



Family Group Conferences

Coordinator Training

Beyond Social Services



- **Modules**

1. Principles of Restorative Justice and Family Group Conferences
2. Family Group Conference Role Play 1
3. Roles of the Coordinator and participants
4. Empowering the Family Group and Community Support Networks
5. Collaborating with Professionals
6. The Family Group Conference Plan
7. Facilitating the Family Group Conference
8. Family Group Conference Role Play 2



1. Principles of Restorative Justice and Family Group Conferences



- What is “Justice”?

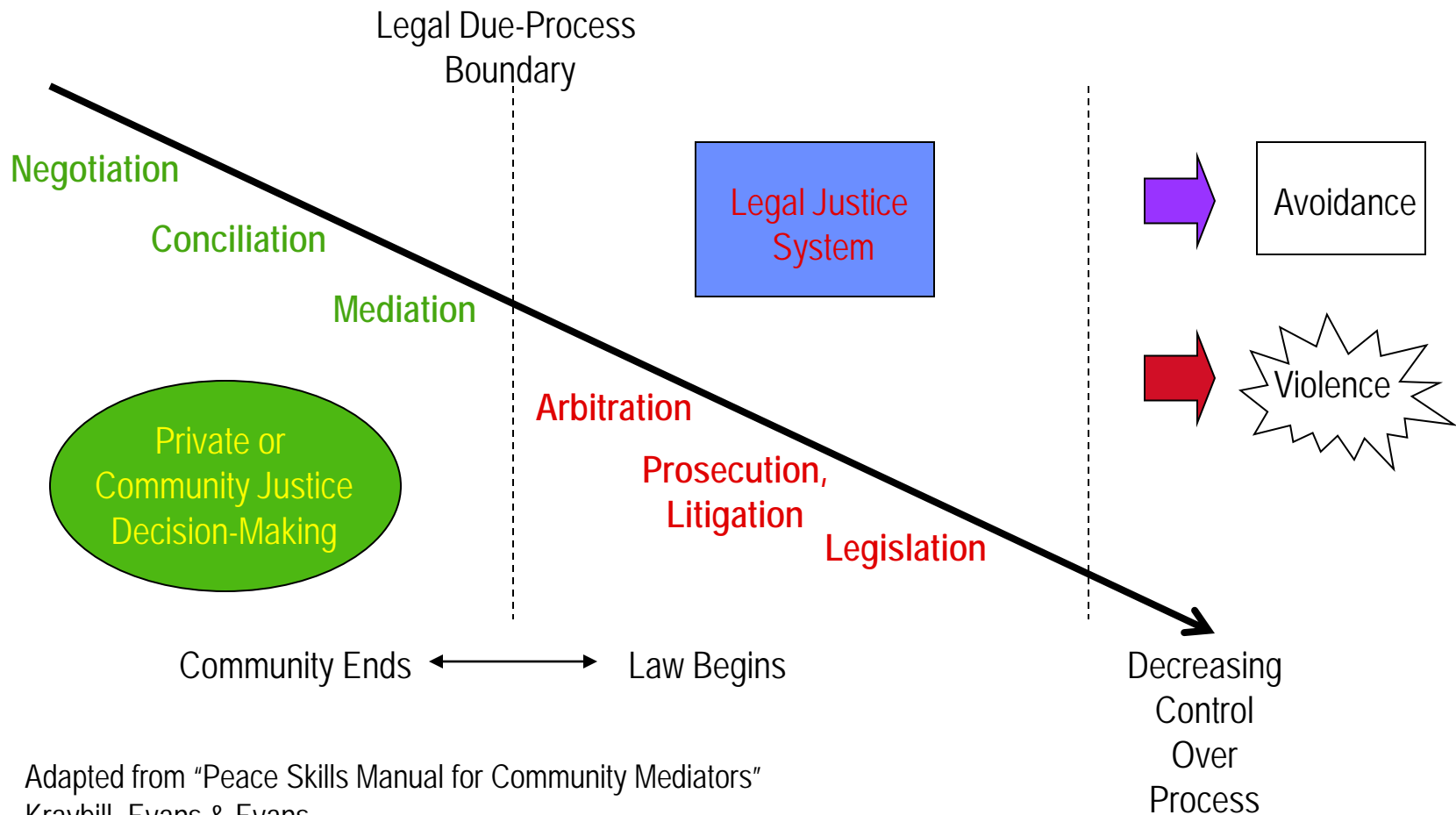




- Sources of Justice:
 - Harmony
 - Divine command
 - Natural law
 - Human creation
 - Authoritative command
 - Trickery
 - Mutual agreement



Approaches to Justice





PUNISHMENT - SOME ISSUES

- 'Traditional' Way - "You break the rules, you suffer the punishment!"
- Reasoning - "Do you understand why you're being punished?"
- Psycho-social Factors - "Go see the counsellor."



PUNISHMENT - SOME QUESTIONS

Why punish?

Who should be punished?

What punishment should they receive?

Justice is done ... or is it?

Punishment/Strong Intervention: a tool of behavioural change?

Where's the victim in this scheme?

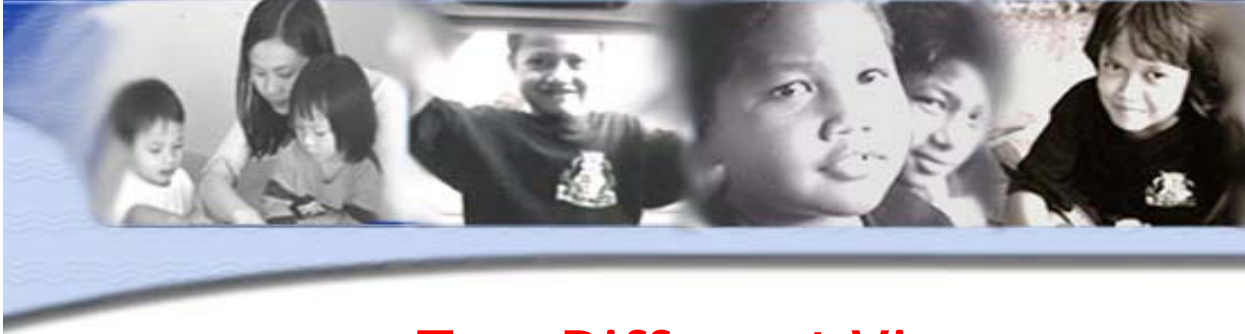
... the family?

... the community?



“Violence as a way of achieving racial justice is both impractical and immoral. It is impractical because it is a descending spiral ending in destruction for all. The old law of an eye for an eye leaves everybody blind. It is immoral because it seeks to humiliate the opponent rather than win his understanding; it seeks to annihilate rather than convert. Violence is immoral because it thrives on hatred rather than love. It destroys community and makes brotherhood impossible. It leaves society in monologue rather than dialogue. Violence ends by defeating itself. It creates bitterness in the survivors and brutality in the destroyers.”

Martin Luther King Jr, Stride Towards Freedom



Two Different Views

CRIMINAL JUSTICE

- Crime is a violation of the law and the state
- Violation creates guilt
- Justice requires the state to determine blame (guilt) and impose pain (punishment)

*Central focus :
offenders getting what
they deserve and
professionals taking
charge*

RESTORATIVE JUSTICE

- Crime is a violation of people and relationships
- Violation creates obligations
- Justice involves victims, offenders, and community members in an effort to put things right

*Central focus :
victim needs and offender
responsibility for repairing
harm within the community*



Three Different Questions

Criminal Justice

- What laws have been broken?
- Who did it?
- What do they deserve?

Restorative Justice

- Who has been hurt?
- What are their needs?
- Whose obligations are these?



