



State of Separation

Impact Report

Table of contents

3	Purpose	>
4	Methodology	>
5	Introduction	>
10	Key insights	>
11	Insight 1 – Cost of living makes separation impossible for many	>
18	Insight 2 – Acrimonious separation is on the rise	>
26	Insight 3 – Engagement with the law is changing	>
37	Insight 4 – Women are at risk of financial disadvantage	>
44	Insight 5 – Business and professions - the forgotten impact	>
52	The Separation Guide's impact	>
53	The opportunity to create significant social impact	>
54	Wrap up	>
55	Australian snapshot	>
60	References	>
61	Network members	>

Purpose

The Separation Guide aims to help as many Australians as possible through one of life's hardest and most misunderstood experiences: separation and divorce. We support early education, early de-escalation and timely advice on fairness.

To this end, the State of Separation Impact Report shares unique data and practical insights for the benefit of separating couples and the crucial professionals and policymakers they rely on.

Our insights aim to empower all involved to make decisions so that separation and divorce are more manageable for millions of Australians.

Understanding the impact of separation and divorce means asking questions of

- the people going through it
- the providers who service demand
- those affected by the downstream societal and economic impacts.

The Separation Guide can claim a unique understanding because it connects users to providers on a massive scale.

Individuals complete an online Q&A that educates, triages, and connects them to professional service providers from all disciplines nationwide.

Along this journey, users voluntarily and confidentially share information about their needs and those of their partner and children, and providers advise us about the sort of information they need to be able to service demand effectively.

As such, The Separation Guide holds unique quantitative and qualitative data sets.

Methodology

About The Separation Guide

The Separation Guide is a technology platform connecting consumers and professionals.

We aim to reduce the impact of separation and divorce by making it simpler, more manageable and less stressful for the hundreds of thousands of Australians experiencing it every year.

Our approach emphasises early access to justice through education and technology-enabled holistic service delivery with a human-centred design. It has a proven positive impact by reducing time to achieve resolution and alleviating stress during separations.

The data

This report combines three years of research by The Separation Guide, using qualitative and quantitative data.

The insights presented in the report are drawn from customer behaviour analytics from the start of 2020 to the end of 2022, including 228,323 website users, 16,319 anonymised Q&A submissions representing millions of data points, 568 completions of our 2023 Impact Survey with 38,850 data points, and anecdotal feedback supplied from customers and professional service providers in our network.

The external data includes inputs from some of the global leaders in legal technology who service the divorce sector, including intake provider Settify, intake, balance sheet and court order automation provider Family Property, practice management software provider Smokeball and legal financing providers Plenti and JustFund.

The report also references external research on separation, divorce and the societal impacts of this significant life event. All sources are listed at the back of the report.



Introduction

Who pays?

The costs of separation are paid by the individuals, by government and by employers. Many are familiar with the costs to the individual. However, this report highlights the large societal cost covered by the public purse and private organisations.

These societal costs stem from the long-term negative impacts of separation and divorce on children, mental and physical illness, poverty and homelessness, generational separation, family violence, self-harm and crime rates, plus workplace productivity and absenteeism.

A UK study estimated the annual family breakdown cost to society is \$868,792 AUD per separation. Applying this figure to Australia, we estimate that separation costs the Australian government and employers \$101 billion per year.

Our estimate is based on the 2022 ABS-reported divorce rate, plus de facto separations (25% of all Q&A responses in 2022), those in early stages of separation, and those who separated without applying for a divorce with the Federal Circuit and Family Court of Australia.



Stakeholder Groups

To understand the societal costs of divorce, you need to understand the stakeholders involved.



The individuals going through a separation or divorce



The professionals and programs that support them



Downstream stakeholders in the "ripple effect" of divorce



Stakeholder Group 1

Individuals going through separation

Separation is considered the second most stressful event of a lifetime after losing a loved one. It can be a ‘grieving’ for the life that was and the life that could have been, all experienced in a harsh and practical financial and legal context.

It’s deeply personal and also impacts the lives of others: from one’s former partner, children and extended family, as well as flowing through to friends, colleagues and the wider community.

Because it’s so misunderstood and rarely discussed, people are typically under-prepared for the experience, making it even harder.

When people are separating, they must manage all the stress and ascend a steep learning curve. They need to learn about

- the process of separation and divorce
- what they have to do from a legal perspective
- their rights
- what fairness is
- their own emotional, psychological and financial needs
- their former partner’s needs and rights
- their children’s needs
- how much will it cost.

All this is often in the context of ongoing parenting, performing at work, paying the bills, funding the separation process, and planning for the future.

In Australia, the estimated combined cost individuals pay for separation and divorce is \$4.6 billion annually.

Separating couples engage with providers from the legal, financial and healthcare sectors, often at a time of high stress and vulnerability.





Stakeholder Group 2 Professionals

The professionals servicing separating couples include the legal, financial, property, health and wellbeing professionals.

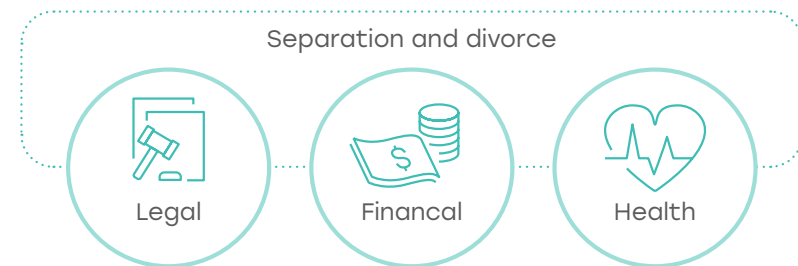
These are highly regulated industries

- using specialised language many people do not encounter in their day-to-day lives, meaning separating couples must effectively learn new languages or at least new phraseology
- finding it challenging to fuse new digital technology for client service with meeting regulatory standards.

In the case of the legal profession, despite the best endeavours of Government and professional bodies,

- the language used often defaults to a confrontational frame, which may increase the risk of escalation; for example, when couples intend to separate amicably and letters of 'demand' are received, it can lead to the impression "our lawyers started a fight we didn't want to have"
- many firms still maintain an hourly rate billing structure charging in a 6-minute increment model making many people afraid to ask questions for fear of soaring fees
- some firms continue using onerous billable hour targets, which may have the unintended effect of incentivising matter escalation
- many matters entering the Courts could have been settled, much to the chagrin of Judges who often lament the cost and delay experienced by separating couples.

Divorce is a system that intersects with three of the most highly regulated and complex professional sectors.



When engaging with professionals, some consumers have traditionally cited frustrations with

- a perceived lack of transparency of fees causing 'bill shock'
- unintended escalation
- reflections that they were 'cheerled' into a fight they did not want to have with an unsatisfactory outcome
- a lack of collaboration between the different professionals required in the divorce and separation process
- both parties being advised with confidence on prospective property splits over 50%
- providing the same information repeatedly from one professional to the next.

Stakeholder Group 2 (continued)

Professionals

The professionals and sectors supporting divorce and separation

Legal

- Mediators
- Family lawyers
- Conveyancers
- Other specialists in probate, wills and estates

Wellbeing

- Medical general practitioners
- Psychologists
- Counsellors
- Separation and divorce coaches

Children

- Child support
- Childcare
- Schools
- Teachers

Financial

- Accounting
- Financial advisors
- Finance providers
- Budget providers
- Super funds
- Banks
- Insurance

Property

- Mortgage broking
- Property and business valuations
- Real estate agents





Stakeholder Group 3 Downstream stakeholders

Government

High-conflict separations can be very expensive for taxpayers and government agencies at all levels. There is complexity around funding separation as it comes from multiple departments and levels of government.

Federal Government

Attorney-General's Department

Federal Circuit and Family Court of Australia / Family Violence

Department of Human Services

Services Australia / Centrelink / Pensions

ATO

Department of Health

State Government

Legal Aid

Crime/Justice

Mental health

Education

Housing/homelessness

Family violence

Local Government

Community legal centres

Children services

Employers

Australian business is a downstream economic casualty of separation and divorce when this profound life event impacts employees in the workplace.

An employer's bottom line is impacted by **lost productivity, higher absenteeism, staff attrition and the immeasurable risks and costs associated with poor judgement** when the stress of personal life starts impacting the ability to function at work.

Beyond the effects on separating employees, organisations also feel the 'ripple effect,' which flows to the colleagues, managers and family members who provide support, covering workload and sometimes changing their work hours to support loved ones.



*As the second most stressful life experience, the impact of a prolonged acrimonious divorce process has a significant impact on our **health system, private health funds and to employers**. For example, chronic stress predicts coronary heart disease, with cardiovascular disease reportedly costing the economy \$61 - 88 billion annually.*

More than half of those surveyed rated their separation and divorce a 10 out of 10 for stress.

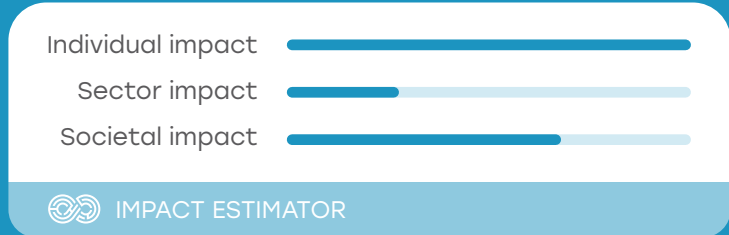
Key Insights

This report highlights 5 key insights and current trends impacting the divorce sector

- 1** **Cost of living makes separation impossible for many** 
- 2** **Acrimonious separation is on the rise** 
- 3** **Engagement with the law is changing** 
- 4** **Women are at risk of financial disadvantage** 
- 5** **Business and professions - the forgotten impact** 



Cost of living makes separation impossible for many



Insight 1

Cost of living makes separation impossible for many

Financial pressure is impacting many couples in Australia.

With rising interest rates and inflation, spiralling cost-of-living pressures, rental shortages and a dip in the job market, current economic uncertainties have put stress and anxiety on many relationships.

On top of this additional strain, couples who have decided to separate are finding that setting up two separate homes is becoming increasingly difficult.



Insight 1

Cost of living makes separation impossible for many

Rate rises impacts

Financial stress is one of the leading causes of relationship problems. Financial pressure caused by rate rises and inflation is stressing relationships already strained by the pandemic. As many couples struggle to make ends meet, financial stress can lead to anxiety, arguments and even resentment between partners.

An indication of the financial strain Australian couples are under is that The Separation Guide has seen a **month-on-month increase in people using our website to learn about separation and divorce**. This is also evident in data from a year-on-year comparison of Google search terms related to separation and divorce, with an overall increase of 6% from 2021 to 2022.

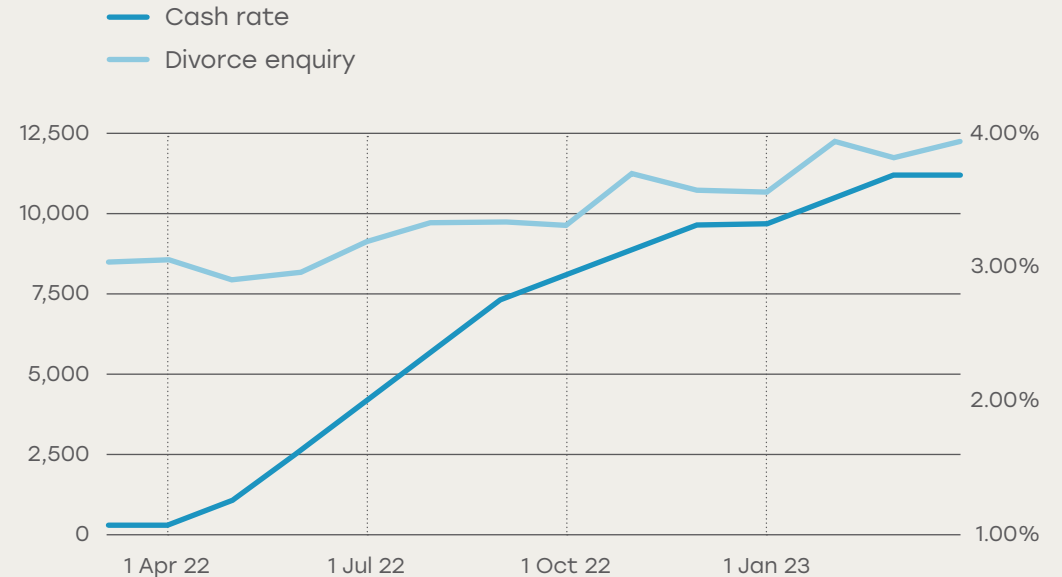
This increase in the number of people searching for information about separation and divorce **aligns closely with interest rate increases** beginning in May 2022, suggesting the possibility that financial pressure is impacting couples' relationships and plans to separate.

This observation raises concerns about a potential increase in the divorce rate in the foreseeable future.

Another impact of rate rises is a fall in house prices, which reduces the value of the asset pool a couple can split to set them both up for a secure financial future. Even if house prices remain stable, higher interest rates reduce the borrowing power of individuals going through a separation - borrowing power already significantly diminished for those with a single rather than dual income.

