agencies have some difficulty promoting their services.

Access to marriage and relationship counselling by disadvantaged groups

The ARTD evaluation also confirmed the findings of the 1993 census which suggest that counselling is not readily available to all groups in the community.

Access by migrants

The 1996 evaluation, found that people who spoke a language other than English at home were a small proportion of all counselling clients relative to their representation in the Australian population and they were under-represented by a factor of five.16 In response to this issue, LAFS had funded a community development officer project which commenced in May 1996. The role of community development officers is to work with the particular ethnic communities to find out what their special needs are, and to be a conduit between the communities and the funded services to make sure that the services are provided in an appropriate way. The ARTD evaluation suggested that many organisations’ responses indicated that access to services was improving to some extent through these policies and special projects. Nevertheless, the consultants concluded that these issues are being addressed to some degree, but not sufficiently, by all organisations.

14 Centacare, Submissions, p. S847.
Evidence to the inquiry supports the impressions that there are difficulties in improving access to marriage and relationship counselling by some cultural groups. It was suggested that there needs to be research into methods of modifying existing services so that they are more relevant to ethnic groups.17

**Access by indigenous people**

The 1996 evaluation also reported that Aboriginal and Torres Strait Islander people were under-represented as a group using marriage counselling services and this under-representation was by a factor of 40. A quarter of organisations reported having some specialised services or projects for Aboriginal and Torres Strait Islander people and some examples of innovative projects were identified.

Ms Dale Bagshaw, Chairperson of the Family Services Council, recommended that in terms of access by indigenous people, community development officers of Aboriginal and Torres Strait Islander background should be appointed to develop more appropriate responses to the needs of the community through consultation with community groups.18

**Rural access to counselling**

The 1996 evaluation suggested that the FRCSP has been effective, through the geographical distribution of funds, in achieving a measure of equity in terms of the pattern of population need for counselling around Australia. It was argued that this was supported by the fact that the distribution of funding in each state generally matched the number of couples in each state. While the distribution of clients in urban, rural and remote regions generally matched the geographical distribution of couples, clients in rural areas outside major population centres were somewhat under-represented. Only three per cent of all counselling sessions were conducted in smaller rural areas despite these areas accounting for 13 per cent of Australian couples.19

Witnesses to the inquiry also spoke of the difficulties in providing access to marriage counselling in rural areas. Mr Price, Vice-President of Family Services Australia, said that it is almost impossible to provide services in New South Wales over the Blue Mountains as the cost involved in providing a mobile counsellor to go between different remote country areas would be prohibitive. Such services would need to be funded differentially.20

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18 Transcript, p. 25.
19 ARTD *Evaluation of the Marriage and Relationship Counselling Sub-Program 1996*: 152.
20 Transcript, p. 289.
Centacare Family Services, Hobart, also argued that the needs for counselling are not being met, particularly in rural and remote areas of Tasmania. The director, Father Clem Kilby, said that there is a need to extend services into the Huon Valley, Georgetown, Scottsdale and to the far north-west of Tasmania. However, because of inequitable and unpredictable funding arrangements, Centacare is unable to do this. Father Kilby said that Centacare had one person travelling to the west coast of Tasmania three days a week, but that this involved travelling 40,000 kilometres in 14 or 15 months which is a heavy burden on one person.21

Centacare Australia, the peak body, also highlighted problems with rural access to services and suggested there is a need for more creative alternatives, such as providing visiting specialist services to an identified family services base. Centacare’s submission suggested that organisations need to be able to develop more flexible approaches to the provision of services in remote and rural areas, such as providing more supports and benefits in order to attract and maintain staff. A broad banding approach to funding of family services programs would increase the flexibility of program delivery and would enable agencies to offer more attractive positions.22

**Efficiency and cost effectiveness of service providers**

The ARTD evaluation indicated that the 41 organisations which provide counselling services are a diverse group of community-based organisations located in capital cities and regional towns around Australia, varying greatly in size and structure of service delivery.23 More significantly, the data from the evaluation indicated that outputs and apparent efficiency of counselling appeared to vary markedly between organisations. Some organisations appeared to be far more efficient than others. For example around one-quarter (27 per cent) averaged less than 600 sessions per counsellor and around one-quarter (24 per cent) averaged more than 900 sessions per counsellor.