Two Different Models

CHILD PROTECTION

- Best interests of the child are narrowly focused on protection of the child
- Law-led rather than discretion-led
- Assessment based on standardised tools
- Aims at objectivity
- Centred on difficulties and problems
- Treats difficulties as signals of risk
- Less readiness to intervene, but when it does, uses the full authority of the law behind it
- Individual rather than community oriented
- Remedial rather than preventive

*Central focus :
Protecting children from harm and
professionals taking charge*

CHILD WELFARE

- Best interests of the child are broadly defined to include the welfare of the family
- Discretion-based
- Assessment based on interaction between family and social workers
- Acknowledges different perspectives
- Considers strengths and resources
- Seeks to understand difficulties in order to find ways to provide support
- More readiness to intervene, but interventions seen in terms of benign 'helping' and support
- Community oriented
- Preventive rather than remedial

*Central focus :
Ensuring the welfare of children within
the community*



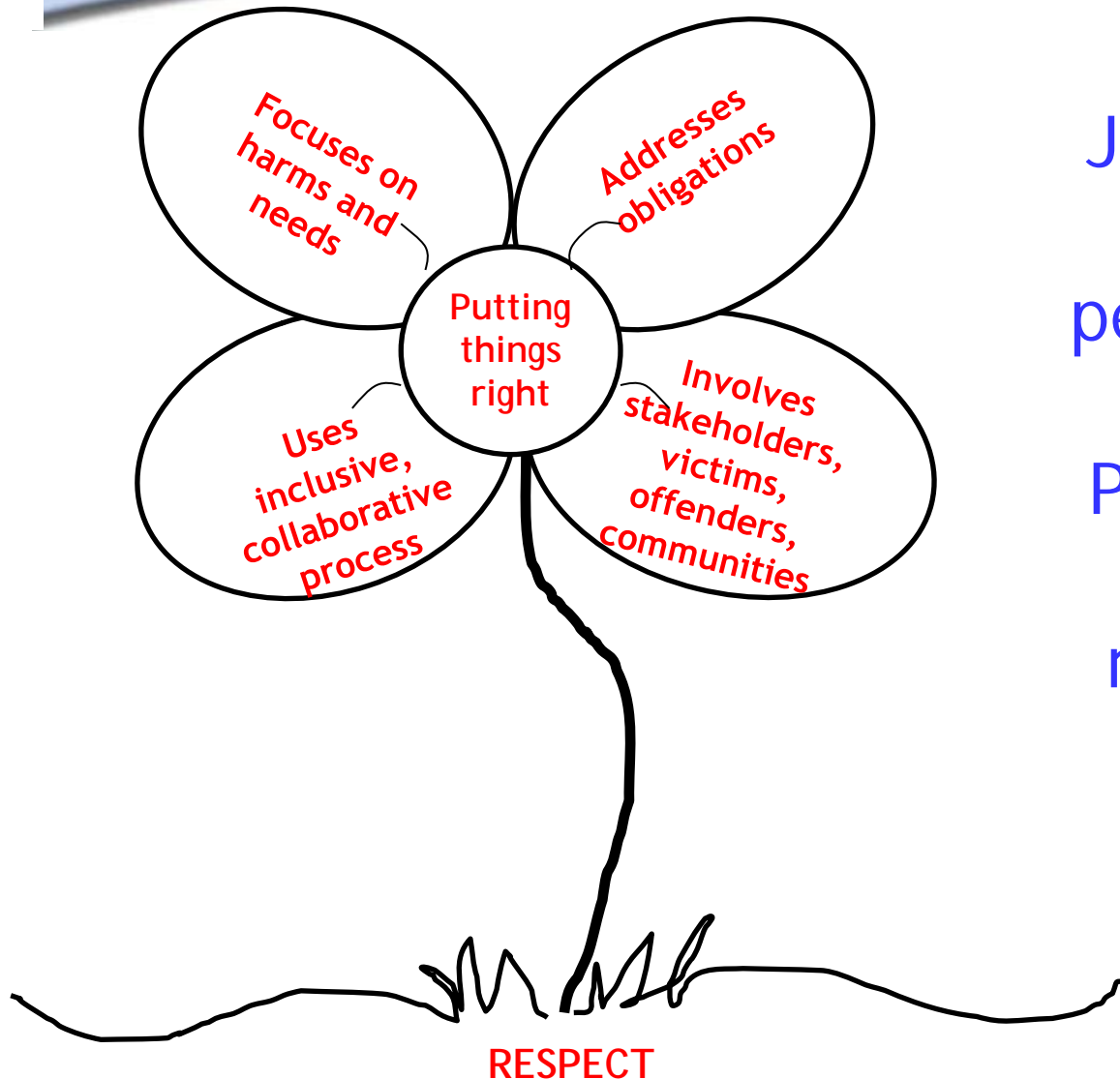
Three Different Questions

Child Protection Model

- According to the law, is the child in need of care and protection?
- What are the risks, difficulties and problems?
- What remedy to protect the child?

Child Welfare Model

- Within the context of the family, is the child in need of care and protection?
- What are the risks and protective factors, strengths and resources?
- What support is needed for the family to keep the child safe and well cared for within the community?



Restorative Justice can be seen as a 4 petalled flower centred on Putting Things Right, and rooted in the value of **RESPECT**



CONTINUUMS OF RESTORATIVE APPROACHES

- **C**ommunity Involvement
- **A**mends
- **R**eintegration
- **E**ngagement

Adapted from Restorative Justice Consortium 2003's "Statement of Restorative Justice Principles as applied in a school setting" by Lyndsey Sharp



CONTINUUMS OF RESTORATIVE APPROACHES

ENGAGEMENT

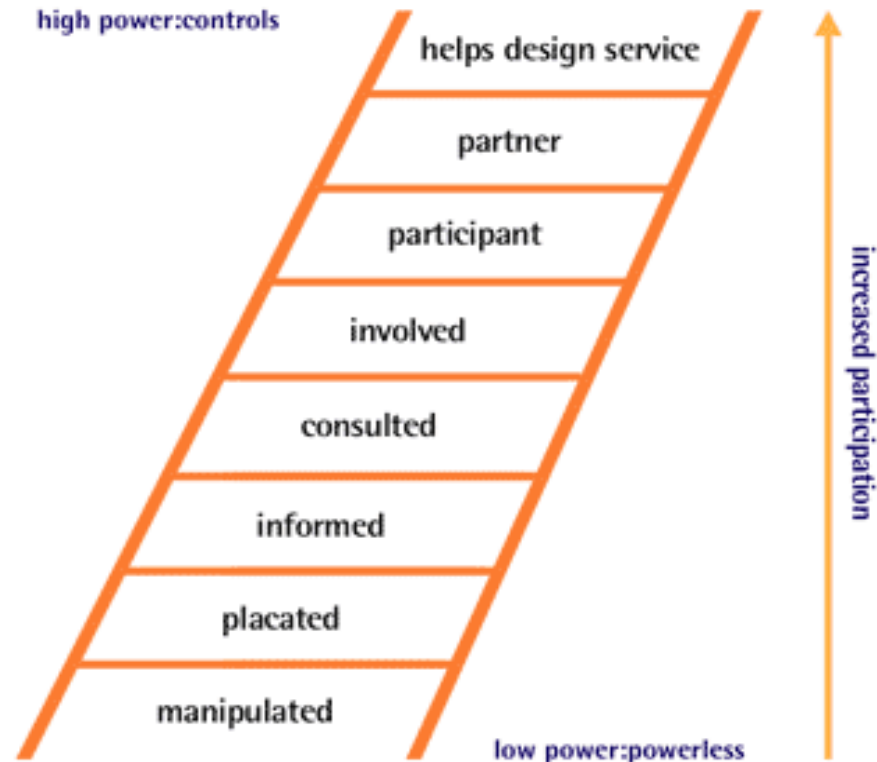
Opportunity to:

- meet
- dialogue/communicate
- agree

on a response to the harm done.

