

## Family Group Conferencing Worldwide: Part One in a Series

LAURA MIRSKY

This is the first article in a series about family group conferencing (FGC), a restorative approach to problem-solving that involves the children, young persons and adults in families in making their own decisions. Originally developed in New Zealand, the family group conferencing process has taken root worldwide and is now known by several different names, including family group decision making and family unity meetings, among others. Family group conferencing began in the field of child welfare and youth justice, but is now used in mental health, education, domestic violence and other applications.

Family group conferencing has acquired varied characteristics in the different locations where it is practiced, but certain common elements are evident, as well. In general, the philosophy underlying family group conferencing holds that families, when provided with the necessary pertinent information, are better able to devise plans to protect their own welfare than are professionals, because families know themselves — their problems, strengths and resources — better than professionals do. Young people need the sense of community, identity and stability that only the family, in its various forms, can provide, and families are more likely than professionals to find solutions which actively involve other family members, thus keeping the child within the care of the family, rather than transferring care of the child to the state. Also, when families are empowered to fix their own

problems, the very process of empowerment facilitates healing.

The key features of the New Zealand FGC model are preparation, information giving, private family time, agreeing on the plan and monitoring and review. In an FGC, the family is the primary decision-maker. A wide definition of family applies, including extended family and close, concerned friends and neighbors. An independent coordinator facilitates the conference and refrains from offering preconceived ideas of the outcome.

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During private family time, the family, after hearing information about the case, is left alone to arrive at their own plan for the future of the child, youth or adult. The plan is evaluated by professionals with respect to safety and legal issues, and resources may be procured to help implement the plan. Professionals and family members monitor the plan's progress and often follow-up meetings are held.

A critical threshold for a family group conferencing program's inclusion in this article is the use of private family time. By taking the decision-making process out of the hands of professionals and governments and putting it back in the hands of those people who are directly affected, private family time indicates a crucial paradigm shift; one that is fully in tune with the International Institute for Restorative Practices's (IIRP's) definition of restorative practices and its goal of building a global alliance for family empowerment.

Mike Doolan, former chief social worker for the Department of Child, Youth and Family in New Zealand, helped develop FGC in New Zealand and has assisted FGC initiatives in the United Kingdom, Ireland, Denmark, Sweden and Israel. Doolan's report, "The Family Group Conference, 10 Years On," can be read at: [http://www.restorativepractices.org/Pages/vt\\_doolan.html](http://www.restorativepractices.org/Pages/vt_doolan.html)

New Zealand was formerly a "cosseted welfare state, too costly to maintain," where professional decision making dominated, said Doolan. New Zealand was also institutionally biased against the Maori people. A disproportionately high number of Maori children were in the care of the state, over-represented in social workers' caseloads and almost always placed with families of European descent. "The FGC process emerged because we were desperate to find alternatives to panels and courts staffed with people who seemed wealthy and racist in comparison to the people who appeared before them," said Doolan. At about the same as time as



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the welfare state began to break down, the Maori underwent a renaissance and wanted to take matters into their own hands.

In the Maori tradition, the community is responsible for its children and people face the community in cases of wrongdoing. Also, the smallest Maori social unit includes a person's every living relative. According to Doolan, the FGC concept of extended family derives from that tradition. In New Zealand, the law states that every member of an extended family is entitled to attend an FGC.

The Children, Young Persons and Their Families Act passed in New Zealand in November 1989. Said Doolan: “The act emphasizes that court proceedings, both civil and criminal, are a last resort, and encourages community-based solutions whereby families ... take prime responsibility for their own children and young persons.” Under the act, no court can make a decision on the disposition of a case unless an FGC has been held. More than 10 years later, the act has seen “outstanding results,” said Doolan, adding, “The capacity of families to take control continues to astound us; families can make safe decisions for young people and are experts about themselves.”

Doolan stressed the importance of mandated support for FGC. In New Zealand, he

said, “we have a huge advantage,” because FGC is the law, “not subject to policy-makers or practitioners.” In other places, he said, “social work is having difficulty coming to terms with the notion of family led decision making. In the face of a growing body of knowledge ... about the effectiveness of the family group conference partnership approach to problem resolution in child welfare, it still faces official and professional opposition where there is no legal mandate for the process.”