In some cases, the combination of falling house prices and reduced borrowing power can make it impossible for couples to secure a new home, pushing them into a rental market in crisis.

Rate rises versus separation enquiry



Source: The Separation Guide website traffic

Insight 1

Cost of living makes separation impossible for many

Separated and living together

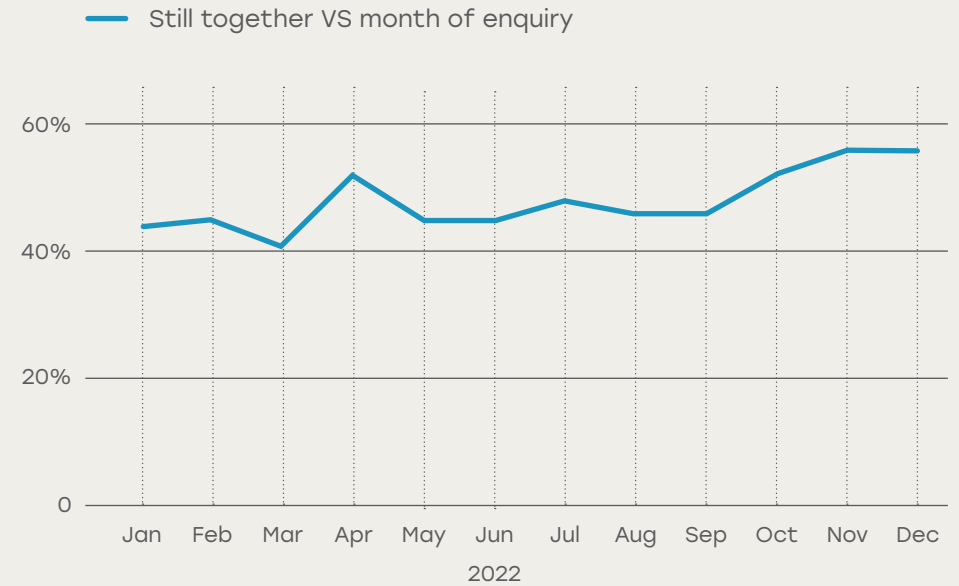
A worrying trend is an **increase in couples deciding to separate but still living together because the cost of finding separate dwellings is too high.**

There may be circumstances where a 'separated under the same roof' arrangement works well for a couple and their family, especially in the early days of separation. But some people who have decided to separate need physical distance to reduce stress and enhance safety. The current rental shortages and rising interest rates make finding new accommodation impossible for some, forcing couples who would be safer living separately to keep close proximity.

Since the end of the 2021 Covid-19 lockdowns, we've seen a consistent increase in couples separated and living under one roof. After rising gradually across 2020 and 2021, **the figure soared from 44% in January 2022 to 56% in December 2022.**

This data creates a profound and obvious problem: **couples who want to separate simply can't afford to do so** and are forced to stay together.

Couples still living together after separation



Source: The Separation Guide Q&A



A couple's legal date of separation is the day they discussed separation and effectively stopped living as a couple.

It is not the day one of them moves out of the home.

Insight 1

Cost of living makes separation impossible for many

Borrowing to fund divorce

Another indication that separating couples are under financial stress is the number of people **asking how to fund their separation, which grew from 29% to 35% from 2021 to 2022.**

Family law financing is an option for people who need quality legal advice to level the playing field and achieve the fairest outcome possible but may have with limited disposable income and cash tied up in property. This type of credit is growing.

Plenti Finance and **JustFund** are two leading legal loan providers specialising in family law. **JustFund** entered the market in 2022, and the combined data between the providers indicates the increasing pressures on individuals and the rising financial imbalance between separating couples.

There was a reported **increase in legal loan applications of greater than 55%** between 2021 and 2022. Loans vary from \$5,000 to \$400,000. The most frequently requested loan value is \$25,000, and the average is \$63,945 per individual (noting loan providers only provide finance to one party in the separation).

There is a higher proportion of loans when clients are involved in litigated cases due to higher legal bills and disbursements, indicating **the average cost of acrimonious divorces in Australia is now \$63,945 per person.**

In our Impact Survey results, **the overall average cost of separation was \$21,088 per person.**

Notably, of those who had received early education, 0% ended up with legal fees above \$50,000, whereas for those who had not received early education, 14% had fees of \$50,000 - \$300,000 or above.

Source: **Plenti** **JustFund** 



55%

Increase in legal loan applications between 2021 and 2022

\$25,000

The most frequently requested loan value



Requests for financial advice

Some other indicators of financial stress in 2022 from The Separation Guide's Q&A include:

- People requesting advice around planning their financial future peaked at 51% in September 2022
- people requesting budgeting help peaked at 21% in December 2022
- the percentage of people seeking tax advice peaked at 39% in August 2022.

Source: *The Separation Guide Q&A*

Insight 1

Cost of living makes separation impossible for many



Impacts

- ✘ The longer couples remain in a state of uncertainty due to financial constraints, the higher the impacts on them and society, highlighting the importance of early access to justice.
- ✘ Actual or perceived costs may reduce people's willingness to engage with the law for advice, creating additional stress.
- ✘ Higher financial pressure may result in higher acrimony, higher litigation costs and higher downstream societal impacts on government and employers, including a potential rise in family violence (these impacts are discussed later in this report.)
- ✘ Couples unable to separate their homes physically may be unaware of their ability to pursue legal settlement, which can leave them feeling trapped and unable to seek support within the system.
- ✘ The current housing shortages may be significantly underestimated, considering that approximately 50% of separated couples continue to live under one roof.

Insight 1

Cost of living makes separation impossible for many



Moving forward

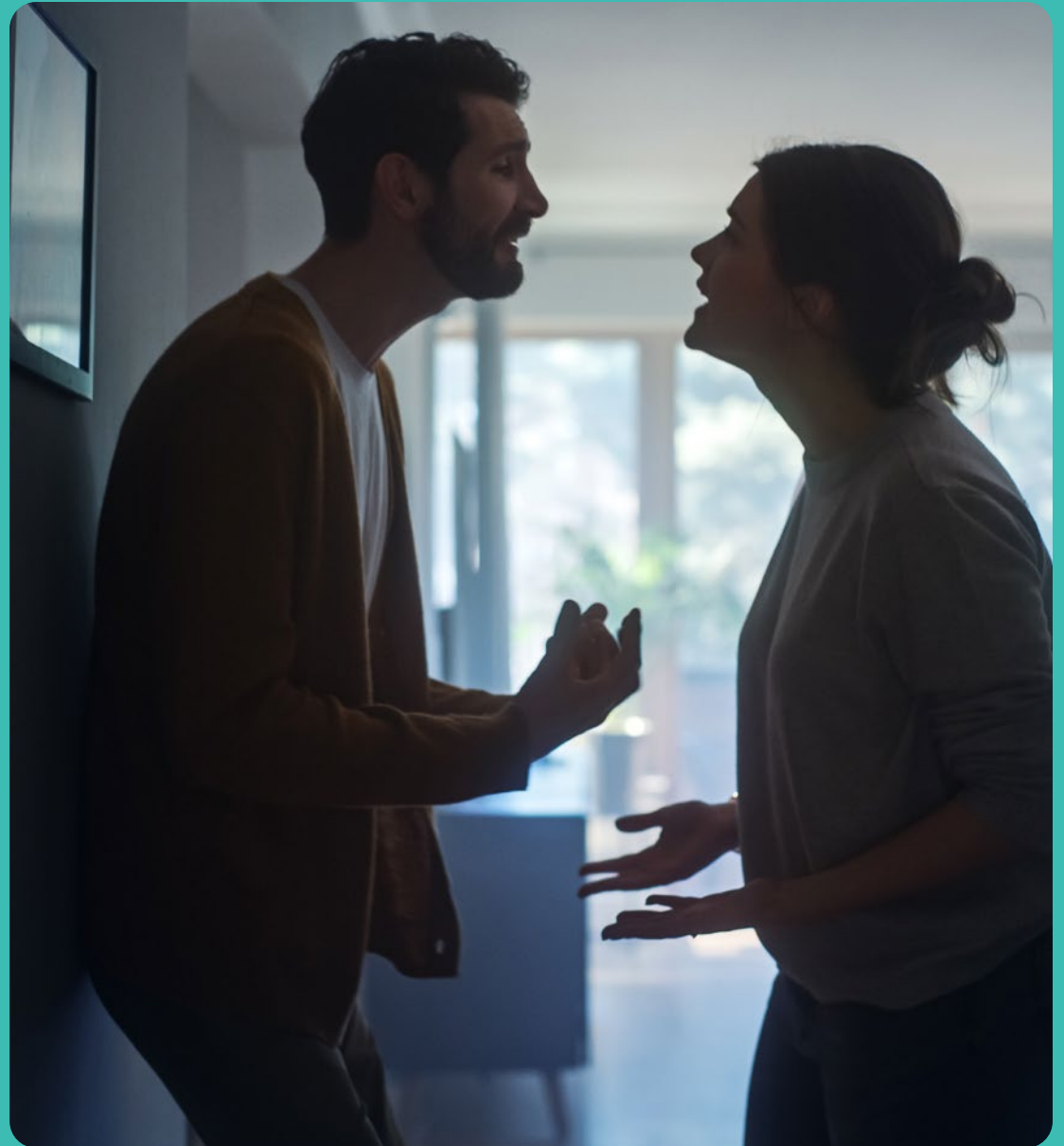
There is opportunity to plan for a holistic approach to support separating couples financially and assist with the set-up costs of establishing separate living arrangements.

Opportunities include:

- + Consider Government sponsored temporary accommodation vouchers to help subsidise rent while couples explore their financial separation and settlement as a way to curb escalation patterns, discussed further in **Insight 2**.
- + Create local council-supported 'birdnesting hubs' for separated couples, similar to respite housing, to allow one partner to move into local accommodation close to the family unit and relieve pressure on living situations, and give couples space to work through arrangements.
- + Ensure separation figures are factored into current housing supply numbers, as the shortages on supply may be underestimated.



Acrimonious separation is on the rise



 IMPACT ESTIMATOR

Insight 2

Acrimonious separation is on the rise

Most recognise that divorce and separation are complex and emotional and that escalating tension can only worsen matters. Many couples wish to reach an agreement amicably and don't want to start an expensive and stressful fight.

The federal and state governments, along with the Federal Circuit Court and Family Court of Australia, The Separation Guide and other groups, are all working hard to ensure couples de-escalate wherever possible to reduce the number of separations ending up in Court.

Yet, unfortunately, our data indicates acrimony between separating couples is on the rise.



Insight 2

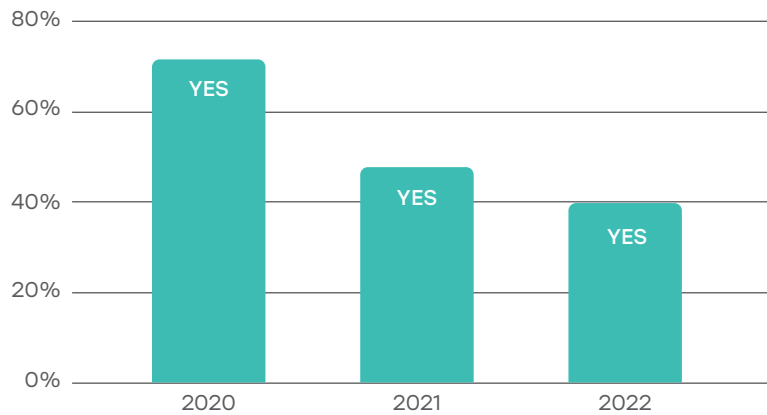
Acrimonious separation is on the rise

Separated couples unable to communicate

Life largely returned to 'normal' for many after the COVID pandemic, but we do not see the same trend for separating couples.

Fewer people reported being on reasonable terms with their former partner in 2022 compared to 2020 and 2021.

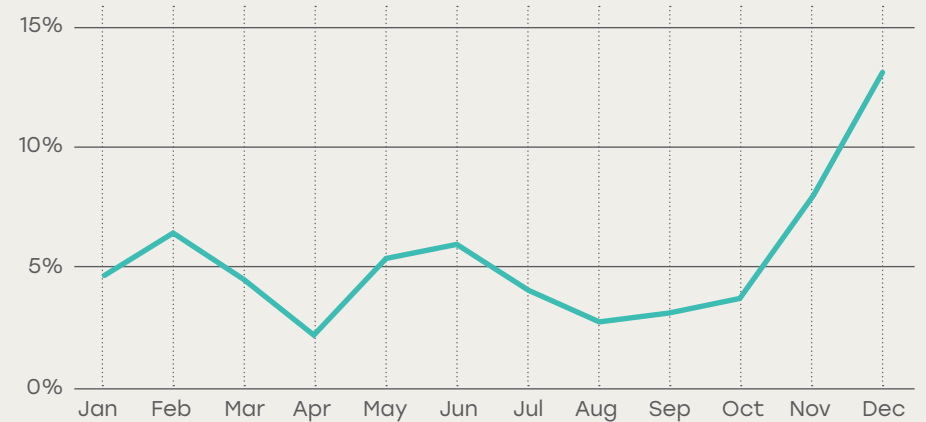
Are you and your former partner on reasonable terms?



