Professional Perceptions on Family Group Conferencing

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ABSTRACT

Family Group Conferences are used as a tool for producing a victim, offender, family, and community response to crime and the effects of crime. Professionals utilizing the process encompass a diverse number of perceptions on Family Group Conferencing. The main focus appears to lie on the safety of the victim and the preparation and professionalism of the facilitator.

Introduction

Family Group Conferencing is an integral part of the new paradigm of Restorative Justice. Restorative Justice is an approach to crime that is constructed of three basic elements (McElrea, 1996). First, crime is viewed as a conflict between individuals that results in injuries to victims, communities, and the offenders themselves, and only secondarily as a violation against the state. Second, the aim of the criminal justice process should be to create peace in communities by reconciling the parties and repairing the injuries caused by the dispute. Third, the criminal justice process should facilitate active participation by victims, offenders, and their communities in order to find solutions to the conflict. Family Group Conferencing is considered an alternative to jail time. If offenders complete a Family Group Conferencing program, no incarceration time is served.

Family Group Conferences provide a forum for those most affected by an incident of crime to sit down together and honestly address the incident and the related concerns. Family Group Conferences help to create a safe and supportive environment where participants, including the victim, offender, and their families, are included in the decision making process of how to best deal with the offenders behavior. All persons involved are able to openly voice their concerns about their expectations for the outcome of the conference.

Family Group Conferences allow victims to resolve issues. Victims are encouraged to explore the variety of ways they have been harmed by the specific victimizing behavior. They are given the
opportunity to express their feelings about the experiences they have endured, their reactions to the experience, and their concerns for the future (Umbreit and Zehr, 1996). The Family Group Conference strongly emphasizes the physical and emotional safety of the victim and offender by allowing them to meet with a facilitator in a neutral setting. The Family Group Conference also emphasizes acknowledgment of the harm done to the victim, their family, and the community.

Family Group Conferences allow offenders to move beyond their inappropriate behavior, discard the offender label, and return to their community. The goal for the offender is to begin to take ownership for their victimizing behavior, as well as to gain a greater understanding of the variety of ways people have been harmed by his or her actions (Burford, Pennel, & MacLeod, 1995).

This study is designed to determine the current perception professionals have regarding Family Group Conferences. Professionals involved in Family Group Conferencing are likely to find the use of this process more appropriate in some types of cases than others. This project is based on the principles of Family Group Conferencing, a non-governmental family grounded alternative to the criminal justice system. Strengths include: acknowledging the effects of crime on families and supporting families in the decision-making process.

**Literature Review**

Family Group Conferencing is a way of securing the active involvement of families, friends, and communities, and to help each of them take responsibility for the harm caused by crime in society (Burford, Pennel, & MacLeod, 1995). There are inherent concerns within the process of Family Group Conferencing. The first concern is the definition of a Family Group Conference. The next concern is the preparation of the participants including the family, the victim, the offender, and the facilitator.

*Family Group Conference*

The Family Group Conferencing process is disarmingly simple (Moore, 1993). Although there are different models in operation in different jurisdictions (Morris & Maxwell, 1998), a Family Group Conference is a particular kind of meeting between victims and offenders of crime, their families, and community members. The process begins with a referral from a court, moves to a conference involving a facilitator, the victim, offender, and community members, and involves monitoring and evaluation by the facilitator. The objective is to provide an opportunity for the victim,
offender, both of their families, and community members to resolve issues relating to the crime that has been perpetrated by the offender. For example, at this meeting, the family can develop a plan to stop the abuse or ill-treatment among its members. The Family Group Conference involves family and friends in resolving issues rather than leaving the decision-making entirely in the hands of the legal authorities and other service providers (Burford, Pennel, & MacLeod, 1995). The focus of this model in the United States and elsewhere is in educating the offender (Umbreit & Zehr, 1997). The meeting, however, is not a free-for-all. Participants are given a great deal of preparation, support, and protection. Agencies refer families to the process because they are concerned about the protection and care of some family members and because they are prepared to support the families in taking the initiative for formulating a plan to prevent further harm or abuse (Burford, Pennel, & MacLeod, 1995).

An effective Family Group Conference brings into focus for the offender the disappointment of his or her family, friends, and community, as well as the victim and his or her family, friends, and community. The process places emphasis on the seriousness of the offending behavior to minimize the likelihood of recidivism. It also addresses the issue of family and community accountability, focusing on the role each plays in the crime (Moore & O’Connell, 1995). The process focuses on causing more serious thinking about the consequences of inappropriate behavior. The Family Group Conference provides the opportunity for integration back into the family or community. The agreements reached clarify specific ways to right the wrong or heal the harm and to reduce the victim’s, the offender’s, their families’, and community members’ feelings of alienation and hurt. The goal is to enhance the offender’s feelings of connectedness, care, and social consciousness to reduce the possibility of future victimizing behavior (Taylor & Kummery, 1996).