The average number of sessions per closed case was five but varied between organisations, ranging from two to 14 counselling sessions. The data demonstrated a great degree of variation in the costs of counselling provided by different organisations. A central indicator, cost per counselling session, averaged $101 per session across all organisations, but varied by a factor of seven, from a low of $34 per session to a high of $247 per session.24

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21 Transcript, p. 89.
22 Centacare Australia, Submissions, p. S854.
24 ibid. xi.
The difficulties of collecting consistent data from service providers suggests, that these findings should be treated with caution. Nevertheless, the data raise questions for further investigation about the comparative efficiency and cost-effectiveness of organisations, and the relative costs of dealing with different types of cases and working in different locations.

The ARTD evaluation confirmed the continuation of wide variations in the financial contribution of organisations to their total counselling expenditure, ranging from nine per cent to 83 per cent compared to the previous target of 25 per cent. Around 31 per cent of organisations met more than half of their total counselling expenditure from non-LAFS sources. At the other extreme, 19 per cent of the organisations met less than one-quarter of their total counselling expenditure from non-LAFS sources.25

Some variation in costs with agency affiliation was evident, with Centacare costs on average about half those of Relationships Australia and Family Services Australia organisations midway between the two. There was some evidence that smaller marriage and relationship counselling programs had lower costs, with average costs per unit output approximately 65 per cent that of the larger programs.26

The evaluation also found that some organisations had far more low income clients than others, indicating that access to counselling by low income people is likely to vary across the country depending upon the policies of the organisations in the region and the pattern of local demand.

This wide variation in financial contributions, costs and income level of clients was also borne out by evidence to this inquiry.

Mr Kevin Zibell, Managing Director of Ballarat Children’s Homes and Family Services, spoke about the problems of providing marriage counselling services to the more vulnerable and disadvantaged groups within society. He argued that many of the people that his agency works with, feel alienated from current services for a variety of reasons including the formats adopted and the fees being charged.27

Sister Philippa Chapman, Executive Director of Centacare Family Services in Tasmania, also pointed to inequities in the current funding arrangements and the difficulties this causes for her agency. While the Commonwealth Government funds 75 per cent of services, Centacare has to make up the 25 per cent shortfall from other sources. As their client group is poor, it is not possible to pass on the additional 25 per cent of costs in fees and the organisation has great difficulty in raising the shortfall. In contrast, an organisation like Relationships Australia charges to make up the difference because its client group can pay to make up the difference. Sister Chapman also suggested that the historical inequities of funding arrangements of

25 ibid. 155.
26 ibid. xv.
27 Transcript, p. 492.
LAFS have worked against her organisation and in favour of Relationships Australia, and that better and more predictable funding would enable it to reach out to the more isolated areas of Tasmania. 28

Similarly, the Reverend Michael Corbett-Jones, Director of the Anglican Counselling Centre, also argued that the average income his centre receives from its client base is much lower than for some organisations. This means that his centre has to expend time and energy on finding the shortfall of funds rather than on providing the much needed counselling services. Reverend Corbett-Jones suggested that some organisations select clients based on a client’s ability to pay. He cited examples of clients being referred to the Anglican Counselling Centre because they could not afford to pay the more expensive fees charged by other funded agencies. 29

The Reverend Corbett-Jones highlighted the anomalies and inequities of the program in his example of two agencies receiving funding from the FRCSP. He said under current funding arrangements, one agency may be counselling 8,000 hours and receiving a grant of $340,000, while another agency, counselling the same number of hours could be receiving $765,000. The Reverend Corbett-Jones also referred to historical anomalies in funding. When agencies received a 20 per cent increase in funding several years ago, the effect was that the larger well funded organisations were able to expand enormously, whereas smaller agencies, such as the Anglican Counselling Centre, received a much smaller amount and could not expand to satisfy the demand for their services. 30

These experiences raise concerns about the inequity of the provision of services through the FRCSP. It would seem that marriage counselling is not readily available to all groups in the community, but rather it is now more readily available to those with greater financial means as an increasing number of service providers are forced to levy fees for service.