Source: The Separation Guide Q&A

The percentage of individuals participating in our Q&A who indicated that they are not amicable witnessed a significant increase towards the latter part of 2022.

% of couples who report conflict, 2022



Source: The Separation Guide Q&A

Insight 2

Acrimonious separation is on the rise

Fewer separations suited to an amicable pathway

The Separation Guide triaging Q&A streams separated people into an appropriate separation agreement pathway based on several factors, including amicability. These pathways include:

- **DIY settlement**, where couples reach a non-binding agreement themselves before conversion to legally binding instruments
- **Guided Separation**, a form of evaluative mediation with a legally qualified mediator and Family Dispute Resolution Practitioner (FDRP) suitable for amicable couples
- **Independent legal advice** for more acrimonious couples or those with family violence.

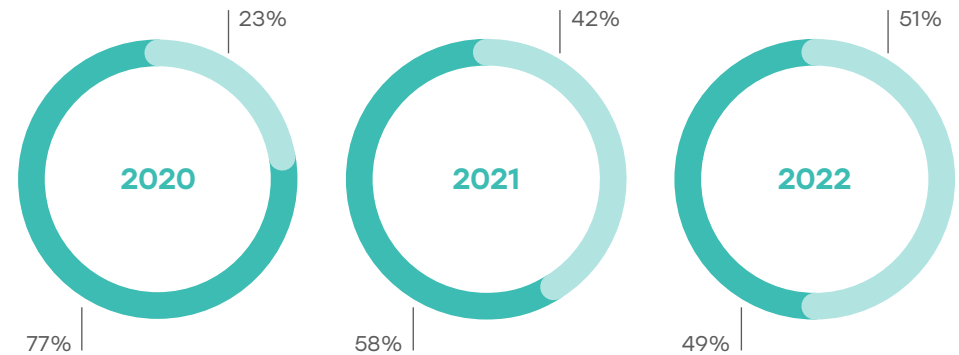
DIY settlement and Guided Separation are considered amicable pathways.

Since 2020 **we've seen a reduction in the proportion of couples suited to an amicable pathway**. Indicators of more acrimonious outcomes include a communication breakdown, a low level of trust around the financial assets and liabilities and an inability to sit together in a room with a mediator. Another factor that excludes a couple from pursuing an amicable pathway is if the person completing our Q&A asks for information about **family violence**.

A higher percentage of men receive an amicable pathway than women. This is predominantly due to women telling us in our Q&A that they are less confident about their partner disclosing financial information. It may also be due to fewer men asking us for information about family violence.



Amicable versus acrimonious pathway



Source: The Separation Guide Q&A

Amicable
Acrimonious



Men are 18.5% more likely to be recommended an amicable pathway, such as Guided Separation or a DIY approach, than women.

Insight 2

Acrimonious separation is on the rise

More people ask for information about family violence

Separation often intensifies existing conflicts between former partners, with emotional distress and resentment escalating tensions and creating a volatile environment. The shift in power dynamics after separation can also leave some individuals feeling powerless and frustrated, with some resorting to violence to regain control or assert dominance.

We have seen a **17.4% increase from 2021 to 2022** in the percentage of people who have separated from their partner telling us they **need information about family violence**. This rate may be higher as some fail to self-identify non-physical forms of family violence.

This increase may be partly attributed to the growing number of individuals forced to cohabit after separation. Living with a former partner after separation can be an immensely challenging situation, fraught with emotional and practical difficulties. The absence of physical boundaries and personal space can further exacerbate tensions and contribute to instances of violence.

Current shortages in emergency housing mean victim-survivors of physical violence must be prioritised when allocating crisis accommodation. Physical violence almost always escalates from another form of family violence, such as coercive control or emotional abuse. There is a substantial risk that prolonged periods of living together when separated may increase the risk of physical harm.

11.46% of clients asked us for information about family violence in 2021.

13.64% of clients asked us for information about family violence in 2022.

17.4%

increase over 12 months

Source: The Separation Guide Q&A



An Australian Institute of Criminology report reveals that research consistently demonstrates economic stress is a significant risk factor for family violence, with physical forms of violence more prevalent in areas with higher levels of socio-economic disadvantage.

Insight 2

Acrimonious separation is on the rise

Professionals helping couples de-escalate face an uphill battle

Lawyers and mediators are often an early point of contact for many people when they face a high-conflict separation. The first meeting can be a key influence on a path of acrimony, or one of less conflict, less cost and less impact to all. This emphasises professionals' influence and role in determining their client's future.

Many professionals comment that **fear of the unknown** and **poor communication** contribute hugely to escalation when a relationship has broken down. Clients who receive support around these two areas have a better chance of minimising further escalation and fighting that can lead to a protracted matter caught up in the court system.

If, as evidenced in our data, couples are reaching higher levels of acrimony before engaging with lawyers, mediators or other separation support services, it may become increasingly difficult to guide them back on a path of de-escalation. This highlights the importance of access to early intervention pre-separation education for people to understand their role in an amicable outcome, such as how to frame the first discussion, strategies around co-habiting while separated, and support with calm methods of communication.



100%

of clients who used The Separation Guide Q&A said the guide showed them the benefits of an amicable separation to help keep them on a low conflict path

Source: The Separation Guide Impact Survey 2023

“

In my Separation Support consultations, I'm finding that many of the couples I speak to still live together, and it's not making things easier. I've seen growing demand from clients wanting my support in framing their first discussion so they start things on a de-escalated pathway. They often just need help employing strategies to cool tensions down, and connecting them to the right professional makes all the difference.

*Arabella, Senior Separation Consultant,
The Separation Guide*

Insight 2

Acrimonious separation is on the rise



Impacts

More acrimonious separations increase the likelihood of escalation and lead to a 'bad divorce'.

- ✘ An acrimonious separation and divorce, one that is high-conflict, long and has escalated to Court, can have long-lasting effects on the mental and physical health of the individuals involved,
- ✘ The impacts of divorce and separation are not limited to the individuals going through the process. The impacts also affect their children, family members, friends, workplace, wider community and society.
- ✘ The impacts of acrimonious separation create a downstream drain on many government services.



According to the Australian Institute of Family Studies, parents with ongoing negative interpersonal relationships are more likely to report their children's wellbeing is low or has worsened over time.



Moving forward

The rise in acrimony between separating individuals means more pressure is placed on professionals to ensure escalation does not occur in the pre-settlement stage. The trend also reinforces the importance of low-cost, early intervention holistic support focused on the areas of need for each individual.

Opportunities include:

- + To promote a more supportive and client-centred approach, teaching institutions could include de-escalation techniques and effective communication strategies when educating future family law professionals.
- + The legal profession, Community Legal Centres, Legal Aid, and the Family Court may consider reviewing and revising the language used during the early stages of separation, incorporating language that focuses on resolution and cooperation.
- + It is important to recognise the value of additional services beyond legal assistance to provide comprehensive support to clients. Separation support professionals such as counsellors or divorce coaches can play a vital role in guiding individuals through emotional challenges and offering effective communication techniques for daily interactions.
- + Promoting mediation services early in the process can resolve conflicts and disputes peacefully.
- + Couples should be encouraged to seek professional help to navigate the challenges of post-separation living arrangements.
- + Offer coordinated educational initiatives to improve communication skills, emotional wellbeing, and connect individuals to ethical providers for guidance on legal and financial matters.

85%

of clients who used The Separation Guide Q&A said the guide helped them get a better understanding of their holistic needs, legal, financial and health & wellbeing

Source: The Separation Guide Impact Survey 2023



The desire for a new approach is growing within the sector. One movement is The Kind Lawyers, a collective of family lawyers, mediators, therapists, academics and other separation professionals driving positive change.

Engagement with the law is changing



IMPACT ESTIMATOR

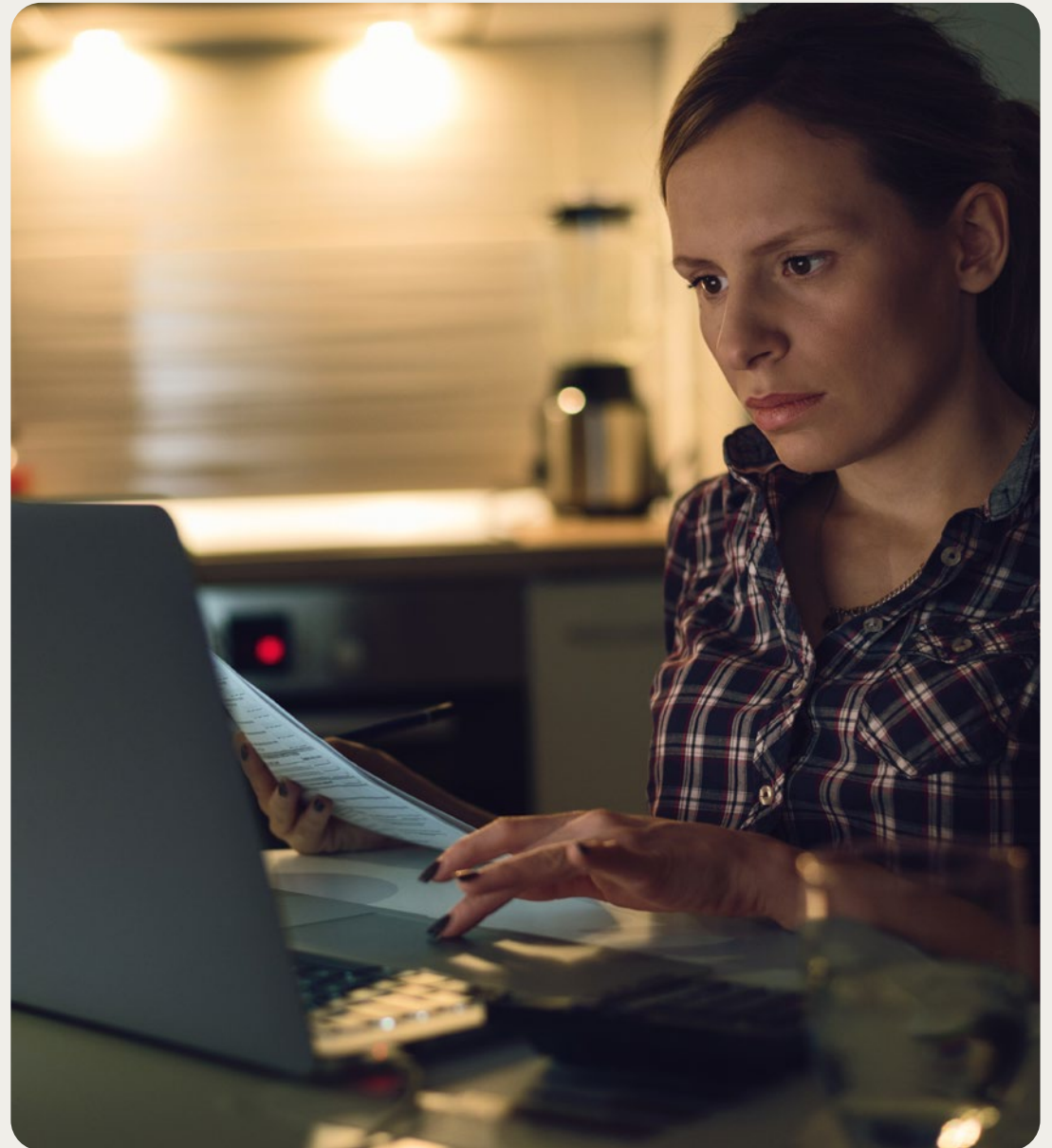


Insight 3

Engagement with the law is changing

A few trends indicate separating couples are changing the way they engage with the law over time, with cost and legal technology playing a role in changing habits.

While consumers taking control of the process and engaging with legal technology positively impacts cost reduction and time to resolution, there are worrying signs that some individuals may experience long-term disadvantages by not accessing any form of legal advice.



Insight 3

Engagement with the law is changing

Consumers turn away from legal representation to a DIY approach

The family justice system in Australia has faced concerns regarding its high cost, lengthy procedures, and adversarial behaviour. Our Impact Survey indicates that some couples are avoiding any legal advice and choosing to reach agreement themselves.

46.6% of respondents to our 2023 Impact Survey indicated they first attempted a “do-it-yourself” approach to settle without the help of legal professionals or trained mediators. While many couples prefer to begin their negotiations alone, this approach has preconditions and limitations.

The Separation Guide, like the Government, is supportive of people **on amicable terms**, with **a good understanding of the law** in Australia and who **trust their former partner** to disclose all their assets and work towards a fair outcome to agree on as much as they can, mindful that these agreements will not be legally binding until converted into the proper legal instruments. **The Separation Guide and the government’s online DIY product, amica, explicitly recommend that users seek legal advice about their property division.**

However, **33.2%** of respondents to our Impact Survey told us they settled **without any guidance or advice from legal professionals**. This figure gives us cause for alarm, as our triaging Q&A finds **only 7% of respondents are suitable for DIY agreement approach.**

Failing to receive appropriate advice may **expose both parties to short and long-term risks**. These risks are explored later in this report.