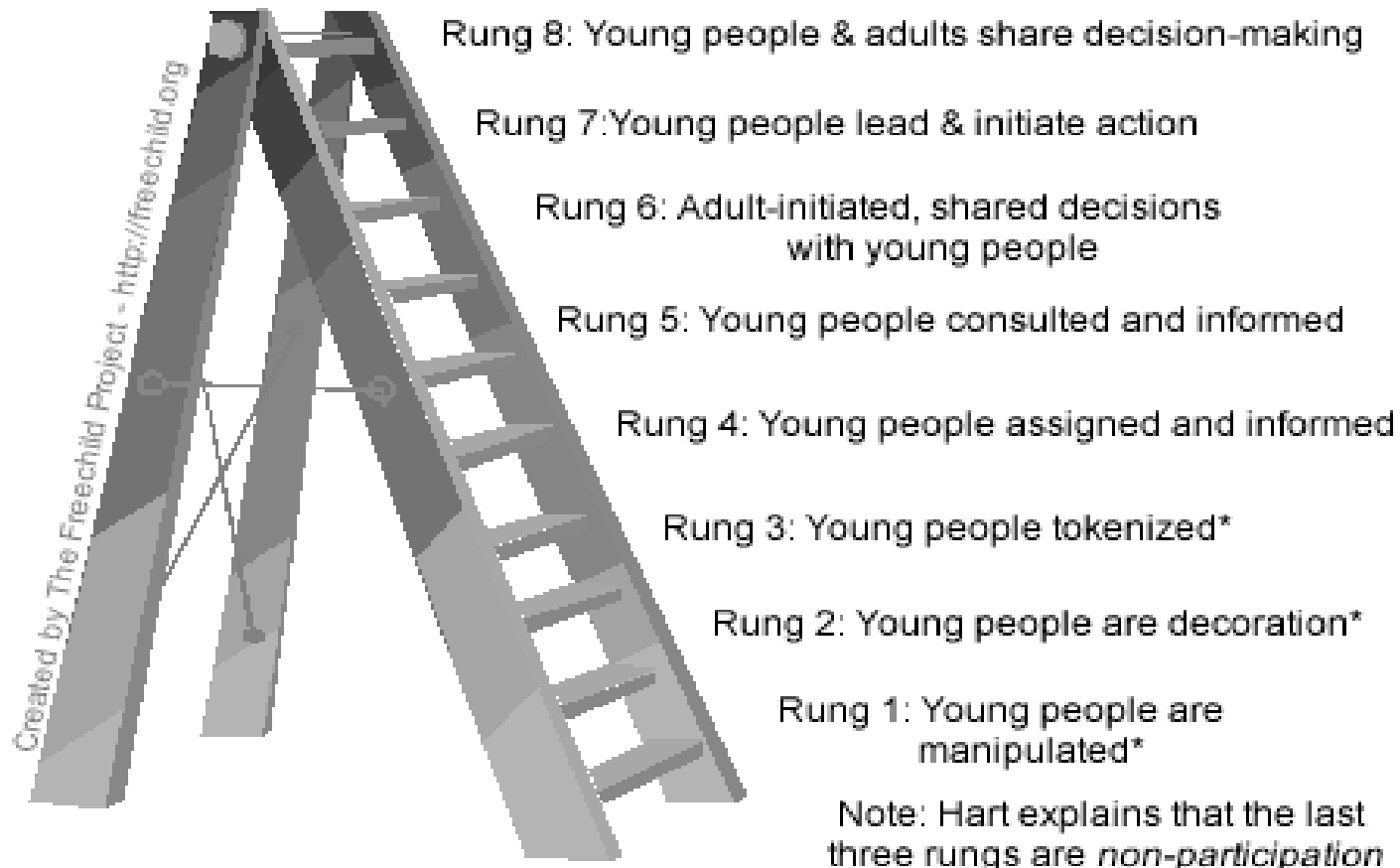


The ladder of participation





Roger Hart's Ladder of Young People's Participation



Adapted from Hart, R. (1992). *Children's Participation from Tokenism to Citizenship*.
Florence: UNICEF Innocenti Research Centre.



CONTINUUMS OF RESTORATIVE APPROACHES

AMENDS

Opportunity for offender to:

- put things right (reparation)
- apologise
- change with assistance & support in response to the harm done.



CONTINUUMS OF RESTORATIVE APPROACHES

(RE)INTEGRATION

The Stakeholder Community responds with:

- respect
- assistance & support

to those harmed, those causing harm and the community (victims & offenders & community).



CONTINUUMS OF RESTORATIVE APPROACHES

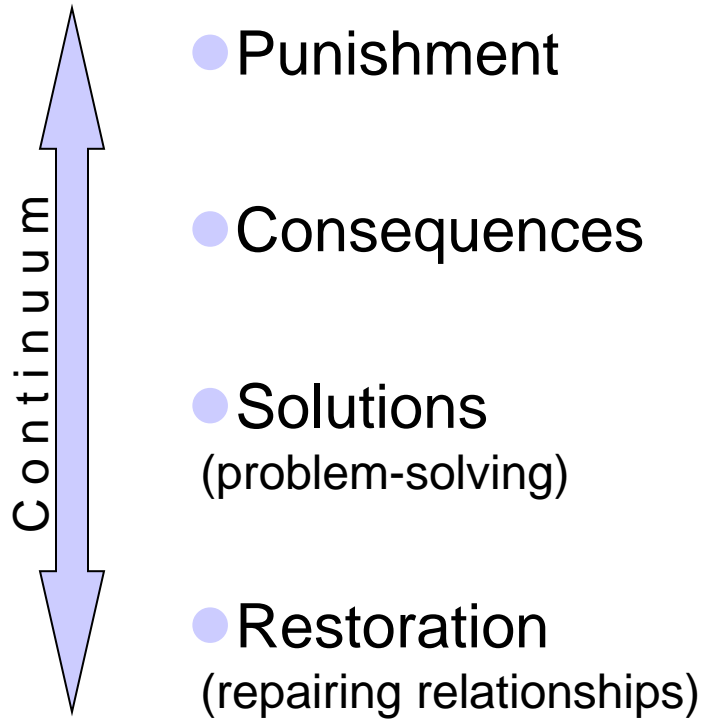
COMMUNITY INVOLVEMENT

The Larger Community:

- invites learning & participation in
 - acknowledges & acts on interest in
 - offers as alternatives to tradition ways of dealing with conflict,
- restorative values, measures and processes.



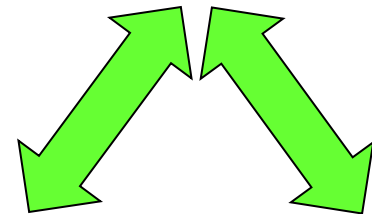
Restorative Discipline Ladder



Top-down Control



or



Respectful
Restoration

Adapted from The Little Book of Restorative Discipline for Schools by Lorraine S Amstutz & Judy H Mullet



FAMILY GROUP CONFERENCES:

What is a Juvenile Justice Family Group Conference?

It is a decision-making meeting for:

- young person who has offended
- family group of the young person
- victim/s
- professionals involved

The objective is:

- for the family group to decide how the young person can be held accountable
- for the young person to take responsibility for his or her behaviour - by putting things right
- a focus on righting the wrong, rather than on punishment, taking the victim's interests into consideration



FAMILY GROUP CONFERENCES:

What is a Care & Protection Family Group Conference?

It is a decision-making meeting for:

- child/young person at risk of abuse
- family group of the child/young person
- helping agencies and professionals involved

The objective is:

- for the family group to discuss and plan what can be done to make sure the family's child/young person is safe and well cared for
- a focus on the best interests of the child and helping agencies and professionals working together with family for the well being of the child



FAMILY GROUP CONFERENCES:

