

MARCH 2024

# SUMMARY REPORT

## ROSTER FOR MEDIATION SERVICES

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## SERVICE OVERVIEW & OUTCOME

SFNS' Roster of ADR Trained Facilitators provided interest-based negotiations to member First Nations. SFNS coordinated and supported every request for mediation and supported the Roster members.

The Roster and its Facilitators are not a decision-making body. Each facilitated dispute resolution session resulted in a nonbinding decision left to the discretion of the parties involved. Each session is voluntary, therefore it is the parties responsibility to uphold their agreed upon resolution.



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## BACKGROUND

Southern First Nations Secretariat's Roster for Mediation Services began as a 2-year pilot project, July 1, 2015 - June 30, 2017. Funding costs were shared between SFNS and Legal Aid Ontario. During the pilot project, information sessions held and training opportunities were offered to SFNS member First Nations. SFNS used the training opportunities to recruit a Roster of ADR Trained Facilitators to facilitate third-party, interest-based negotiations as service support to member First Nations.

Following the pilot project, SFNS found the service to be effective and continued to solely fund the program.

## PURPOSE

- Restore peace and harmony to damaged relationships affecting the community;
- Defuse disputes before they become legal matters;
- Work with community members to address conflicts in a restorative manner;
- Increase the capacity of member First Nations to resolve disputes;
- Create a roster of appointed representatives who will be trained as facilitators to resolve disputes; and
- Provide training and on-going support to the appointed facilitators

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## WHO HAD ACCESS

### Potential Situations Where Service Could Be Utilized

1. Administrations: where there was a dispute because of personality clash or communication breakdown between employees or between community member and employee
2. Community: where there was a dispute between families or neighbors because of lifestyle clashes, harassment, separations, divorces, and estates
3. Council: where there was a dispute because of communication breakdown and personality clashes between council members, or council and service providers or community members

## TYPES OF ISSUES THAT WERE NOT SUITABLE

- Issues that consist of substantial legal rights and party desires a judgement ruling in their favour, the best recourse would be a court of law
- If there is a power imbalance or abusive elements related to the relationship of parties
- Any criminal matters

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## SERVICE TIMELINE

### 2015-2016

- Legal Aid Ontario Regional Information Session to introduce SFNS Roster for Mediation Services
- Introduction to Mediation workshop: 27 participants representing SFNS' 7 member First Nations, 1 aboriginal organization, and one external organization

### 2016-2017

- Partnership with Legal Aid Ontario - \$20,000 over 2 years
- Intermediate and Advanced Mediation workshops
- 12 participants completed Advanced Mediation
- 6 Roster Members recruited

### 2017-2018

- Partnership with Legal Aid Ontario ended June 30, 2017
- SFNS Roster Members were able to provide facilitated, interest based negotiations as a support service to member First Nations

### 2018-2019

- Roster Members consisted of 7 active Mediators, representing 5 of SFNS member First Nations
- 7 inquiries were received, and 2 mediation sessions were completed in the area of Child Welfare

### 2019-2020

- Roster Members consisted of 3 active Mediators, representing 2 of SFNS member First Nations
- 6 inquiries were received, and 3 mediation sessions were completed in the area of Child Welfare and Administration

## SERVICE TIMELINE CONT'D

### 2020-2021

- Roster Members consisted of 2 active Mediators, representing 1 SFNS member First Nation and one other First Nation
- 5 inquiries were received, and 2 mediation sessions were completed in the area of Child Welfare
- Sessions were held virtually due to COVID-19 Pandemic
- Hosted a 6-week Virtual Intermediate Mediation Training, 1 day per week; 10 participants received completion certificate

### 2021-2022

- Roster Members consisted of 3 active Mediators, representing 2 SFNS member First Nations and one other First Nations
- 12 inquiries were received, 3 mediation sessions were held in the area of Child Welfare
- Sessions were held virtually, but in-person was available if it was preference
- Hosted a 3-day virtual Indigenous Dispute Resolution Training; 18 participants completed the training

### 2022-2023

- Roster Members consisted of 3 active Mediators, representing 2 SFNS member First Nations and one other First Nation
- 9 inquiries were received in various areas such as family disputes, workplace disputes, and community disputes.
- 1 request was fulfilled request which was a new and unique request where we offered peace-keeping services for a community meeting with the band council

### 2023-2024

- Roster Members consisted of 2 active Mediators and 1 semi-active Mediator, representing 2 of SFNS member First Nations
- 6 inquiries were received in various areas such as family disputes (land, estate, child welfare), workplace disputes, and community disputes