Child welfare professionals across the world are grappling with this issue as Doolan has expressed it. Lisa Merkel-Holguin is director of the National Center on Family Group Decision Making (FGDM) within Children's Services at the American Humane Association. The center “provides training and technical assistance with FGDM all over the country and functions as a catalyst for good practice,” said Merkel-Holguin. The center networks people with each other through conferences, its website <http://www.fgdm.org> and its online FGDM discussion group, and disseminates information about FGDM through videos and publications, including the AHA journal, *Protecting Children*. Two FGDM pilots are planned for 2004, with respect to adoption and pre-childbirth issues, to “expand the marketability of FGDM within child welfare,” said Merkel-Holguin.

The center also creates mechanisms to research the effectiveness of FGDM to “standardize practices that are typically marginalized in this country,” said Merkel-Holguin. The February 2003 issue of *Protecting Children* includes an extensive collection of family group conferencing research evaluations, a majority of which suggest a high level of satisfaction with family group conferencing by conference participants, both social service workers and families. A descriptive study on the center's website, co-sponsored by the center and spearheaded by Paul Nixon in the U.K. and Gale Burford in the U.S. asked anyone involved in with family group conferencing practice, research or administration to complete a simple, web-based survey.

Family group conferencing “has grown exponentially throughout the world,” said

Merkel-Holguin. In the United States, she said, “What started as an experiment in five communities in 1995 is now a widely recognized practice embraced by over 150 communities across the nation.” England and Wales, she said, had only four pilot projects in 1994, but by 2002 had 97 family group conferencing initiatives running or under consideration by local authorities or non-governmental organizations (NGOs). But, she said, there is a difference between FGC in New Zealand, where it is a right, in the U.K., where it is described as “good practice,” and in the U.S., where, “all too often, it's described as a ‘tool’ or a ‘technique.’” She explained, “When practitioners view family group conferencing as a tool to be used on families and not as a process in which to engage them ... they overlook the key preparation and follow-up steps that are critical to building community partnerships and increasing family involvement.”

FGDM has three essential elements, said Merkel-Holguin. Quality preparation before the conference is fundamental, so that families, social workers and others invited have a clear understanding of their roles and what they're being asked to do. Private family



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time is key, because it turns decision making over to the family and allows them a sense of control. It is also imperative that the FGDM facilitator does not prescribe the outcome of the conference. Preparation, which takes 20–25 hours on average, is “the toughest sell,” said, Merkel-Holguin, not because people don’t believe it’s important, but due to “a down-turned economy with already stretched budgets.” Private family time, she said, “speaks not just to family empowerment but to family leadership.” About the third element, Merkel-Holguin said, “Too often, we’re seeing that conferences are not being used for decision making. Families are being asked to rubber-stamp an official outcome.”

If these three elements are omitted, one negates the democracy-building potential of family group conferencing, said Merkel-Holguin, adding, “The work of Braithwaite [John Braithwaite, *Crime, Shame and Reintegration*, 1989] is helping us to think about FGDM within the context of the democratic process. It will be interesting to see if child welfare embraces FGDM as a democratic experiment.”

Robert Tapsfield is chief executive of Family Rights Group (FRG), a registered charity established in the U.K. in 1974 to provide advice and support for families whose children are involved with social services. FRG was instrumental in developing FGC in England and Wales. In 1990, FRG invited a group of New Zealand FGC practitioners to the U.K. to speak about their experiences. FRG then implemented FGC child welfare pilots with six local authorities in England and Wales. All six cooperated with a landmark research project, *Family Group Conferences in Child Welfare*, by Peter Marsh and Gill Crow, Oxford University Press, 1998.