Barriers to engaging legal professionals:

- Perception of cost
- Perception of family law practitioners and the vested interest in escalation
- Misunderstanding the complexities of the law and not understanding rights and responsibilities
- Wanting to keep things civil, smooth things over, ‘not rock the boat’ and avoid escalation
- Incidents of family violence, with one party wishing to retain control over their partner and the situation

33.2%

of respondents settled without any guidance or advice from legal professionals.

Only 7%

of separating couples may actually be suited to the DIY approach.

Insight 3

Engagement with the law is changing

50-50 isn't always fair for parents

One of the most concerning findings from The Separation Guide's recent Impact Survey is that **42.5% of people with a primary caregiver responsibility in the relationship had reached a 50-50 split of assets without seeking any advice about the fairness of that arrangement.**

While 50-50 may seem fair at face value, especially to a separating couple unfamiliar with Australia's 4-step family law process, it is uncommon for a Judge to agree to an even division of property when one person has been a primary caregiver. The party with an extended period out of the workforce or in part-time work has often **missed opportunities for career progression**, has a **reduced earning capacity** after separation and has a **reduced superannuation balance** at retirement. Usually, a higher percentage is awarded to the caregiver to address their short and long-term needs.

The separating couple may be amicable and seek a fair outcome for both parties. They may have the best intentions in keeping the agreement between them as there is a perception that getting legal advice may cause escalation and a "fight". However, **couples who don't engage the support of a family lawyer or legally qualified mediator in their property settlement negotiation risk an unfair outcome that does not consider the non-financial contributions or the long-term needs of both parties.**

We expect that not understanding fairness disadvantages more women than men. This is discussed further in **Insight 4.**

74%

of those who did not access educational information from The Separation Guide about their rights ended up reaching an agreement without any legal advice, representing a high societal risk.

92%

of clients who did use The Separation Guide Q&A said they better understood their rights.

Source: The Separation Guide 2023 Impact Survey



The 4-step process of family law settlements is a framework family lawyers use to determine a fair property division

- | | |
|--------|--|
| Step 1 | Identify assets and liabilities |
| Step 2 | Assess financial and non-financial contributions to the relationship |
| Step 3 | Consider short and long term future needs of both parties |
| Step 4 | Evaluate the overall outcome of the agreement to ensure it is just and equitable |

Insight 3

Engagement with the law is changing

Legal tech can help

Changing consumer behaviour around interacting with the law is also yielding positive outcomes. Taking control of the process and engaging with legal technology allows consumers to do some of the work themselves, streamlining the processes and reducing overall costs. It is also having an impact on professional firms, who are now able to service more clients more quickly.

The adoption of legal tech is growing in the sector. Intake providers **The Separation Guide**, **Settify** and **FamilyProperty** saw a collective **51.5% rise in intake survey completions between 2021 - 2022** as more family law professionals used technology to improve their intake process and client experience.

This technology gives consumers a level of self-access. **The Separation Guide** provides consumers with education, triage to assess needs and readiness, and connection to a range of professionals, allowing consumers to book at a convenient time. It also gives professionals greater insight into their client's legal, financial and wellbeing needs before the first meeting begins, letting them provide greater value from the first interaction and making it easier for them to collaborate and refer to other professionals within the platform.

Source:



51.5%

increased adoption of legal tech intake solutions



Another opportunity in the legal tech space is for the legal profession to **harness the power of AI to improve efficiency** in producing and reviewing documentation, allowing **lawyers to service a higher volume of clients and provide more value through their advocacy and advice.**

Insight 3

Engagement with the law is changing

Legal tech can help (continued)

FamilyProperty and **Settify** provide professionals with client-facing intake capabilities that improve efficiencies. **FamilyProperty's** interactive balance sheet allows professionals to model asset divisions, manage financial disclosure, map arrangements on a parenting calendar and automate consent orders and other documents. **FamilyProperty's** valuable tools have gained widespread adoption within the family law ecosystem, including family lawyers, mediators, and organisations like Community Legal Centres and Family Relationship Centres. FamilyProperty is also integrated with **Smokeball**, allowing for a seamless end-to-end experience for lawyers and their clients. Integrating with leading practice management systems, **Settify** delivers value to clients and professionals alike. The intake provides clients with a tailored Separation Pathway, while professionals receive a detailed brief, a pre-populated assets and liabilities schedule, chronology, and balance sheet. These comprehensive insights enable professionals to offer immediate value-driven advice.

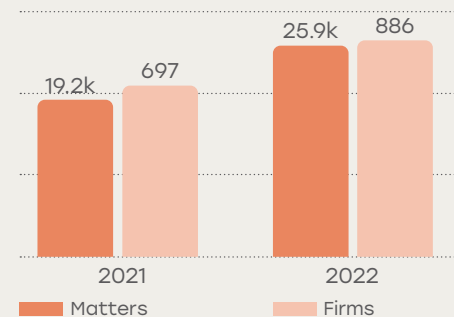
These tech solutions are helping clients resolve matters sooner.

Practice management software provider **Smokeball** reported an improvement in the average number of days a matter was open, with a reduction of 43.5% between 2021 and 2022. They also saw a 34.9% increase in matters opened. The data strongly suggests that families can greatly benefit by collaborating with technology-driven firms, as they can achieve higher levels of efficiency in their operations.

Digital technology has also drastically reduced the cost and timeframe of the financial disclosure process in family law, with more firms now using **technology to access online bank feeds, super balances and tax returns.**

Anecdotal evidence suggests that consumers are shifting their engagement with the law, **moving away from traditional retainer engagement and towards “bite-sized” fixed-price engagements where couples do some preparation work themselves.**

Matters opened



34%

Increase in matters opened indicating rising demand

43.5%

Improvement in time to close a matter

Source:   

Insight 3

Engagement with the law is changing



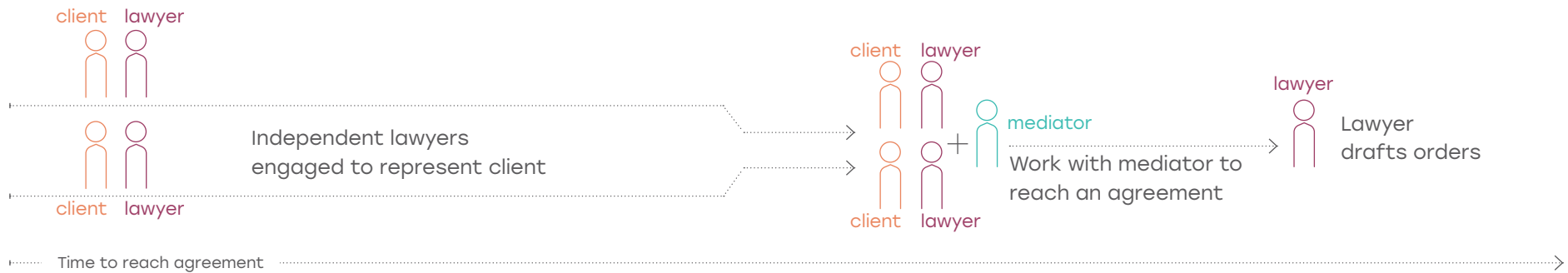
Frontloading discussions with legally qualified mediators works

We can see the effectiveness of a mediation-first approach with clients who follow Guided Separation to reach agreement. This approach is facilitated by independent mediators who are legally-qualified FDRPs using The Separation Guide technology platform for intake, education, booking and customer support.

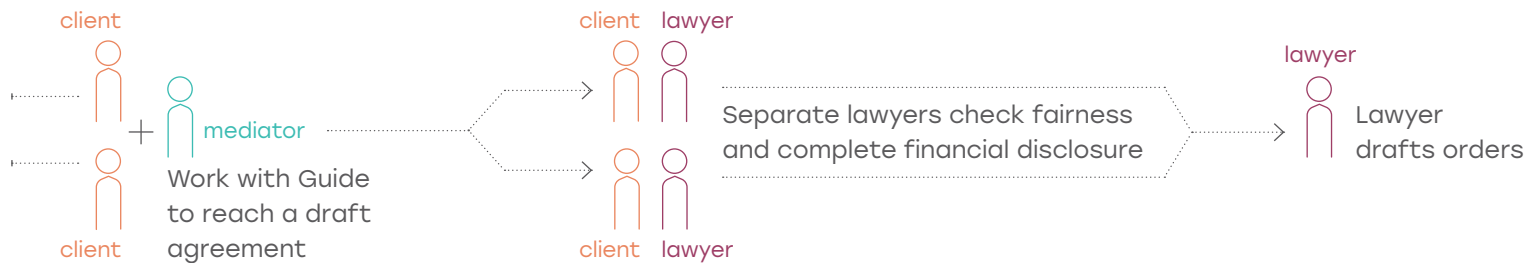
From engaging the mediator, it took an average of **94 days** for couples to reach agreement. This agreement is then passed to independent solicitors to draft legally-binding instruments.

“ This process is proven to be faster than a traditional ‘lawyer-first’ approach and is most successful when couples go through an online triaging process and meet the suitability criteria. ”

Traditional approach to mediation



New approach with Guided Separation





Frontloading discussions with legally qualified mediators works (continued)

The average cost of mediation reduced over time as the online pre-populated intake process improved the process for mediators and consumers, allowing mediators to service more clients faster. This and other efficiencies reduced the cost to the individual by a further **31% between 2020 to 2022**.

Guided Separation differs from a standard mediation process for four key reasons.

1. It follows a specified program for mediation to provide structure and clear timeframes.
2. It uses short sessions and shuttle mediation to remove the pressure and overwhelm of a high-stakes day-long mediation.
3. It specifies that the mediation is run by a **legally-qualified FDRP** who can advise on how the law views fairness, something standard FDRPs or mediators are not qualified to provide.
4. It provides an independent legal fairness check for each party at the end, resulting in faster, less costly settlement of matters.

31% reduction in cost to consumers

“

Imagine the benefit to individuals' health, finances and productivity if they removed one and a half years of stress from their life by simple improvements to a process.

Insight 3

Engagement with the law is changing



Early education helps

In our Impact Survey results, the average timeframe from the point of separation to finalising an agreed settlement across all couples and separation approaches was **555 days** (18 months.) **This figure includes those who interacted with The Separation Guide and those who did not.**

For respondents who had used The Separation Guide, the average timeframe was **475 days** (15.6 months) for Impact Survey respondents who:

- completed our triaging Q&A
- received ongoing online education from The Separation Guide
- were recommended and chose to engage with a legally-qualified mediator or family lawyer from our Network.

Those who did not use The Separation Guide have an average timeframe of **628 days**.

Our Q&A data over three years shows that **58% of couples** may be suitable for amicable pathways.

Data tells us that most people were ready to start discussing settlement within 1 - 6 months of separating, with 35% ready within the first three months.

This demonstrates the importance of capturing couples early in their separation, even during the contemplation stage, when they may seek marriage counselling or other support. With **earlier access to education**, paired with **effective triage, professional advice** and professionals who embrace the efficiency **benefits of legal technology**, we believe this timing could be **reduced to as little as six months**. Reduced timeframes can provide couples the benefits of resolution, closure and reduced stress a lot sooner having a positive impact for them, their families, friends and their workplace.

It is important to note that current laws specify a married couple must wait 12 months before lodging their divorce papers with the Court. This does not prevent separated couples from reaching financial, property and parenting arrangements earlier if they are ready before this timeframe.



This **30% reduction** in time to reach a resolution is **worth more than just time: it also means a decrease in stress, uncertainty and a huge reduction in cost.** This significantly impacts the individuals' stress and has an even greater impact on society.

1-6 months

Settlement discussions start early, emphasising the importance of early education

Insight 3

Engagement with the law is changing



Impacts

- ✘ Avoiding professional legal advice may save on short-term expenses. But this rising trend of self-representation could be a societal impact in 20 - 30 years when this cohort reaches retirement age. The **costly long-term repercussions** for financial security will place an increased burden on society as people require additional government support in later years. These impacts are explored further in **Insight 4**.
- ✘ The level at which individuals qualify for government-funded legal assistance services has not increased as fast as the cost of living, resulting in an ever-increasing pool of people unable to fund legal costs and resort to self-representation.
- ✘ Certain behaviours by some within the legal profession have affected its reputation, leading some individuals to avoid legal services due to concerns about fee exploitation and conflicts initiated by lawyers against their clients' wishes.
- ✘ The rise of AI and the current unregulated guidelines for its usage could result in people unwittingly relying on incorrect AI-generated information as “advice” instead of seeking professional insight into their family law matter.



Moving forward

The 2014 Productivity Commission recommended that the government adopt innovative approaches that combine technology and human support, aiming to create an accessible and efficient justice system that prioritises consumer needs.

