

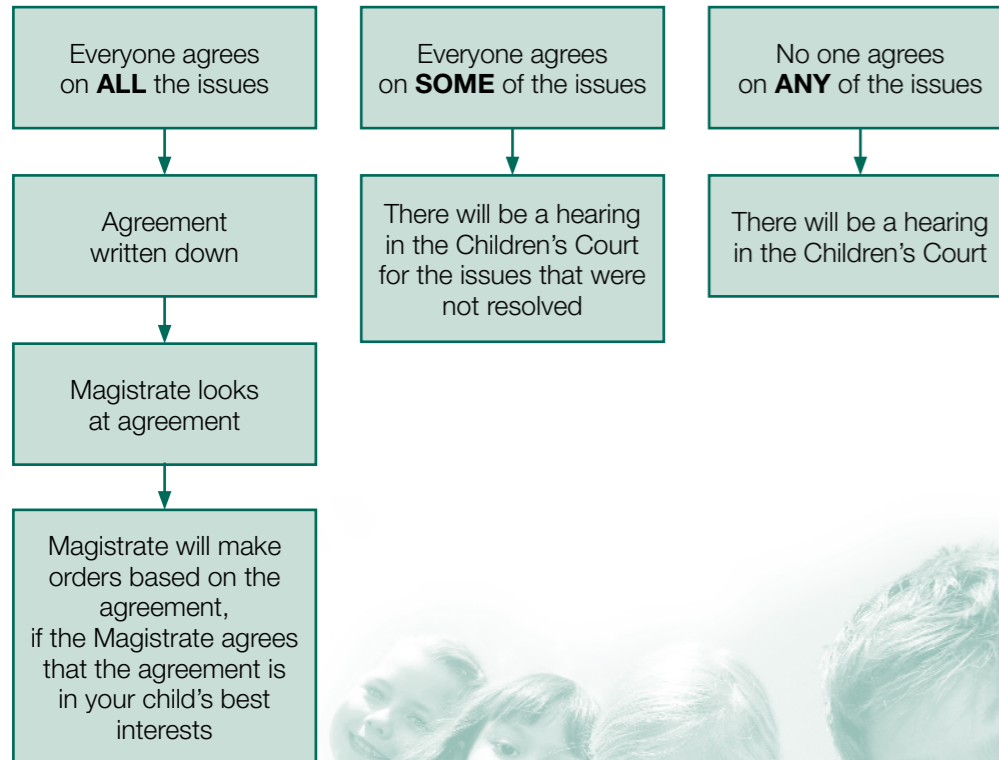
Is the mediation confidential?

Yes. Everything that is discussed at the mediation is confidential.

This means that anything discussed cannot be used as evidence in Court. This is to encourage everyone to speak freely.

There are some exceptions to the rule of confidentiality. The mediator will explain these exceptions at the beginning of the mediation.

What will happen at the end of the mediation?



Going to an independent mediation referred by the Children's Court

Information for parents and carers

Contact us

For more information, or if you have any difficulties with this information, please call the mediation organiser on 02 9219 5696 or 0418 269 006.

If you are hearing or speech impaired, you can contact us by calling the National Relay Service (NRS) on 133 677.

The Translating and Interpreting Service (TIS) provides free interpreters if you do not speak English. Call TIS on 131 450.

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What is mediation?

Mediation is a meeting between you, Community Services, your child's lawyer, and any other parties.

It's an opportunity for everyone to sit down and talk about the care of your child.

The aim is to reach an agreement.

The agreement might include things like where your child will live, how much contact you and other people should have with your child, and any services that you should attend.

Who else will be there?

- Your lawyer (if you have one)
- The other parent and their lawyer (if they have one)
- The Community Services caseworker and their manager
- A lawyer for Community Services
- Your child's lawyer
- Any other person who is a party to proceedings and their lawyer (if they have one)
- The mediator.

You may be allowed to bring a support person with you. If you would like to bring a support person, tell your lawyer (if you have one) and the mediation organiser beforehand.

Your child may also attend if they would like to and it's appropriate, having regard to their age and maturity. The mediation organiser will contact you or your lawyer if your child wishes to attend.

Who will run the mediation?

A mediator will run the mediation. They are professional mediators, and are independent of the Children's Court.

Either one or two mediators may run the mediation.

Mediators do not take sides. They are not Magistrates or Judges. They are not there to make decisions about you, or the case.

The mediator will help everyone to talk about the matter. They will help to sort out which issues are agreed on, and which are not.

They will also help you think about options for the future care of your child.

If everyone reaches an agreement, the mediator will help everyone to write it down.

Are you Aboriginal or Torres Strait Islander?

Aboriginal mediators are available to work with Aboriginal families. Please let the mediation organiser know if you would like an Aboriginal mediator.

Do you need an interpreter?

We will provide an interpreter for you free of charge, should you require it. You will need to tell the mediation organiser if you require this, and which language you speak.

Why should I attend mediation?

You should attend because it is an opportunity to hear first hand what concerns Community Services has, and it is an opportunity to have your say.

It is also a less stressful way to resolve your case out of Court.

What happens before the mediation?

Before a mediation, the mediation organiser will collect information from both you and your lawyer (if you have one). This will cover necessary information for arranging the mediation, and what you would like to discuss at the mediation.

What will happen at the mediation?

Mediation is very different to a Court hearing.

In a hearing, your lawyer (if you have one) will often speak on your behalf.

In a mediation, you are encouraged to speak for yourself.

If you feel uncomfortable speaking for yourself, then you can have your lawyer or a support person speak for you.

Everyone at the mediation will have an opportunity to have their say and to ask and answer questions.

There will be times for group discussion and there may be times for meeting privately with the mediator.

The mediator will explain the process at the beginning.



How long does the mediation go for?

The mediation will go for approximately three hours. There will be breaks during this time.

Will I be safe?

It is important that you or your lawyer lets the mediation organiser know if you have any safety concerns or if you feel intimidated by any of the other people involved.

How can I prepare for a mediation?

It is important that you prepare for a mediation.

Remember to focus on your child's needs, rather than your own.

To prepare, think about the following:

Why did the application arise?

- Read the Community Services care application, and try to understand what their concerns are

What are the real issues?

- Write down the most important issues around the care of your child that you need to resolve (for example one parent's drug use or where your child will live)
- Try to think about what you can do to resolve some or all of these issues (such as attending a rehabilitation program)

What are the options?

- Identify different options for your child's care (like your child living with an aunty for a period of time)
- Think about how your preferred option will impact your child

Reality test

- Ask yourself – are you being realistic about the strengths and weaknesses of your position?
- Is your preferred option reasonable?

This should give you a clearer understanding of the case itself, and what you want to achieve.

If you have a lawyer, discuss the process, issues and options with them beforehand.

