



Family violence and Family Dispute Resolution (FDR)

What if there's been family violence?

FDR (mediation) might not go ahead if the mediator assesses that:

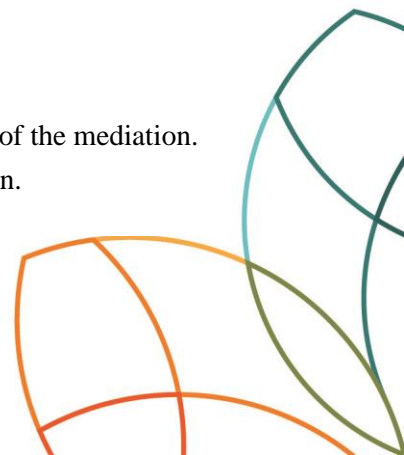
- you are unable to participate because of the violence, or
- that the mediation will subject you or your children to violence.

If this is the case, the mediator can issue a certificate so you can go to court and have your dispute sorted out there.

If you have experienced abuse or violence from your ex-partner, you may still choose to go through FDR, but it is very important that you feel safe and are safe before, during and after mediation. If you make any agreements with your ex-partner, it's important that these agreements are all safe for you and your children.

Extra safety measures are put in place to ensure that the FDR process is safe and fair at all times. These include:

- **Comprehensive Intake, Assessment and Safety Screening session:** This is a private confidential session with the mediator to discuss and assess the history of the relationship, separation, best interests of the children and risk issues. This session will help determine the appropriateness for FDR and future needs. Risk assessment tools such as 'Family Doors' (Detection of Overall Risk Screen) are used to determine suitability.
- **Phone or online –** This is where the mediator can talk to you and then talks separately to the other person. You do not have to see or hear the other person or even be in the same building.
- **Staggered Arrival and departure:** If the mediation is in the same building the mediator can arrange differing arrival and departure time including different parking options and exits.
- **Shuttle –** If the mediation is in the same building you can be in two separate rooms and not see the other person at all.
- **Legally assisted mediation –** Both parties are able to have lawyers present.
- **Regular Breaks –** breaks and 'private sessions' can be requested at any time of the mediation. During this you can seek further legal advice and/or speak to a support person.





- Stop the mediation – If at any time you feel unsafe you can stop the mediation. If at any time the mediator assesses the process is not safe they will also stop the mediation.

It is important that you can talk about issues, make proposals, negotiate and make decisions that are free from intimidation or coercion. The mediator's are there to ensure your safety and safety of children at all times. It is important to get legal advice about whether FDR is appropriate for your case. If you or your family have experienced, or are at risk of, family violence or child abuse and you do not want to participate in FDR you may seek an exemption from the usual requirement to attempt Family Dispute Resolution before going to court for parenting orders.

For more Information contact Janis Bull at Bendigo Mediation on 0438 023 155.