Opportunities include:

- + Government could endorse tech solutions via tax deductions or subsidised legal technology platform fees, and promote widespread adoption, benefiting legal practitioners, consumers, and the public purse.
- + Promoting positive behaviours in the legal profession is crucial. Celebrating out-of-court resolutions rather than high-fee earners could reinforce a collaborative and amicable approach to resolving legal issues.
- + A shift towards incentivising collaborative practices, which include legal, financial and emotional support, help to resolve matters through cooperation and can reshape how consumers perceive the family law sector, fostering a more positive and constructive view.
- + Firms could consider implementing a standard acceptable fixed-fee structure for outputs such as financial disclosure and consent order drafting. This would ensure transparency and fairness, giving consumers a clearer understanding of the costs and steps involved.
- + Embracing technology to streamline processes such as financial disclosure and document preparation and utilising AI will help to reduce costs and enhance efficiency. Additionally, adopting client-centric intake procedures that prioritise de-escalation techniques can contribute to a more empathetic and supportive legal experience.



A movement for change

By embracing these opportunities, we can create a united legal, financial and wellbeing system that is consumer-focused, efficient, and supportive, leveraging technology and embracing new approaches to enhance access to justice for all.

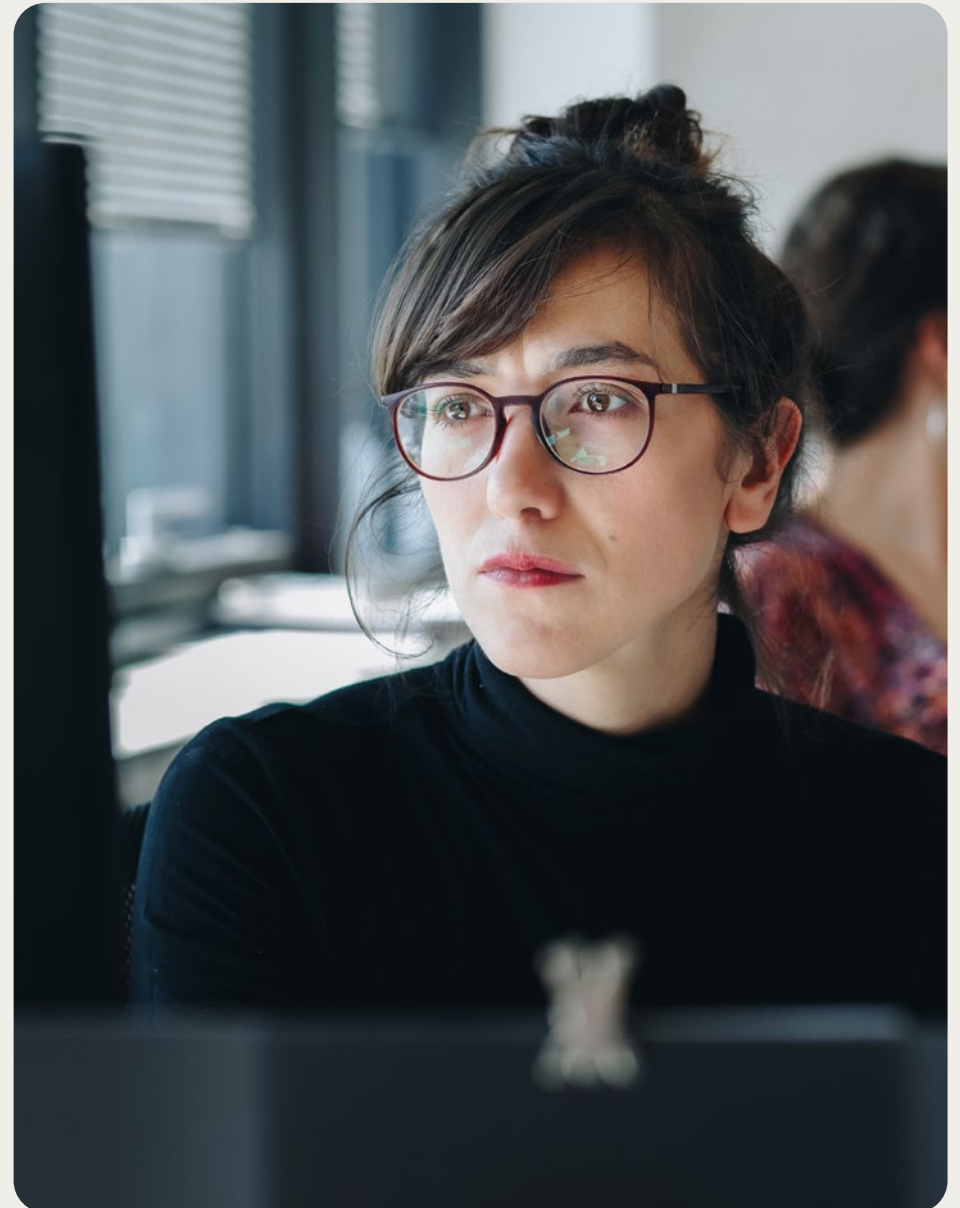
Insight 4

Women are at risk of financial disadvantage

Unfair outcomes create lifelong disadvantages in separation and divorce.

The risk is much higher for someone who does not have sufficient visibility of the assets and debts in the marital pool. Our research indicates that women are more likely to be in this cohort, meaning they are the demographic at much higher risk of long-term disadvantage if they cannot access the advice they need.

And this is before the discussion on ‘fairness’ even begins.



Insight 4

Women are at risk of financial disadvantage

More women need financial advice

A significantly higher proportion of women (48%) than men (32%) told us they needed financial advice in 2022, indicating that women feel less prepared for their financial future after separation than their male partners.

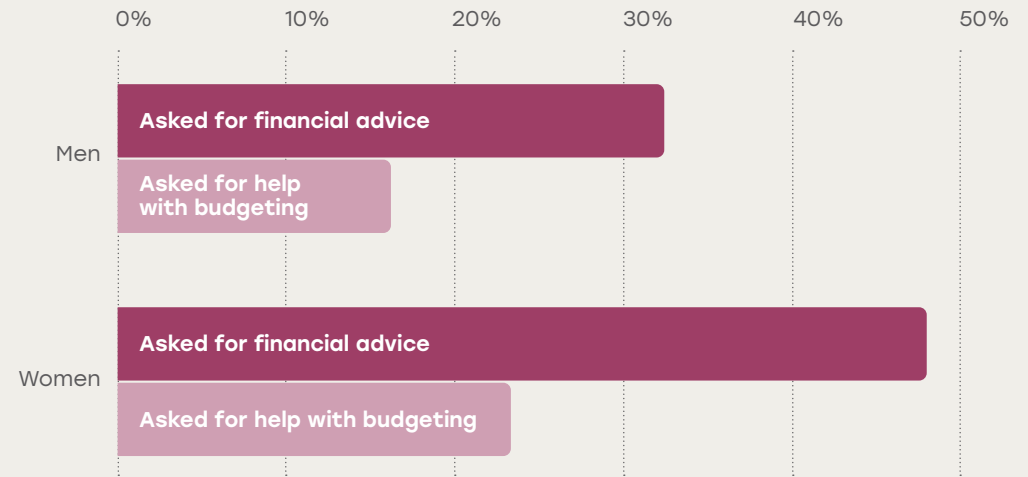
The financial advisors in our Network informed us that many of the women they spoke to needed help early in the separation journey to understand where the money is and budget for their new life, rather than with long-term wealth planning. Many women going through separation did not return to the financial advisor to seek long-term financial advice after they settled.

Cultural or social factors may shape these behaviour patterns, such as differences in gender roles or expectations around financial responsibility.



Traditional roles within the relationship follow employment trends in the finance sector, with only 46% of positions filled by women.

Who needed financial advice in 2022?



Source: *The Separation Guide Q&A, 2022*

Insight 4

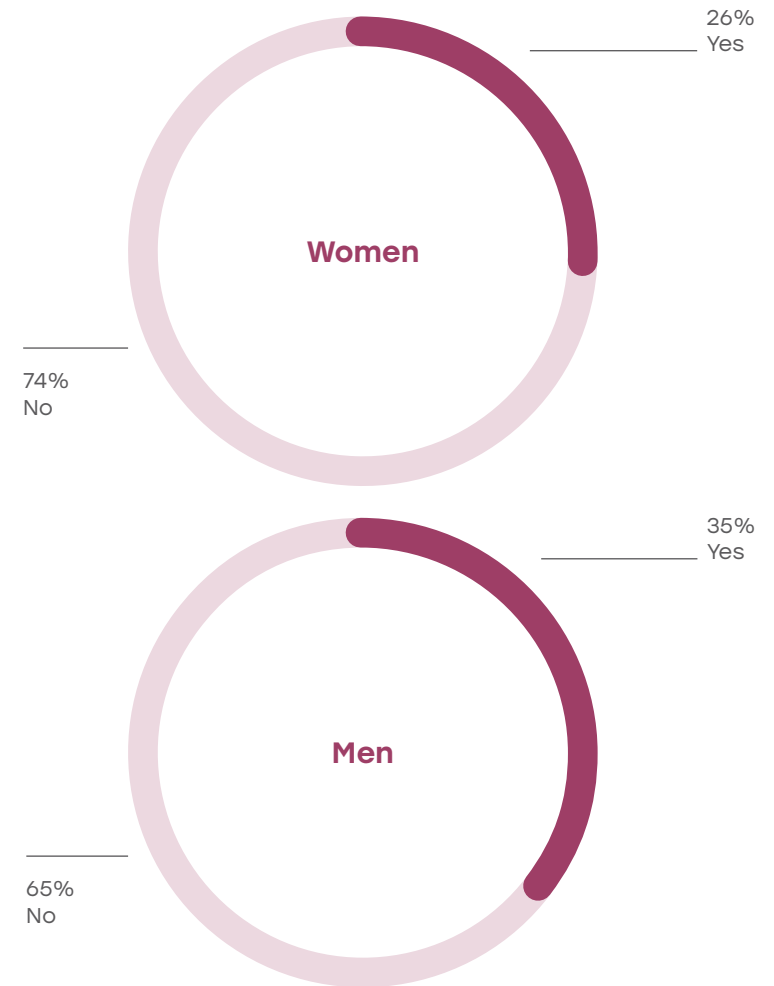
Women are at risk of financial disadvantage

Women are less confident about financial disclosure

A higher proportion of women than men who complete our Q&A indicate they are not confident their partner would disclose all of the relationship's finances, allocating more parties an acrimonious pathway. **Almost 75% of women in 2022 said they did not trust their partner to be open and honest about financial affairs compared to around 65% of men.**



Are you confident that your partner will be open and honest about your financial affairs?



Source: The Separation Guide Q&A, 2022

Insight 4

Women are at risk of financial disadvantage

Primary caregivers and the superannuation time bomb

If a couple does not own property, superannuation is usually the most significant asset in a relationship. But **superannuation is one asset commonly overlooked by couples who do not seek legal advice**. Some do not realise their legal rights and obligations around including their super balances in the marital asset pool. The current system also requires a lawyer to be engaged to draft consent orders when splitting superannuation.

A divorced woman who has had a period of primary caregiving and part-time employment **may only feel the effects of overlooking superannuation later in life** when she does not have funds to support herself in retirement.

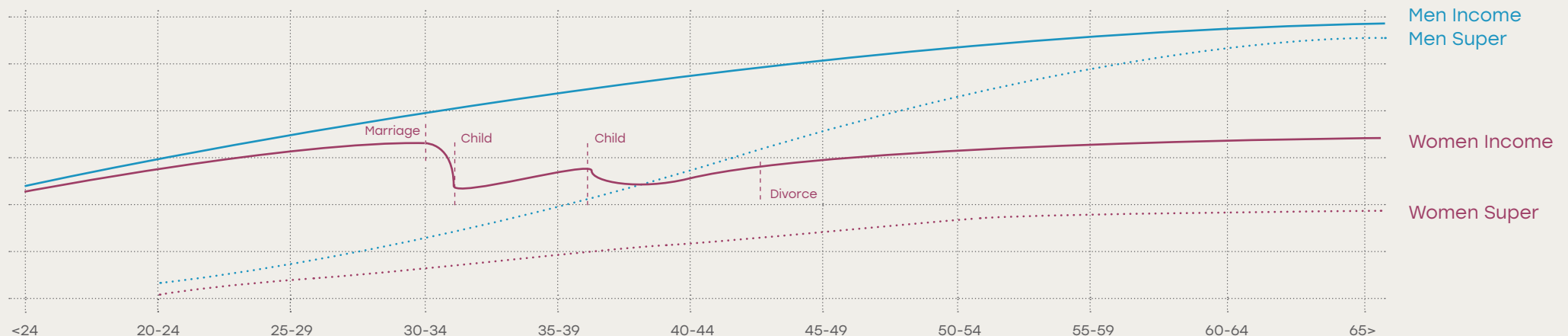
These impacts are felt particularly by individuals who do not re-marry after separation. Australian Institute of Family Studies report reveals that **divorced men who re-marry have a staggering 113% more superannuation than divorced women who are still single at retirement**. (These figures reflect the balances of individuals retiring now who typically divorced before 2002 when the Family Law Act changed to include superannuation

in the asset pool.) This provides a stark example of the longer-term dangers of proceeding with a property division without proper advice on the rights and responsibilities of both parties.