Today, FRG encourages and supports authorities and volunteer organizations in developing FGC initiatives in the U.K., provides practice guidance, print and video resources and a website (<http://www.frg.org.uk>), runs trainings and conferences, and lobbies nationally for greater use of family-based decision making in situations of family conflict. The FRG runs the Family Group Conference Network, which provides members with access

to FGC information, training and consultation, clarifies core principles, disseminates good practice, develops models for project evaluation and publishes a tri-annual newsletter. Network membership fees support FRG’s activities.

The U.K. Children’s Act was passed in 1989. Tapsfield called it, “a unifying piece of legislation that brought together other bits of legislation for children in need” and provided that decisions be made according to a core set of principles, mandating that the state work in partnership with families. But, he said, “although the principles are sound,



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[the act] doesn’t prescribe a mechanism that provides for the principles to be implemented.” Since there is no legal mandate regarding practice, he said, professionals dominate the mechanisms and it’s up to them to decide what to do.

“Given the lack of a legal mandate and financial difficulties for local authorities,” said Tapsfield, FGC in the U.K. has been “an extremely wonderful achievement. Over 50 percent of communities in the U.K. are either using FGCs or considering doing so.” On the other hand, he said, the decision to use FGCs is almost entirely at the discretion

of local authorities. Families still do not have the right to ask for an FGC and FGCs “could disappear” in the U.K. FGC survives, said Tapsfield, because of commitment in a range of voluntary and statutory organizations.

Tapsfield said that the response of many U.K. social service providers to FGC has been very positive. They welcome it because it makes sense and gives them a way to use their expertise to be restorative. Providers in another group, however, have been reluctant to give up their traditional roles and their power. “Some people — on all levels — will be opposed; it doesn’t matter what you do,” he said. A third group of people may not understand — or may have *chosen* not to understand — FGC. They claim to be implementing the practice already — talking to relatives, etc. — without ever really learning about it. Researcher Peter Marsh invented the acronym “DATA” (“doing all this already”) to describe them. Because most social welfare professionals have heard of FGC, they think they know what it is, and that can be dangerous, said Tapsfield. But, he said, “They don’t understand that the mechanism is different from the way they’re making decisions.” The key element of FGC, said Tapsfield, is private family time, “not just because it works, but because it’s symbolic of the heart of FGC ... it says that families are the leaders.”

There is increased interest in U.K. courts in FGC and the government has announced the publication of a “Green Paper” — a policy intention — on how to respond to children at risk of abuse or offending, which covers both child welfare and youth justice areas, said Tapsfield. FRG is lobbying the government about the Green Paper to commit to FGC as practice, because it works and because it strengthens communities and families. Tapsfield hopes for a government mandate ensuring families the right to access FGCs in situations where there are serious decisions to be made, and obliging the state to convene an FGC when it would otherwise act to permanently separate a child from its birth parents.

Joan Glode is executive director of Mi’kmaw Family and Children’s Services of Nova Scotia, Canada. The agency is using FGC with children in the two First Na-

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tion (Aboriginal) tribes of Nova Scotia: the Mi'kmaw and the Malifeet. Glode, a member of the Mi'kmaw tribe, teaches an Aboriginal perspectives course at the Maritime School of Social Work at Dalhousie University in Halifax. Its curriculum concerns "building the past into the future." Said Glode: "We're doing the same thing with our agency."

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When the agency was founded in 1985, there weren't enough First Nation social workers to staff it. "There were only two in the province of Nova Scotia," said Glode. The agency got a full mandate for its program in May 1990, along with a large group of First Nation social workers. At that point, said Glode, "we knew we should be looking at customary care [using traditional tribal methods]."

The agency's FGC initiative began, said Glode, partly as a result of her participation on a panel of the Law Commission of Canada, which examined government response to Aboriginal abuse in institutions. The panel found that the sole purpose of Canadian schools and orphanages regarding Aboriginal children had been to remove them from their culture, language and institutions. The schools had violated Aboriginal laws, by, for example, preventing mothers from passing down tribal traditions and knowledge to their daughters. For Glode, the panel's findings were an epiphany.