According to the 1996 evaluation, FRCSP Guidelines were seen as directly and indirectly compelling organisations to focus on counselling as the almost exclusive service, locking organisations into a very narrow marketing stance. Agencies believed that both financial viability and appropriateness of service would be served by greater variation, including related group or educational work. 31

Evidence to the inquiry supported the suggestion that the current narrow focus of funding causes problems and suggested that there should be greater integration and flexibility across family services sub-programs.

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28 Transcript, p. 90.
29 Transcript, p. 371.
30 Transcript, pp. 367–368.
31 ARTD Evaluation of the Marriage and Relationship Counselling Sub-Program 1996: xv.
Ms Bagshaw said that often people present to agencies with more than one set of needs. They may want counselling, mediation and perhaps family skills training. She argued that if agencies could combine their funding they could provide a service that was relevant to the particular community they were servicing in a truly innovative and consumer oriented way. Ms Bagshaw suggested that the outcomes would be better, both for the agency and most particularly for the consumer.32

The major service providers in Victoria also suggested that the arbitrary division between counselling and education is an unhelpful one and said there are real advantages in a ‘one stop shop’ approach to services so that people can use a range of services at different times in their lives.33

Father Kilby also pointed to the advantages of having a generic agency such as Centacare in Tasmania, which has a range of expertise to offer a variety of programs to support families at different times and with different needs.34

The Committee's views on marriage and relationship counselling services

It is apparent from recent studies and from evidence to this inquiry, that marriage and relationship counselling services are well utilised and well regarded within the Australian community.

However, the Committee notes with some concern that there are apparent barriers to participation in counselling programs due to factors relating to accessibility, affordability, relevance and appropriateness. These barriers can be seen in the under utilisation of counselling services by migrants, indigenous people, rural communities and by lower income groups.

The Committee is concerned about three aspects of the FRCSP:

• The inequity in funding of agencies providing marriage counselling and the lack of transparency of funding;
• The fact that there has been no real increase in funding since 1992–93;35 and
• The suggestion that there be integration of education and counselling programs and funding.

32 Transcript, p. 29.
33 Relationships Australia et al, Submissions, p. 596.
34 Transcript, p. 81.
35 The last major increase to funds for FRCSP was implemented in the 1990-91 budget year when an additional $1.5 million each year for three years was made available to augment existing services. These additional funds increased the base for FRCSP by a total of $4.5 million.
Inequity in funding of agencies

The Committee has noted the inequity in funding under the program generally in relation to marriage education. Evidence exists that similar inequities exist in relation to other sub-programs, including the FRCSP. The Committee notes with concern the results of the ARTD evaluation which showed a wide variation in outputs and efficiency between the various funded counselling agencies. The Committee is also sympathetic to the criticisms of witnesses such as the Reverend Michael Corbett-Jones who provided evidence of what he described as ‘gross inequities’ and ‘anomalies’ in the funding arrangements for counselling services. The Committee believes there is a need to correct these major inequities in funding arrangements in the FRCSP.

Recommendation 35
The Committee recommends that funding of marriage counselling should be based primarily on service delivery.

Recommendation 36
The Committee recommends that the Attorney-General’s Department, in consultation with the field, implement a new system of funding, based on transparent service delivery.

This system of funding should comprise a base grant and further payments based on client numbers. This approach will help overcome some of the problems associated with delivery of services to rural and regional areas, as the base grant will enable a service to be established in these regions of Australia.

Recommendation 37
The Committee recommends that new contracts with agencies not be entered into until the new system of funding is implemented. In order to enable the new arrangements to be put into place, the Committee recommends that existing contracts with service providers be extended for a period of up to 12 months.

Discussions with LAFS officers suggest that the implementation of the new data collection system, FAMQIS and FAMnet, will enable LAFS to collect more standard and reliable data and hence provide much greater accountability than has been available in the past. The Committee hopes that FAMnet will enable the new system of funding based on service delivery to operate effectively.

