

Participant Information Sheet

Project Title: Evaluation of the *Family Law Amendment Act 2023* (Cth)

Researchers:

Professor Mathew Gray, Associate Professor Deirdre Howard-Wagner, Professor Nicholas Biddle, Dr Hayley Boxall and Mia Stone from POLIS@ANU: Centre for Social Policy Research, College of Arts and Social Sciences, at the Australian National University.

Description and Methodology:

POLIS researchers have been commissioned to evaluate the impact and the effectiveness of the *Family Law Amendment Act 2023* (Cth).

The Online Research Unit (sub-contractor), one of Australia's leading online data collection agencies, is implementing the in-field survey process. All data collection will be undertaken in accordance with the Research Society Code of Professional Practice, ISO 20252:2019 standards, the Australian Privacy Principles and the Privacy (Market and Social Research) Code 2021. The ORU has been accredited to ISO 27001:2013 (information security systems) certification and hosts web applications at Darling Park in Sydney, a cloud service provider that is certified by the ASD on the Certified Cloud Services List (CCSL). All ORU's data is stored on physical servers in Australia, to meet requirements for localisation of data for the region under the Australian Privacy Act.

What Does Participation in the Research Entail? Your participation in the evaluation will involve taking part in a short online survey.

You also have the option to potentially participate in a one-on-one or group in-depth interview, which will be conducted either online or via telephone. The online survey consent form will provide this option, and you will be contacted again for this purpose.

All activities are voluntary. The online survey consent form gives you the option of potentially participating in an in-depth interview if you wish.

The aim is for the evaluation to be completed by 30 June 2026.

Use of Data and Feedback: The data collected through short online survey and in-depth interviews will be used to write the Evaluation of *Family Law Amendment Act 2023* (Cth) Report that will be published as a POLIS@ANU: Centre for Social Policy Research Commissioned paper, which is an open-access publication.

The data published in the POLIS@ANU: Centre for Social Policy Research Commissioned paper may also be used for the purpose of producing academic publications.

Project Funding: Funding for the evaluation has been provided by the Attorney-General's Department.

Participant Involvement:

Voluntary Participation & Withdrawal:

Your participation in the evaluation is completely voluntary. Participation in the evaluation will not change your relationship with the Australian National University nor the Attorney-General's Department.

Survey responses cannot be saved. If you start the short online survey and need to take a break, please DO NOT close your browser window. If you start the short online survey and decide you do not wish to continue, you can stop at any time by simply closing the window. However, if you choose to stop completing the survey partway through, the answers you provided may still be retained and included in the evaluation results, depending on when you withdrew from the survey. Additionally, if you complete a significant portion of the survey but do not reach the end, your responses will still be included in the final dataset.

If you participate in the in-depth interview, you will be provided with a copy of the transcript of your interview. You may review and edit your contributions or withdraw your participation up to the point within two weeks of receiving the transcript. If you choose to leave the evaluation within this period, your interview data will be removed from the transcripts and not used by the researchers unless you choose to keep your contributions included.

Purpose of Short Online Survey and In-Depth Interviews: The purpose of short online survey and the in-depth interviews is to elicit your view about the amendments based on your experiences working in the courts and resolving cases through negotiation. If you choose to participate in the short online survey only or also choose to participate in the in-depth interviews, you will be asked questions concerning your experiences of amendments introduced by the *Family Law Amendment Act 2023* (Cth) in relation to the following:

- considerations and outcomes relating to safety of children and family members in
- determining parenting outcomes
- understanding of the parenting framework, including in relation to the best interests of children, parental responsibility, time and care arrangements
- how you are considering the best interest of children in advising clients on parenting arrangements
- non-compliance with orders and how parties may revisit parenting arrangements
- after final court orders
- unanticipated consequences for parents and professionals in resolving parenting
- disputes,
- experiences of systems abuse in the family law system, in particular:
- provisions, and
- the new harmful proceedings orders powers.