Glode attended the IIRP's international conference, in Toronto, Canada, August 2000. She received training in restorative practices and heard a plenary speech: "Aboriginal People and Justice Issues," by an Aboriginal judge, the Honorable Murray

Sinclair, Associate Chief Judge, Manitoba. The talk traced the centuries-long, systematic destruction of Aboriginal resources, power and traditions by the Canadian government and stressed the importance of finding culturally appropriate approaches to the problems these policies had engendered.

On her return to Nova Scotia, Glode used the valuable information she had learned at the conference. A tribal chief was angry with the way Mi'kmaw Family and Children's Services had handled a child welfare case, said Glode, so the agency held its first FGC, with the family, agency workers and the chief attending. The meeting took five hours. By the end, the group had come up with a work plan for the child. Some weeks later, a second meeting was held and everything on the plan had been accomplished. After a third meeting, "that was the end of it," said Glode, "It's been going fine ever since ... The family needed to be heard."

The FGC project was then in the pre-pilot stage. "We knew we needed to formalize what we were doing," said Glode. With help from D'Uma Young, a young lawyer with a degree in tribal justice, the agency began to adapt FGC and circles to child welfare and First Nation standards. Glode said that her agency uses the New Zealand FGC model. Private family time is used "if the people want it," she said, "When we finish up the formal piece, we come up with a plan. Sometimes we do it together; it depends on the level of anxiety or pain."

FGC is "so validating for us," said Glode, adding, "It fits with First Nation worldviews of respect, sharing resources, mutuality and interdependence, a family coming together and seeking its own solutions — the primary values in Aboriginal society." In times of stress, said Glode, the first language for many Mi'kmaw people is Mi'kmaw. "Translating into English is painful," she said, "FGC allows them to speak in whatever way they wish. If you give people permission to talk, they will. Things extraneous to the matter will come up — things the family needs to talk about but never has. It's important to make sure that people don't get shut out."

Glode's agency received one of five CND \$25,000 grants from the Centers of Excellence in Child Welfare of Health Canada to

implement an 18-month project to formalize FGC. The project, said Glode, will follow 30 child welfare scenarios over time, half using FGC, half using the "regular" approach. Glode's agency is also talking to the government of Nova Scotia about including FGC in child welfare standards. In under a year, she said, the agency will present their case to the province, which so far seems open to supporting FGC. Glode hopes that the province will amend legislation so that FGC and circles can be substituted for appearances before a family court justice. Currently, the law allows for mediation as a substitute, but, said Glode, "that doesn't work."

Rob van Pagee is CEO of Eigen-Kracht Centrale, the Netherlands, and is active in implementing FGC in that country. FGC is



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operating in five out of 12 provinces in the Netherlands. Van Pagee published a book, in Dutch, *Eigen-Kracht FGC in the Netherlands: From Model to Implementation*, the first book on FGC in the Netherlands. Eigen-Kracht recently received €22,500 award for Most Innovative Program in the Netherlands from the Union of Directors of Child Protection. Eigen-Kracht Centrale's website is: <http://www.eigen-kracht.nl>



The results of traditional child welfare work are “not great,” said van Pagee. Studies in the Netherlands showed that one third of child welfare cases were helped by the system, one third remained the same and one third were made worse. “If you did nothing, you’d have the same result,” he said. In conventional child welfare work “you report child abuse anonymously and the case is put away in a secret file. This is the opposite of what you should do,” he said, because, in perpetuating secrecy, you also perpetuate the problem.

The success of FGC in the Netherlands has been a revelation for child welfare workers, who were cynical about families and thought that it was going to be hard to get families to come to FGCs, said van Pagee. The reality, he said, is that the child welfare system has been a bigger problem for FGC than the families. “Many social workers feel they need to control safety issues,” said van Pagee. When he taught FGC to second year students in social work school he faced a great deal of opposition. The problem lies in the way that society sees social workers — the image that social work sells to society. Social workers are regarded as saviors, so people become social workers to save people. We need to send a different message to society, said van Pagee: “It’s not us who can help you, it’s *you* that can help you.” The beauty of the FGC model, said van Pagee, is that “I finally can do what I’m good at — facilitating, not making decisions for somebody else’s life; that’s not good for them or me.”