A Restorative Process - a Tool, not a Destination

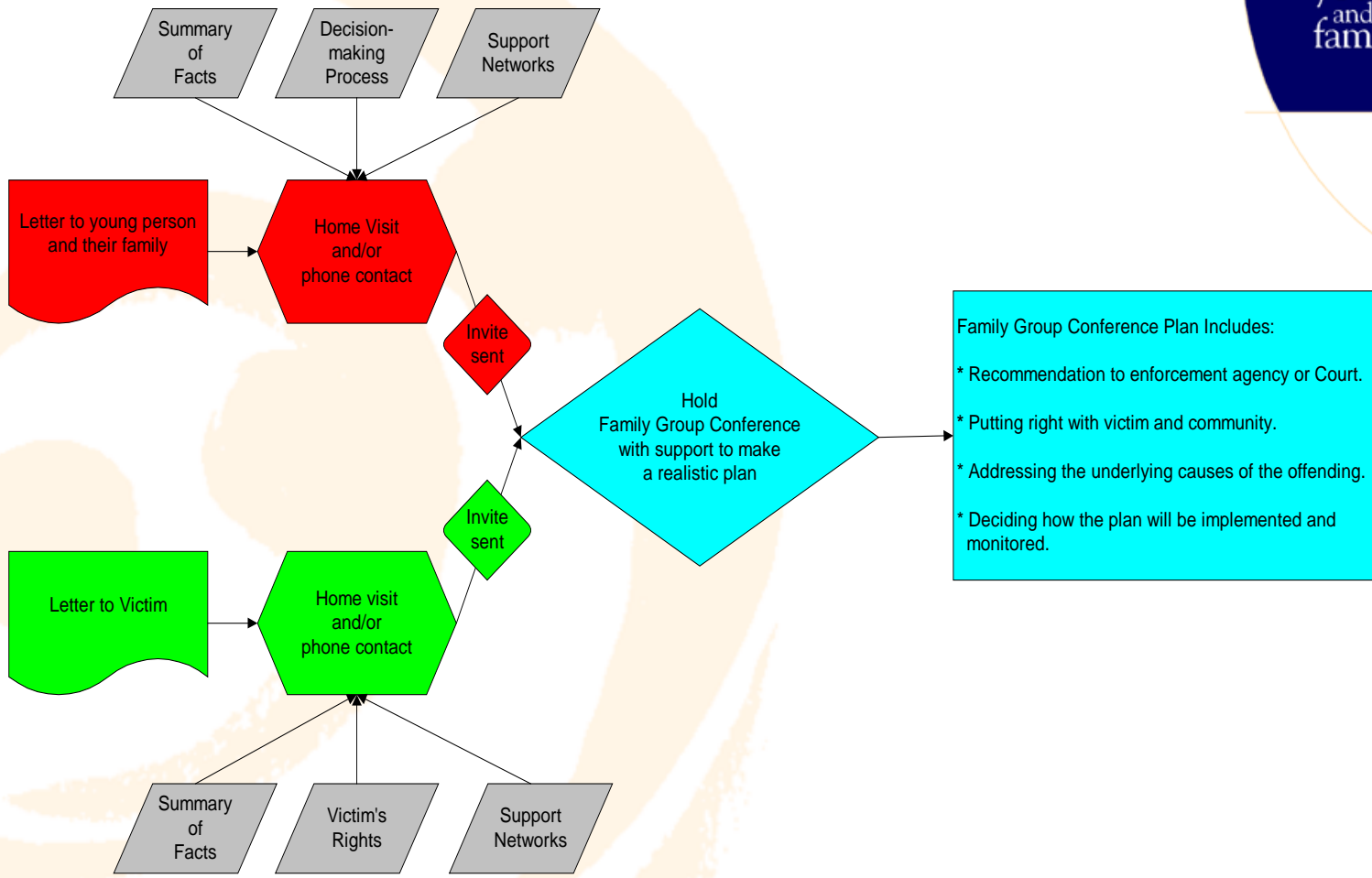
Don't get trapped! Family Group Conferencing is a tool that empowers families to solve their own conflicts and take responsibility for their own lives.

It is NOT:

- therapy or counselling
- adjudication
- arbitration
- mediation
- negotiation

It is not an end in itself. It is often a beginning for families to realise that with support, they can resolve their own difficulties themselves.

The Conference Process





FAMILY GROUP CONFERENCES

Goals (Care & Protection)

- diversion
- accountability
- child participation
- family empowerment
- consensus decision-making
- cultural appropriateness
- due process

From The Little Book of
Family Group Conferences,
New Zealand Style by
Allan MacRae & Howard Zehr



FAMILY GROUP CONFERENCES

Principles (Care & Protection)

- Avoid legal/court proceedings
- Don't use the legal justice system for assistance or welfare
- Strengthen families to keep child safe and well cared for within the family
- Keep the child in the community
- Take the age of the child into account
- Use least disruptive option to promote development
- Consider best interests of the child, including the interests of the family

From The Little Book of
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- Our Helping Principles
 - We must not act on behalf of clients where there is a potential conflict of interest.
 - It is in the best interests of children to remain with their families or natural support groups. Residential care must always be a short-term arrangement.
 - Help should build on people's strengths and not simply remedy their weaknesses.
 - A helping relationship is a respectful partnership between us and the people we engage.
 - Social problems are best resolved within the community and we avoid criminal or judicial proceedings where possible.
 - The essence of family life is co-operation, not togetherness.



- Best Interests of the Child – what's that in care & protection cases?
 - Children and young persons must be protected from harm, their rights upheld and their welfare promoted.
 - The primary role in caring for and protecting a child or young person lies with the child's or young person's family and family group. Accordingly:
 - a child or young person's family and family group should be supported, assisted and protected as much as possible; and
 - intervention into family life should be the minimum necessary to ensure a child's or young person's safety and protection.
 - It is desirable for a child or young person to live with his or her family and family group, and that his or her education, training or employment be allowed to continue without interruption or disturbance.
 - Where a child or young person is considered to be in need of care or protection, wherever practicable, the necessary assistance and support should be provided to enable the child or young person to be cared for and protected within his or her own family and family group.



- Best Interests of the Child – what's that in juvenile justice cases?
 - Criminal proceedings against a child or young person should be avoided if there is an alternative means of dealing with the matter.
 - Criminal proceedings should not be instituted against a child or young person solely in order to provide assistance.
 - Any measures for dealing with offending by children or young persons should be designed:
 - to strengthen the family and family group of the child or young person concerned; and
 - to foster the ability of families and family groups to develop their own means of dealing with offending by their children and young persons.
 - Children and young persons who commit offences should be kept in the community so far as that is practicable.
 - The age of the child or young person should be considered in deciding whether to impose and the nature of any such sanctions.
 - Measures imposed should maintain and promote the healthy development of the child or young person, and be the least restrictive form appropriate.
 - Take into consideration the interests of any victims of the offending.



FAMILY GROUP CONFERENCES: PREPARATORY STAGE

Family Group Conference Co-ordinator:

- checks if young person admits delinquent behaviour
- engages, consults family group in designing the process
- builds family support
- rallies community support
- consults, considers victim interests

Professionals:

- relevant staff liaise with Co-ordinator
- consider what needs to be done to resolve matter
- consider what support & resources can be offered



FAMILY GROUP CONFERENCES: IMPLEMENTATION STAGE

Co-ordinator convenes the Family Group Conference.

At the conference:

- ❖ introductions
- ❖ information sharing & dialogue
 - summary of facts
 - harm done
 - what needs to be done to resolve the matter
 - support/resources available
- ❖ private family time
- ❖ the plan
- ❖ reaching consensus



FAMILY GROUP CONFERENCES: MONITORING STAGE

- Young person & family group put FGC plan into action
- Co-ordinator checks on the progress of family putting FGC plan into action
- Co-ordinator ensures stakeholders' continued commitment
- Professionals monitor progress of young person & family group



