

CHILD PROTECTION: MEDIATION STYLE CONFERENCE

AGREEMENT TO PARTICIPATE

This document sets out the participation rules, including rules about confidentiality, for participants in a child protection mediation style conference and the role of a convenor and lawyers in the conference.

Please read this document with the help of your lawyer (if you have one).

1. The purpose of the conference:

is to help people to reach an agreement about a case at the Children's Court or narrow the issues in dispute if a full agreement can't be reached.

2. Confidentiality

- The conference will be confidential. This is to encourage people to speak up in the conference.
- Confidential means it is private, so anything said, written down or done by any participant in or about the conference, can't be disclosed to anyone else or used in court proceedings.
- All participants at the conference including the convenor, lawyers, support persons and any supervising or observing persons will make sure that information shared remains confidential including:
 - What is said at the conference;
 - All conference preparation forms (i.e. conference outlines from me, the other party/ies and/or the child representative); and
 - Any notes made by the convenor or any other person in the conference.
- There are some exceptions to keeping what is said and done confidential.
- The exceptions to keeping what is said and done confidential are:
 - At the end of the conference each party will be provided with a copy of the Convenor Report, the Agreed Next Steps or any Minute of Consent Orders drafted. These documents will be given to the Children's Court.
 - Information that leads the convenor to believe a child, a person at the conference or another person is in danger of physical harm.
 - Information that you and the other party agree may be disclosed or where the party who provided the information agrees to the disclosure. For example, you could agree to provide the information you disclosed to Legal Aid WA.
 - Information about possible unethical conduct by a lawyer or another person involved in the conference.

Signature party: Date:	Signature lawyer: Date:
Convenor signature: Date:	Signature Convenor supervisor (if any): Date:

- Information that the convenor is required legally or by professional standards of conduct to disclose through their supervision, consultation and/or mentoring at Legal Aid WA.
- Information that cannot be protected because it involves illegal or fraudulent acts.
- Statistical information required to be reported by Legal Aid WA for research and evaluation (this does not include information that can identify you or any other party).

3. Convenor

- The convenor will:
 - decide on the procedure for the conference including who participates and the role of each participant;
 - set the guidelines for the conference;
 - assist me and the other participants to agree on the issues to be talked about, to explore issues, and to consider options that might be agreed.
- When the conference is chaired by 2 persons, both persons shall co-convene.

4. Quality assurance

- If the conference is observed, it will be for the purposes of education and training and I will be told about this in advance.

5. Security

- Legal Aid WA staff or the convenor may request the presence of a Legal Aid WA security officer at any time.

6. What I agree to:

- work with the convenor of the conference and all other participants to reach an agreement of the issues if settlement is appropriate or narrow the issues in dispute if an agreement cannot be reached;
 - act in accordance with the conference guidelines and in particular:
 - focus on the future
 - listen to the views of the other participants and explain my own view
 - discuss one issue at a time
 - consider a variety of options for each issue; and
 - when agreeing on a settlement option, consider the best interests of the child/ren;
- listen and speak with respect and I will speak only after another person has finished speaking;
- follow the confidentiality rules set out in this agreement to participate.
- my lawyer will give me legal advice and help me to explain my views, however I am responsible for any decisions reached.

Signature party: Date:	Signature lawyer: Date:
Convenor signature: Date:	Signature Convenor supervisor (if any): Date: