



# What is a family group conference?

A family group conference is a restorative justice process by which families and communities are involved in making decisions about children who are accused of committing crimes.

Family group conferencing was pioneered in New Zealand in the 1980s during the reform of their juvenile justice system. It is a form of restorative justice that was devised after consultation with the public, including Maoris and Pacific Islanders, throughout New Zealand.

It is a pre-requisite that the child acknowledges responsibility for his or her actions. The family group conference itself is a meeting of all the people who are significant in the child's life, as well as the victim and the persons supportive of the victim. The main goal of the conference is to formulate a plan about how best to put the wrong right and how to prevent a recurrence of the incident. All the parties need to agree to the eventual outcome.

Conferencing is perceived to be especially suited to young offenders, as it allows for early intervention in what may otherwise become a criminal career. Children may also be more amenable and responsive to the accountability and support inherent in the process, as their personalities are still developing, and the process involves people close to them such as their parents and other family members. Conferencing also provides an opportunity for victims to express the harm suffered by them and their needs arising from the incident. International and local research indicates that almost all participants in conferences experience them as highly satisfying.

Australia, Canada, the United States and the United Kingdom have all piloted some form of family group or community conferencing as diversion or sentencing options.

In South Africa, NICRO first began introducing the idea of diversion of children away from the criminal justice system in 1992, using the concepts of restorative justice. In 1995 the Inter-Ministerial Committee on Young People at Risk set up a pilot family group conference in Pretoria.

Other South African pioneers of family group conferences are the Restorative Justice Centre and various provincial departments of social development

The Child Justice Bill provides for family group conferences or any other restorative justice process to be used as a diversion option or as a restorative justice sentencing option. In terms of the Bill a court may confirm, substitute or amend the recommendation arising from a family group conference. If the court does not confirm the recommendation, it must note its reasons. Should a child not comply with the recommendation as confirmed by the court, the probation officer must notify the court, and a warrant of arrest for the child may be issued.