

- ◆ Supports parents to leave the dispute resolution forum with new skills and knowledge to assist them with their post separation parenting.
- ◆ Ensures that ongoing mediation or litigation and any agreements reached reflect the basic developmental needs of each child.

### Legal Aid Commission of Tasmania Contact Details

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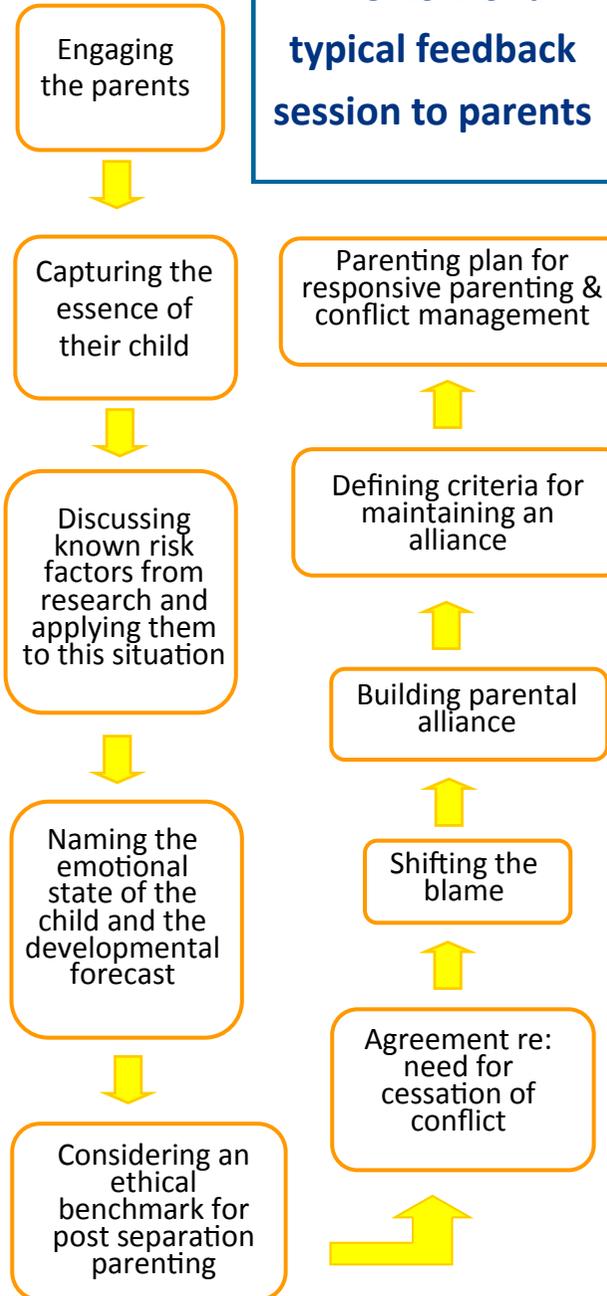
### Phone

**1300 366 611**

Or find us on the web

[www.legalaid.tas.gov.au](http://www.legalaid.tas.gov.au)

### The flow of a typical feedback session to parents



## Child Inclusive Mediation



**1300 366 611**

## Child Inclusive Practice

Child Inclusive Practice (CIP) is an optional, non-legal service. In order to participate, the mediator must recommend the process during or after the first Family Dispute Resolution Conference (FDRC) and both parents must consent to participate.

CIP allows children from four years old to be included in the mediation process by meeting with a qualified Child Consultant. The Child Consultant engages the child through age appropriate play and discussion to gain an understanding of how the separation is affecting them.

The Child Consultant will then attend a second FDRC with both parents and with the child/children's permission, convey their views and feelings. With that feedback to consider, the parents then continue with a second FDRC to discuss ongoing parenting arrangements.

The session is confidential and feedback from children is not admissible in court.

The important message from this process is that although these decisions are for parents to make, the child/children's feelings and views are important and should be considered.



## What is the process for Child Inclusive Practice?

1. Parents attend the first FDRC, where a recommendation for CIP is made by the Chairperson. Once both parents have agreed to participate, an application for additional Legal Aid funding is made by one lawyer. If successful, the lawyers write a joint letter to the nominated Child Consultant setting out some background information and any specific details that are relevant. The lawyers settle that joint letter to send to the Child Consultant at the conclusion of the first FDRC.
2. The Child Consultant will make an appointment to meet with the child/children, there is no discussion with either parent. The appointment will take approximately one hour per child. Consulting with children about their experiences of the family separation occurs in a supportive, developmentally appropriate manner.
3. Once the Child Consultant has met with the child/children, a second FDR will be arranged, when the parents will receive feedback directly from the Child Consultant and continue with parenting negotiations. During this session, the Child Consultant will provide feedback on how the child/children are coping with the separation and deliver the key messages that your child/children want you to know.

## How can Child Inclusive Practice work within the mediation process?

- ◆ Provides your child/children with a voice in a safe and supportive environment.
- ◆ Assists your child/children with their post separation journey by validating their experiences and providing information that may assist in present and future coping.
- ◆ Allows your child/children to inform the decision making process without placing the burden of decision making on them directly.
- ◆ Helps parents to understand and consider their child/children's position and supports the parents to be the best they can be. In delivering information 'safely' back to the parents, the process forms a therapeutic 'loop' by considering with them the essence of their child's experience in a way that supports them to hear and reflect upon their child's needs.
- ◆ Ensures that the mediation process remains child focused.

## Benefits of Child Inclusive Practice

- ◆ Allows the child's voice to be heard in the absence of the child.
- ◆ Creates an environment that supports disputing parents in actively considering the unique needs of their child/children.
- ◆ Facilitates a parenting agreement that preserves significant relationships and supports children in adjusting to post separation parenting arrangements (including exposure to parental conflict).