Risks: This evaluation involves negligible risk. There is no anticipated risk of harm or discomfort, and any potential risks are limited to minor inconveniences for participants. These may include taking part in a de-identified survey or in-depth interview and dedicating time to participate in the survey and in-depth interview. To manage this risk, it is a requirement that the researcher ensures the conducting of the evaluation aligns with The *Privacy Act 1988* (Cth).

Benefits: Lessons from this evaluation will be of benefit to family law system and separating parents and their children engaging with the family law system.

Confidentiality:

The Attorney-General's Department owns the data, the copyright and the Intellectual Property Rights.

All data collection activities will be undertaken in accordance with the *Privacy Act 1988* (Cth).

- **Confidentiality:** Your confidentiality will be maintained as far as the law allows. While you will not be named in the report, and your identity is protected as far as the law allows, it remains a risk that you may be identified by a third party based on your statements. It is possible that others may guess the source of information.
- While data will be collected from individual respondents about the *Family Law Amendments 2023* (Cth), personal identifying information about individual respondents will not be sought from survey or in-depth interview participants. That is, we are **not** collecting or analysing personal information/data, including sensitive personal information or data. However, if you accidentally disclose your name or any other identifying information in the in-depth interview, it will be removed from and de-identified in the interview transcript. Removing obvious identifiers like names will not necessarily mean that the possibility of identifying an individual has been removed. Information about when, how, and from which jurisdiction the evaluation data was collected may increase the identifiability of potential participants. However, every effort will be made to ensure that participants cannot be identified, even indirectly.
- If you participate in the online survey, you will complete a consent form at the beginning of the survey.
- If you participate in an in-depth interview you will be required to consent to the interview. The interview transcripts will be deidentified. Only de-identified transcripts will be retained for data analysis and storage for a minimum of five years.
- We need to be very careful about confidentiality during the in-depth interviews. During our discussion, you will need to remember your professional obligation to keep client information confidential. Additionally, if you are taking part in a group interview, you will need to respect the confidentiality of what is shared by other participants and maintain their anonymity outside of the interview.
- While data will be de-identified, you should take care not to make statements about your employer, colleagues, or other professionals that could result in economic or reputational harm, particularly in a small professional community.

Data Storage:

- **Where:** All data, including recordings and notes, will be stored on password protected ANU virtual hard drive for a minimum of 5 years. This is protected by the IT security system of the ANU. The ANU's use of secure virtual hard drives will limit the risk of data loss due to hardware issues.

- **How Long:** The storage of all data for a minimum of 5 years is to ensure compliance with the data retention guidelines outlined in The Australian Code for Responsible Conduct of Research, 2018 (<https://www.nhmrc.gov.au/aboutus/publications/australian-code-responsible-conduct-research-2018>).
- **How Many Participants Needed:** The aim is to recruit 1050 survey participants and 26 in-depth interview participants.
- **Handling of Data Following the Required Storage Period:** If the Attorney-General's Department requests the ANU researchers to store the data for a further five years, the ANU researchers will ensure that information is securely archived on ANU virtual hard drives, which are protected by the IT security system of the ANU, for a further period of five years.
- If the Attorney-General's Department requests the ANU researcher to transfer the data to the Attorney-General's Department or another secure archive system, then that will be done via ANU SafeShare, which is a highly secure, encrypted file storage and collaboration platform.
- **Who Has Access:** Raw data such as audio recordings will be accessible by Professor Matthew Gray, Associate Professor Deirdre Howard-Wagner, Professor Nicholas Biddle, Dr Hayley Boxall and Mia Stone. Raw data may also be shared with the Attorney General's Department.
- Other researchers will be able to apply to access the deidentified version of the survey data. Any researchers accessing that data would also be required to sign a data user agreement that ensures the privacy of survey participants is protected.

Queries and Concerns:

Contact Details for More Information:

For queries or concerns please contact Professor Matthew Gray in the first instance:

Professor Matthew Gray
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Ethics Committee Clearance:

The ethical aspects of this research have been approved by the ANU Human Research Ethics Committee (Protocol H/2025/0357). If you have any concerns or complaints about how this research has been conducted, please contact:

Ethics Manager



Australian
National
University

The ANU Human Research Ethics Committee

The Australian National University

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