In our Impact Survey results, **almost three-quarters of respondents who had not engaged with educational content from The Separation Guide said they reached agreement without help from a legal professional**, highlighting the future financial risks facing many women. Women in this situation need support to understand their rights and assess the cost-benefit of paying legal fees against the long-term benefit of their compounded superannuation balance at retirement.

Unfortunately, a proportion of these separating couples fall into the 'missing middle' - that is, they are not eligible for Legal Aid but do not have savings to pay for legal advice or property to be qualify for legal finance. **The women in this 'missing middle' are the most likely to miss out on a fair and equitable superannuation split.**

Typical superannuation forecast with no division



Insight 4

Women are at risk of financial disadvantage

Impacts

Women with low financial literacy face significant risks during separation that can impact their long-term financial stability.

- ✘ Women may struggle to negotiate a fair settlement during the separation process and make informed decisions about asset division and property ownership, including their right to superannuation and a fair split.
- ✘ They may be vulnerable to financial exploitation or manipulation by their former partner or others, leaving them in a precarious financial position for years to come.
- ✘ Women with low financial literacy may also struggle to manage their finances effectively post-separation, leading to financial difficulties and potentially compromising their ability to provide for themselves and their dependants.
- ✘ A missed opportunity for a fair division of property and superannuation could have long-term risks of poverty that only become evident decades later.
- ✘ Older divorced single women are the demographic most likely to experience financial hardship. Without positive change, the prospects for women going through separation will be no better than the current generation of older women.



According to the Australian Institute of Family Studies, at 33%, older divorced single women are the group most affected by financial hardship



Moving forward

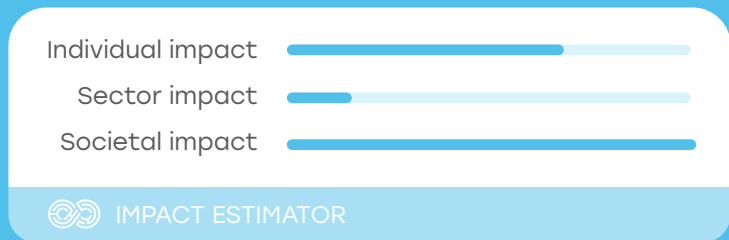
Given these risks, it is important to prioritise financial education in women and girls early on. The research indicates women require additional support during the separation process to ensure they have the tools and knowledge to navigate this challenging time. Financial advisors in our network reported that women prefer speaking with someone rather than learning online. Access to education about property rights, access to affordable justice and access to legal financing is also critical.

Opportunities include:

- + Promote information on the gender disparity of superannuation balances and highlight the connection between not splitting superannuation and accepting a separation settlement without the support of lawyers.
- + Establish financial separation coaching services specifically tailored to women, similar to divorce coaching, to provide early intervention during the separation process, helping to minimise long-term reliance on public assistance later in life.
- + Explore the possibility of allowing women to borrow against their superannuation to access legal advice and pay the required legal fees, using similar risk criteria as current family law finance models.
- + Law firms and other support organisations should educate their clients on using digital finance tools, such as online bank statements, super balances, and tax returns, to simplify and reduce the cost of financial disclosure, particularly for the party who may be unaware of the financial aspects within the relationship.
- + Superannuation funds could provide financial education and investment advice to members who receive one-time bulk super contributions, such as significant separation settlements.
- + Consider the potential for collaboration between superannuation funds and law firms to develop a technology solution that streamlines the process of superannuation splitting to make this option more accessible for women who may otherwise miss out.



Business and professions - the forgotten impact



Insight 5

Business and professions - the forgotten impact

Business is one of society's forgotten economic casualties of separation and divorce.

Workplaces feel the impact of separation and divorce when their employees are affected by stress. When separation impacts an employee's wellbeing, it can have a ripple effect on their colleagues, their team, and the company as a whole. These effects include poor morale, presenteeism, absenteeism and lost productivity. It can also lead to high levels of attrition.

These impacts have substantial operational and financial costs for Australian employers.



Insight 5

Business and professions - the forgotten impact

Separation at work

A study by the Australian Institute of Family Studies found that **individuals going through a divorce were likelier to report decreased work productivity, missed workdays, and higher stress levels.** As such, we estimate employers bear billions of the annual societal separation costs.

Even a “good” separation can cause enormous emotional and practical upheaval in an employee’s personal life. When a staff member experiences prolonged stress, such as the stress of a highly acrimonious separation potentially lasting three or more years, the impacts on the workplace grow considerably.

Prolonged stress impacts decision-making, concentration and judgement. This is concerning when reviewing the professions most heavily experiencing divorce, where clear judgement and decision-making are crucial.

Data from 2023 Impact Survey

67%

of respondents reported the **impact of their separation at work** to be **7/10 or above**



61%

reported separation impacted their **ability to concentrate and make decisions at work**



67%

reported they were **mentally unwell** more often and **more anxious or depressed at work**



32%

reported taking **additional time off** to attend meetings with professionals about their separation



17%

reported **leaving a job** because of their separation





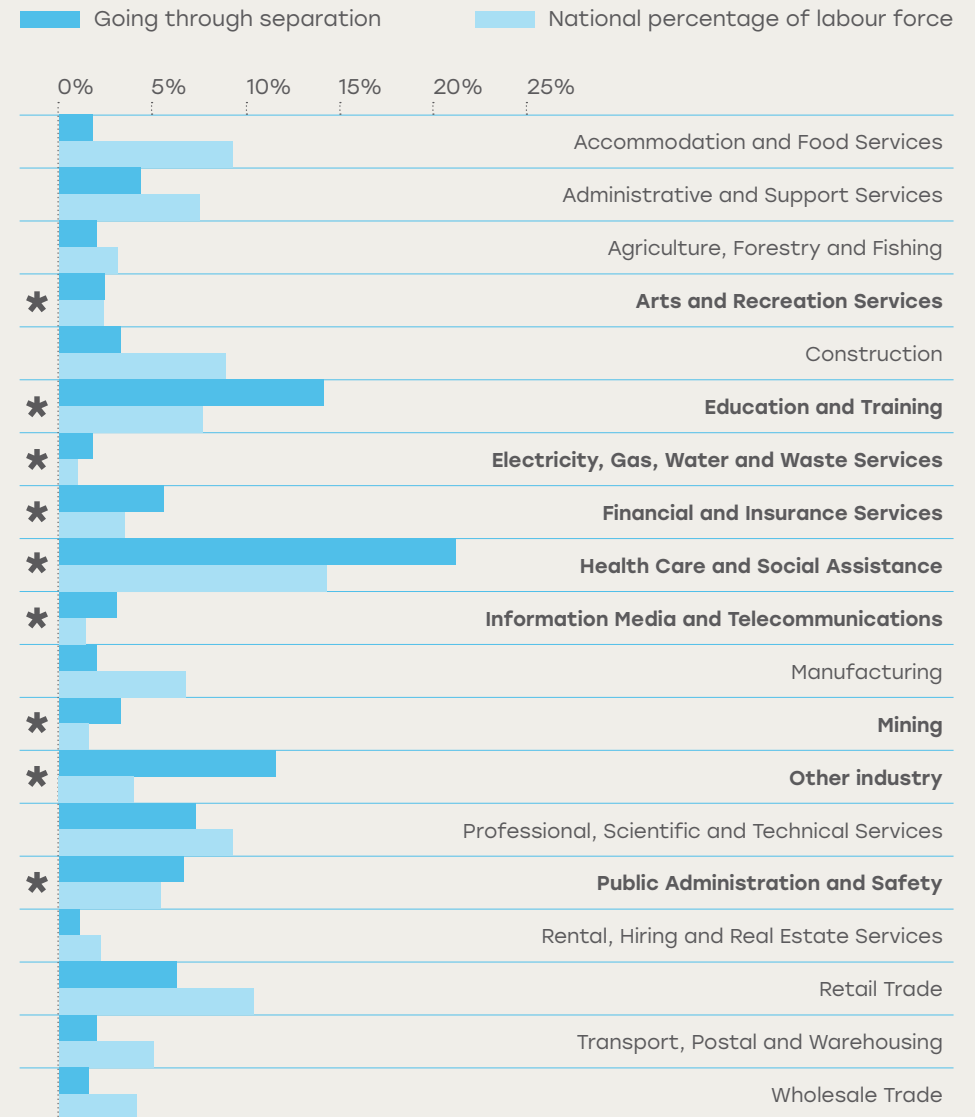
Divorce rates are spiking in certain professions

Research shows that certain occupations are traditionally known to experience higher divorce rates, such as pilots and airline staff, fly-in-fly-out workers, high-level executives in the professional services and banking and finance sectors, and hospitality staff.

However, our recent Impact Survey showed an alarming trend in education, caregiving and health roles, which are primarily government-funded. These statistics may indicate the pressures felt in these professions over COVID, which are now trickling into family life.

We found that the percentage of **teachers, health care workers, including nurses and doctors, financial services staff, public administration and safety workers, and emergency services** staff going through separation who responded to our survey is disproportionate to the size of their sector.

Sectors over-represented in our Impact Survey results

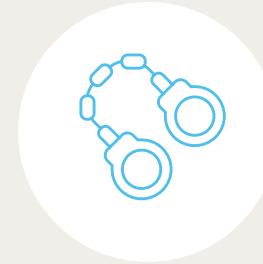


Source: The Separation Guide 2023 Impact Survey and Australian Bureau of Statistics

Employment factors that impact separation

Certain professions have a higher rate of divorce and separation than others, where the employee is

- **placed under high stress in their role** (such as paramedics, police, healthcare workers, and high-level executives)
- **is away from the family unit for prolonged periods** (fly-in fly-out workers such as those in mining, oil and gas sectors, senior executives in banking and finance and IT)
- **keeping unusual work hours** or 4-day-on 4-day-off rosters (healthcare workers, hospitality, emergency services staff.)



Insight 5

Business and professions - the forgotten impact

The hidden ongoing cost of COVID

The disruption of COVID created pressures within particular professions due to increased demand and workforce supply issues. The border closures impacted staffing support in certain occupations, and stress levels increased significantly for **teachers** and **medical professionals** who experienced additional demands during COVID lockdowns.

The **IT sector** experienced a rapid spike in demand as companies embarked on rapid digital transformation projects with the onset of COVID in 2020 and 2021. This pushed up demand on IT workers, resulting in labour shortages, overwork, and increasing costs for many business owners as they fought to grab talent at inflated salary rates.

These findings are evident in our Impact Survey data, with an over-representation of individuals going through separation among teachers and IT workers.

Despite the pandemic being over, **these industries risk being hit hard by the downstream impacts** of a higher rate of separation in their workforce.



The economic climate and divorce rates in the workplace

Historically, divorce rates rise at times of financial uncertainty. The current global economic climate has resulted in many changes to the job market as employers cut costs. Financial uncertainty is recognised as one of the leading causes of relationship stress and subsequent divorce. As reported in **Insight 1**, financial pressures are rising.



Impacts

- ✘ With over 65% of all staff saying they were impacted at work due to separation, even a modest drop of 25% in productivity would cost Australian private and public employers **\$15 billion** yearly.
- ✘ The impact of divorce in the workforce goes beyond the employee alone. For example, a recent Sonder report estimated the direct 'ripple effect' of stress to managers and coworkers costs a 1000-person company \$4.5 million annually. We estimate over the working population, the cost to all Australian businesses equates annually to **\$10 billion**.
- ✘ 17% of our Impact Survey respondents told us they left a job due to their separation, which equates to 37,000 people yearly. This attrition is expected to cost businesses 1.5 times each employee's salary, estimated at **\$5.7 billion** annually.
- ✘ A secondary social 'ripple effect' on close family and friends is also costing businesses. Every separation affects at least 5 people beyond the separating couple. Parents, adult children, and other close family and friends report on the negative impact on their concentration and health while supporting someone through a divorce, which in turn affects their coworkers and productivity. We estimate these combined impacts cost employers **\$4.5 billion each year**.
- ✘ Most concerning is the risk of poor decision-making and mistakes brought on by prolonged chronic stress, which can lead to safety hazards, financial losses, and damage to the company's reputation.
- ✘ Our calculations are based on the average Australian income of \$90,800 per annum. It is worth noting many professions with a higher rate of separation offer salaries above the national average. These employees often hold senior positions with many direct reports, creating a greater ripple effect, a greater risk of poor decisions and an even higher cost for replacement. Our data suggests those with higher incomes tend to end up in more acrimonious pathways, which amplifies the duration, stress levels and emotional and physical toll of their separation and divorce.



How do organisations quantify the cost of a stressful separation?

- What is the cost if a doctor, paramedic or nurse has difficulty concentrating while caring for a patient?
- What is the impact on the safety of others if a mining worker is distracted while operating heavy machinery?
- What is the effect on children's learning and welfare if their teacher is preoccupied and frequently absent?
- What is the cost for shareholders and company profits if the CEO of an ASX-listed company makes ill-judged decisions?

