

# Reflective practice in family dispute resolution practice: an empirical study

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## **Abstract**

This presentation reports on an empirical study of reflective practice in the context of family dispute resolution (FDR) practice. Reflective practice is arguably an integral part of FDR practice and mediation more broadly. Practice texts and scholarly accounts refer to reflective and reflexive practice as central elements of professional engagement. Reflective practice has been defined as the practitioner's skill in reviewing his or her practice for the purposes of continuous improvement. Reflexive practice has been used to indicate both reflection on strategies and interventions and a deeper self-examination of the practitioner's values, preferences and possible prejudices that might impact upon practice. Reflexive practice, in particular, has been advocated as an antidote for some of the dilemmas argued against traditional claims that the role of the mediator is that of a neutral third party who facilitates the resolution of the parties' dispute.

The aim of the study conducted was to investigate actual practitioners understanding of reflective and or reflexive practice and to ask them how they used these concepts in their practice. FDR practitioners employed by United Community Care on the Sunshine Coast were interviewed. The sample is limited to a pilot study and reveals indicators for further investigation. The data collected from the interviews was transcribed and analysed using a social constructionist perspective and grounded theory methodology. Themes in the construction of the concepts of reflective and reflexive practice were elicited from the data and compared with themes found in the literature. The data was further placed in the context of broader issues of practice by the use of open-ended questions. Practitioners were asked how they understood the concepts of neutrality and independence, as described in the Family Law Act, and more broadly what they saw as significant for their practice.

The results reveal a significant diversity in understanding of the concepts of reflective and reflexive practice. The results also reveal significant diversity in approaches to actual practice despite the statutory framework of FDR practice and the limitations of the sample. The results point to further questions about reflective practice as a standard relevant to the National Mediation Accreditation Standards and contribute to debate about the role of the mediator as 'neutral' or 'independent'.