**Participant Preparation**

According to Umbreit and Zehr (1996), one of the main concerns in the Family Group Conference process is in the preparation of the participants. The participants include the victim and offender as well as family and community members of both. Preparing the primary parties, before the joint conference, is crucial to the process of building rapport and trust with the involved parties. It is a necessity that participants are prepared for participation in dialogue in which the facilitator does not dominate the conversation. The facilitator will instead be assessing the victim and offenders needs and gaining a human context of the crime that occurred. Having the facilitator meet in person with the parties before a joint meeting has long been recognized by most victim-offender mediation
programs as the preferred process. These meetings are important because they humanize the process in such a manner that the parties feel safe and prepared to attend and participate freely in a genuine, honest dialogue.

There are a number of guidelines for professional practice regarding the preparation of the participants for the Family Group Conference. Despite some differences in emphasis, there seems to be considerable agreement about many of these characteristics (Hudson, Galaway, Morris, & Maxwell, 1998). These include:

- ensuring the professionals involved in the conferences are committed to the goals and philosophy of Family Group Conferencing;
- ensuring the professionals are trained and skilled in ways appropriate to the culture of the participants, cultural sensitivity is a primary concern of this process;
- ensuring the attendance of those who are important in the victim and offenders life and who can and will contribute to each individual’s future;
- briefing participants about what will occur, their role and involvement in the process, and providing appropriate information on which they can base decisions during the Family Group Conference;
- providing an environment in which those present feel comfortable;
- allowing participants to have a real say in the process, to participate fully, to understand what is taking place at all times, and to have control over their participation;
- ensuring participants have help and encouragement to say what is important to them;
- ensuring the presence of those with resources and abilities to aid both the process and outcomes;
- providing support for participants before, during, and after the Family Group conference;
- allowing families to have private time together; ensuring outcomes are adequately reviewed and monitored.

According to Burford, Pennel, and MacLeod (1995), it is essential to prepare the alleged offender before the Family Group Conference to ensure he or she is fully aware of the process. The offender should be prepared to hear the details of the offense that will be presented at the conference. It is also important to suggest that the offender choose a support person to attend the Family Group Conference with him or her.
This person should be someone who the offender has respect for and who will be able to help ensure that his or her behavior is respectful and appropriate. This may be a comfort to the offender who may be worried about losing control. Burford, Pennel, and MacLeod (1995), state that it is also essential to remind the offender that the focus of the conference is to develop a plan for the future care and safety of current and potential victims, not to lay blame, determine guilt or innocence, or hurl accusations.

It is fundamental that the facilitator of the Family Group Conference be trained and extensively skilled in the Family Group Conferencing process (Burford, Pennel, & MacLeod, 1995). He or she must be aware and understand the dynamics between the victim and offender utilizing the process. He or she should take the time and care in selecting, locating, and inviting family members to participate. The facilitator must be equipped to deal with tensions between family members in order to get as many of them as possible to the conference. This ensures that there will be support persons for family members at risk of abuse. Finally, the facilitator must clarify their role in the Family Group Conference. The facilitator’s role is to help the family prepare and run its Family Group Conference. If the facilitator becomes further involved, the conference is at major risk for becoming controlled solely by the facilitator, which does not serve the interests of the family (Lilja, 1997).

**Methodology**

**Participants**

If we are to understand the complexities of the Family Group Conferencing process, it is important that diverse voices in a variety of fields are heard. The participants interviewed were involved in a Family Group Decision Making Roundtable discussion in Madison, Wisconsin. The participants interviewed for this study were involved with or interested in the Family Group Conferencing process from a variety of perspectives.

Surveys were distributed among a random, opportunity sample at a conference of 300 academicians, social work professionals, child welfare service providers, mediators, sociologists, students, and facilitators of the Family Group Conferencing process. All of the participants of the conference were given the opportunity to partake in the survey.

The survey was distributed to the sample by allowing the participants to pick up and fill out the survey from a predetermined resource room at the conference. Completed surveys were collected by the researcher. From the 50 surveys available 21 (42%) were returned. Among the 21 participants, 14 (66%) identified themselves as professionals in the above career fields. The surveys completed by professionals were analyzed.
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for this study. Of these fourteen participants, 4 (28%) identified themselves as male and 10 (72%) identified themselves as female. The average years of professional experience among the participants was 13 years, with the minimum being two years of experience and the maximum 27 years of experience.