\$35 billion

Bad separation is estimated to cost employers \$35 billion, plus the immeasurable cost of bad decisions caused by prolonged stress.



Moving forward

Separation can be a difficult time for employees, both emotionally and financially. Workplaces can help by offering support and resources to avoid some of these economic and personal impacts. By treating separation with the same importance as other major life events like bereavement or parenthood, they can also acknowledge the impact and significance of separation on their employees.

Opportunities include:

- + Consider implementing specialised Employee Assistance Programs (EAP) encompassing legal, financial, and emotional support.
- + Subsidise fees within the EAP for employees to seek early professional advice. Some employees may avoid seeking advice due to concerns about costs and financial pressures. However, such avoidance can have long-term consequences.
- + Provide education and guidance to managers on effectively supporting their employees if they notice signs of distress.
- + Establish supportive workplace policies regarding separation, treating it similarly to other life events, such as mourning the loss of a loved one or granting time off for IVF treatment.
- + Recognise the additional support required for managers and coworkers assisting their colleagues during the separation process.



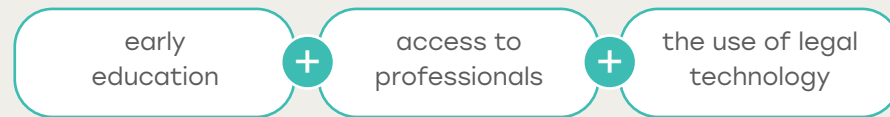
How employers can support staff

Employers can play an essential role in protecting both their staff and their bottom line with some positive initiatives.

By investing in employee separation education and support, companies can improve morale, productivity, and profitability and show their employees that they care and are committed to their wellbeing. This can make a big difference in helping employees cope with separation and move on to a new chapter in their lives.

The Separation Guide's impact

Impact Survey results highlighted the benefits of:



We measured the impact of those who:

- Group 1** Used The Separation Guide Q&A and educational resources **and** engaged with professionals in our network
- Group 2** Used The Separation Guide Q&A and educational resources but **did not** engage professionals in our network
- Group 3** Did not use The Separation Guide at all

A human-centred approach works

The Separation Guide **improved results in every metric**. The only measure that Group 2 outperformed Group 1 was time, which was a difference of only 4 days.

Those in Group 3 fared worse on every metric including **higher fees**, **higher stress** and **longer timeframes to reach resolution**. This cohort also had the highest portion of people who did not get any legal advice at all, risking longer term financial disadvantage in the future. They also had the **highest impact on their workplace** with 17% leaving their job as a result of their separation.



Success metrics for Group 1

The Separation Guide helped Group 1 in the following ways:

- **92%** reported they better understood their rights.
- **100%** understand the benefits of amicable separation and how to stay on a low-conflict path.
- **100%** felt more confident about the next steps.
- **71%** felt less stressed after doing the Q&A.
- **100%** agreed the educational emails helped them.
- **90%** were able to separate using an amicable pathway.

	TSG Network		
	TSG Educational Q&A		
	Group 1	Group 2	Group 3
Time to resolution	475 days	471 days	628 days
Costs under \$10K	69%	54%	57% Risk category*
Impact at work	6/10	7/10	8/10
Stress level	8/10	9/10	9/10
Left their job	0%	19%	17%

*Of this cohort, 74% reached agreement without any legal advice, 25% of them risking unfair agreements as primary caregivers.

The opportunity to create significant social impact

Our evidence supports the benefits of combining early education and professional support.

By using education and a de-escalated approach, **87.5%** of the Impact Survey respondents were able to reach a resolution for under **\$10,000**.

This represents a **52%** saving compared to the average cost of **\$21,088.10**.

Time to reach agreement reduced by **25%**, from **628 days** for those who had not used The Separation Guide at all, to as low as **471 days** for those who had accessed triage and resources through The Separation Guide.

The Separation Guide estimates we could save society and individuals in Australia over **\$73.3 billion** per year if this approach is applied to all eligible separations. This is made up of:

Societal cost saving

\$71 billion

Individual cost saving

\$2.2 billion

Globally it could save society in excess of

\$1 trillion

Wrap up

We hope that this Impact Report serves as a tool for government, policymakers, employers, super funds, professions and legal tech providers to better understand some of the problems facing separating individuals and its impact on society. We hope this fuels discussion and a willingness for stakeholders to come together to implement change.

This rich data set has been created to provide a holistic lens of the problem facing Australians and all other separating couples across the globe.

It highlights the benefits of early access to justice, education and the vital role legal professionals play in helping couples reach fair outcomes. It also highlights how legal technology has played a yet-to-be-realised role in impacting positive outcomes for professionals and individuals going through a separation.

The business case for employers and government is clear. Support your people early, and it will result in better outcomes for everyone.

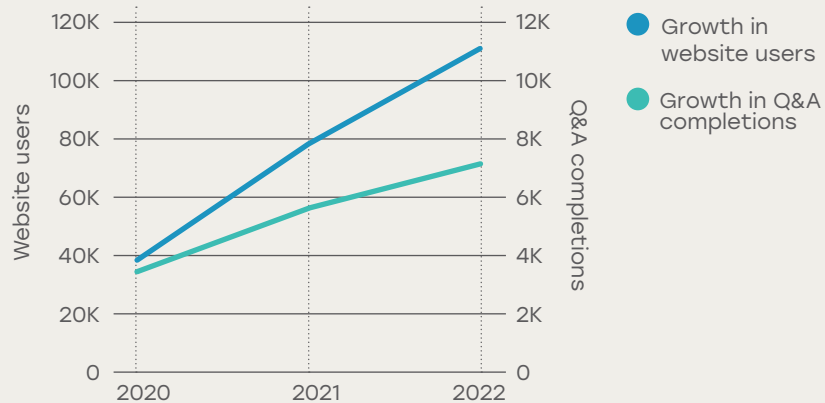


Frontloading de-escalation programs and impartial education can save couples, businesses, governments and taxpayers billions.

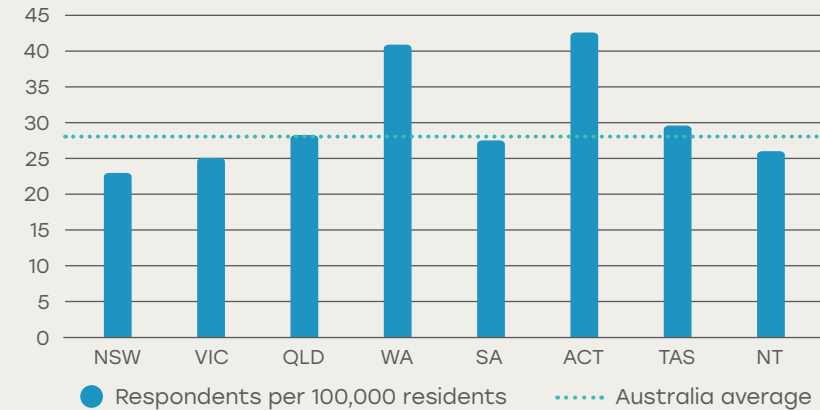
Australian snapshot

Enquiry across Australia: Q&A response data

Traffic and Q&A completions over time

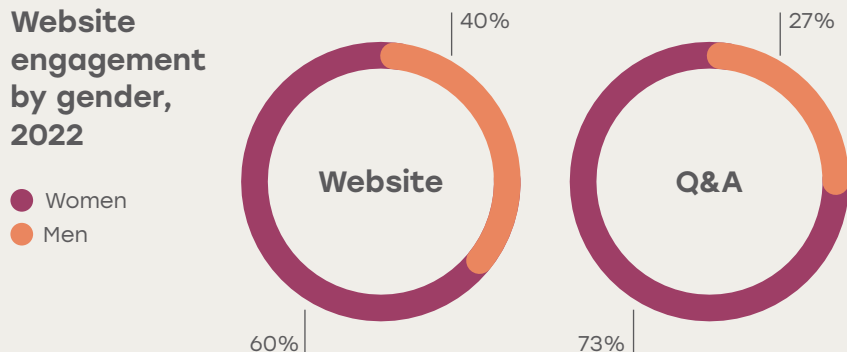


Q&A completions per capita (100,000) by states and territories, 2022

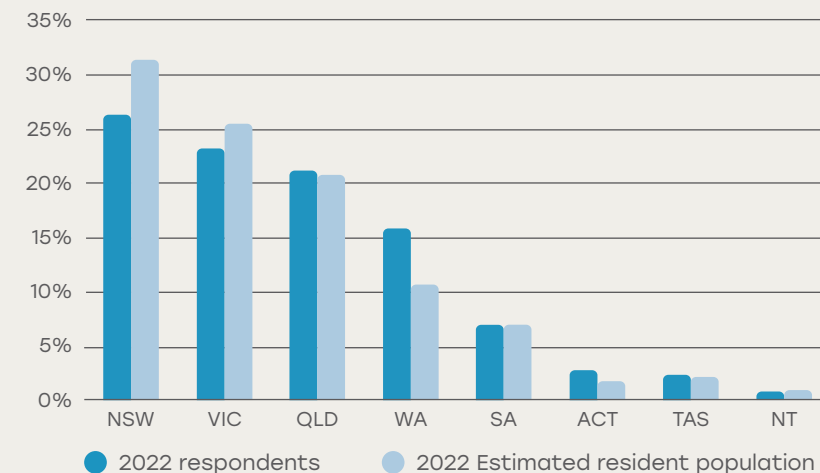


Demand for education around separation and divorce is rising, with women seeking a deeper level of learning about the process and how it all works.

Website engagement by gender, 2022



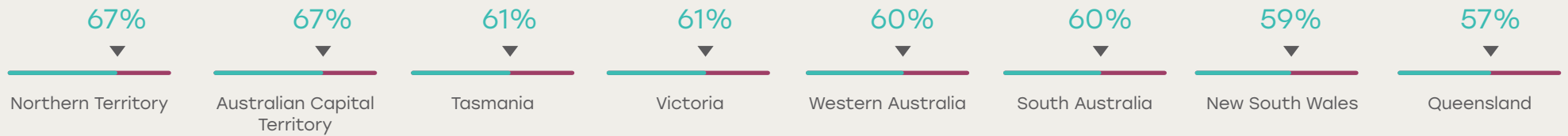
Proportion of enquiry vs proportion of population by states and territories, 2022



Australian snapshot

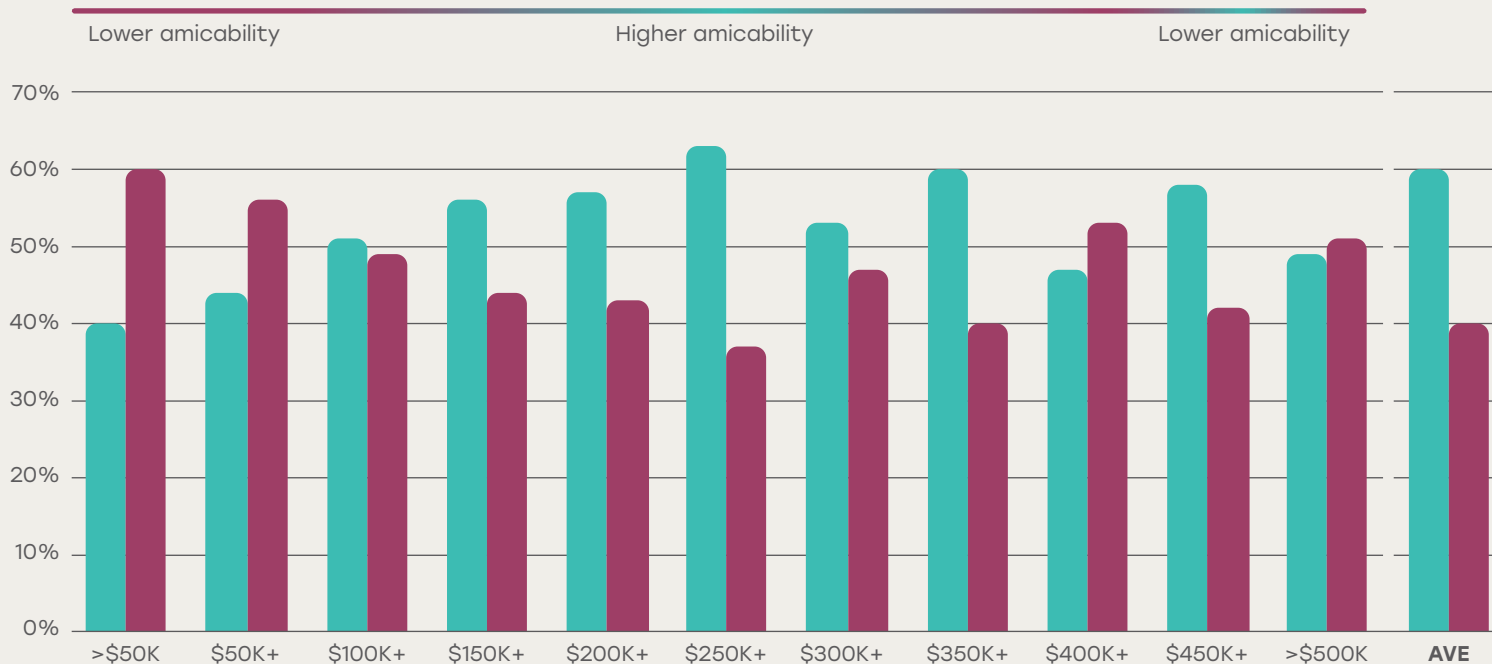
Amicability: Q&A response data

Amicability by states and territories, 2020 - 2022



60%
National average

Amicability by combined family income, 2020 - 2022



Those with a **combined family income** of \$100K - 350K are the **most amicable**.

