



From Awareness to Action

BRIEF

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The impact of using the Family Law DOORS screening tool
in family mediation in Québec



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INTRODUCTION

Family mediation is a service designed to help parents resolve disputes and reach agreements following separation. Family mediators (FMs) play a key role in facilitating such agreements. In fact, nearly half of recently separated parents in Québec have used this service (Poitras et al., 2023). The vast majority of these parents faced temporary challenges, but some experienced more significant and persistent difficulties (e.g. mental health problems, parenting difficulties, adjustment difficulties in children), a number of which compromised individual safety, such as family violence (FV) and child abuse (Ferraro et al., 2024; Godbout et al., 2023; Perona et al., 2023; Raley & Sweeney, 2020). It was with these considerations in mind that the Family Law DOORS (Detection of Overall Risk Screen) tool (McIntosh & Ralfs, 2012) was developed and implemented in Australia, with the aim of carrying out universal and systematic screening within a large population that may present a diversity of risks of varying nature and severity, in a context of parental separation (Lee, Ralfs, Booth, & McIntosh, 2021). Since family mediation, as practiced in Québec, is offered to a large number of people during the pivotal period of separation, it provides an opportunity to identify these risks and prevent their deterioration. The aim of the project discussed here is to evaluate the impact of using the Family Law DOORS tool in FM practice in Québec. It was an initiative of the Comité des organismes accréditeurs en médiation familiale (COAMF, accreditation bodies family mediation committee), which wanted to renew FM screening methods with the support of the Ministère de la Justice du Québec (Québec justice department) (see Godbout et al. 2024 for the full research report). More broadly, this project was part of a movement to take greater account of issues of family violence in family law and related psychosocial and legal services (Government of Canada, 2024; Assemblée nationale du Québec, 2022; Assemblée nationale du Québec, 2022).

I – THE DOORS TOOL: FEATURES AND CONTEXTS OF USE

Created for professionals at different levels of the family justice system (family lawyers, FMs, psychosocial workers), the DOORS tool aims to identify various risks to the safety and well-being of families in a systematic and standardized way, and to propose responses (e.g. adaptation of the mediation process) and referrals to services that are appropriate to the particular characteristics of each case. This tool is based on research into four major safety threats: familicide, suicide, family violence and child abuse. Since these events rarely occur without prior notice or preconditions, it is necessary to consider a range of issues when screening (the tool is based on a systemic analysis of risks present in both the family's history and the current period) (McIntosh & Ralfs, 2012). DOORS is not specifically designed to screen for family violence, but rather to take into account the well-being and safety of adults and children in a holistic way (see Table 1).

Table 1: Components of the DOORS tool

		Objective:	Risk areas:
Door 1 Screening	Universal screening, self-reported by each parent	Identify risks that may be present in the family situation	1) culture and religion of the parent 2) elements surrounding the separation 3) managing conflict with the other parent 4)) psychological adaptation of the parent 5) parent's impressions of the other parent's psychological adjustment 6) adaptation of the child: a) baby or toddler or b) school-age child 7) parenting 8) safety of children 9) safety of adults: a) safety of parents, b) safe behaviour of parents 10) other stressors.
Door 2 Screening	Open questions associated with the risks identified in Door 1	Obtain a deeper understanding of each risk	
Door 3 Assessment	References to the literature and additional specialized tools (e.g. MASIC, Holtzworth-Munroe et al. 2010). Analysis and referral guide.	Guide the risk response and support safe, appropriate intervention.	

The DOORS tool is part of a suite of screening and risk assessment tools. A literature review in this regard conducted by Cross et al. (2018) revealed the existence of 86 family violence screening tools, 11 of which are intended for use in connection with family law and 12 for use in a family mediation context. Of all the tools identified, some are designed so that only one of the intimate partners responds, often the person who has suffered the violence. Some take into account various forms of violence, while others focus on the severity and intensity of the violence suffered. Major findings by Cross et al. (2018) also suggest that tools designed for family law professionals focus primarily on physical violence and may omit other forms of violence, including coercive control. In addition, they often overlook the possibility of co-morbidity with family violence (e.g. mental health or substance abuse problems). On the whole, they take little account of social and contextual elements (for example, the importance of religion and social support), and thus offer a limited definition of the concept of risk. In addition, some do not allow for screening of victims or perpetrators of family violence. Finally, extensive training is required to use certain tools. The DOORS tool overcomes most of these limitations, which makes it an interesting option for a service aimed at a broad population, characterized by a wide diversity of risks and life contexts. In addition, the tool offers the possibility of carrying out an overall assessment of the family situation, targeting issues specific to the separation process (e.g. adaptation to the separation, perception of parenting arrangements, stress related to the division of property or payment of child support, etc.).