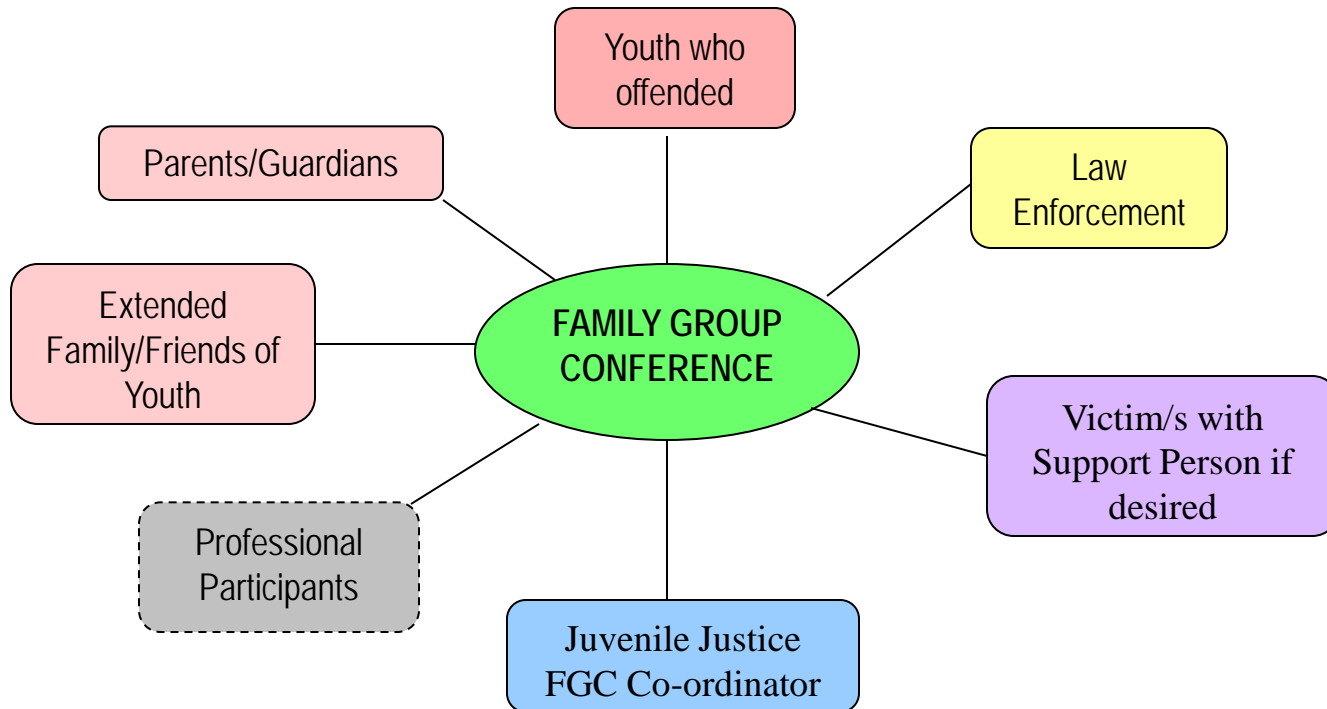
2. Family Group Conference Role Play 1



3. Roles of the Family Group Conference Coordinator and Participants

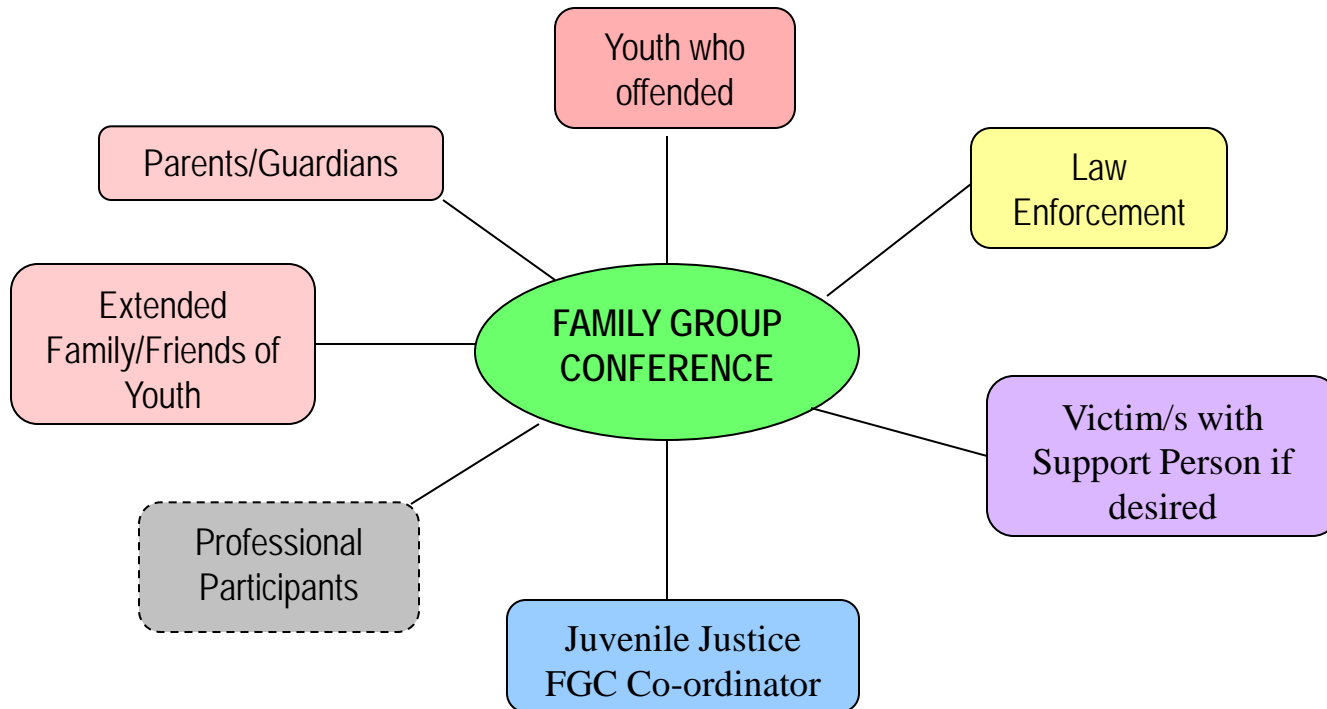


- Who attends the Family Group Conference?





- Who attends the Family Group Conference?





- **Conflicting Perspectives!**
 - What is **CONFLICT**?
 - What is YOUR understanding of conflict?
 - What is YOUR attitude towards conflict?
 - How do YOU respond to conflict?
 - **FIGHT** >>> **FLIGHT** >>> *FREEZE*
 - **CoNfLiCt iN mAnY LaNgUaGeS**



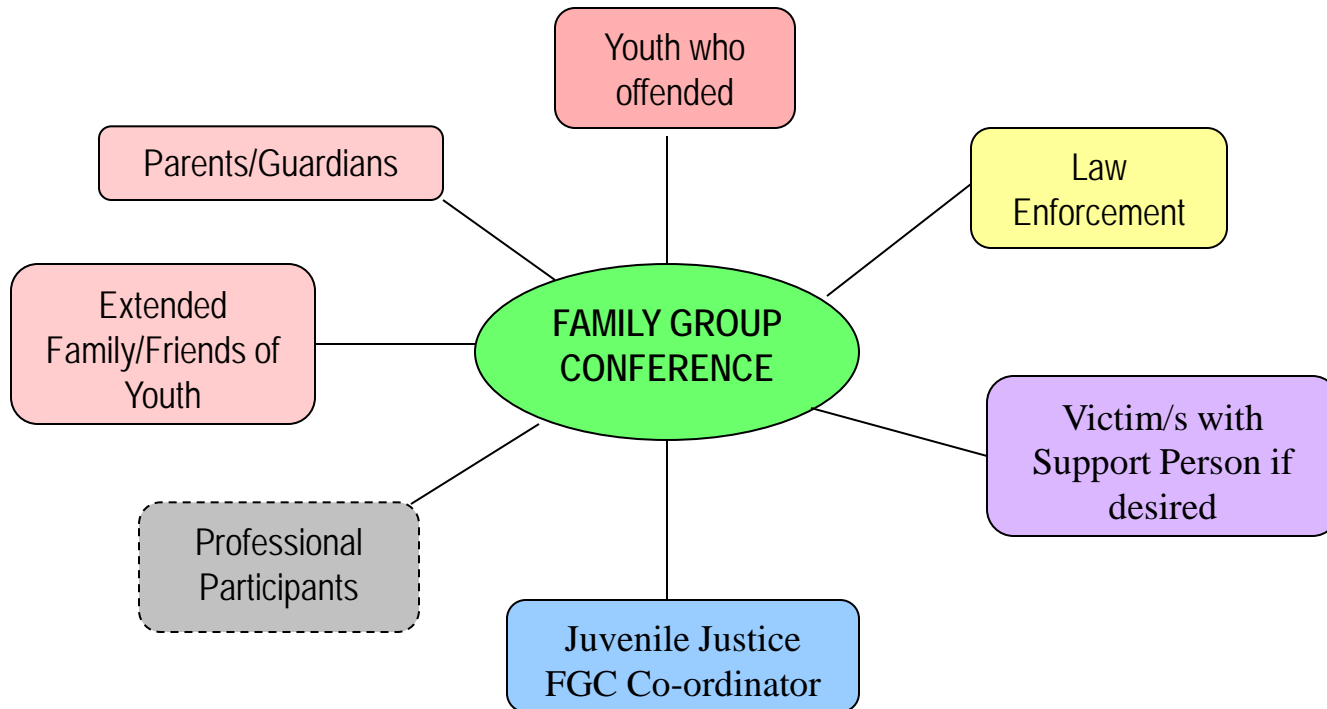
- Family Group Conferencing is Conflict ...
 - Management ... ?
 - Resolution ... ?
 - Transformation!
 - Empowerment – developing potential & taking responsibility for own lives and problems
 - Recognition – expanding capacity to accept and respect the value and dignity of others



- Conflict – Abnormal? Wrong? Failure? Destructive?
- Empathy & Compassion
- Trust & Safety
- Neutral or Impartial – is there a difference?
- Empowerment & Recognition
- Keep the Focus!
- Keeper of the Principles
- Link between the System and Life World of Family
- Facilitator of the Family Group Conference Process
- Trust the Process!

