

The Family Group Conference Process

In Child Protection Situations

In New Zealand, an investigation by a child protection worker and/or police officer is conducted following a report of abuse and/or neglect of a child or youth. Once it has been determined that the child or youth is in need of care and protection, a referral is made to the Family Group Conference (FGC) Coordinator. Except in situations in which the child or youth is in immediate danger, an application to the Court cannot be made until a FGC has been held. The legislation provides three distinct stages of a FGC.

Stage One

The first stage of the FGC involves the family, including the child/youth if possible, a FGC coordinator, child protection worker and any other professionals involved in the abuse/neglect investigation, (teachers, therapists, police officers). During this stage, all evidence of concern is presented to the family. Family strengths are identified and "bottom line" protection issues that must be addressed in the plan are made clear. The family may ask questions about resources available to the family or discuss implications of particular problems. Experts may also be brought in to provide general information about particular difficulties, (domestic violence, drug abuse, psychological disorders) and address concerns of the family. <P>

Stage Two

The second stage of the FGC involves only the family members, again including the child/youth. All professionals, including the FGC coordinator, leave the family to discuss in private, the issues of concern and to develop a plan that will keep the child or young person safe. Only family members (including non blood relatives) have the legal right to participate in this part of the unless others including professionals have been invited by the family to participate. <P>

Stage Three

The third stage of the FGC involves the family, child protection worker and the FGC coordinator. During this stage, the FGC coordinator may help the family articulate and write up the plan. Follow up and monitoring plans are addressed and the whole plan is presented to the child protection worker for approval. Once the child protection worker accepts the plan, the FGC coordinator arranges for copies of the plan to be distributed to each person who participated in the FGC. If Court action is involved, the plan may be presented as a potential Order for consideration.

In Youth Justice Situations

In New Zealand, a police officer who believes that a young person has committed a crime cannot make an arrest until a FGC has been held. However, in order to insist that a FGC be held, the young person must confess to the crime. If s/he does not admit to the crime, then the police officer may refer the matter to the Youth Court. If the young person is found guilty of the crime, the Court will order a FGC. There will be no criminal record for the young person following a successful FGC outcome. The legislation provides three distinct stages of a FGC as in child protection matters except that in this case, the victim and h/er support persons will participate fully in the restorative justice plan.

New Zealand Child Protection Referral Process



