

# FACT SHEET

## Support People



Experiencing difficulties in a relationship, whether with your partner, work colleague, neighbour or family member can be challenging.

Most people engage with CRS without the need for a support person however, there are exceptions where you may wish to bring along a support person to your appointment.

### WHAT IS THE BENEFIT OF HAVING A SUPPORT PERSON?

A support person is someone who is able to emotionally support you before, during and after your appointments with CRS. In essence a positive support person is someone who has a calming influence and is a responsible person. They may also assist to prompt you with information to share with CRS, or remind you of discussions you have had with CRS

### WHAT IS THE ROLE OF A SUPPORT PERSON IN INDIVIDUAL INTERVIEWS?

You can bring a support person to any individual appointments you have with the CRS. The CRS staffer will request that during a portion of the interview the support person wait outside the interview, as the staffer may need to discuss information with you, or ask questions, which would not be appropriate in the presence of the support person.

### WHO CAN BE A SUPPORT PERSON IN MEDIATION?

Support people can either be someone you have a personal relationship with, such as:

- Family member
- Friend

Or a professional relationship with, such as:

- Social Worker
- Disability Support Worker
- Family Worker
- Youth Worker
- Work Colleague
- Case Manager

### WHO IS NOT SUITABLE TO BE A SUPPORT PERSON?

Some people are not suitable to take on the role of a support person, such as:

- If they are actually involved in the dispute

- They add a power imbalance to the mediation (eg a friend who is also a solicitor)
- The other person to the mediation does not agree
- They are a family member or friend who are involved in another related dispute, which is not the subject of the mediation on the day
- The mediators may determine on the day whether the person is an appropriate support person. This might occur if the Support Person is not following the ground rules the mediators have established (such as continuing to make comments, is distressing the other party etc)

### WHAT TYPE OF SUPPORT CAN THE SUPPORT PERSON PROVIDE DURING MEDIATION?

Support people can take on several roles during the mediation:

**OBSERVER SUPPORT PERSON:** This is where your support person will sit in on the mediation but will not contribute either verbally, or in writing, throughout the 'joint' periods of the mediation. They can contribute during the 'private' session stage. Joint periods are when all parties to the dispute are in the room; private session is when only one person, and their support person, is with the mediators)

**ADVOCATE SUPPORT PERSON:** This is where your support person will be invited to contribute at relevant times during the mediation. The 'invitation' to contribute comments is made by the mediators. The support person does not have equal time or status as the main parties to the mediation. The specialist support person might also be from a service (such as a case worker).

**DISABILITY SUPPORT PERSON:** This is where the support person takes on a specific purpose within the mediation such as assisting with hearing impairment, literacy issues etc

**EXTERNAL SUPPORT PERSON:** You may not feel it necessary (or you may not be comfortable) for your support person to be in the mediation. Or it may be that the other person may not feel comfortable with your support person being in the mediation. In such

circumstances, your support person can sit in the CRS waiting room and during breaks you will be free to sit with your support person. The other party will need to agree with you discussing what has occurred during the mediation with your support person

With all the above options, the Support Person may not be involved in the whole mediation, they might just be present for the first hour until you feel comfortable; or there may be a topic of conversation where it is appropriate for them to be in the room, conversely, they may need to leave the room during some discussions.

### **WHAT IF I WANT A SUPPORT PERSON, BUT I DON'T KNOW ANYONE WHO WOULD BE SUITABLE?**

CRS will talk with you about your specific needs and if it is appropriate and beneficial for you to have a support person. CRS will liaise with external services and endeavour to find an appropriate person. CRS cannot guarantee they will find you a support person as some services do not have staff available for a whole mediation.

They maybe be able to organise to be available during the mediation via phone should you wish to call them.

### **WHAT IF CRS REQUESTS I BRING A SUPPORT PERSON?**

In some exceptional situations CRS will request that you bring a support person to the mediation as there is a concern for your welfare and wellbeing, particularly after the mediation.

Concerns will most likely have arisen during your individual contact with the CRS where you may have disclosed information which CRS believes puts your physical or mental wellbeing at risk.

Examples of disclosure may include history or currency of, but not limited to:

- Mental Health (depression, bipolar)
- Suicidal thoughts
- Substance use (alcohol, drugs etc)
- Inconsistency or not taking prescription medication for mental health
- Domestic Violence

The support person does not necessarily need to be in the room and can wait outside in the CRS reception area. They are a point of debrief for you immediately after the mediation ends.

### **WHAT IF I HAVE MY MEDIATION SCHEDULED, BUT ON THE DAY MY SUPPORT PERSON IS NOT AVAILABLE?**

The importance of the support person being present will depend on whether the CRS has determined that their presence is essential or not.

Prior to your mediation, the CRS will have advised you if your support person is essential; if they are not available to attend the mediation on the day, then most likely the mediation will be postponed until your support person is available.

If the CRS staff have advised you that your support person is not essential, and they do not attend the mediation on the day it is scheduled, then the mediation will go ahead as planned.

### **WHY DOES THE OTHER PERSON NEED TO AGREE ON WHO I BRING AS MY SUPPORT PERSON?**

Everyone involved in mediation needs to feel safe, which includes having a say in who is present at the mediation.

CRS wants to ensure that if a support person is requested, that this person represents a calm and positive influence during the mediation, and does not inflame the situation just by merely being in the same room.

CRS will:

- Make the ultimate determination on the suitability of a support person
- Liaise between all parties to negotiate the suitability of support people

If you would like further information about anything contained in the Fact Sheet, please contact CRS:

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