Two validation studies conducted in Australia with 660 separated parents (including 181 pairs of parents) (McIntosh, Wells, & Lee, 2016) and 5,429 separated parents (including 1,642 pairs of parents) (Wells, Lee, Li, Tan, McIntosh, 2018) demonstrated that the DOORS tool exhibits solid internal consistency and good convergent validity with various external criteria, such as past

police or judicial interventions, as well as youth protection referrals. However, this tool has certain limitations, such as the lack of questions focusing exclusively on family violence and the difficulty of documenting how practitioners apply Doors 2 and 3. In addition, not all items relating to family violence focus on specific violent behaviours (Rossi et al., 2024). Professionals may experience some challenges when using the tool (e.g. the time required to go through it and concerns that professionals will rely too heavily on the tool at the cost of their professional judgment), even though the Australian experience reveals that the benefits seem to outweigh the drawbacks (Kaspiew et al. 2015; Lee et al., 2021).

II- ISSUES RAISED DURING FAMILY MEDIATION PRACTICE IN THE PRESENCE OF FV

Although the DOORS tool is a generalist instrument, it looks at various factors linked to FV, which is crucial to adequate screening in family mediation. Indeed, the break-up of a family is a high-risk period for FV. According to Conroy (2021), around 45% of victims who took part in the 2014 General Social Survey on VAW reported that the violence suffered was associated with separation, and that it occurred six months after separation in 38% of cases. In fact, separated or divorced women are nine times more likely to experience violence than married women (Brownridge et al., 2008). Victims are exposed to increased risks due to the context of separation (Statistics Canada, 2016) and around 49% of people experiencing family violence report that the severity of the violence increased after separation. Family mediation practices must absolutely include the identification of the dynamics of control and power in the relationship, as this helps to better understand the context, scope and dangerousness of violence (Beck & Raghavan, 2010). Coercive control is a term increasingly used to describe these dynamics (Stark, 2007). Victims of coercive control may feel a sense of risk in mediation processes, as they may feel pressured to enter into an unwanted agreement (Putz, Ballard, Arany, Applegate, & Holtzworth, 2012; Tishler, Bartholomae, Katz, & Landry-Meyer, 2004). We know that the ethical practice of family mediation is based on the balance of power, the ability to negotiate as equals and the free and informed consent of the parties, and that these principles are weakened or even annihilated by the dynamics of family violence.

From a safety point of view, if family mediation takes place in the usual way (both parties sit together in the FM's office), the risk of abuse during and after the meeting is high because of the abuser's greater access to the victim. The victim, on the other hand, may be more likely to agree to mediation in the hope that it will stop the violence, and may also fear adverse consequences if she refuses to start the family mediation process (Cresson, 2002). Thus, since she does not have an equal share of power in the relationship, the victim may accept conditions that are not beneficial to her or that put her safety at risk, either under duress or with the aim of bringing the mediation process to a swift close (Johnson et al., 2005). Generally speaking, the questions asked in mediation are not sufficient to correctly identify family violence, even if they are general (i.e. do not focus on specific areas and behaviours) (Beck et al. 2009; Holtzworth-Munroe, Beck, & Applegate, 2010).

On the other hand, research (Beck et al., 2009; Johnson et al., 2005; Putz et al., 2012) indicates that violence has little or no impact on the content of agreements reached in mediation (e.g. time

sharing between parents, agreement on how future disagreements will be managed, measures taken to prevent parents from meeting), which is already a cause for concern. Consequently, it is essential that the use of an appropriate screening tool be accompanied by an adequate response from the FM.