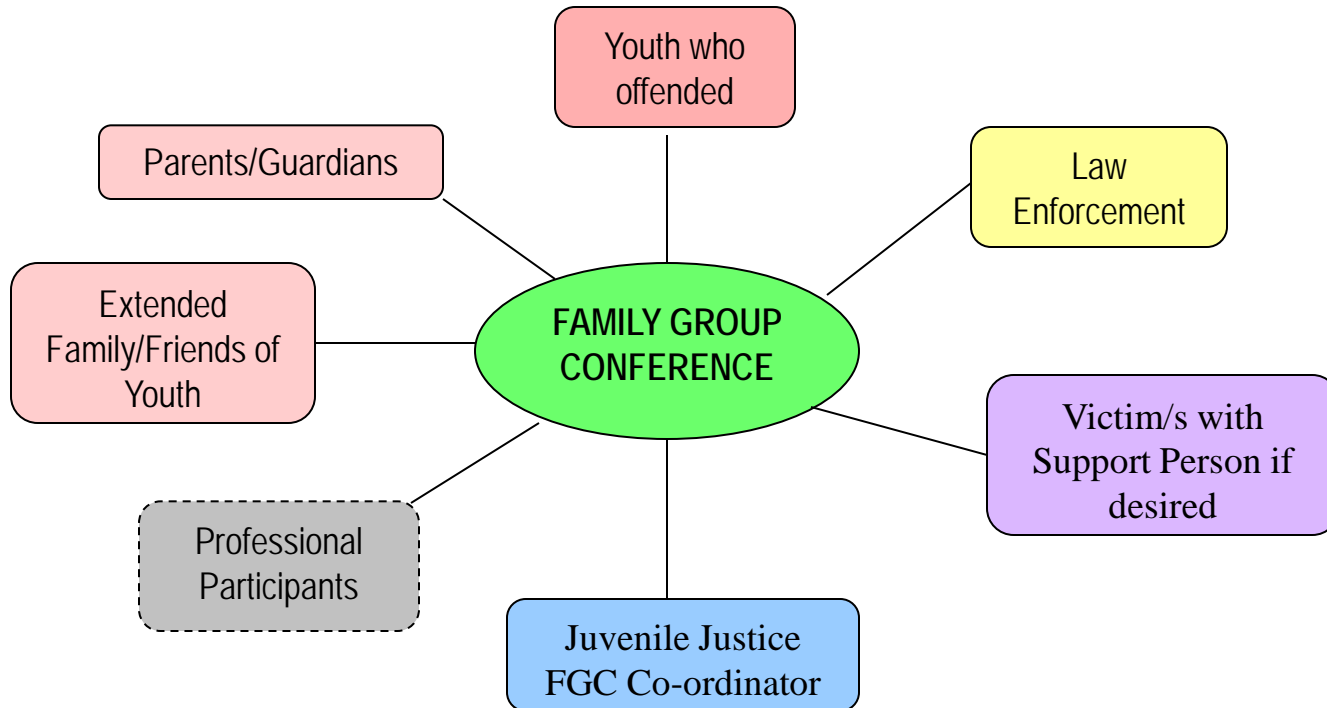


● Who attends the Family Group Conference?



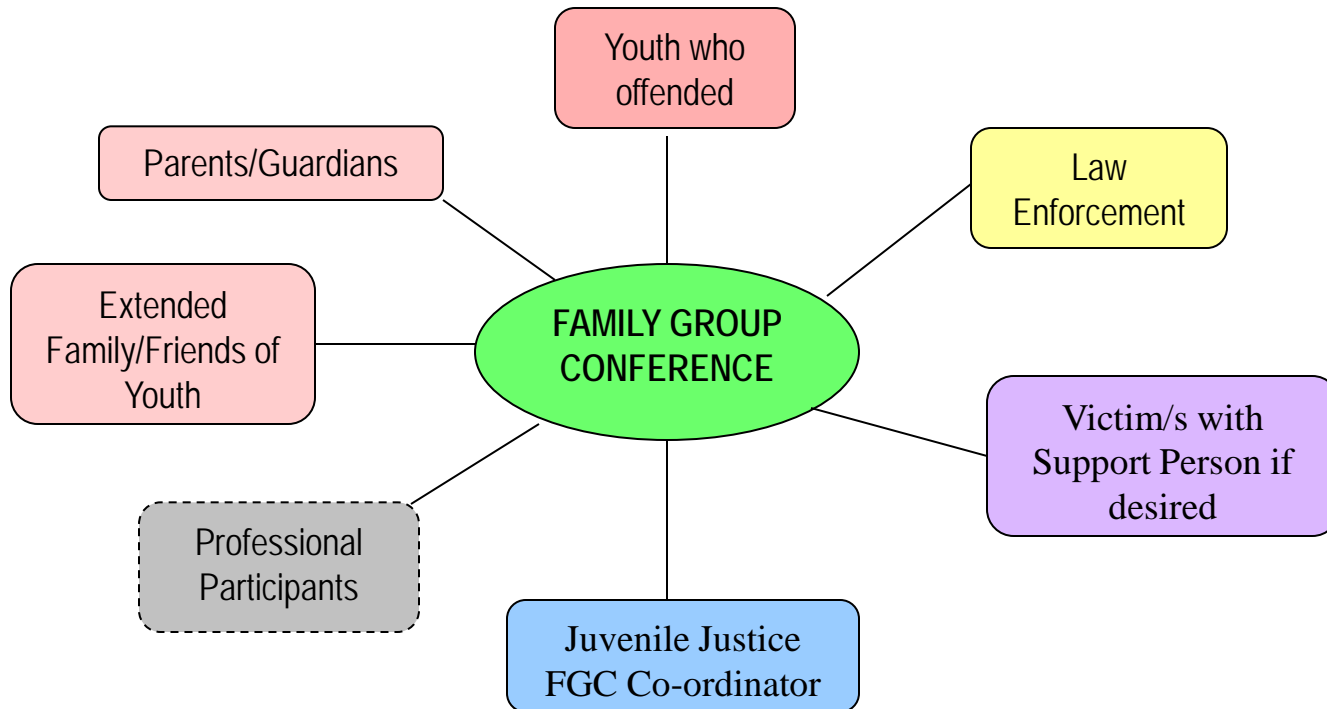


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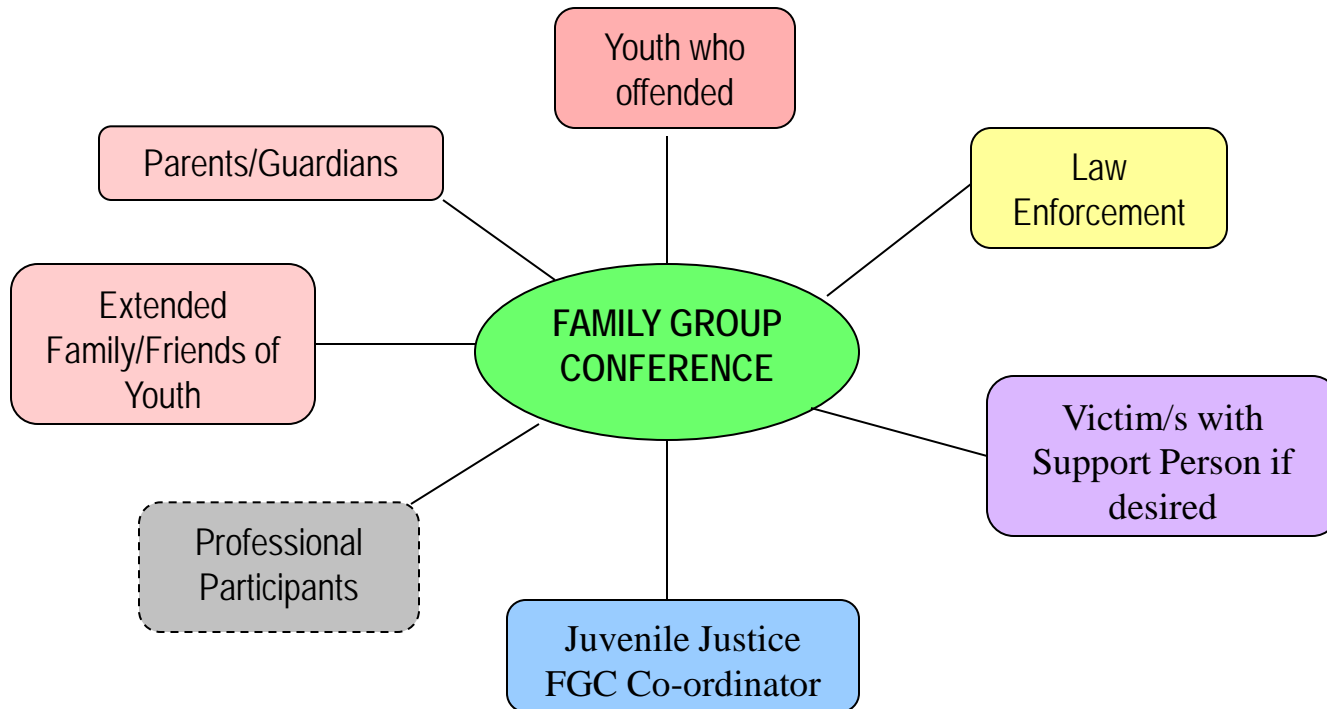