Increase in funding for the FRCSP

The Committee notes that funded counselling is only meeting 34 per cent of the needs of the Australian population. It acknowledges the evidence that many organisations have unacceptable waiting lists for counselling and are unable to offer services to satisfy the demands of their clients. The Committee supports the view
expressed in the evidence, that if couples are seen at an earlier stage in a period of anxiety and before too much damage has been done to the relationship, there is a greater likelihood that they will need less counselling and there will be a greater chance of rebuilding the relationship.

While marriage counselling is still the preferred intervention for many people and the most heavily utilised service supported by LAFS, the Committee notes that funding for the marriage counselling program has not increased since 1992-93.

Recommendation 38
The Committee recommends that the Family Relationships Counselling sub-program receive an increase in funding of 10 per cent beginning in the 1999–2000 financial year.

The suggestion of integrating counselling and education programs

The Committee received evidence suggesting that there should be greater financial integration of the counselling and education programs within LAFS. The Committee rejects the integration of prevention and therapeutic programs and services for the reasons set out above in Chapter 6. Such an approach fails to acknowledge the distinctive differences between, and the very different demands, of the two types of services. Counselling services focus on resolving immediate and urgent problems and are well utilised and accepted within the Australian community. Education programs on the other hand, are more preventative and focus on long term outcomes. The Committee believes that because of these basic differences, an integration of the two services would inevitably result in resources being channelled towards the more urgent demands of counselling services and away from the equally important preventative work of education programs.

Recommendation 39
The Committee recommends that prevention and education should be clearly distinguished from counselling and therapy in policy and funding initiatives.

Education is not and should not be allowed to become a cheap form of therapy.

The special needs of men in family relationships

The Committee received substantial evidence from organisations and individuals documenting the particular issues affecting men and family relationships.36 Many organisations representing men spoke to the Committee about the particular

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problems facing men in coping with the pain and anguish of separation; the problems facing men in continuing their role as parents after separation; and the particular problems that men face in maintaining healthy relationships. Evidence to the inquiry also confirmed the results of recent research and studies indicating that men are often reluctant to seek assistance and support with their relationships. This reluctance in turn means that relationship troubles are not addressed until it is too late and consequently some men may resort to violent, destructive and abusive behaviour.

The Committee believes that special initiatives are needed to address the particular problems facing men in maintaining healthy relationships and it commends the Commonwealth Government’s recent initiatives in this area.

**Men and family relationships initiative**

In November 1997 the Prime Minister announced that six million dollars would be available over four years for pilot services and relevant innovative projects targeted to better meet the needs of men. Funded through the FRSP, these services will aim to achieve more effective outcomes for men and their families seeking assistance with building and maintaining healthy relationships including appropriately managing separation. This initiative is part of the Government’s ‘Partnerships Against Domestic Violence’.

FRSP is currently seeking applications from community-based organisations to provide these innovative services which will support men in their relationships with their partners, ex-partners, children, step-children and extended family members.

**Men and family relationships: A National Forum**

The Attorney-General the Hon Daryl Williams has initiated the first National Forum on Men and Family Relationship which was held in June 1998. The forum examined men’s relationship issues and considered how best to provide relationship support to men.

The forum was intended to:

- focus attention on identifying and addressing relationship service provision issues particular to men;
- identify issues faced by men when forming and sustaining relationships with life partners;
- identify the issues faced by men in forming and maintaining effective parenting relationships with their children;

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37 Research has shown that more than twice as many women as men approached the FRSP counselling services and related programs in 1995/1996. (Donovan Research Men’s Counselling Research: Report to Attorney-General’s Department Family Services Branch March 1998: 2.)
• identify barriers to men seeking early assistance to support relationships with partners and with children;
• identify barriers to men seeking assistance at the time of and subsequent to marriage breakdown;
• identify models of service delivery which appeal to and are appropriate for men;
• identify strategies and possible strategies for improving access to services;
• inform and lead to positive practical responses in program and policy development in the Family Relationships Services Program; and
• encourage service providers to develop and implement innovative approaches to providing relationship support services for men.38

The Committee commends these initiatives and hopes that they will address some of the difficulties men encounter in maintaining healthy marriages and relationships.

38 Details of the forum are available on the internet at: <http://law.gov.au/lafs>