

Legally speaking...

Did you know?

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Subject: Family

CHILD PROTECTION MEDIATION (2) ADVANTAGES

In British Columbia, the Child, Family and Community Service Act (CFCSA) is the law that describes what steps must be taken if a child is not living in a safe environment or there are concerns about a child's safety or health. The CFCSA gives social workers with the Ministry of Children and Family Development (MCFD) responsibilities and powers to take action if a child is not safe. This can sometimes include removing children, for their protection, from their families.

The CFCSA also has provided for other steps in the court process that may be necessary if the parents and the Ministry cannot agree on ways to make sure a child lives in a safe and healthy environment. One of these steps allows social workers and families to choose mediation as a way to resolve disputes related to children's plans of care or other issues affecting children. This process is called child protection mediation

What are the advantages of using the mediation process?

One of the advantages of choosing mediation to resolve disputes with the Ministry is the speed with which a mediation session can be set up compared to waiting for a court date. The process can also be less stressful and less formal and you can be in more control of the decisions being made regarding your child.

Some other advantages are:

- The relationship between the social worker and the family often improves;
- Parents like to participate in mediation and feel empowered by the mediation process;
- People who reach agreement through mediation are more likely to follow through with their part of the agreement because they have played a role in reaching an agreement.

Where do I contact a mediator?

The Ministry of Children and Family Development and the Ministry of Attorney General Dispute Resolution Office (DRO) established the Child Protection Mediation Program. DRO contracts for mediation services with private sector mediators.

Once you and the Ministry agree to try mediation, then you all must select a mediator from the Child Protection Mediation Roster. Once you have agreed on the mediator, you may contact that person.

For More Information

Child Protection Mediation Program at the Dispute Resolution Office:

www.ag.gov.bc.ca/dro

MCFD: www.mcf.gov.bc.ca/child_protection

Fact Sheet: Child Protection Mediation (1) and (3) www.nscr.bc.ca