FGC, said van Pagee, gives respect back where it belongs — to the families — who are willing and able to take responsibility for their problems. “It gives people energy to have a vehicle to deal with their problems,” he said, adding, “It’s really rare for people who are exposed to FGC not to like it.” And, said van Pagee, people come in big numbers. The average number of people attending an FGC in the Netherlands is 16.7. They come, bring their children, make plans, bring their own resources, support their plans, and most of the plans they devise are accepted by referral workers as safe.

Eigen-Kracht has 60 trained FGC coordinators, drawn from the community — “citizens who like to do it” — not social workers, said van Pagee. Their task is to make

sure the conference is organized the way the family wants it in terms of time and place, attendees, traditions (beginning the conference with a prayer, etc.), even type of food. The coordinator may also facilitate a person in the family — a natural leader, often an elder — to help with FGC arrangements. The coordinators should not have an interest in the conference’s outcome, said van Pagee.

“The model is in place, we know it’s working, now we can play with it,” said van Pagee. The approach of restorative practices and FGC are so similar, he said, that he doesn’t understand why people need to differenti-

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ate them. “It’s just the organizations’ need to define themselves and has nothing to do with the needs of individuals,” he said. Conferencing turns the system upside down and puts the needs of individuals first. “If you understand that, then models aren’t important anymore,” he said, adding, “You can combine models and change them according to the needs of the family.”

Van Pagee cited two cases where FGC and Real Justice scripted conference models were combined. In one, a 17-year-old boy had committed a crime and his family was set to have a Real Justice conference, but the victim wanted no part of it. So they had an FGC, in which 17 extended family members came up with a plan to prevent the boy from embarking on a life of crime. In another case, a father had murdered the mother of two young children and was in prison. The extended family was scheduled for an FGC to address the needs of the children, who had, in effect, lost both their parents. The two sides of the

family, however, were not emotionally ready work together on the problem. Instead, a Real Justice conference was held, focusing on the feelings and thoughts around the murder, using scripted Real Justice questions. Proceeding around the circle, everybody had a chance to have his or her say. The family took a break for lunch, then came back and did an FGC about the needs of the children, which was very successful. The hard feelings the two families had for each other had been softened by the Real Justice conference, so that the FGC could work, said van Pagee.

Van Pagee hopes that FGC will become law in the Netherlands, where discussion about the possibility is already “on a pretty high level.” He would like to see a law like New Zealand’s, where citizens have the right to a conference before anybody else comes into the family. “We get the most complicated cases referred to us — the ones the social workers can’t handle,” he said, but “conferencing needs to be accessible to all. Why should the social workers decide which cases get referred? The same is true with Real Justice conferences. Why should police or prosecutors decide? Why shouldn’t citizens have the right to decide?” These principles should apply in all situations in society where decisions need to be made, said van Pagee: elderly adults going into rest homes, in health care, domestic violence, cases of mental and physical handicaps. The key element is that the family has the first chance to deal with the problem. “That’s the paradigm shift,” said van Pagee. But you need vehicles to re-establish lost communities. That, he said, is why FGC and restorative conferences are important.

Karin Gunderson is a teaching associate at the Northwest Institute for Children and Families at the University of Washington School of Social Work, Seattle, Washington, U.S.A. She manages grants, raises funds and oversees FGC studies in her state, where over 700 FGCs have been held. Gunderson collaborated on the largest long-term follow-up study of FGC published to date: “Long Term and Immediate Outcomes of Family Group Conferencing in Washington State (June 2001).” Seventy FGCs addressed the well-being of 138 children that had been in the child welfare system for over 90 days. Chil-

dren who had an FGC experienced high rates of reunification or kinship placement and low rates of re-referral to Child Protective Services. These findings generally remained stable as long as two years post-conference. The paper may be read at: <http://www.restorativepractices.org/Pages/fgcwash.html>

