



Aboriginal Mediation Service

Mediation Fact Sheet

About Mediation

Mediation involves people willingly coming together to talk about their conflict and trying to reach an agreement that everyone can live with.

Mediation is facilitated by qualified mediator/s. The mediator is a neutral third party who helps the participants discuss the problem and find solutions. While the mediator guides and supports the process, it is up to the participants to agree on the outcomes and make them work.

Mediation Assessment and Intake

The Aboriginal Mediation Service (AMS) conducts an in-depth intake and assessment process with each party which helps to determine:

- Who is involved.
- The nature and scale of the conflict.
- Willingness to engage.
- Participants' ability to commit to outcomes.

If mediation is suitable, the AMS will also provide further information on:

- The mediation process.
- Confidentiality.
- Possible options for scheduling the mediation.

Alternatives to Mediation

In some cases, mediation may not be the right option. When this occurs, the AMS will offer alternative options that may assist in resolving the conflict.

Who Can Attend the Mediation?

All people involved in the conflict will be encouraged to attend and participate.

Parties involved in the mediation may have a designated support person that is approved by both parties but does not participate in any of the mediation proceedings. (Please refer to the 'Use of a Support Person in Mediation' Factsheet).

The AMS does not provide legal advice, but parties can seek independent legal advice if necessary.

If an interpreter is required, the AMS will arrange for one to be present throughout the mediation process.



How Do I Prepare for The Mediation?

- Think about which issues are important to you and how you will communicate this.
- Consider the other persons' perspective and what outcomes they would be seeking.
- Be open-minded and prepared to have a range of acceptable outcomes. Ask yourself, what else could work? There is rarely one suitable outcome, so consider what you need and what you could live with.

What Happens in Mediation?

Please allow up to 4 hours when attending mediation. This may require you to arrange parking, transport, child minding, or absence from work.

The usual mediation process is as follows:

- Agree on ground rules.
- Issues are shared with the other party and goals of what is wanting to be achieved are created.
- The issues explored in detail.
- Outcomes and how they are implemented are explored.
- If all parties agree the mediator completes a mediation agreement.
- All parties sign the agreement to ratify the decision.

Confidentiality

It is important for all parties engaging with AMS to understand how their confidential information is protected.

Any contact that you have with AMS is confidential in nature.

AMS will not use any information obtained to your disadvantage.

Social Media

We strongly encourage you not to discuss or comment on the mediation on social media or other internet sites such as Facebook, Snapchat, Instagram, Twitter, and TikTok.

If you would like more information about the Aboriginal Mediation Service, please contact:

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Email: aboriginalmediationservice@justice.wa.gov.au