In Québec, there have been a number of discussions and initiatives on adapting the family mediation process to situations of family violence, particularly over the past 20 to 25 years. In 2008, the Comité de suivi sur l'implantation de la médiation familiale (follow-up committee on the implementation of family mediation) formulated recommendations to improve the way family violence is taken into account in family mediation. These recommendations include the incorporation of a section on family violence in the *Guide to Standards of Practice in Family Mediation*, the requirement to be familiar with two screening tools for family violence, the promotion of training on FV for family mediators and the creation of a catalogue of FV resources. Extensive training and screening tools have been made available to Québec FMs (Torkia, 2011), but challenges persist in terms of systematic application of screening tools and adaptation of practices (Riendeau, 2012). More recently, the report *Rebâtir la confiance* (Rebuilding trust) by the Expert Committee on Support for Victims of Sexual Assault and Domestic Violence (2021) highlighted the need to better equip FMs to detect and manage these cases, based on the testimony of several observers in different practice settings. In addition, the second report of the Domestic Violence Death Review Committee, which targeted various professionals working with families, including FMs, mentions that more training should be offered to them on the concepts of coercive control, post-separation family violence and separation conflicts (Bureau du Coroner, 2022). In addition, the same committee suggested that FMs should be trained on children's exposure to family violence, recent legislative changes emphasizing the need to take family violence into account (e.g. amendments to the *Youth Protection Act* making exposure to family violence a separate ground for compromise) and elements representing a risk of homicide, such as child custody disputes.

III- A RESEARCH PROJECT CONDUCTED IN QUÉBEC

1) Goals of the project

This project to test the DOORS tool in Québec stemmed from a desire on the part of COAMF's violence prevention committee to improve practices and provide FMs with an appropriate tool that could be applied to their practice. Enabling the detection and prevention of risks among families encountered in mediation, the tool was designed to enable professionals to act safely and refer parents to appropriate resources.

It is important to take into account the specific context in which this tool is used in Québec, given that Québec FMs work little or not at all in teams or establishments offering other types of services to families, as is the case of Relationships Australia South Australia (RASA), where the DOORS tool was developed and is widely used. It was thus necessary to assess the application of the tool in the daily practice of FMs in Québec in its French version (note that the translation of the tool has been revised by experts in the field of family law, but has not been formally validated).

The objectives of the study were to: 1) document the safety and well-being risk profile of all parents participating in family mediation; 2) measure some of the effects of implementing the DOORS tool using a pre-test-post-test comparison (on the safety measures implemented, the parents' needs satisfaction level, the feeling of safety in family mediation, parents' level of confidence in the fairness of the process and referrals to resources); and 3) evaluate certain aspects of the tool's implementation, such as its reception and perception by FMs, the short- and medium-term changes it has brought about in their practice and the aspects that could be improved in the future.

2) Methodology

Figure 1 below summarizes the recruitment process that was used for FMs and parents who were starting a family mediation process. It should be noted that the FMs were recruited through targeted e-mailings (using the directories of the six professional orders that govern the practice of FMs in Québec), announcements made on social networks (e.g., the Facebook page of the Québec's Ministère de la Justice and advertising in the newsletters of the various professional orders. Parents were recruited through participating FMs according to a specific procedure. The separated parents included in this study had to have at least one dependent child in common and be starting a first family mediation or reviewing an agreement or judgment.

Figure 1. Process for recruiting FMs and parents for the DOORS project and trained samples

