

Restorative Group Conferencing

Also called Family Group Conferencing, Accountability Conferencing

Family group conferencing involves the community of people most affected by the crime -- the victim and the offender; and the family, friends, and key supporters of both -- in deciding the resolution of a criminal incident. These affected parties are brought together by a trained facilitator to discuss how they and others have been harmed by the offense and how that harm might be repaired. To participate, the offender must admit to the offense. Participation by all involved is voluntary. The facilitator contacts the victim and offender to explain the process and invites them to the conference; the facilitator also asks them to identify key members of their support systems, who will be invited to participate as well.

The conference typically begins with the offender describing the incident, followed by each participant describing the impact of the incident on his or her life. It is preferable to allow the victim to start the discussion, if they wish. Through these narrations, the offender is faced with the human impact of the behavior on the victim, on those close to the victim, and on the offender's own family and friends. The victim has the opportunity to express feelings and ask questions about the incident. After a thorough discussion of the impact of the behavior on those present, the victim is asked to identify desired outcomes from the conference, and thus help to shape the obligations that will be placed on the offender. All participants may contribute to the problem-solving process of determining how the offender might best repair the harm he or she has caused. The session ends with participants signing an agreement outlining their expectations and commitments.

Family group conferencing was developed from a Maori tradition in New Zealand, where it is currently used for most juvenile offenses. The process was adapted by police in Australia, and then introduced to the United States, where it is currently used by some police agencies, schools, and probation. Family group conferencing is most often used as a diversion from the court process for juveniles, but can be used after adjudication to address unresolved emotional issues or to determine the specific terms of restitution. The process has been used in a few adult cases. A variety of offenses have been resolved through family group conferencing, including theft, arson, minor assaults, drug offenses, and vandalism.

Goals

The goals of family group conferencing include:

- Provide an opportunity for the victim to be directly involved in the discussion of the offense and in decisions regarding appropriate sanctions to be placed on the offender.
- Increase the offender's awareness of the human impact of his or her behavior and provide an opportunity to take full responsibility for it.
- Engage the collective responsibility of the offender's support system for making amends and shaping the offender's future behavior.
- Allow both offender and victim to reconnect to key community support systems.

Implementation

The family group conferencing process has been implemented in schools, police departments, probation offices, and neighborhood groups. Either volunteers or paid employees can serve as facilitators after completing a required course of skills training. Besides involving the victim, offender, and their family members, a conference might involve other key people in the victim's and offender's lives such as teachers, other relatives, peers and special adult friends, and the like. Some family group conferencing programs are implemented within a single agency, while others are developed collaboratively among several agencies.

Lessons Learned

To date, two studies have been conducted to assess the impact of family group conferencing with youthful offenders. One study assessed the impact of a new law mandating the widespread use of conferencing in New Zealand. It found that families of offenders are more frequently and actively involved in the justice process when they participate in a family group conference, rather than standard justice processes (Maxwell and Morris, 1993). It also found that the offenders and victims, as well as their families, reported that the conference process had been helpful.

Preliminary program evaluations in the United States also indicate high levels of victim satisfaction with the family group conferencing process and high rates of compliance by offenders with the agreements reached during conferences.

Practitioners observe a reduction in fear for many victims. When used as a diversion from court, family group conferencing provides a much speedier resolution of the incident than would otherwise be the case. Family group conferencing also builds community skills in conflict resolution and participatory decision-making.