Low income earners and those with a high net worth have **high levels of acrimony**.

● Amicable
● Acrimonious

Australian snapshot

Emotional insights: Q&A response data

Emotional state by pathway, 2022

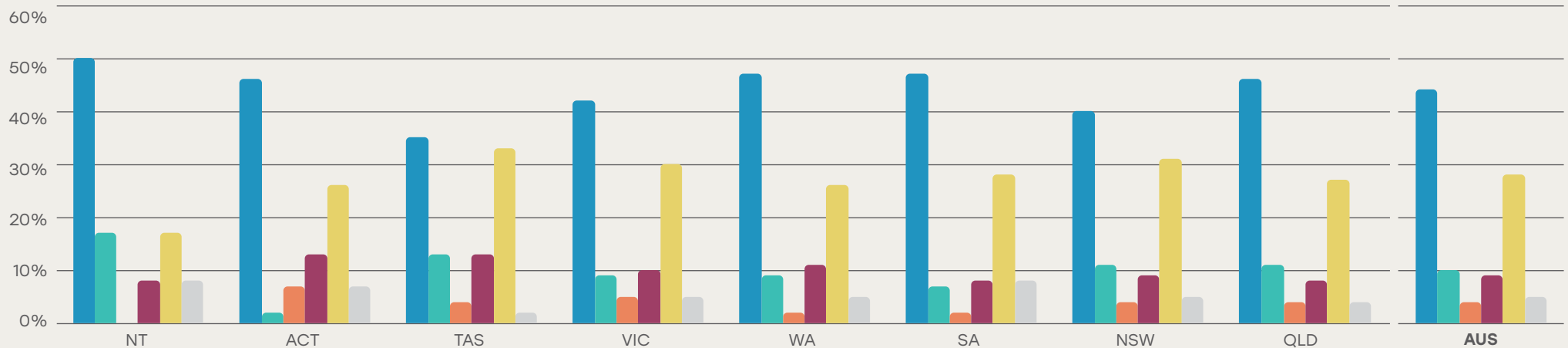


Emotional state matters when making decisions.

Acrimony levels were high when participants were in the state of **anger**, **denial** and **depression**. Those who had reached **acceptance** had higher rates of amicable outcomes.

Participants were most **depressed** in the stages of contemplation before they decided to separate highlighting the importance of early intervention, triage and educational support.

Emotional state by states and territories, 2022

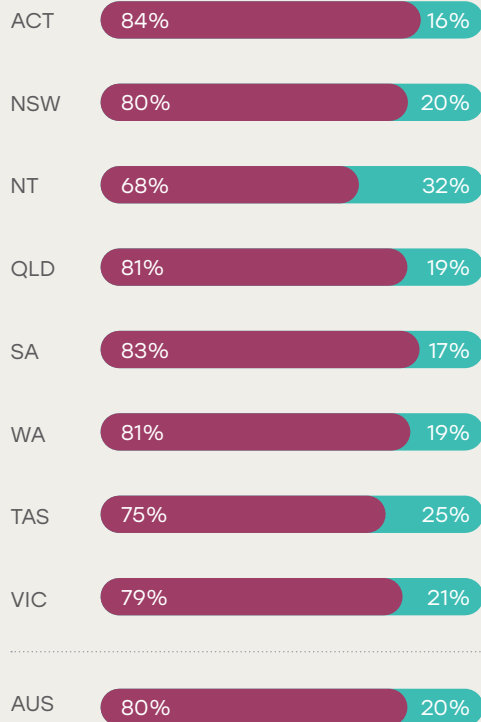


Australian snapshot

Demographic insights: Q&A response data

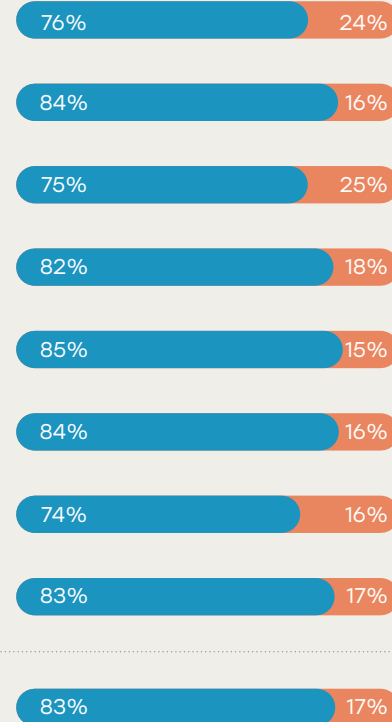
Separating couples Married vs de facto by states and territories, 2022

- Married
- De facto

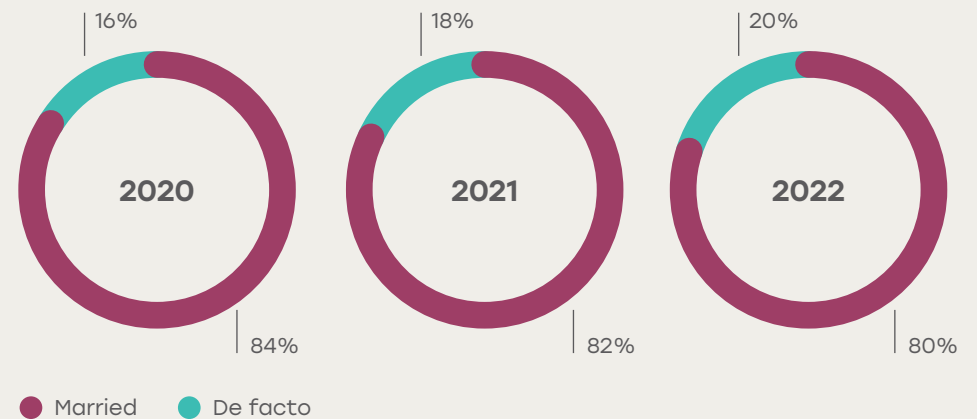


Separating couples with children by states and territories, 2022

- With children
- Without children



De facto relationships increasing over time



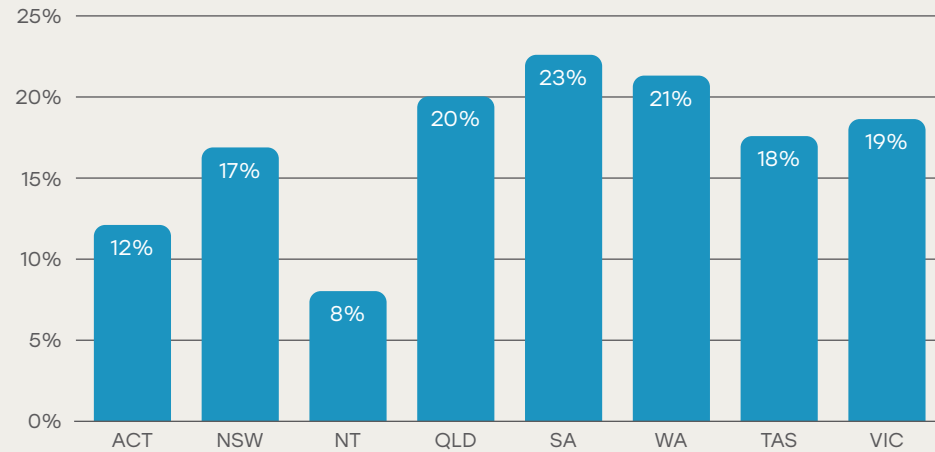
More **married couples** and those with **children** are seeking information than those in **de facto** relationships.

De facto enquiry has risen over time however there is an opportunity to provide more education to this group about their legal rights and the time limits for finalising an agreement.

Australian snapshot

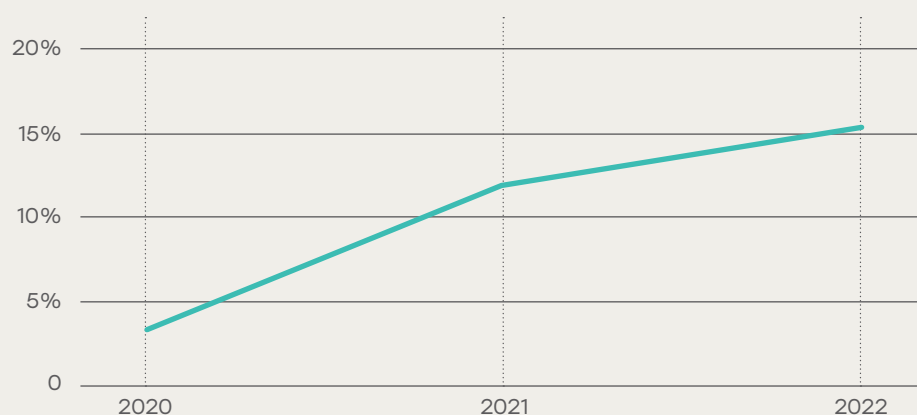
Legal aid: Q&A response data

Percentage of all Q&A responses interested in legal aid, 2022

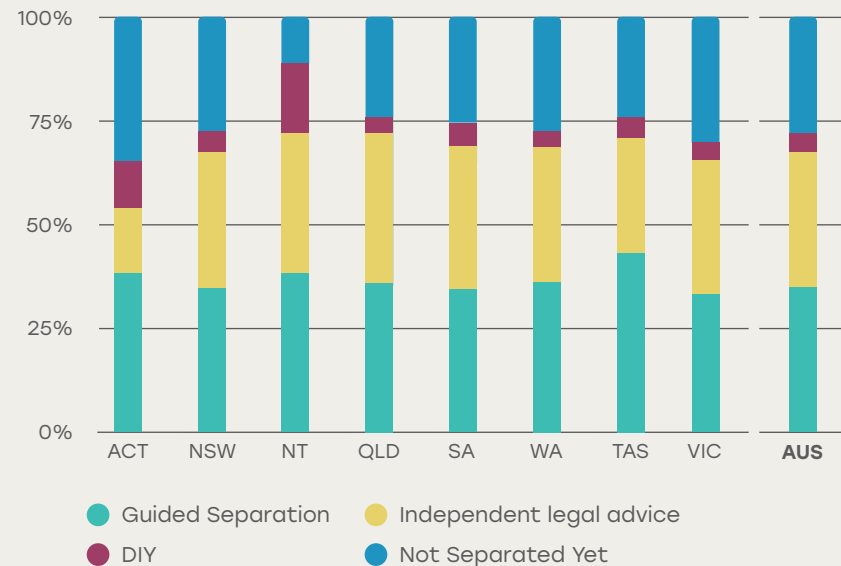


The Q&A triages participants to identify if they may be eligible for legal aid. South Australia, Western Australia and Queensland had the highest level of legal aid enquiry across the country with over 20% of those states participants falling into low income groups potentially eligible for legal aid assistance.

People who asked for information about family violence



Settlement outcome for those eligible for legal aid, 2020 - 2022



References

The Separation Guide Q&A, 2020, 2021, 2022

The Q&A is our survey voluntarily completed by individuals going through separation to receive recommendations and education.

A data analyst has cleaned three years of data. Over 16,000 Q&A responses have been included in data set used for this report. Individuals have come to our site predominantly through targeted keyword ads, Meta advertising and organic traffic.

The Separation Guide Impact Survey, 2023

568 responses from individuals, 75% sourced from the The Separation Guide database (had completed Q&A) and 25% sourced through Meta advertising targeting “Separated” users.

Data from industry contributors

JustFund, Plenti, Settify, Smokeball and FamilyProperty

Secondary research sources include

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Insight 1

Australian Institute of Criminology, [Social isolation, time spent at home, financial stress and domestic violence during the COVID-19 pandemic](#)

Insight 2

Australian Institute of Family Studies, [Child wellbeing after parental separation](#)

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Department of Families, Fairness and Housing, [Annual Report](#)

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Productivity Commission, [Access to Justice Arrangements - Inquiry Report](#)

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University of Minnesota, [After the break-up: How divorcing affects individuals at work](#)

Sonder, [The ripple effect: The hidden cost of lost productivity due to poor employee wellbeing](#)

Network members

We'd like to acknowledge our network members who have supported this change movement aiming to make separation simpler and less stressful for the millions of people impacted each year.



Jack Whelan
Mediator & Barrister



Andrew Wilson
Mediator & Barrister