Gunderson is involved in another New Zealand model-based FGC study with young people ages 11–18 in high-cost residential group care. Family members are attending conferences for all the youths, “even kids who’d burned all their bridges” with inappropriate behavior, said Gunderson. An average of six to eight family members attends the FGCs, two to three from the father’s side. This is the average number of family members attending FGCs in every study done in the U.S., with the same distribution of members from the mother’s and father’s side, said Gunderson. The study will examine data 6 and 12 months after discharge from care. Interviews will be done with social workers, family members and youths to find out what worked and why. Preliminary findings suggest that, after FGCs, “the trajectory of the kids is changed,” said Gunderson. Although they haven’t necessarily been placed with family members, they have gone to “less restrictive placements, as opposed to juvenile justice facilities or the streets.”

FGC provides resources, support, connections and improved relationships between families and professionals. Local family members may have antagonism for a child who has caused problems, but expanding the circle brings in other perspectives and knowledge about the child, for the benefit of both professionals and family members. As a result of FGCs, fewer kids are referred back into care. But, said Gunderson, FGC is not just a matter of family placement: “It’s about reinvigorating family connections. Knowing who you are and where you belong are important ingredients in adult resilience.”

There are only a few situations where FGCs aren’t appropriate said Gunderson, adding, “Sometimes there really is no family.” FGCs are also not used in sexual abuse cases in the early stages of prosecution, because prosecutors fear that if everyone gets together in an FGC, the offender will manipulate the victim into



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withdrawing the charges. “Prosecutors don’t want us to do to FGCs in any sex abuse cases,” said Gunderson, “but we don’t agree. The bottom line is, the child is the customer and we’re going to do what’s in the best interest of the child.” If safety is a worry, the conference might be held in a firehouse or police station.

Many FGCs come about when social workers are faced with impossible dilemmas, said Gunderson, adding, “The older the child is, the more you see an impossible mess.” And, she said, “every social worker has 30 of these cases.” FGCs, said Gunderson, provide social workers with new thinking and new resources. For example, one family member can take the children on weekends; another can take them weekday afternoons. And, she said, relatives can ask for things that social workers can’t.

“When a neutral person does preparation and families get together and start talking, so many unnecessary barriers become visible,” said Gunderson. For example, FGC uncovered a gender bias in the system. Traditional practice understanding holds that fathers

don’t participate in child welfare. In FGC, however, not only do fathers come, but *their* fathers come, and their mothers, too. “Did we not invite the men,” asked Gunderson, “or did fathers assume the process was going to make them feel worthless and so send the woman to take care of the problem?” Also, there’s a widespread belief in child welfare that children in care “have no families, or that their families are dysfunctional, in jail or disgusted with their kids and won’t get involved.” The system reinforces this thinking and provides no help in finding relatives. But, said Gunderson, “If you think the aunt and grandmother are the child’s only relatives, you’ve got another thing coming.”

A critical problem in child welfare policy, said Gunderson, is that children placed with family members tend not to get the same level of support or resources as those placed in care outside the family. Funding streams are earmarked for foster parents, rather than kinship care. A foster family will get US \$800 for three children; a relative, US \$300. When a child goes to live with his grandmother, she is often single, older and poor, and she ends up having to give him up. The child then ends up back in care and stays there.

However, said Gunderson, there is now a large demographic of people reaching grandparent age in the U.S. Formerly, children who lived with their grandparents were mainly the poor and/or people of color and their needs were discounted, said Gunderson. Now, she said, many middle class white people are becoming caregivers to their grandchildren and demanding financial help to raise the children. But, said Gunderson, due to deeply entrenched values, the state won’t give money to family caregivers, simply because the children are their relatives, even if the alternative costs much more money.

FGC must “come in from the margins and be put into the hardwiring of child welfare,” and social workers must be required to name, search for and engage extended family, said Gunderson. She is working on a project to train social workers and lawyers in FGC together, so both can help clients participate in the FGC process. She also hopes to train judges in the value of FGC and to help remove legislative barriers to the involvement of extended



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families in child welfare. If you have supports in many places in the system, you have a much greater chance for success, she said.