Participants attended the conference for a variety of reasons. Six (42%) of the 14 participants attended to learn more about the nuts and bolts of Family Group Conferencing. Six (42%) of the participants attended the conference as presenters on diverse Family Group Conferencing topics. The two remaining participants (16%) were involved in the execution of the conference.

The participants spent approximately fifteen minutes completing the survey. Eight (57%) of the participants read the survey and completed it themselves. The remaining six (43%) participants were asked the questions by the researcher and the answers were recorded, in a semistructured interviewing process.

Measures

A survey designed by the researcher was utilized in this study. The study consisted of 12 questions relevant to the Family Group Conference process. (See Appendix). Participants of the survey were asked a variety of questions surrounding the paramount concerns of the literature. Emphasis was placed on demographics. Demographic information included gender, the participant’s profession relevant to Family Group Conferences, and how many years experience they had in this area. Participants were asked to indicate the reason they had for attending the conference and why the subject matter was important to them.

Next, participants were asked to indicate whether they had utilized the Family Group Conferencing process, and to describe their experience. They were asked to indicate the types of cases in which they had incorporated Family Group Conferencing, and in which sort of cases would they not use this process. Participants who had utilized Family Group Conferences were then queried about who participated in the process.

All of the participants were asked to identify potential problems or risks they felt Family Group Conferences encompassed. As a follow up to this question, they were also asked to state what they saw as the future of the Family Group Conferencing process.

The survey questions were open-ended, allowing the respondents to answer in an unstructured manner. The validity of the survey was established through traditionally accepted methods of face validity and criterion or pragmatic related validity.
Findings

Based upon the participants’ answers, the study found both strengths and weaknesses within the Family Group Conferencing process. One of the assumptions made before attending the conference was that a large sample of people would be willing to complete the survey. The survey indicated that although the participants were extremely passionate and enthusiastic about Family Group Conferencing and the implications the process has for the future of how crime is dealt with, they were at the conference to learn. A number of potential participants who were approached at the conference stated they had strict time constraints and were unable to complete the survey.

A number of strengths of utilizing Family Group Conferencing were found. The first strength was the divergence of professionals utilizing the Family Group Conferencing process. Professionals interested and currently involved in the utilization of the process work in the areas of police work, college professors, community building, child welfare, juvenile probation, Department of Human Services, victim’s rights, social work, family law, child protection, various departments of the American Humane Association, and children and family services. This information provided encouragement to perform further research in this area.

A second strength of the study was that it provided information about what participants thought was important about the Family Group Conferencing process. When asked this specific question, participants provided a mélange of essential information. Two of the participants (14%) saw Family Group Conferencing as a real possibility when it came to empowering victims of crime. They saw the process as a means to encourage the offender and people close to them to follow through and take responsibility and ownership for their actions and inactions. Five participants (36%) found that the importance of the process was that it assisted in the healing process of the victim, offender, and the community. Two of the participants (14%) viewed the process as a method to focus on permanency planning (for children placed in foster care due to criminal behavior by parents), prevention strategies, and mutual culpability throughout the system, with everyone being held accountable for their role in crime. Three of the participants (21%) believed the Family Group Conferencing process to be important because it focuses on the safety of the participants of the process. One participant (7%) felt that the process is fundamental because it is family centered, culturally relevant, and based in the community. Only one participant (7%) stated that he or she did not know enough about Family Group Conferencing to comment.

The first weakness that was noted from the survey was the lack of participation. Of the fifty surveys that were available to potential
participants, twenty-one were completed. Of the twenty-one surveys that were completed, fifteen had been completed thoroughly.

Another weakness of the study was that the questions were answered in a vague and incomplete manner. When asked why the participants had attended the conference, four of the participants stated simply that they wanted to learn more about Family Group Conferences. When asked what Family Group Conferencing means to them, many offered unspecific answers. They stated that it is a way for Families to work together toward change and a means to protect families.

This study also demonstrated how new the process of Family Group Conferencing is. When asked if they had ever used the process, ten of the participants (71%) had, four (29%) had not.

Participants who had utilized the process were asked to describe their experience. One participant (7%) described it as a “remarkable experience”, emphasizing that the victims and offenders can have an enormous effect upon each other’s lives. One participant (7%) suggested that it was an “enlightening experience.” He or she found that it was difficult to attempt to maximize family strengths when the family he or she worked with only participated in the Family Group Conference to avoid court proceedings and consequences. Eleven participants (79%) found that the process was successful in establishing relationships within families, an excellent tool in building family and community support, that it was very involved, and that satisfaction was high. Another participant (7%) reported that the success rate in the program in which he or she was involved was seventy-four out of eighty clients satisfied.

