

WHAT IS A DRC (DISPUTE RESOLUTION CONFERENCE)?

A Resource for Parents written by Family Inclusion Strategies Hunter Peer Parent Expert

This is Parents experience and interpretation of DRC. DRC are legal processes and we are not legal experts. We strongly advise asking your legal rep about this <https://www.legalaid.nsw.gov.au/ways-to-get-help/publications-and-resources/kids-in-care/booklet-02-going-to-the-childrens-court#faq-item-606458b9d6> and looking at the legal side. This is just our experience. We have also found talking with the children's Registra helpful.

Childrens court info on DRC

https://childrenscourt.nsw.gov.au/documents/other/Podcasts_and_DVDs_Transcript_2.pdf

https://childrenscourt.nsw.gov.au/documents/practice-notes/Amended_PN_3_Nov_2015.pdf

A **DRC** is a meeting that happens at the **Children's Court**.

Everyone usually sits around a table with a **Children's Registrar** to talk about:

- what is happening for your children
- whether there is any agreement that can be reached
- what care arrangements might best keep your children safe

The people at the table often include:

- you
- the other parent (if they are involved)
- **Department of Communities and Justice (DCJ)**

- your lawyer (if you have one)
- your children's lawyer (the ICL)
- the Children's Registrar
- sometimes other approved people (see below)

What is the purpose of a DRC?

A DRC is **not a hearing** and the Registrar does **not make final decisions** about your children.

It is meant to:

- see whether some or all issues can be agreed on
- narrow down what is still in dispute
- help the case move forward without everything being argued in court

It is also a space where:

- DCJ explains what they are asking for and why
- your children's lawyer shares what *they* think is in your children's best interests
- **you get a chance to have your say** about your children, your worries, and what you want

That said (and this matters):

Power is uneven at a DRC, and many parents feel overwhelmed, rushed, or unheard especially if they don't understand the process or don't have strong support. We strongly advice you work with your lawyer to understand what is going on. It often feels like a box DCJ is ticking, but with the right support can help.

When does a DRC happen?

Usually:

- **after DCJ has filed a care plan, or**
- the Court can order a DRC **before** a care plan is filed, to see if agreement is possible first

- your solicitor requests one for you

You **can ask** to have:

- a support person, a family member, a community or cultural support person, a peer or advocate

However (and this is important to say plainly):

The Children's Registrar decides who is allowed to attend. It is **not automatic**, and requests can be refused. This can feel unfair, especially for parents who need emotional or cultural support to participate safely. If this happens speak up, ask why and record that you were denied support.

A few things parents should know (that aren't always explained)

- You **do not have to agree** to things you don't understand
- You can ask for:
 - breaks
 - things to be explained in plain language
 - time to get legal advice before agreeing
- What you say **can influence later decisions (bad or good)**, even though it's not a hearing
- Feeling pressured to agree "just to move things along" is common and risky
- The registrar should contact you before hand and hear what you need to make this work, this could include visiting the space, understanding the process, being involved in who is in the room.

Safety and domestic violence at a DRC

If there has been **domestic or family violence**, this matters at a DRC. You **do not have to feel unsafe** to participate.

If your ex-partner will be attending the DRC and you are worried about:

- your safety

- intimidation or control
- being spoken over or pressured
- past or current domestic violence

you can tell: your lawyer, **or** the Children's Registrar (before the DRC if possible)

You can ask for safety arrangements such as:

- attending by phone or video
- sitting in separate rooms
- having a support person present
- clear ground rules about respectful communication
- breaks if you feel overwhelmed
- separate DRCs

The Court and Registrar have a responsibility to consider **your safety**, not just efficiency or agreement. If you feel unsafe at any point during the DRC, you can say so. Our parents have found it helpful to have a safe word with their lawyer that means you can't take any more in a safe way for you.

DRCs are meant to resolve disputes, but they are **not neutral spaces** for parents who have experienced domestic violence. Many parents feel pressure to "be reasonable" even when the situation feels unsafe.

You are allowed to:

- name fear
- ask for protection
- say no to arrangements that put you or your children at risk

Parent experiences – we have found that parents experiences with DRC are very different. These are some examples from our parents.

"I went to my DRC knowing my ex would be there. No one asked if I felt safe. We sat at the same table and I could feel my body shut down straight away. When the

Registrar asked if I had anything to say, I didn't. I knew that disagreeing could follow me later. I had learned that keeping quiet was safer than being honest. Afterwards, people said I "didn't engage." But I could only survive the meeting by staying silent."

"The DRC felt like everyone already had a plan before I arrived. DCJ talked. The lawyers talked. My children's lawyer talked about what was "best." When it was my turn, I was cut off or redirected. I was spoken about in the third person while I sat there listening. I left feeling like my children had been discussed, but my relationship with them hadn't been understood at all."

"Before the DRC started, the Registrar asked if I felt safe being in the same room as my ex. I didn't and for the first time, that mattered. We were placed in separate rooms. I was allowed to have a support person with me. Things were explained slowly, in words I could understand. I didn't agree to everything. But I left feeling like my voice counted, not just the paperwork. That changed how I could show up for my kids afterward."

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