Tight budgets are a concern now, however. The primary mandate in child welfare is to intervene to stop abuse and neglect, and Gunderson is afraid that will mean fewer FGC facilitators. Washington state’s child welfare agency has been praised around the country for FGC, and every study recommends FGC, “yet we’re losing funds for facilitators,” she said. Still, child neglect cases are increasing across the country, especially chronic neglect due to substance abuse, and, as the economy declines, neglect cases increase. FGC is very effective in neglect cases, said Gunderson, especially substance abuse cases, because an extended family member can take a child while a parent gets help for substance abuse problems, but this rarely happens in foster care or adoption situations. The current U.S.

presidential administration has launched a big adoption drive, said Gunderson. But, she said, if you look for placement among relatives, it’s much more organic.

Julia Hennessy is social work service manager for the Essex County Council, U.K., which delivers FGCs in three areas of service: care and protection of children, young people who offend and adult mental health care planning. The Essex County Council Family Group Conference Project website is: <http://www.essexcc.gov.uk/health%5Fservices/social/fgconf.html>

The 1996 Essex Family Group Conference Project, a one year child welfare conferencing pilot program for children who were in state care, was so successful that “it is now mainstream policy,” said Hennessy, adding, “The FGC process is embedded in Children’s Services Practice and Policy across the county of Essex. As part of case planning in partnership with children, young people and their families, social workers consider and make a decision on using the process for family support, child protection and looked-after children, as well as prior to care proceedings applications.” CPS has developed partnerships with the health and police departments “The outcome of the partnerships has been exceptional,” said Hennessy.

The New Zealand FGC model is employed. Good preparation is essential. The conference is held at a time and place convenient to as many family members and other close interested parties as possible. An independent coordinator facilitates. Private family time is used. Professionals agree to the family’s plan, unless it places the child or youth at risk of significant harm. Various agencies and professionals negotiate resources. The plan is monitored and reviewed over time and review FGCs are built into the process, with dates arranged at the original FGC.

FGC works because “it’s about families being given good information to make decisions, children having the opportunity to have input,” said Hennessy. In the past, she said, children were being put up for adoption because there was no opportunity to make other plans for them. Now, she said, families and communities are taking personal responsibility for their children. Involving

the extended family in the conferences maintains a child’s network, she said, and preserves its essential racial, community and family identity. Adopted children commonly become disconnected from these identities. Kinship care, a typical outcome of an FGC plan, preserves these identities.

Some health care professionals really like FGCs, said Hennessy, while some do not. “Individual power values are the hardest thing to overcome,” she said, adding, “People are afraid of losing their power.” But she said, the real question professionals must ask themselves is: “Do you believe children should be with their families? And should people have a say in their own lives?”

Essex County Council Child Protection Services (CPS) has seven senior practitioners and 20 independent coordinators and managers who deliver an average of 120 child welfare conferences per year in Essex County, said Hennessy. If a child is subject to care proceedings (i.e., a ward of the state), a lawyer asks for an FGC, but the case must go to court first. In the U.K., said Hennessy, information on a child subject to care proceedings can’t be disclosed without the court’s permission.

An FGC can be accomplished in Essex County in two ways, said Hennessy. It can be voluntary when the parents retain full responsibility for the child. When an FGC is offered as an option the family must be in agreement and explanation must be given about the process. If the risk to the child is high, i.e., in cases of serious injury, sexual abuse, fractures or shaken baby, the court makes the initial care order and the local authority is the lead decision maker. These cases usually involve younger children where there’s a strong possibility for adoption, said Hennessy, and the court can mandate that an FGC be held, even if the parents do not agree.

Hennessy cited the case of a family with two young children, both of whose parents had severe alcohol problems. The court determined that the children could not live with the parents and the referral came to CPS. The parents refused to attend the FGC, but the court mandated one anyway. The parents didn’t attend the conference, but the rest of the family came together.

"We knew there was an extended family out there," said Hennessy. The father had been married before and had older children whose information was important. In the end, both children were placed with a maternal aunt. This never would have happened without a court mandated FGC, said Hennessy.