Participants were asked to describe in which classification of cases they had utilized the Family Group Conferencing process. One participant (7%) stated that it was anticipated that the process would be used in cases of child welfare and family welfare, including cases involving domestic and juvenile violence. Another participant (7%) did not specify any certain type of case, and stated that the organization he or she worked for processed all types of cases depending upon what was referred to the agency. Eleven (79%) of the participants stated that they used the process in cases involving child abuse and neglect, family violence, and family welfare. One additional participant (7%) stated that he or she, supplementary to child welfare, abuse, and neglect cases, would also utilize this process with adult offenses.

Participants were asked to illustrate the classification of cases in which they would not utilize the process of Family Group Conferencing. Seven participants (50%) suggested that they would not use this process in sexual abuse or domestic violence cases. These participants went on to elaborate further. Because of their lack of experience, skills, and their main concern regarding the safety of the victims, before these cases were
processed, they believed further training would be necessary throughout the organizations in which they worked. Three participants (21%) stated that no specific category of cases was ruled out. An additional participant (7%) stated that he or she focused primarily on child welfare cases, therefore would not make any recommendations about any other types of cases. One participant (7%) stated that he or she had only initiated this model in child abuse and neglect cases, until he or she had been able to experiment further with these cases, they would remain the agency’s mainstay. Two participants (14%) explained that they did not classify cases by type or category.

Next, participants were asked who participated in Family Group Conferences. All of the participants (100%) stated that the families of victims and offenders participate. Other people who were involved in the process included friends, community members, neighbors, facilitators, and law enforcement.

The participants were then asked to determine possible problems or risks they foresaw in the Family Group Conferencing process. Three of the participants (21%) saw the lack of referrals being a problem. Six of the participants (43%) emphasized that the inexperience on the part of the facilitator and the lack of professionalism was an enormous risk for the participants of the process. Five participants (36%) emphasized victim safety was a key risk.

Finally, the participants of the study were asked what they envisioned for the future of Family Group Conferencing. One participant (7%) envisioned that the future would contain a tremendous amount of hard work. Another (7%) saw Family Group Conferencing as a productive process. Six of the participants (43%) stated that through improvement of facilitator skills and training, the process would be successful. Two of the participants (14%) were unsure of what the future held for Family Group Conferencing. Two other participants (14%) stated that success would depend upon the preparation of the participants and facilitators as well as the willingness of the participants to dictate how successful the process would be in the future. The other two participants (14%) did not complete this question.

Discussion

First, the results of the data showed that the Family Group Conferencing process can be utilized by a variety of professionals in a variety of fields. The data also confirmed, as previously stated by Taylor and Kummery (1996), that Family Group Conferencing has been used in cases from child welfare to domestic violence. The results from this study emphasized the use of Family Group Conferencing in cases involving child
welfare and protection. The pattern of use in these cases suggests that the target of Family Group Conferencing is to protect children and keep them safe.

Second, the results suggested that Family Group Conferencing was important for a variety of reasons. It empowered the victim and allowed the offender to take responsibility and be accountable for his or her actions. Family Group Conferences provided victims an opportunity to express the full impact of the crime upon their lives, to receive answers to any lingering questions about the incident, and to participate in holding offenders accountable. As stated in Umbreit and Zehr (1997), Family Group Conferencing also offers participants prevention strategies to ensure low rates of recidivism. One of the most relevant pieces of data discovered by the current study was that the process focused on safety for all of the participants.

Next, the results suggested that Family Group Conferencing was a relatively new paradigm within social science. It was an exploratory process; there are not distinct cases and specific categories of cases in which the process is utilized at all times. A myriad of factors determine if the process will be used in a case. The data indicated that a strong factor determining the use of the process was in which area the facilitator had been trained. The emphasis was placed upon the training and skills of the facilitator regarding which category of case he or she was able to expedite.

The results suggested that the doors were open to a variety of participants. Any persons who had stake in the affairs of the victim’s and the offender’s lives were likely to be participants in the Family Group Conferencing process. Participants of a Family Group Conference ranged from law enforcement to grandparents of the victim. Burford, Pennel, and MacLeod (1995), state that any person who is willing to support the families and the process can attend the Family Group Conference. By developing contacts with key individuals in the community (i.e., persons who were generally respected and trusted by community members and who were knowledgeable about what was happening in the community), a process could be developed to ensure that the appropriate people and groups are consulted and involved in setting up the process.