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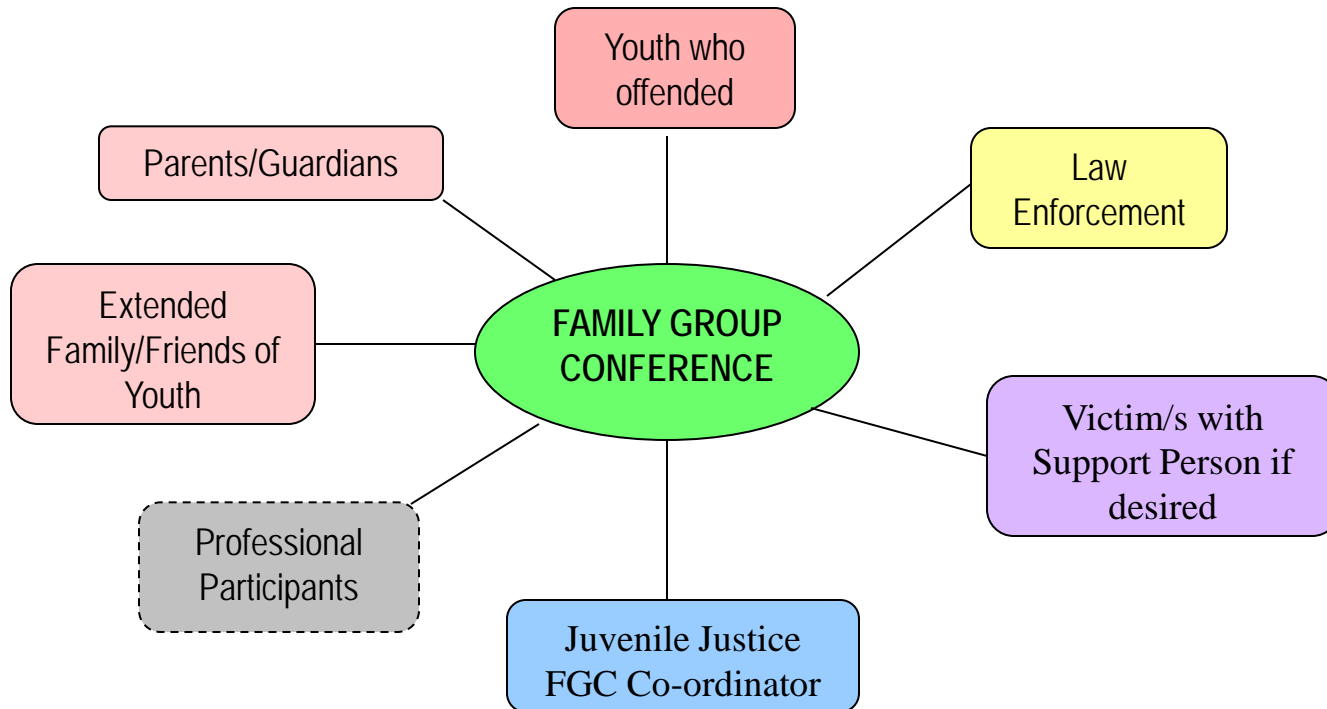


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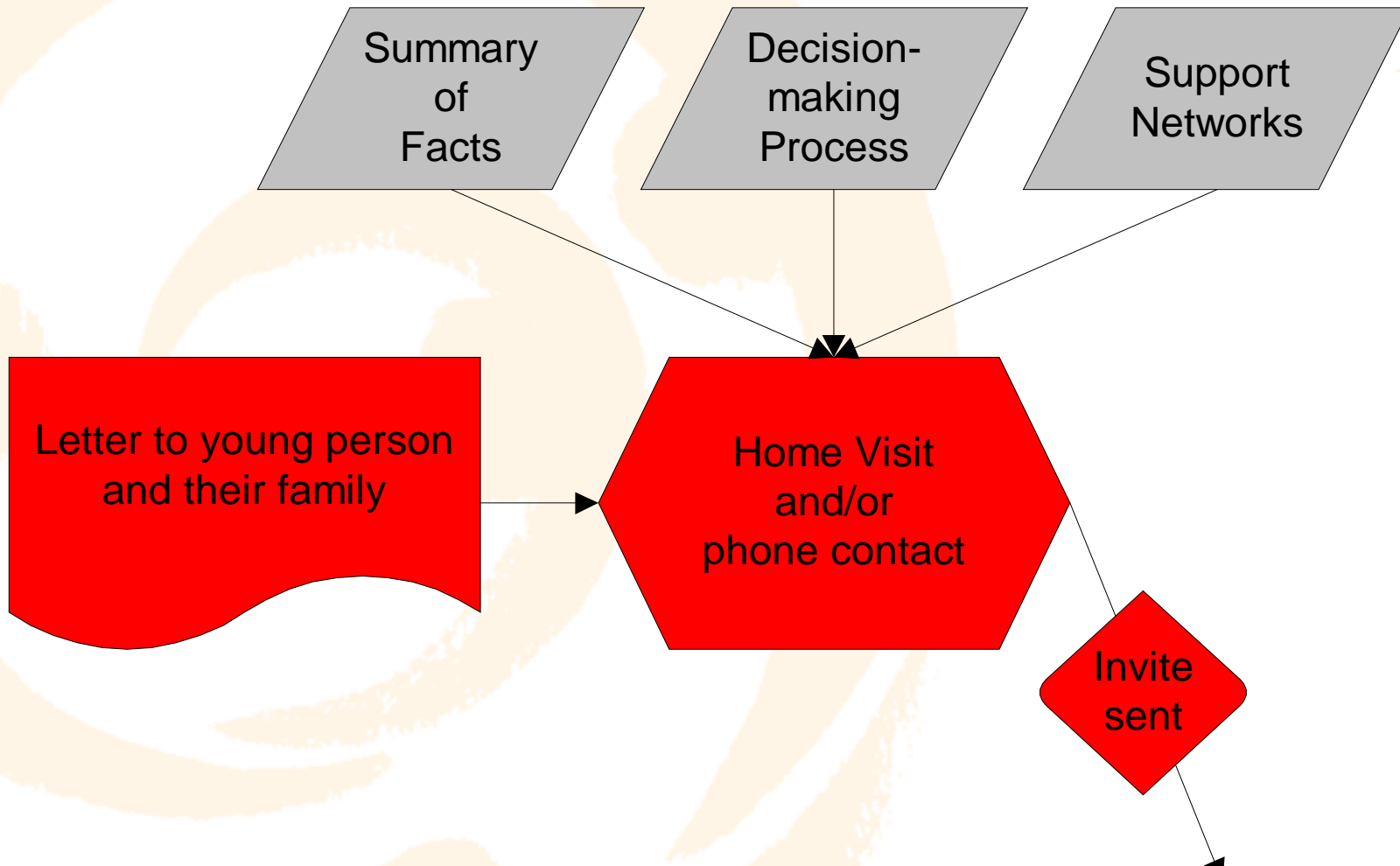
- Who attends the Family Group Conference?