Charles Clark is deputy chief constable of Essex County Police. He has been a police officer for 35 years and one of the lead chief police officers on youth justice issues in the U.K. for over 10 years. He has worked with the British Home Office on a range of policy development in relation to young people and was closely involved with the development of the Essex Family Group Conference Service.

The U.K. Crime and Disorder Act 1998 brought a statutory rigor to youth justice, expressing a clear and explicit aim toward prevention for the first time, said Clark. The introduction of Youth Offending Teams galvanized key players in the main statutory agencies — social services, probation, police, education and health — to work together on the prevention agenda. The Youth Justice Board of England and Wales was created to set national standards and targets and monitor performance.

The Essex police became interested in using FGC in youth justice because the model had proved successful in the child welfare arena. It was important that youth justice FGCs not be about punishment, but about changing people's behavior, said Clark. FGCs should not merely hold people to account, he said, but "set them up for a decent life in the future." However, Clark added, "When we asked for funding for the model, we not only wanted something that would feel good, but something that would give us hard-nosed results. The government held us accountable to reduce crime, too." The message, he said, is that FGCs "are not a soft option, but the toughest and most effective means of dealing with young people." It's much more difficult for youth to face up to what they've done than to simply be handed punishment, he said.

The Essex police, in conjunction with the Youth Justice Board, funded The Essex Family Group Conference, Young People Who Offend Project. The University of East Anglia provided a two-year independent evaluation of the project. Data was gathered from a small



**FGCs "are not a soft option, but the toughest and most effective means of dealing with young people."**

— Charles Clark

sample of 30 youth justice FGCs; the youth involved had offended at least three or four times and were at highest risk — on the verge of custodial sentences. The project's results were "spectacular," showing a "massive" reduction in reoffending rates, said Clark. Conventional youth justice approaches produce a 30 to 60 percent reoffending rate, while the project saw a reoffending rate of 7 percent after two years.

"I was skeptical when I first heard about the FGC process, but I was reassured and taken aback by the strength of the process," said Clark. He cited the case of a troubled young man who had burglarized residences of several elderly people. In foster care, the boy felt alienated and unloved and had fallen in with a bad crowd. Six months after the FGC, he was "very much on track," living with his aunt and uncle, attending school full time and speaking at FGC promotional events.

Private family time is an important part of the youth justice FGC model. The big issue, said Clark, is "What is the family going to do to help young people come through?" After

the family comes up with a plan, it is regularly monitored to ensure that it is being followed. Families find solutions that are lasting and effective in an environment where facilitators are trained to bring people together, said Clark. Facilitators are drawn mainly from professional agencies and can include social workers, probation officers, police officers and others. The main qualification for a facilitator is his or her value system, said Clark: a genuine belief that the family is the best decision-maker.

In the youth justice FGC model, victims and their supporters attend conferences, along with youth offenders and their supporters. Of victims who participated in the project, 90 percent expressed satisfaction with the process and said they thought that FGCs should be offered to everyone in a similar situation. Clark said he was fascinated to see the interaction between victims and offenders. He expected a good deal of anger on the part of the victims, but found, instead, that most victims were very sympathetic toward the young offenders. Victims didn't condone the offenders' actions, he said, but were glad to be allowed to chastise them and tell how the offense had affected them.

It is important, said Clark, that the FGC process be marketed effectively. One way is by stressing that FGCs are much more cost-effective than conventional measures. Also, stringent evaluation is essential. The outstanding evaluation obtained from the Essex youth justice FGC project has been an effective marketing tool with government agencies. Clark said that there is now interest in youth justice FGCs within the British Home Office and the House of Lords, and among senior cabinet officials, coinciding with the government's interest in restorative justice.

Another article in this series about family group conferencing will be appearing soon on the Restorative Practices eForum. ☉

*Karin Gunderson, featured above, will be a plenary speaker at the IIRP conference, Building a Global Alliance for Restorative Practices and Family Empowerment, in Veldhoven, the Netherlands, in August 2003. For more information, go to:*

<http://www.iirp.org/Pages/nl03advnot.html>