The results suggested a number of possible risks involved with the Family Group Conferencing process. One of the risks of the process was a lack of referrals. According to a study by Burford, Pennel, and MacLeod (1995), family members were generally accepted into the process when key members of the family had agreed to participate in the Family Group Conference. Once a referral was received and the family had been fully informed about the process, a more detailed participation agreement should be presented to the family members by the facilitator. One problem was when one party refuses to meet the agreement. If this occurred, the
conference could not be held (Burford, Pennel, & MacLeod, 1995).

The current study suggested that another risk involved in the process was the inexperience of the facilitator. According to research done by Umbreit and Zehr (1996), an unprepared and inexperienced facilitator could do more harm than good. If public agencies such as police or probation are initiating Family Group Conferencing, the actual session should be co-facilitated by a trained facilitator. If a local victim-offender mediation or reconciliation program exists, a new Family Group Conferencing program should be developed as a collaborative effort including the use of victim-offender mediation volunteer mediators as co-facilitators. The facilitators should be trained in mediation, conflict resolution skills, and in understanding the experience and needs of crime victim and offenders. The facilitator needs to be trained in cultural and ethical issues that are likely to affect the conferencing process and participants. Facilitators need to be able to conduct the process in the most victim-sensitive manner possible, including providing victims with a choice of when and where to meet and allowing them to present their story first if they so desire. In approaching victims to consider the process, facilitators should inform them of both the potential benefits and risks. Victims should not be pressured into a conference or told to trust the facilitator’s judgment (Umbreit & Zehr 1996).

**Conclusions and Implications**

As previously noted, Family Group Conferences provide a forum for those most affected by an incident of crime to sit down together and honestly address the incident and related concerns. It is therefore of undiminished importance to understand the fundamental needs of each family utilizing the process. This study concludes that various families in diverse demographic areas have distinct needs. It is of extreme importance to address these specific needs on a case-by-case basis.

It is essential to be certain that the victim, offender, families, community members, and other participants are given adequate preparation before the Family Group Conference is held. It is of cardinal value that each person is aware of the expectations of the Family Group Conference before they participate. As suggested by Umbreit and Zehr (1996), “Preparing the primary parties, before the joint conference, is crucial to the process of building rapport and trust with the involved parties. It is a necessity that participants are prepared for participation in dialogue in which the facilitator is not dominating the conversation (p. 28).”

It is constitutive to be certain that the facilitators of the conference are professionals who are trained in the Family Group Conference process. It is also fundamental that the facilitator is familiar with the victim,
offender, family and community members involved in the process. It is important to be aware of the cultural and community norms and values of the participants for the purpose of being ethical and professional. The current study has suggests that the process be used in cases in which the facilitators have been trained thoroughly and are extensively skilled.

Because Family Group Conferencing is a cutting edge process, it is difficult to report findings on the type of crimes with which it has been the most effective. A suggestion for future research is an extensive look at the rates of success in the area of Family Group Conferencing. One approach that would be helpful is to look at categories of cases in which the process is being utilized, determining the success rate for each type.

Another suggestion for future research is to perform this research on a broader scale. The number of participants of the current study played a major role in the results. This suggestion includes interviewing or surveying persons from all facets of the criminal justice system, social work, child welfare, sociology, etc., that are incorporating the use of Family Group Conferencing in their work. It is essential to encompass the knowledge and experience of every professional using the process to form well-founded results. It is also important to stress that each participant must complete a survey in its entirety or answer interview questions as completely as possible. Without this complete data, research efforts may be futile.

A final recommendation, focuses on the success of the Family Group Conference according to the victim and offender. Because they are extremely important to the process, it is fundamental to learn of their opinion of the process. A participant survey regarding the victim or offender’s views on the process can be very useful. An interview with the victim or offender could also be utilized as a tool to determine the success of Family Group Conferencing.
Appendix

Questionnaire Family Group Conferencing, June 2000

Questionnaire #________

1. Male_______ Female_______
2. Relevant professional experience (if any):
3. Years of professional experience_______
4. Reason for attending conference:
5. What does Family Group Conferencing mean to you?
6. Why do you think it is important?
7. Have you ever used the Family Group Conferencing model?
7a. If yes, how would you describe the experience?
8. In what types of cases have you used Family Group Conferencing?
9. In what types of cases would you not use this model? Please explain.
10. Who participates in the Family Group Conference?
11. What problems or risks do you see with Family Group Conferencing?
12. What do you see in the future for Family Group Conferencing?

Would you be willing for me to contact you if I have questions about your response or need clarification? Yes______ No_______

If yes, please provide me with an email, phone, or mail address.
Works Cited