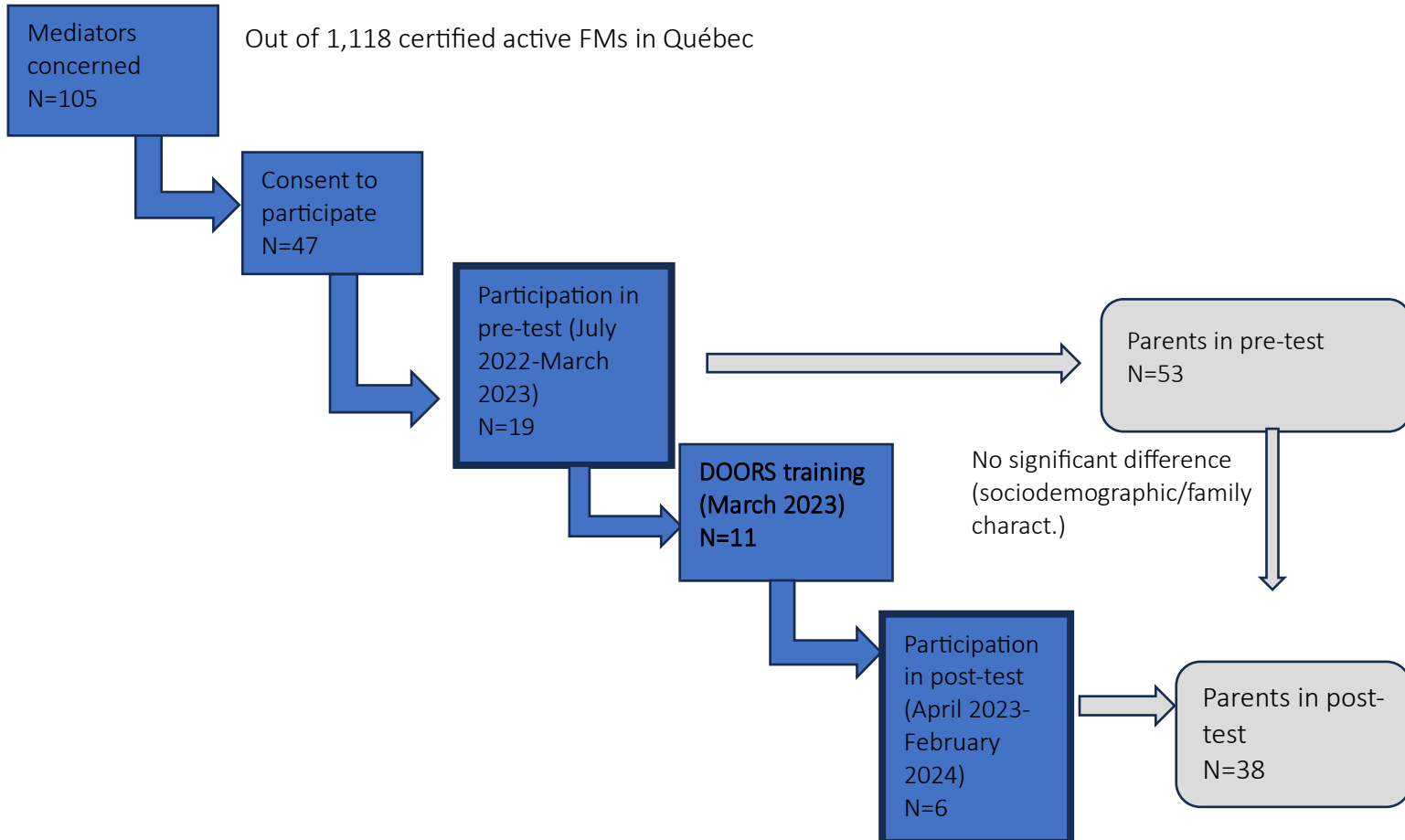


Table 1 below summarizes the research objectives in relation to the sample mobilized and the measures and procedures implemented.

Table 1: Study objectives and corresponding samples and procedures

Objective	Sample	Measures and procedures
Describe the profile of the parents who took part in the research project, in terms of the risks to their safety and well-being, and explore the associations between this profile and the parents' feeling of safety in family mediation	Total sample of parents who took part in the pre-test and the post-test (N=91)	Questionnaire including: DOOR 1 of DOORS Sociodemographic and family characteristics Questions on parents' perception of the safety measures put in place, their needs satisfaction level, their feeling of safety in family mediation, their level of confidence in the fairness of the process and referrals they would have liked to obtain for help resources but did not obtain This questionnaire was distributed online after the first scheduled FM mediation session
Measure changes in practices that may be associated with the introduction of the DOORS tool, from the perspective of parents who were starting a family mediation process	Comparison of parents who participated in the pre-test (N=53) and the post-test (N=38)	
Document the FMs' point of view in order to describe the tool's perceived advantages and disadvantages and thus understand what facilitates or hinders its implementation in practice	FMs trained in DOORS and who actively used it during the post-test (N=7) FMs trained in DOORS but were unable to use it (N=3)	Focus groups

3) Results

Profile of parents who took part in the study

In general, the parents who took part in the study had adapted well to their separation, but 14.3% still reported at least one indicator of a more difficult psychological adjustment. What is more, a significant proportion of the study participants expressed concern about their ability to adapt to separation from their former partner: 17.6% of the parents reported a very low level of adaptation to separation from their former partner. Furthermore, the majority of parents

reported feeling hostility or hatred towards their spouse (14.3% frequently; 42.9% sometimes). At least one parent in five reported experiencing family violence in the last 12 months. Also, in terms of imminent safety risks (items on fear of ex-partner, control, ex-partner's substance abuse problems, accessibility of a weapon, threats to safety, stalking and escalation of violence), it appears that 17 (18.68%) parents had between 2 and 7 of these risk factors, and 6 (6.59%) had four or more, indicating that certain parents should be subject to sustained safety measures.