4. Empowering the Family Group, (Victims) and Community Support Networks

Working with the Family





- Empowering the Family
 - Give information before you visit or contact them by phone
 - Meet to consult with them on the process
 - Help them establish what resources they may need within their extended family and community



- Empowering the Family – Information Sharing
 - Inform family of the facts of the case
 - Inform them where the case sits in the official system
 - Explain where the case could go and the impacts associated with that
 - Explain the rights of all parties involved

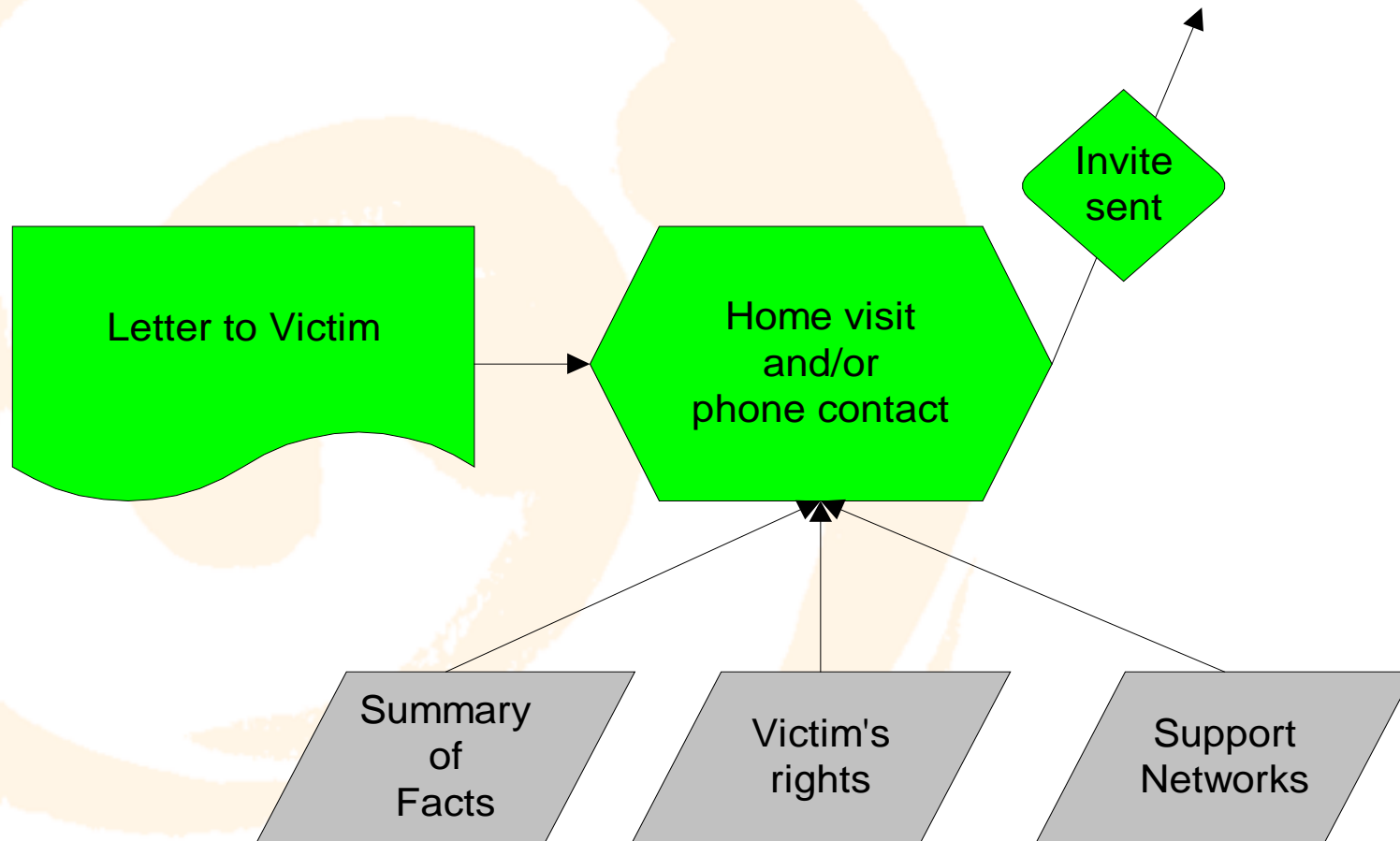


- Empowering the Family – on the Decision-Making Process
 - Consult with the Family:
 - Time, Date & Venue
 - How will the conference start
 - The format the conference will follow
 - The value of taking private family time
 - How will they look after the victim's/child's interests
 - The Principles that will guide the process



- Empowering the Family – Support Networks
 - Find out about extended family and their support networks
 - Identify outstanding needs and try to match them to community resources
 - Make arrangements for them to meet the possible support, preferably prior to the conference

Working with the Victim





- Empowering the Victim
 - Send them written information to consider
 - Meet with them to explain their rights
 - Let them choose how they want to be involved
 - Advise them of available support



- Empowering the Victim – Information Sharing

- What process has the offender's family decided upon
- Find out the impacts the offending had on the victim
- What date, time and venue suits the victim
- How will the victim be looked after in the process



- Empowering the Victim –
Victim's Rights
 - Not to have anything to do with the conference
 - To have information shared on their behalf
 - To be represented by another person
 - To attend and share the impacts of what happened
 - To agree or disagree with any proposed plan when in attendance



- Empowering the Victim – Support Networks
 - Family members
 - Family friends / colleagues
 - Counsellor
 - Others?



5. Collaborating with Professionals



6. The Family Group Conference Plan



● Family Group Conference Plan

○ System Issues

- recommendation to referring agency as to settlement of matter

○ Reparation

- righting the wrong

○ Prevention

- addressing underlying causes

○ Monitoring

- specifically who does what, how, where and when



● Family Group Conference Plan

- S.
- M
- A.

- R.
- T.



- Planning Stages

- *Could you?*
- *Would you?*
- *Will you?*

- Commitment Levels

1. "I don't even want to be here!"
2. "If _____, then okay lah." "Maybe."
3. "I'll try." "Try lah."
4. "I'll try my best."
5. "I'll do what it takes."



The FIVE LANGUAGES of APOLOGY

- Expressing Regret
 - *“I am sorry”*
- Accepting Responsibility
 - *“I was wrong”*
- Making Restitution
 - *“What can I do to make it right?”*
- Genuinely Repenting
 - *“I’ll try not to do that again”*
- Requesting Forgiveness
 - *“Will you please forgive me?”*



7. Facilitating the Family Group Conference

Material from *Peace Skills Manual for Community Mediators*
by R.S. Kraybill with R.A. Evans & A.F. Evans



FAMILY GROUP CONFERENCES: IMPLEMENTATION STAGE

Co-ordinator convenes the Family Group Conference.

At the conference:

- ❖ introductions (Stage 1)
- ❖ information sharing & dialogue (Stage 2: Story Telling)
 - summary of facts
 - harm done
 - what needs to be done to resolve the matter
 - support/resources available
- ❖ private family time } (Stage 3: Problem Solving)
- ❖ the plan }
- ❖ reaching consensus (Stage 4: Agreement)



- Facilitation Skills Tool Kit
 - Problem-Oriented Activities
 - People-Oriented Activities
 - Process-Oriented Activities

- Inspect YOUR Tool Kit!
 - what focus do you begin with?
 - which do you find easier or more natural to do?



- **Providing Safety**
 - Timeliness
 - Physical Space
 - Establish a Sense of Safety
- **Introductions**
 - Welcome & greetings
 - Names
 - Describing the meeting process
 - Explaining FGC Coordinator's Role
 - Ground Rules



- Problem-Oriented Activities
 - clarify the issues
 - identify common concerns
 - focus & re-focus – priorities, interests (rather than demands), points of agreement
 - generate, evaluate & choose options
 - define the problem
 - separate symptoms from causes
 - steer away from the blame game



- People-Oriented Activities
 - Attend to the emotions
 - Listen so people feel heard
 - Paraphrasing
 - Summarising
 - Listening to the body-language
 - Point out common ground
 - Acknowledge good intentions
 - Encourage dialogue and participants directly speaking to each other, hearing each other



- Process-Oriented Activities
 - Know the process!
 - Improving the process of interaction
 - improve communication
 - change sequence of discussions
 - talk about the process itself
 - ground rules



- Language in Facilitation
 - Move from generalities to specifics
 - Launder strong emotional language
 - Hearing hidden offers
- Questions, Statements & Trust
 - Who? Why? What? When? How?
 - Describe, clarify, say more about ...



- Emotions in Conflict
 - Accept & Acknowledge Emotions
 - Set Ground Rules
 - Create a safe structure for dialogue – taking turns, talking piece
 - Caucus
 - Take a Kit-Kat break
 - End the meeting



- Dealing with Interruptions
 - “No interruptions” ground rule
 - Pen & paper for interrupter to make notes, or for everyone from the start
 - Talking piece
- Dealing with Provocative Statements
 - “John, I know you have a different perspective. We want to hear your views as well in a few minutes.”
 - Soften or launder provocative comments
 - Ask for specific examples
 - Recommit to ground rule of “respect” or propose fresh ground rule
 - Caucus
 - Take a break



8. Family Group Conference Role Play 2