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Attorney General
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STRONG SUPPORT FOR NEW APPROACH TO CHILD PROTECTION

The Australian Institute of Criminology (AIC) has recommended the continued use of Alternative Dispute Resolution in child protection cases, after finding 'extremely high' satisfaction rates among families involved in the process.

Attorney General Greg Smith SC, and Minister for Family and Community Services Pru Goward today released the AIC's evaluations of three new Alternative Dispute Resolution programs in the care and protection field.

"The AIC's reports found that Alternative Dispute Resolution is giving families a greater opportunity to directly participate in decisions made about their child's future care," Mr Smith said.

The AIC evaluated Dispute Resolution Conferences, the External Care and Protection Mediation Pilot and the Family Group Conferencing Pilot programs.

"All three Alternative Dispute Resolution programs achieved high participating rates and the overwhelming majority of family members involved found the process useful and believed they had been listened to and treated fairly," Mr Smith said.

Dispute Resolution Conferences are held throughout NSW, the External Care and Protection Mediation Pilot operates at Bidura Children's Court and the Family Group Conferencing Pilot program was conducted in metropolitan Sydney and northern NSW.

"Conducted in a relatively informal setting, each program encourages families and Community Services caseworkers to speak openly about care issues and work together on a plan that has the child's best interests at heart," Mr Smith said.

According to the AIC, around 80 per cent of Dispute Resolution Conferences and External Care and Protection Mediations resulted in the child protection issues in dispute being narrowed or resolved.

Ms Goward said the Family Group Conferencing Pilot program had also proven a success, with plans developed by the family in 90 per cent of cases.

"The conferences take place during Community Services' casework with a family, with the aim of diverting a case from Children's Court proceedings and empowering families to come up with a plan that addresses caseworkers' concerns," Ms Goward said.

“There is a greater likelihood that a plan developed by the family will be successfully implemented, as the family has ownership of it.”

Ms Goward said the NSW Government was considering implementing Family Group Conferencing throughout the state.

“Last month I released a child protection reform discussion paper, which proposes placing an obligation on caseworkers to refer care matters to Family Group Conferencing prior to commencing care proceedings,” Ms Goward said.

“The discussion paper also raises the possibility of Family Group Conferencing being available for matters that are already going through the Children’s Court.”

Dispute Resolution Conferences, the External Care and Protection Mediation Pilot and the Family Group Conferencing Pilot program were developed in response to recommendations by the 2008 Wood Special Commission of Inquiry into the NSW Child Protection System.

The AIC’s reports recommended the continuation of Alternative Dispute Resolution in care and protection matters.