DOORS preventive potential

The results obtained indicate that DOORS training increases the likelihood that a FM will use safety measures during family mediation from the viewpoint of the participating parents. However, statistical analysis showed that the parents made no distinction regarding their needs satisfaction level, their confidence in a fair process, their sense of security and the number of additional resources they would have liked to obtain, whether or not the FMs had participated in DOORS training. That said, when controlling for the level of risk surrounding parental adjustment and safety issues, the effect of DOORS training became more apparent. In fact, parents with a low or medium level of adaptation to separation reported a higher sense of safety in family mediation when their FM was trained in the DOORS tool. This difference was not significant when the level of adaptation to separation was high, suggesting that DOORS training promotes a sense of security only when adaptive challenges are reported. Similarly, participants with more severe safety issues who were present at the post-test reported a greater sense of safety, suggesting that DOORS training promotes a sense of safety only when the reported safety issues are of concern.

How do FMs perceive the usefulness of the DOORS tool?

According to all the FMs we met in the focus groups, detecting and preventing violence, as well as other issues related to safety and well-being, are essential components of appropriate family mediation practice. Most FMs mentioned the need to standardize practices in this area, and to reinforce training in the psychosocial aspects of mediation. Some, however, noted a feeling of unease among legal practitioners who use family mediation to act on psychosocial and prevention issues. They also noted that the legal responses provided to families in addition to or in place of mediation processes are often unsatisfactory (e.g. cost of legal representation if mediation cannot take place).

According to all the FMs we met, DOORS is a comprehensive tool for structuring information about parents' personal and family situations. It also provides a framework for mediation that professionalizes screening and prepares parents for the process. Indeed, some of the FMs found that parents were better prepared to participate in mediation, and that parental confidence was boosted by the use of DOORS. This also enabled some parents to become aware of the seriousness of the mediation process or of interpersonal issues, such as the presence of violence in their relationship with their former partner. DOORS also seems to boost the confidence of FMs and, according to them, reduces the risk of errors and strengthens their ability to detect, in particular, safety risks for people suffering from FV.

The main difficulties mentioned by the mediators are as follows:

1. Application of the tool:

- a. The sometimes difficult involvement of parents, and the need to first explain to them how the tool works and how to use it (which can sometimes be at odds with the way mediators organize their work, e.g. when their assistant handles initial contacts with parents).
 - b. The structure of the tool (length, problems understanding it, opacity of certain questions, time required for FMs to adapt to the tool, modification of their habits and practices (e.g. integration of caucuses into their practice)).
2. The considerable amount of time needed to use the tool: the completion of Door 1 and its analysis, as well as that of Door 2, require time (1 hour and 30 minutes on average per file) and some parents may fear that these hours will be added to those reimbursed by the government program.

Despite these difficulties, the majority of FMs interviewed said they would continue to use the tool after the research project, while others indicated that they could not do so without being paid for the extra hours they worked. For those who had been trained in DOORS, but were unable to incorporate the tool into their practice (N=3), the obstacles had proved insurmountable, even though the FMs recognized the tool's great qualities.

In the face of these difficulties, the following solutions were proposed:

- a. It would be preferable to use DOORS for pre-mediation, as the hours required would not be included in the hours provided for in the government program.
- b. With this in mind, it would be preferable for the screening process to be subject to consent and fees that are separate from those of the mediation process.
- c. It is necessary to make the process of using the tool mandatory and to standardize it (for example, with regard to training, forms).

CONCLUSION

In short, DOORS training seems to encourage the use of safety measures, and also appears to have the potential to reassure parents who are starting a family mediation process and are experiencing psychological adjustment and safety issues. Indeed, the tool seems to enable professionals to be alert to the adjustment challenges presented by parents. In addition, in family situations where severe safety issues are encountered, or where moderate or severe adaptation

challenges are present, DOORS training would help to foster parents' reported sense of safety. However, one of the limitations of this study is the small size of the sample used to test DOORS. We believe that a larger number of research participants would have produced more robust statistical results..

The FMs involved in this study were characterized by a strong commitment to family mediation services, and they were immediately convinced of the benefits of better screening practices. Nonetheless, they considered the DOORS tool to be a comprehensive and enlightening tool that enables effective screening of the difficulties experienced by families. That said, difficulties in using the tool have been identified. The main difficulty resides in the time required to use the tool in a context where time is limited and counted in mediation.

Finally, given the risks identified among the 91 participating parents and the comments expressed by the FMs who had used DOORS, it seems essential to us to improve the quality of screening practices. The safety and well-being of families in vulnerable situations must be a shared responsibility among all the professionals who work with them. We hope that the use of the DOORS tool will add another link to this safety net, and that further work and action will be taken in this direction. These actions should, in our view, include sustained training for FMs, standardization of practices based on recognized screening principles, and conditions of practice enabling these principles to be implemented.

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